



PLANNING COMMISSION WORK SESSION AGENDA

Monday, December 11, 2017 - 6:00 PM

Newport Recreation Center, Room 117, 225 SE Avery St, Newport, OR 97365

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 at 541.574.0613.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER

2. UNFINISHED BUSINESS

3. NEW BUSINESS
 - 3.A Draft Amendments to NMC 14.22 Airport Restricted Area Overlay
[Airport Restricted Area Overlay.pdf](#)

 - 3.B Planning Commission Goal Setting Discussion
[Goal Setting.pdf](#)

4. ADJOURNMENT

Planning Commission Work Session Agenda Item Report

Agenda Item No. 2016-1876

Submitted by: Sherri Marineau

Submitting Department: Community Development

Meeting Date: December 11, 2017

SUBJECT

Draft Amendments to NMC 14.22 Airport Restricted Area Overlay

Recommendation:

ATTACHMENTS

- [Airport Restricted Area Overlay.pdf](#)

Memorandum

To: Planning Commission/Commission Advisory Committee
 From: Derrick I. Tokos, AICP, Community Development Director 
 Date: December 8, 2017
 Re: Comparison of Existing Airport Restricted Area Overlay with Model Code

Attached is a comparison of the City's existing Airport Restricted Area Overlay, last amended in a meaningful way in 1991 (Ord. #1603), and the State of Oregon's model codes. It was put together by the consulting firm WHPacific and Melissa Roman, with the Newport Public Works Department. Language in the existing code, highlighted in blue, is no longer commonly used or it is inconsistent with the model language. Language in red underline would be new.

For this work session, we will be prepared to review and discuss the differences between the two codes and will be looking for direction from the Commission as to whether or not the City should attempt to update its existing code or simply replace it with some variation of the model language.

In addition to the document comparing the two codes, I have attached maps from the updated Airport Master Plan that illustrate the different airport approach surfaces. The plan view maps show their geographic extent (Sheets 6 and 15), whereas the profile drawings give you a sense of the elevation changes (Sheets 8 and 11). A map of the Airport Layout Plan has also been provided showing potential development areas within the airport property (Sheet 3). The full set of drawings for the updated Airport Master Plan are available at: <http://newportoregon.gov/dept/onp/masterplanupdate.asp>. Coming out of this work session, staff will prepare a modified version of the code that responds to Commission feedback for review and discussion at a future work session.

In general, the existing and model codes differ as follows:

- Definitions. A number of the existing code terms are outdated. The model code includes a wider array of definitions with language tailored to align with corresponding language in statute and administrative rules. Some of the regulatory surfaces in the model code are larger than the existing code and there appears to be some redundancy between the definitions and the section of the code that defines the airport area, surfaces and zones.
- Airport Areas, Surfaces, and Zones. The model code establishes a runway protection zone extending up to 2,500 feet from a runway. The "clear area" is the equivalent concept in the existing code; however, its boundary is not clearly defined. Horizontal and transitional surfaces appear to be unchanged with the horizontal surface being more precisely defined in the model code. The approach zones, which include the utility runway visual approach (Runway 2-20), precision and non-precision instrument runway approaches (Runway 16-34), and the conical surface, are more precisely defined and expanded in the model code. Direct Impact Area and

Secondary Impact Area are new concepts introduced in the model code to regulate land uses beyond the airport property.

- Use Restrictions. The existing code requires a permit be obtained for development in an approach zone that is within 4,200 feet of a runway. The purpose of the permit is to ensure that structural development will not obstruct air traffic or otherwise serve as an impediment to pilots (e.g. glare, electrical interference, etc.). Structural development within an approach zone that is beyond 4,200 feet of a runway is not required to obtain a permit as long as it is under 50-feet in height or does not intrude into the approach surface. The model code regulates specific uses within runway protection zones, approach surfaces (10,000 feet at roughly 20:1 for utility runways and 50,000 feet at roughly 40:1 for precision instrument runways), direct impact areas (5,000 feet of a runway), and secondary impact areas (between 5,000 and 10,000 feet of a runway). These areas are mapped on Sheets 6 and 15 of the updated Airport Master Plan. The approach surfaces for the precision and utility runways are shown in profile view on Sheets 8 and 11. The Use limitations are listed in Table A-1 (pg. 14) of the document comparing the existing and model codes.

Changes recommended in the model code could significantly impact development in South Beach. For example, retention and detention facilities are commonly used in South Beach to manage storm water and improve water quality attributed to new roadway and structural development. The model code would prohibit them in some cases, or limit them to .25 acres in size without a detailed bird strike study. Residential development would also be restricted, impacting Southshore (which is not built out) and the as yet to develop Wolf Tree Destination Resort. Residentially developed areas outside the city limits, most of which are west and southwest of the airport, fall within the model codes regulatory surfaces but would not be subject to its limitations unless the plan is adopted by the County. This is likely to limit the effectiveness of the rules and might raise legitimate equity issues. **Please carefully review the land use limitations contained in the model code. At this work session, we will be looking for your feedback regarding the types of land uses you believe should be restricted to avoid adverse impacts to airport operations and those you believe should not be restricted.**

- Noise. The existing code requires supplemental insulation for new noise sensitive uses, such as homes, hospitals, and schools, when located in a moderate noise impact area (over 55 Ldn). Some of these uses are prohibited in substantial noise impact areas (over 65 Ldn). The model code requires a deed restriction and the use of noise abatement techniques, such as enhanced insulation, where the noise level is expected to be over 65 Ldn. Anticipated noise levels should have been assessed as part of the master planning process, and we will try to obtain a map showing the affected areas for the work session.
- Airport Development Zone. This component of the overlay allows uses that wouldn't typically be permitted in a P-1 zone district. It is specific to the airport property. The existing code addresses this issue under NMC 14.22.130. Public/private hangars, roadways and the like are permitted outright; whereas commercial/industrial uses are subject to conditional use review. The model code frames this as the "Public Use Airport Zone" (pg. 25). It lists out uses permitted outright, which are all aeronautical in nature. Roadways are not listed as permitted. Other uses can be allowed subject to discretionary review, and the City may want to tailor the range of allowable uses based upon whether or not the area is designated for aeronautical or Non-aeronautical use (Ref: Sheet 3).

Attachments

CHAPTER 14.22 AIRPORT RESTRICTED AREA (Existing)

14.22.010 Definitions. As used in this section, unless the context otherwise requires:

- A. Airport means the Newport Municipal Airport.
- B. Airport Elevation means 161 feet above mean sea level (with respect to the North American Datum of 1988 (NAVD-88)).
- C. Airport Reference Point means the point established as the approximate geographic center of the airport landing area and so designated.
- D. Approach Surface means a surface longitudinally centered on the extended runway center line, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in the Section. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
- E. Utility Runway (Runway 2-20) means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.
- F. Conical Surface means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 10 to 1 for a horizontal distance of 4,000 feet.
- G. Hazard To Air Navigation means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
- H. Height. For the purpose of determining the height limits in all zones set forth in this Code and shown on the Zoning Map, the datum shall be mean sea level elevation (with respect to the North American Datum of 1988 (NAVD-88)) unless otherwise specified.
- I. Horizontal Surface means a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
- J. Instrument Runway means a runway equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.
- K. Larger Than Utility Runway means a runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.

CHAPTER 14.22 AIRPORT RESTRICTED AREA (Model Code)

14.22.010 Purpose. The purpose of this overlay zone is to encourage and support the continued operation and vitality of public use airports with instrument approaches by establishing compatibility and safety standards to promote air navigational safety at such public use airports and to reduce potential safety hazards for persons living, working or recreating near such public use airports. [ORS 836.600; ORS 836.619; OAR 660-013-0070; OAR 660-013-0080]

14.22.020 Definitions. [ORS 836.605; ORS 836.623(6); OAR 660-013-0020; OAR 660-013-0070(1)(a), (b); OAR 660-013-0080(1)(a)]

- A. Airport. The strip of land used for taking off and landing aircraft, together with all adjacent land used in connection with the aircraft landing or taking off from the strip of land, including but not limited to land used for existing airport uses. Refers to the Newport Municipal Airport.
- B. Airport Direct Impact Area. The area located within 5,000 feet of an airport runway, excluding lands within the runway protection zone and approach surface.
- C. Airport Development Zoning. The areas around an airport identified for airport related and dependent uses. Often replaces industrial, public facility or other designations currently given to the airport site and immediate vicinity. Based on a zoning district that identifies outright and conditionally permitted uses on airport property. Include areas used or needed for airport operations, areas needed for anticipated facility growth, airport-related industry and commercial operations and airport-related industrial, commercial or recreational activities. According to OAR 660-013-0160, local governments must update their zoning and land use regulations to conform to this division at periodic review. Amendments to plan and land use regulations may be accomplished per OAR 660-013-0160 (5) through the plan requirements of ORS 197.610 to 197.625 in advance of periodic review, where such amendments are in full compliance with Division 13 of OAR 660.
- D. Airport Elevation. The highest point of an airport's usable runway, measured in feet above mean sea level (with respect to the North American Datum of 1988 (NAVD-88)).
- E. Airport Imaginary Surfaces. Imaginary areas in space and on the ground that are established in relation to the airport and its runways. Imaginary areas are defined by the primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface.
- F. Airport Noise Impact Boundary. Areas located within 1,500 feet of an airport runway or within established noise contour boundaries exceeding 55 Ldn.

- L. Obstruction.** Any structure, growth, or other object, including a mobile object, that exceeds a limiting height set forth in this section.
- M. Precision Instrument Runway (Runway 16)** means a runway having an instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- N. Primary Surface** means a surface longitudinally centered on a runway. When the runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of the runway. For military runways, or when the runway has no specially prepared hard surface (or planned hard surface), the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- O. Runway** means a defined area on an airport prepared for landing and takeoff of aircraft along its length.
- P. Structure** means an object, including a mobile object, constructed or installed, including - but without limitation buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.
- Q. Transitional Surfaces.** These surfaces extend outward to 90° angles to the runway center line, and the runway centerline extends at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90° angles to the extended runway centerline.
- R. Tree** means any object of natural growth.
- S. Visual Runway (Runway 2-20)** means a runway intended solely for the operation of aircraft using visual approach procedures.
- G. Airport Secondary Impact Area.** The area located between 5,000 and 10,000 feet from an airport runway.
- H. Airport Sponsor.** The City of Newport. The owner, manager, or other person or entity designated to represent the interests of an airport.
- I. Approach Surface for Instrument Approaches.** A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.
1. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - a. 2,000 feet for a utility runway having a non-precision instrument approach;
 - b. 3,500 feet for a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
 - c. 4,000 feet for a non-precision instrument runway, other than utility, having visibility minimums at or below three-fourths statute mile; and
 - d. 16,000 feet for precision instrument runways.
 2. The approach surface extends for a horizontal distance of:
 - a. (1) 5,000 feet at a slope of 20 feet outward for each foot upward for all utility runways;
 - b. (2) 10,000 feet at a slope of 34 feet outward for each foot upward for all non-precision instrument runways, other than utility; and
 - c. (3) 10,000 feet at a slope of 50 feet outward for each one foot upward, with an additional 40,000 feet at slope of 40 feet outward for each one foot upward, for precision instrument runways.
 3. The outer width of an approach surface will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.
- J. Approach Surface for Visual Only Approaches.** A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.

1. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - a. 1,250 feet for a utility runway; or
 - b. 1,500 feet for a runway other than a utility runway.
 2. The approach surface extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward for each foot upward.
 3. The outer width of an approach surface will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.
- K. Conical Surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
- L. Department of Aviation. The Oregon Department of Aviation, formerly the Aeronautics Division of the Oregon Department of Transportation.
- M. FAA. The Federal Aviation Administration.
- N. FAA's Technical Representative. As used in this ordinance, the federal agency providing the FAA with expertise on wildlife and bird strike hazards as they relate to airports. This may include, but is not limited to, the USDAAPHIS-Wildlife Services.
- O. Height. The highest point of a structure or tree, plant or other object of natural growth, measured from mean sea level (with respect to the North American Datum of 1988 (NAVD-88)).
- P. Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:
 1. 5,000 feet for all runways designated as utility.
 2. 10,000 feet for all other runways.
 3. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000 foot arcs, the 5,000 foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.
- Q. Non-precision Instrument Runway. A runway having an

existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach has been approved, or planned, and for which no precision approach facilities are planned or indicated on an FAA approved airport layout plan or other FAA planning document.

- R. Obstruction. Any structure or tree, plant or other object of natural growth that penetrates an imaginary surface.
- S. Other than Utility Runway. A runway that is constructed for and intended to be used by turbine driven aircraft or by propeller-driven aircraft exceeding 12,500 pounds gross weight.
- T. Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities that provide both horizontal and vertical guidance, such as an Instrument Landing System (ILS) or Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA-approved airport layout plan or other FAA planning document.
- U. Primary Surface for Instrument Approaches. A surface longitudinally centered on a runway. When a runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. When a runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is:
1. 500 feet for utility runways having non-precision instrument
 2. approaches, 500 feet for utility runways having non-precision instrument approaches, with visibility minimums greater than three-fourths statute mile, and
 3. 1,000 feet for non-precision instrument runways with visibility minimums at or below three-fourths statute mile, and for precision instrument runways.
- V. Primary Surface Visual Only Approaches. A surface longitudinally centered on a runway. When a runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. When a runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is:
- a. 250 feet for utility runways.

b. 500 feet for other than utility runways.

W. Public Assembly Facility. A permanent or temporary structure or facility, place or activity where concentrations of people gather in reasonably close quarters for purposes such as deliberation, education, worship, shopping, employment, entertainment, recreation, sporting events, or similar activities. Public assembly facilities include, but are not limited to, schools, churches, conference or convention facilities, employment and shopping centers, arenas, athletic fields, stadiums, clubhouses, museums, and similar facilities and places, but do not include parks, golf courses or similar facilities unless used in a manner where people are concentrated in reasonably close quarters. Public assembly facilities also do not include air shows, structures or uses approved by the FAA in an adopted airport master plan, or places where people congregate for short periods of time such as parking lots or bus stops.

X. Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Y. Runway Protection Zone (RPZ). An area off the runway end used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline. The inner width of the RPZ is the same as the width of the primary surface. The outer width of the RPZ is a function of the type of aircraft and specified approach visibility minimum associated with the runway end. The RPZ extends from each end of the primary surface for a horizontal distance of:

1. 1,000 feet for utility runways.
2. 1,700 feet for other than utility runways having non-precision instrument approaches.
3. 2,500 feet for precision instrument runways.

[NOTE: the outer width of the RPZ is specified by airport type in OAR 660, Division 13, Exhibit 4]

Z. Significant. As it relates to bird strike hazards, "significant" means a level of increased flight activity by birds across an approach surface or runway that is more than incidental or occasional, considering the existing ambient level of flight activity by birds in the vicinity.

AA. Structure. Any constructed or erected object which requires location on the ground or is attached to something located on the ground. Structures include but are not limited to buildings, decks, fences, signs, towers, cranes, flagpoles, antennas, smokestacks, earth formations and overhead transmission lines. Structures do not include paved areas.

BB. Transitional Surface. Those surfaces that extend upward and outward at 90 degree angles to the runway centerline and

the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to the point of intersection with the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at a 90 degree angle to the extended runway centerline.

CC. Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less. Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures, where no straight-in instrument approach procedures or instrument designations have been approved or planned, or are indicated on an FAA-approved airport layout plan or any other FAA planning document.

DD. Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures, where no straight-in instrument approach procedures or instrument designations have been approved or planned, or are indicated on an FAA-approved airport layout plan or any other FAA planning document.

EE. Water Impoundment. Includes wastewater treatment settling ponds, surface mining ponds, detention and retention ponds, artificial lakes and ponds, and similar water features. A new water impoundment includes an expansion of an existing water impoundment except where such expansion was previously authorized by land

14.22.020 Airport Zones. In order to carry out the provisions of this Code, there are hereby created and established certain zones and surfaces that include all of the land lying within the Instrument Approach Zones, Non-Instrument Approach Zones, Transition Zones, Horizontal Zones, and Conical Zones. Such areas, surfaces, and zones are shown on the "Airport Layout Plan" and "Approach and Clear Zone Plan" of the Newport Municipal Airport, consisting of three-eighteen (18) sheets prepared by George M. Baldwin & Associates-WHPacific (dated August 24, 19792017), which is made part of this Ordinance. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- A. Utility Runway Visual Approach Zones (both ends of Runway 2-20). The inner edge of this approach coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to the width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- B. Runway Larger Than Utility Visual Approach Zone (Runway 34). The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the runway.
- C. Precision Instrument Runway Approach Zone (Runway 16). The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- D. Transitional Zones. The transitional zones are the areas beneath the transitional surfaces.
- E. Horizontal Zones. The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- F. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of 4,000 feet.

Section for Overlay Zone—What's in the air.

14.22.030 Airport Areas, Surfaces and Zones

- A. Runway Protection Zone (RPZ). An area off the runway end used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline. The inner width of the RPZ is the same as the width of the primary surface. The outer width of the RPZ is a function of the type of aircraft and specified approach visibility minimum associated with the runway end. The RPZ extends from each end of the primary surface for a horizontal distance of:
 1. 1,000 feet for utility runways.
 2. 1,700 feet for other than utility runways having non-precision instrument approaches.
 3. 2,500 feet for precision instrument runways.
- B. Utility Runway Visual Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.
 1. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - a. 2,000 feet for a utility runway having a non-precision instrument approach;
 - b. 3,500 feet for a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
 - c. 4,000 feet for a non-precision instrument runway, other than utility, having visibility minimums at or below three-fourths statute mile; and
 - d. 16,000 feet for precision instrument runways.
 2. The approach surface extends for a horizontal distance of:
 - a. 5,000 feet at a slope of 20 feet outward for each foot upward for all utility runways;
 - b. 10,000 feet at a slope of 34 feet outward for each foot upward for all non-precision instrument runways, other than utility; an
 - c. 10,000 feet at a slope of 50 feet outward for each

- one foot upward, with an additional 40,000 feet at slope of 40 feet outward for each one foot upward, for precision instrument runways.
3. The outer width of an approach surface will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.
- C. Conical Surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
- D. Direct Impact Area. The area located within 5,000 feet of an airport runway, excluding lands within the runway protection zone and approach surface.
- E. Non-Precision Instrument Approach Surface Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.
1. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - a. 2,000 feet for a utility runway having a non-precision instrument approach;
 - b. 3,500 feet for a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
 - c. 4,000 feet for a non-precision instrument runway, other than utility, having visibility minimums at or below three-fourths statute mile.
- F. Precision Instrument Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.
1. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of
 - a. 16,000 feet for precision instrument runways.
- G. Secondary Impact Area. The area located between 5,000 and 10,000 feet from an airport runway.

- H. **Transitional Surface.** Those surfaces that extend upward and outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to the point of intersection with the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at a 90 degree angle to the extended runway centerline.

14.22.040 Imaginary Surface and Noise Impact Boundary Delineation. The airport elevation, the airport noise impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for each airport subject to this overlay zone and shall be made part of the Official Zoning Map. **[NOTE: Airports utilizing best management practices should include direct and secondary impact boundaries in this list.]** All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces shall be subject to the requirements of this overlay zone. [ORS 836.619; OAR 660- 013-0040(8); OAR 660-013-0070(1); OAR 660-013-0080(1)]

14.22.050 Notice of Land Use and Permit Applications within Overlay Zone Area. Except as otherwise provided herein, written notice of applications for land use or limited land use decisions, including comprehensive plan or zoning amendments, in an area within this overlay zone, shall be provided to the City of Newport in the same manner as notice is provided to property owners entitled by law to written notice of land use or limited land use applications. [ORS 836.623(1); OAR 738-100- 010; ORS 215.416(6); ORS 227.175(6)]

A. **Instrument Approaches:**

1. Notice shall be provided to the City of Newport when the property, or a portion thereof, that is subject to the land use or limited land use application is located within 10,000 feet of the sides or ends of a runway:
2. Notice of land use and limited land use applications shall be provided within the following timelines.
 - a. Notice of land use or limited land use applications involving public hearings shall be provided prior to the public hearing at the same time that written notice of such applications is provided to property owners entitled to such notice.

- b. Notice of land use or limited land use applications not involving public hearings shall be provided at least 20 days prior to entry of the initial decision on the land use or limited land use application.
3. Notice of the decision on a land use or limited land use application shall be provided to the City of Newport within the same timelines that such notice is provided to parties to a land use or limited land use proceeding.
4. Notices required under Paragraphs A-C for instrument approaches need not be provided to the City of Newport where the land use or limited land use application meets all of the following criteria:
 - a. Would only allow structures of less than 35 feet in height;
 - b. Involves property located entirely outside the approach surface;
 - c. Does not involve industrial, mining or similar uses that emit smoke, dust or steam; sanitary landfills or water impoundments; or radio, radiotelephone, television or similar transmission facilities or electrical transmission lines; and
 - d. Does not involve wetland mitigation, enhancement, restoration or creation.

B. Visual Only Approaches:

1. Notice shall be provided to the City of Newport when the property, or a portion thereof, that is subject to the land use or limited land use application is located within 5,000 feet of the sides or ends of a runway.
2. Notice of land use and limited land use applications shall be provided within the following timelines.
 - a. Notice of land use or limited land use applications involving public hearings shall be provided prior to the public hearing at the same time that written notice of such applications is provided to property owners entitled to such notice.
3. Notice of land use or limited land use applications not involving public hearings shall be provided at least 20 days prior to entry of the initial decision on the land use or limited land use application.
4. Notice of the decision on the land use or limited land use application shall also be provided to the City of Newport within the same timelines that notice is

provided to parties to the proceeding.

5. Notices required under Paragraphs A-C of this section need not be provided to the City of Newport where the land use or limited land use application meets all of the following criteria:
 - a. Would only allow structures of less than 35 feet in height;
 - b. Involves property located entirely outside the approach surface;
 - c. Does not involve industrial uses, mining or similar uses that emit smoke dust or steam; sanitary landfills or water impoundments; or radio, radiotelephone, television or similar transmission facilities or electrical transmission lines; and
 - d. Does not involve wetland mitigation, creation, enhancement or restoration.

DRAFT

14.22.030 Airport Zone Height Limitations. Except as otherwise provided in this Code, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this Code to a height in excess of the applicable height herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. Utility Runway Visual Approach Zone (Runway 2-20). Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. Runway Larger Than Utility Visual Approach Zone (Runway 34). Slopes 20 feet outward for each foot upward beginning at the end of an at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- C. Precision Instrument Runway Approach Zone (Runway 16). Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
- D. Transitional Zones. Slopes seven (7) feet outward for each foot upward beginning at the sides of an at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport elevation, which is 100 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface and extending a horizontal distance of 5,000 feet at 90° angles to the extended runway centerline.

14.22.060 Height Limitations on Allowed Uses in Underlying Zones. All uses permitted by the underlying zone shall comply with the height limitations in this Section. When height limitations of the underlying zone are more restrictive than those of this overlay zone, the underlying zone height limitations shall control. [ORS 836.619; OAR 660-013-0070]

- A. Except as provided in subsections B and C of this Section, no structure or tree, plant or other object of natural growth shall penetrate an airport imaginary surface. [ORS 836.619; OAR 660- 013-0070(1)]
- B. For areas within airport imaginary surfaces but outside the approach and transition surfaces, where the terrain is at higher elevations than the airport runway surfaces such that existing structures and permitted development penetrate or would penetrate the airport imaginary surfaces, the City of Newport may authorize structures up to 35 feet in height.
- C. Other height exceptions or variances may be permitted when supported in writing by the City of Newport and the FAA. Applications for height variances shall follow the procedures for other variances and shall be subject to such conditions and terms as recommended by the City of Newport and the FAA.

14.22.065 Procedures. An applicant seeking a land use or limited land use approval in an area within this overlay zone shall provide the following information in addition to any other information required in the permit application: **[NOTE: where uses otherwise allowed outright become "limited" under this ordinance, the local government needs to identify the applicable administrative review process.]**

- A. A map or drawing showing the location of the property in relation to the airport imaginary surfaces. The Planning Department shall provide the applicant with appropriate base maps upon which to locate the property.
- B. Elevation profiles and a site plan, both drawn to scale, including the location and height of all existing and proposed structures, measured in feet above mean sea level.
- C. If a height variance is requested, letters of support from the City of Newport and the FAA.

14.22.040 Use Restriction. Notwithstanding any other provisions of this Code, no use may be made of land or water within any zone established by this Code in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

14.22.060 Permits

- A. Future Uses. Except as specifically provided in paragraphs 1, 2, and 3, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with Section 14.33.001, Adjustments and Variances, and Section 14.43.001, Procedural Requirements.*
1. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 50 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 2. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 50 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.
 3. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 50 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.
 4. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit

14.22.070 Land Use Compatibility Requirements. [Option 2 – Best Management Practices] Applications for land use or building permits for properties within the boundaries of this overlay zone shall comply with the requirements of this chapter as provided herein. [ORS 836.619; ORS 836.623(1); OAR 660-013-0080]

- A. Noise. Within airport noise impact boundaries, land uses shall be established consistent with the levels identified in OAR 660, Division 13, Exhibit 5. A declaration of anticipated noise levels shall be attached to any subdivision or partition approval or other land use approval or building permit affecting land within airport noise impact boundaries. In areas where the noise level is anticipated to be at or above 55 Ldn, prior to issuance of a building permit for construction of a noise sensitive land use (real property normally used for sleeping or as a school, church, hospital, public library or similar use), the permit applicant shall be required to demonstrate that a noise abatement strategy will be incorporated into the building design that will achieve an indoor noise level equal to or less than 55 Ldn. [NOTE: FAA Order 5100.38A, Chapter 7 provides that interior noise levels should not exceed 45 decibels in all habitable zones.]
- B. Outdoor Lighting. No new or expanded industrial, commercial or recreational use shall project lighting directly onto an existing runway or taxiway or into existing airport approach surfaces except where necessary for safe and convenient air travel. Lighting for these uses shall incorporate shielding in their designs to reflect light away from airport approach surfaces. No use shall imitate airport lighting or impede the ability of pilots to distinguish between airport lighting and other lighting.
- C. Glare. No glare producing material, including but not limited to unpainted metal or reflective glass, shall be used on the exterior of structures located within an approach surface or on nearby lands where glare could impede a pilot's vision.
- D. Industrial Emissions. No new industrial, mining or similar use, or expansion of an existing industrial, mining or similar use, shall, as part of its regular operations, cause emissions of smoke, dust or steam that could obscure visibility within airport approach surfaces, except upon demonstration, supported by substantial evidence, that mitigation measures imposed as approval conditions will reduce the potential for safety risk or incompatibility with airport operations to an insignificant level. The review authority shall impose such conditions as necessary to ensure that the use does not obscure visibility.
- E. Communications Facilities and Electrical Interference. No use shall cause or create electrical interference with navigational signals or radio communications between an airport and aircraft. Proposals for the location of new or expanded radio, radiotelephone, and television

any construction, alteration of any structure, or growth of any tree in excess of any of the height limits established by this Ordinance except as set forth in 14.22.030 above.

("Amended by Ordinance No. 1989 (1-1-10).)

- B. Existing Uses. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Code, or any amendments thereto, or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- C. Nonconforming Uses Abandoned or Destroyed. Wherever the City Manager determines that a nonconforming tree or structure has been abandoned or more than 80% torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such tree or structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- A. Variances. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property not in accordance with the regulations prescribed in this Code may apply to the Planning Commission for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship, and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Code. Variances will be approved in accordance with Section 14.33.001, Adjustments and Variances, and consistent with Section 14.43.001, Procedural Requirements.* Additionally, no application for variance to the requirements of this Code may be considered by the Planning Commission unless a copy of the application has been furnished to the Airport Commission and Airport Manager for advice as to the aeronautical effects of this variance. If the Airport Manager and Airport Commission do not respond to the application within 30 days after receipt, the Planning Commission may act on its own to grant or deny said application.

(*Sentence added by Ordinance No. 1989 No. 1989 (1-1-10).)

transmission facilities and electrical transmission lines within this overlay zone shall be coordinated with the City of Newport and the FAA prior to approval. Approval of cellular and other telephone or radio communication towers on leased property located within airport imaginary surfaces shall be conditioned to require their removal within 90 days following the expiration of the lease agreement. A bond or other security shall be required to ensure this result.

- F. Limitations and Restrictions on Allowed Uses in the RPZ, Approach Surface, and Airport Direct and Secondary Impact Areas. The land uses identified in Table 1, and their accessory uses, are permitted, permitted under limited circumstances, or prohibited in the manner therein described. In the event of conflict with the underlying zone, the more restrictive provisions shall control. As used in this section, a limited use means a use that is allowed subject to special standards specific to that use.

TABLE A-1: LIMITATIONS & RESTRICTIONS ON ALLOWED USES				
KEY:				
P = Use is Permitted				
L = Use is Allowed Under Limited Circumstances (see footnotes)				
N = Use is Not Allowed				
	RPZ ¹	Approach Surface ⁸	Direct Impact Area	Secondary Impact Area
Public Airport	L ²	L ⁹	P	P
Residential	N	L ¹⁰	L ¹⁴	P
Commercial	N	L ⁹	L ¹⁵	P
Industrial	N	L ⁹	P	P
Institutional	N	L ⁹	L ¹⁵	P
Farm Use	P ³	P ³	P ³	P ³
Roads/Parking	L ⁴	P	P	P
Utilities	L ⁵	L ⁵	L ⁵	L ⁵
Parks/Open Space	L ⁶	P	P	P
Golf Courses	L ⁷	L ⁹	L ⁷	L ⁷
Athletic Fields	N	L ⁹	L ¹⁴	P
Sanitary Landfills	N	N	N	N
Water Treatment Plants	N	N	N	N
Mining	N	L ¹¹	L ¹¹	L ¹¹
Water Impoundments	N	N ¹²	N ¹⁶	N ¹⁶
Wetland Mitigation	N	L ¹³	L ¹³	L ¹³

Source: Model Public Use Airport Safety And Compatibility Overlay Zone (Visual and Instrument Approach Airports), ODA

Notes:

- 1 No Structures shall be allowed within the Runway Protection Zone (RPZ). Exceptions shall be made only for structures accessory to airport operations whose location within the RPZ has been approved by the Federal Aviation Administration.
- 2 In the RPZ, public airport uses are restricted to those uses and facilities that require location in the RPZ.
- 3 Farming practices that minimize wildlife attractants are encouraged.
- 4 Roads and parking areas are permitted in the RPZ only upon demonstration that there are not practicable alternatives. Lights, guardrails, and related accessory structures are prohibited. Cost may be considered in determining whether practicable alternatives

B. **Obstruction Marking and Lighting.** Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Code and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the City Council, this condition may be modified to require the owner to permit the City of Newport, at its own expense, to install, operate, and maintain the necessary markings and lights.

14.22.070 Lane Uses Within Airport Zones. All structures and uses within the Airport Zones shall conform to the requirements of Federal Aviation Agency Regulation FAR-77, or successor, and to other federal and state laws regulating structural height, smoke, steam, or dust, and other hazards to flight, air navigation, or public health, safety and welfare.

Within the various airport zones, certain uses are compatible and certain uses are not because of possible negative effects on either the airport or the use. Such effects on the airport may include danger to property or life from accident, noise, and vibration. Because of these factors, the various underlying zones have been further restricted by the following airport zones:

14.22.080 Obstruction Zone. Includes all areas within conical surface area (14.18.010 to 14.18.060).

14.22.090 Approach Zone. To assure safety, uses in the approach safety zone shall not attract large groups of people. Places of public assembly are therefore prohibited. Most residential uses are also prohibited. Where residential development is already in place, low density is preferred. Retirement homes or other residential institutions are prohibited. While manufacturing is generally quite compatible, such uses are subject to the issuance of a conditional use permit in accordance with the provisions of Section 14.33.001, Conditional Uses, and Section 14.43.001, Procedural Requirements, and shall be reviewed for potential operations hazards, electrical interference, high intensity lighting, bird attractions, smoke, glare, or other interferences.* Transportation uses are generally compatible as are communications (except radio and television transmission) and utilities (except petroleum storage, electric power plants and lines, and solid waste disposal). Industrial and wholesale uses are generally compatible; however, retail establishments such as restaurants and concentrated retail commercial developments which attract large numbers of people are prohibited. Offices and services are compatible, except rest homes and hospitals. Recreational uses are allowed subject to the issuance of a conditional use permit in accordance with the provisions of Section 14.33.001, Conditional Uses, and Section 14.43.001, Procedural Requirements, (excluding public assembly and other high intensity uses, which are prohibited).** Resource production, including agriculture and undeveloped land, is generally compatible. (Aggregate extraction—if it will result in

- exist.
- 5 In the RPZ, utilities, powerlines and pipelines must be underground. In approach surfaces and in airport direct and secondary impact areas, the proposed height of utilities shall be coordinated with the City of Newport.
- 6 Public assembly facilities are prohibited in the RPZ.
- 7 Golf courses may be permitted only upon demonstration, supported by substantial evidence, that management techniques will be utilized to reduce existing wildlife attractants and avoid the recreation of new wildlife attractant. Such techniques shall be required as conditions of the approval. Structures are not permitted within the RPZ. For purposes of this document, tee markers, tee signs, pin cups and pins are not considered to be structures.
- 8 Within 10,000 feet from the end of the primary surface of a non-precision instrument runway, and within 50,000 feet from the end of the primary surface of a precision instrument runway.
- 9 Public assembly facilities may be allowed in an approach surface only if the potential danger to public safety is minimal. In determining whether a proposed use is appropriate, consideration shall be given to: proximity to the Airport Land Use Compatibility Guidebook January, 2003 Appendix D – 10 RPZ; density of people per acre; frequency of use; level of activity at the airport—and other factors relevant to public safety. In general, high density uses should not be permitted within airport approach surfaces, and on residential structures should be located outside approach surfaces unless no practicable alternatives exist.
- 10 Residential densities within approach surfaces should not exceed the following densities: (1) within 500 feet of the outer edge of the RPZ, 1 unit per acre; (2) within 500 to 1,500 feet of the outer edge of the RPZ, 2 units per acre; (3) within 1,500 to 3,000 feet of the outer edge of the RPZ, 4 units per acre.
- 11 Mining operations involving the creation or expansion of water impoundments shall comply with the requirements of this document regarding water impoundments.
- 12 Water impoundments are prohibited within 5,000 feet from the edge or end of a runway.
- 13 Wetland Mitigation required for projects located within an approach surface, the airport direct or secondary impact area shall be authorized only upon demonstration, supported by substantial evidence, that it is impracticable to provide mitigation outside of these areas. Proposals for wetland mitigation shall be coordinated with the City of Newport, the FAA and the wetland-permitting agencies prior to the issuance of required permits. Wetland mitigation shall be designed and located to avoid creating a wildlife hazard or increasing hazardous movements of birds across runway and approach surfaces. Conditions shall be imposed as are appropriate and necessary to prevent in perpetuity an increase in hazardous bird movements across runway and approach surfaces. See section 0.90 of Appendix D or E for the best management practices for airports located near significant wetlands or wildlife habitat areas.
- 14 Within the transitional surface, residential uses and athletic fields are not permitted.
- 15 Within the transitional surface, overnight accommodations, such as hotels, motels, hospitals and dormitories, are not permitted.
- 16 See section .08 of Appendix D or E prohibiting or regulating water impoundments within 5,000 or 10,000 feet of the end or edge of a runway.

ponding and other uses posing a bird strike hazard—is excluded.)

(*Sentence Amended by Ordinance No. 1989 (1-1-10).

**Sentence Amended by Ordinance No. 1989 (1-1-10).)

14.22.100 **Clear Zones.** Clear zones are to be kept clear with no development. Agriculture that does not attract birds is compatible, but no structures are allowed. Above ground power lines are prohibited. Most other uses are excluded. Wherever possible, the clear zone should be free of any construction or obstacle and should be minimally used by people.

14.22.110 **Moderate Noise Impact (Ldn 55-65) Zones.** Schools, hospitals, nursing homes, theaters, auditoriums, residential developments, and other places of public assembly shall have noise insulation in accordance with the State of Oregon's Department of Environmental Quality (DEQ) standards and recommendations. Orientation of housing, screening with fences or berms, or other treatment shall be used to reduce awareness of the airport.*

14.22.120 **Substantial Noise Impact (Ldn 65+) Zones.** Retail, office, or service uses shall not be developed in this substantially impacted area except by conditional use where it can be shown that adequate noise insulation shall be provided and the use is necessary in that location. While motels or other transient lodging with appropriate insulation can be excluded in this zone, single and multi-family housing and mobile home parks are excluded. Schools, libraries, churches, hospitals, nursing homes, and other noise sensitive uses are also to be excluded. Though many recreational uses are compatible, these uses are conditional and shall be reviewed for noise sensitivity and appropriate measures taken. Non-noise sensitive industry, manufacturing, wholesaling, and warehousing, retailing, agriculture, forestry, fishing, mining, and open spaces are allowed uses. Uses mentioned as conditional in this section are allowed subject to the issuance of a conditional use permit in accordance with the provisions of Section 14.33.001, Conditional Uses, and Section 14.43.001, Procedural Requirements.

(**Amended by Ordinance No. 1344 (11-7-83)

Sentence Added by Ordinance No. 1989 (1-1-10).)

14.22.080 **Water Impoundments within Approach Surfaces and Airport Direct and Secondary Impact Boundaries.** Any use or activity that would result in the establishment or expansion of a water impoundment shall comply with the requirements of this section. (ORS 836.623(2); OAR 660-013-0080(1)(f))

- A. No new or expanded water impoundments of one-quarter acre in size or larger are permitted:
 - 1. Within an approach surface and within 5,000 feet from the end of a runway; or
 - 2. On land owned by the City of Newport that is necessary for airport operations.

OR... [for airports where it can be demonstrated with substantial evidence that new water impoundments would result in a significant increase in hazardous movements of birds across runways or approach surfaces, taking into consideration mitigation measures or conditions that could reduce safety risks and incompatibility] [ORS 836.623(2)(b), (c); ORS 836.623(4), (5)]

- A. No new or expanded water impoundments of one-quarter acre in size or larger are permitted within 5,000 feet from the end or edge of a runway.
- B. The establishment of a new water impoundment one-quarter acre in size or larger between 5,000 and 10,000 feet of a runway outside an approach surface and between 5,000 feet and 40,000 feet within an approach corridor for an airport with an instrument approach may be permitted only upon determination that such water impoundment, with reasonable and practicable mitigation measures, is not likely to result in a significant increase in hazardous movements of birds feeding, watering or roosting in areas across runways or approach surfaces. [NOTE: FAA Part 77 discourages water impoundments within 50,000 feet of a runway within an approach surface.] [ORS 836.623(2)(c); OAR 660, Division 13, Exhibit 1, Section 3(b)(C);]
 - 1. Process. An application for approval of a new water impoundment shall be considered utilizing the review process applied to applications for conditional use permits. In addition to the parties required by law to be mailed written notice of the public hearing on the application, written notice of the hearing shall be mailed to the City of Newport, the Seattle Airports District Office of the FAA, and the FAA's technical representative.
 - a. Prior to filing its application, the applicant shall coordinate with the City of Newport and the FAA (Seattle Airports District Office) and FAA's technical representative regarding the proposed water impoundment, its short and long term potential to

significantly increase hazardous movements of birds feeding, watering or roosting in areas across runways or approach surfaces, and proposed mitigation.

(1) For water impoundments individually or cumulatively exceeding five (5) acres in size on the subject property, the applicant shall prepare a draft bird strike study as provided in subsection .2 of this section. The City of Newport, the FAA and the FAA's technical representative shall have 45 days to review the study draft. Their comments shall be included and addressed in a final bird strike study.

(2) For water impoundments that do not individually or cumulatively exceed five (5) acres in size on the subject property, the bird strike study requirements in subsection 2 of this section may be reduced or waived upon agreement by the City of Newport, the FAA and FAA's technical representative if the applicant can demonstrate, to the satisfaction of the City of Newport, the FAA and FAA's technical representative that the proposed water impoundment, with appropriate short and long term mitigation, will not result in a significant increase in hazardous movements of birds feeding, watering or roosting in areas across runways or approach surfaces. As used herein, "appropriate mitigation" means small-scale measures of proven reliability that can be applied in perpetuity and that the applicant has the financial resources to support.

b. An application shall not be deemed complete for land use review purposes until the applicant has filed with the Director the final bird strike study addressing comments from the City of Newport, the FAA and FAA's technical representative. When no bird strike study is required, the application shall not be deemed complete until the applicant has filed with the Director correspondence or other proof demonstrating agreement among the City of Newport, the FAA and the FAA's technical representative that no bird strike study is required.

2. Bird Strike Study for Instrument Approaches. A bird strike study required under this section shall contain at least the following information: a. A description of the proposed project, its location in relation to the airport and the bird strike study area, which shall include at least the project site, the airport

property, all lands within 10,000 feet from the end or edge of the airport runway, and other surrounding habitat areas which form the local bird ecosystem.

- a. A description of bird feeding, watering and roosting habitats in the bird strike study area, including discussion of feeding behavior and food sources and identification of loafing, watering, roosting and nesting area locations.
- b. A description of existing and planned airport operations and air traffic patterns and any available history of bird strike incidents.
- c. Wildlife surveys and documentation of existing bird species, populations, activities and flight patterns in the bird strike study area. The surveys shall address bird species and their composition; bird population estimates and densities per unit area; feeding behavior; food sources; seasonal use patterns; frequency of occurrence; location of loafing, roosting and nesting areas; and analysis of the relation of bird flight movements to airport traffic patterns and navigational safety. The City of Newport shall provide approach and departure air space information up to five statutory miles from the airport.
- d. An evaluation of the anticipated effects of the proposal on the population density, behavior patterns, movements and species composition of birds within the bird strike study area and of the impact of these effects on air navigation and safety considering possible mitigation.
- e. Identification and evaluation of proposed and alternative short and long term mitigation measures that would prevent a significant increase in hazardous movements of birds feeding, watering or roosting in areas across runways and approach surfaces that otherwise might result from the proposed use. The evaluation shall discuss the proven reliability of proposed measures, their effectiveness over both the short and long term, their costs, and the applicant's financial ability to assure their perpetual implementation, i.e. ongoing implementation for as long as a potential bird strike hazard persists.
- f. Such other information as is recommended by the FAA's technical representative or is required to demonstrate compliance with the requirements of subsection .3 of this section.

3. Bird Strike Study for Visual Only Approaches. A bird strike study required under this section shall contain at least the following information: 22

- a. A description of the proposed project, its location in relation to the airport, and the bird strike study area, which shall include at least the project site, the airport property, all lands within 10,000 feet from the end or edge of the airport runway, and other surrounding habitat areas which form the local bird ecosystem.
- b. A description of bird feeding, watering and roosting habitats in the bird strike study area, including discussion of feeding behavior and food sources and identification of loafing, watering, roosting and nesting area locations.
- c. A description of existing and planned airport operations and air traffic patterns and any available history of bird strike incidents.
- d. Wildlife surveys and documentation of existing bird species, populations, activities and flight patterns in the bird strike study area. The surveys shall address bird species and their composition; bird population estimates and densities per unit area; feeding behavior; food sources; seasonal use patterns; frequency of occurrence; location of loafing, roosting and nesting areas; and analysis of the relation of bird flight movements to airport traffic patterns and navigational safety. The City of Newport shall provide approach and departure air space information up to five statutory miles from the airport.
- e. An evaluation of the anticipated effects of the proposal on the population density, behavior patterns, movements and species composition of birds within the bird strike study area and of the impact of these effects on air navigation and safety considering possible mitigation.
- f. Identification and evaluation of proposed and alternative short and long term mitigation measures that would prevent a significant increase in hazardous movements of birds feeding, watering or roosting in areas across runways and approach surfaces that otherwise might result from the proposed use. The evaluation shall discuss the proven reliability of proposed measures, their effectiveness over both the short and long term, their costs, and the applicant's financial ability to assure their perpetual implementation, i.e. ongoing implementation for as long as a potential bird strike hazard persists.
- g. Such other information as is recommended by the FAA's technical representative or is required to demonstrate compliance with the requirements of subsection .3 of this section.

4. Required Findings. The determination whether a proposed new water impoundment, with reasonable and practicable mitigation measures, is likely to significantly increase hazardous movements of birds feeding, watering or roosting in areas across runways or approach surfaces shall be based upon the proposal's potential, both in the short term and in the long term, to significantly increase bird strike hazards to air navigation, and the appropriateness, effectiveness and affordability of proposed mitigation measures or other conditions needed to reduce bird strike hazards. In determining compliance with this standard, the findings shall address each of the following factors:
- a. The demonstrated overall effectiveness and reliability of proposed measures and conditions, in both the short and long term and under similar circumstances and conditions, to avoid a significant increase in bird strike hazards to air navigation. Experimental measures or measures not based on accepted technology and industry practices shall be considered ineffective, inappropriate and of unproven reliability.
 - b. The economic, social and environmental impacts of proposed measures to the neighboring community and the affected natural environment.
 - c. The applicant's ability to pay for necessary short and long-term mitigation measures, including fallback measures that may be required if initially proposed mitigation measures prove ineffective, and to assure the perpetual implementation of those measures for as long as a potential bird strike hazard persists. An applicant's failure to demonstrate its financial ability to assure the perpetual implementation of necessary and appropriate measures shall render those measures unreasonable and impracticable for purposes of the application.
 - d. The applicant's ability to accurately monitor the effectiveness of mitigation over time.
 - e. The potential impacts to navigational safety and air travel if the applicant cannot perform necessary mitigation measures or maintain those measures in perpetuity, or if those measures prove to be ineffective at avoiding a significant increase in bird strike hazards to air navigation.
 - f. The applicant's reclamation plan.
5. Mitigation Measures and Approval Conditions. A decision approving an application shall require, as conditions of approval, all measures and conditions deemed appropriate and necessary to prevent in

perpetuity a significant increase in hazardous movements of birds feeding, watering or roosting in areas across runways and approach surfaces.

- a. Only customary measures based on accepted technology and industry practice may be considered and imposed as approval conditions.
- b. Serious consideration shall be given to all measures and conditions recommended by the City of Newport, the FAA and the FAA's technical representative. Generally, such measures and conditions shall be attached to a decision approving an application unless findings are adopted, supported by substantial evidence, demonstrating why such measures and conditions are not necessary to reduce bird hazard impacts resulting from the water impoundment to an insignificant level.
- c. A decision to approve shall require from the applicant a performance bond or other form of secure financial support. Such bond or security shall be in an amount sufficient to assure perpetual implementation of appropriate and necessary mitigation measures for as long as a potential bird strike hazard persists.
- d. A decision to approve shall require appropriate monitoring of the effectiveness of mitigation over time. Upon request, monitoring data and reports shall be made available to the City of Newport, the FAA, and the FAA's technical representative. The decision shall allow for modifications to approval conditions should existing mitigation measures prove ineffective at preventing a significant increase in hazardous movements of birds feeding, watering or roosting in areas across runways and approach surfaces. Modifications to approval conditions shall be considered utilizing the review process applied to applications for conditional use permits.

6. Exemptions. The requirements of this section shall not apply to:

- a. Storm water management basins established by an airport identified under ORS 836.610(1).
- b. Seaplane landing areas within airports identified under ORS 836.610(1).

14.22.090 Wetland Mitigation, Creation, Enhancement and Restoration within Approach Surfaces and Airport Direct and Secondary Impact Boundaries.

- A. Notwithstanding the requirements of Section .080, wetland mitigation, creation, enhancement or restoration projects located within areas regulated under Section .080 shall be allowed upon demonstration of compliance with this requirements of this Section.
- B. Wetland mitigation, creation, enhancement or restoration projects existing or approved on the effective date of this ordinance and located within areas regulated under Section .080 are recognized as lawfully existing uses.
- C. To help avoid increasing safety hazards to air navigation near public use airports, the establishment of wetland mitigation banks in the vicinity of such airports but outside approach surfaces and areas regulated under Section .080 is encouraged.
- D. Applications to expand wetland mitigation projects in existence as of the effective date of this ordinance, and new wetland mitigation projects, that are proposed within areas regulated under Section .080 shall be considered utilizing the review process applied to applications for conditional use permits and shall be permitted upon demonstration that:
1. It is not practicable to provide off-site mitigation; or
 2. The affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water discharge, and the area proposed for mitigation is located outside an approach surface.
- E. Wetland mitigation permitted under subsection D. of this Section shall be designed and located to avoid creating a wildlife hazard or increasing hazardous movements of birds across runways or approach surfaces.
- F. Applications to create, enhance or restore wetlands that are proposed to be located within approach surfaces or within areas regulated under Section .080, and that would result in the creation of a new water impoundment or the expansion of an existing water impoundment, shall be considered utilizing the review process applied to applications for conditional use permits and shall be permitted upon demonstration that:
1. The affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water discharge; and
 2. The wetland creation, enhancement or restoration is designed and will be maintained in perpetuity in a

manner that will not increase hazardous movements of birds feeding, watering or roosting in areas across runways or approach surfaces.

- G. Proposals for new or expanded wetland mitigation, creation, enhancement or restoration projects regulated under this Section shall be coordinated with the City of Newport, the FAA, and FAA's technical representative, the Oregon Department of Fish & Wildlife (ODFW), the Oregon Division of State Lands (DSL), the US Fish & Wildlife Service (USFWS), and the US Army Corps of Engineers (Corps) as part of the permit application.
- H. A decision approving an application under this Section shall require, as conditions of approval, measures and conditions deemed appropriate and necessary to prevent in perpetuity an increase in hazardous bird movements across runways and approach surfaces.

14.22.050 Nonconforming Uses

- A. Regulations Not Retroactive. The regulations prescribed in this Code shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which has begun prior to the effective date of this Ordinance and is diligently prosecuted.
- B. Marking and Lighting. Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City Manager to indicate to the operators of aircraft in the vicinity of the airport and presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the City of Newport.

14.22.100 Nonconforming Uses.

- A. These regulations shall not be construed to require the removal, lowering or alteration of any structure not conforming to these regulations. These regulations shall not require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this overlay zone.
- B. Notwithstanding subsection A. of this section, the owner of any existing structure that has an adverse effect on air navigational safety as determined by City of Newport shall install or allow the installation of obstruction markers as deemed necessary by the City of Newport, so that the structures become more visible to pilots.
- C. No land use or limited land use approval or other permit shall be granted that would allow a nonconforming use or structure to become a greater hazard to air navigation than it was on the effective date of the overlay zone.

14.22.110 Avigation Easement. Within this overlay zone, the owners of properties that are the subjects of applications for land use or limited land use decisions, for building permits for new residential, commercial, industrial, institutional or recreational buildings or structures intended for inhabitation or occupancy by humans or animals, or for expansions of such buildings or structures by the lesser of 50% or 1000 square feet, shall, as a condition of obtaining such approval or permits, dedicate an avigation easement to the City of Newport. The avigation easement shall be in a form acceptable to the City of Newport and shall be signed and recorded in the deed records of the County. The avigation easement shall allow unobstructed passage for aircraft and ensure safety and use of the airport for the public. Property owners or their representatives are

responsible for providing the recorded instrument prior to issuance of building permits.

DRAFT

14.22.130 **Airport Development Zone**

- A. Purpose. The airport development zone is different from the other zones presented. The land in the immediate vicinity of the airport may be impacted by noise, safety hazards, pollution (not only from the aircraft but from autos accessing the facility), congestion, etc. The combination of these factors and others produce an environment that resembles an industrial setting. An airport requires an area for the growth of the facility, and many types of industry can receive considerable travel and transportation advantage if they are located in close proximity to the airport. The Newport Municipal Airport property is, therefore, set aside and designated as an "airport development zone" to serve these purposes.
- B. If the airport development zone grows over time, it should expand in areas impacted by the airport rather than expanding perpendicular to the runway along access routes or other features. It should serve as an airport buffer and include areas receiving severe noise impacts.

Residential uses other than transient lodging and recreational uses including high concentrations of people are excluded from this zone. Other uses which are acceptable, providing they do not violate any other zones, are airport-related and include appropriate sound reduction measures. Conditional Uses under "E" of this section shall follow the provisions of Section 14.33.001, Conditional Uses, and shall be decided using the appropriate Land Use Action decision process as provided by Section 14.43.001, Procedural Requirements.

(*Sentence Added by Ordinance No. 1909 (1-1-10).)

- C. Permitted Uses.
1. Accessory buildings and uses whose immediate presence is necessary to the property's aviation function.
 2. Aircraft runways and taxiways.
 3. Aircraft hangars, storage and tiedown areas.
 4. Aircraft sales, repair, and service facilities.
 5. Air control facilities.
 6. Fuel storage facilities.
 7. Parking facilities.
 8. Open land for aviation clear zone.

Airport Zones – What's on the ground—Land Use Zones**PUBLIC USE AIRPORT ZONE**

14.22.120 Purpose. The purpose of the Public Use Airport zone is to encourage and support the continued operation and vitality of [public use airports] [name of specific airport(s)] in the [city] [county] by allowing certain airport-related commercial and recreational uses in accordance with state law. [ORS 836.600] **[NOTE: where the jurisdiction contains just one or a couple airports listed in OAR 738-090-0030(1), it may want to identify the airport(s) by name; otherwise, it should use "public use airports"]**

- A. Application. This zoning district applies to all publicly owned airports in the City other than towered airports, that were registered, licensed or otherwise recognized by the Oregon Department of Transportation on or before December 31, 1994 and that, in 1994, were the base for three or more aircraft. It also applies to those privately owned public use airports in the [city] [county] identified by rule by the Department of Transportation as providing important links in air traffic in Oregon, or providing essential safety or emergency services, or being of economic importance to the county where the airport is located. [ORS 836.610(1); see also OAR 738- 090-0030(1)] **[NOTE: this section reflects state law. Some jurisdictions like to include this type of provision in their zoning ordinances, while others do not. Its use is optional. Local governments choosing to include this section may wish to substitute the names of the affected airports.]**
- B. Conformance with Airport Overlay Zones. All uses, activities, facilities and structures allowed in the Public Use Airport Zone shall comply with the requirements of the Public Use Airport Safety and Compatibility Overlay Zone. In the event of a conflict between the requirements of this zone and those of the Public Use Airport Safety and Compatibility Overlay Zone, the requirements of the overlay zone shall control. [ORS 836.619; OAR 660- 013-0070, 0080]
- C. Definitions.
1. A. Aircraft. Includes airplanes and helicopters, but not hot air balloons or ultralights.
 2. Airport sponsor. The City of Newport. The owner, manager, person or entity designated to represent the interests of an airport. [OAR 660-013-0020]
- D. Uses Permitted Outright. The following uses and activities are permitted outright in the Public Use Airport Zone:
1. Customary and usual aviation-related activities, including but not limited to takeoffs and landings; aircraft hangars and tie-downs; construction and maintenance of airport facilities; fixed based operator

9. Agriculture, excluding the commercial raising of animals that would be adversely affected by aircraft passing overhead.
10. Landscape nurseries, cemeteries, or recreation areas which do not include buildings or structures.
11. Roadways, parking areas, and storage yards located in such a manner that vehicle light will not make it difficult for pilots to distinguish between landing lights and vehicle lights, or result in glare, or in any other way impair visibility in the vicinity of the landing approach.
12. Water impoundment (no closer than 5,000 feet from the airport).
13. Pipeline.
14. Underground utility wire.

E. Conditional Uses.

1. A structure or building accessory for a permitted use.
2. A single-family dwelling, or a commercial or industrial use if permitted in the primary zoning district (subject to Subsection F Limitations).
3. Buildings and uses of public works, public service, or utility nature (subject to Subsection F Limitations).
4. Game preserve or reservation.
5. Airport dependent or related industrial or commercial uses. *

(*Added by Ordinance No. 1603 (6-17-91).)

F. Limitations.

1. No place of public assembly shall be permitted in an airport approach district.
2. The height of any structure shall be limited by requirements prescribed by the Planning Commission or by any other local ordinance or regulation.
3. Whenever there is a conflict in height limitations prescribed by this Code or another pertinent ordinance, the lowest height limitation fixed shall govern. Provided, however, that the height of other limitations and restrictions here imposed shall not apply to such structures or uses customarily employed for aeronautical purposes

facilities; a residence for an airport caretaker or security officer; and other activities incidental to the normal operation of an airport. Except as provided in this ordinance, "customary and usual aviation-related activities" do not include residential, commercial, industrial, manufacturing and other uses.

2. Air passenger and air freight services and facilities, at levels consistent with the classification and needs identified in the Oregon Department of Aviation Airport System Plan.
3. Emergency medical flight services, including activities, aircraft, accessory structures, and other facilities necessary to support emergency transportation for medical purposes. Emergency medical flight services do not include hospitals, medical offices, medical labs, medical equipment sales, and other similar uses. D. Law enforcement and firefighting activities, including aircraft and ground-based activities, facilities and accessory structures necessary to support federal, state or local law enforcement or land management agencies engaged in law enforcement or firefighting activities. Law enforcement and firefighting activities include transport of personnel, aerial observation, and transport of equipment, water, fire retardant and supplies.
4. Search and rescue operations, including aircraft and ground based activities that promote the orderly and efficient conduct of search or rescue related activities.
5. Flight instruction, including activities, facilities, and accessory structures located at airport sites that provide education and training directly related to aeronautical activities. Flight instruction includes ground training and aeronautic skills training, but does not include schools for flight attendants, ticket agents or similar personnel.
6. Aircraft service, maintenance and training, including activities, facilities and accessory structures provided to teach aircraft service and maintenance skills and to maintain, service, refuel or repair aircraft or aircraft components. "Aircraft service, maintenance and training" includes the construction and assembly of aircraft and aircraft components for personal use, but does not include activities, structures or facilities for the manufacturing of aircraft or aircraft related products for sale to the public.
7. Aircraft rental, including activities, facilities and accessory structures that support the provision of aircraft for rent or lease to the public.
8. Aircraft sales and the sale of aeronautic equipment and supplies, including activities, facilities and accessory structures for the storage, display, demonstration and

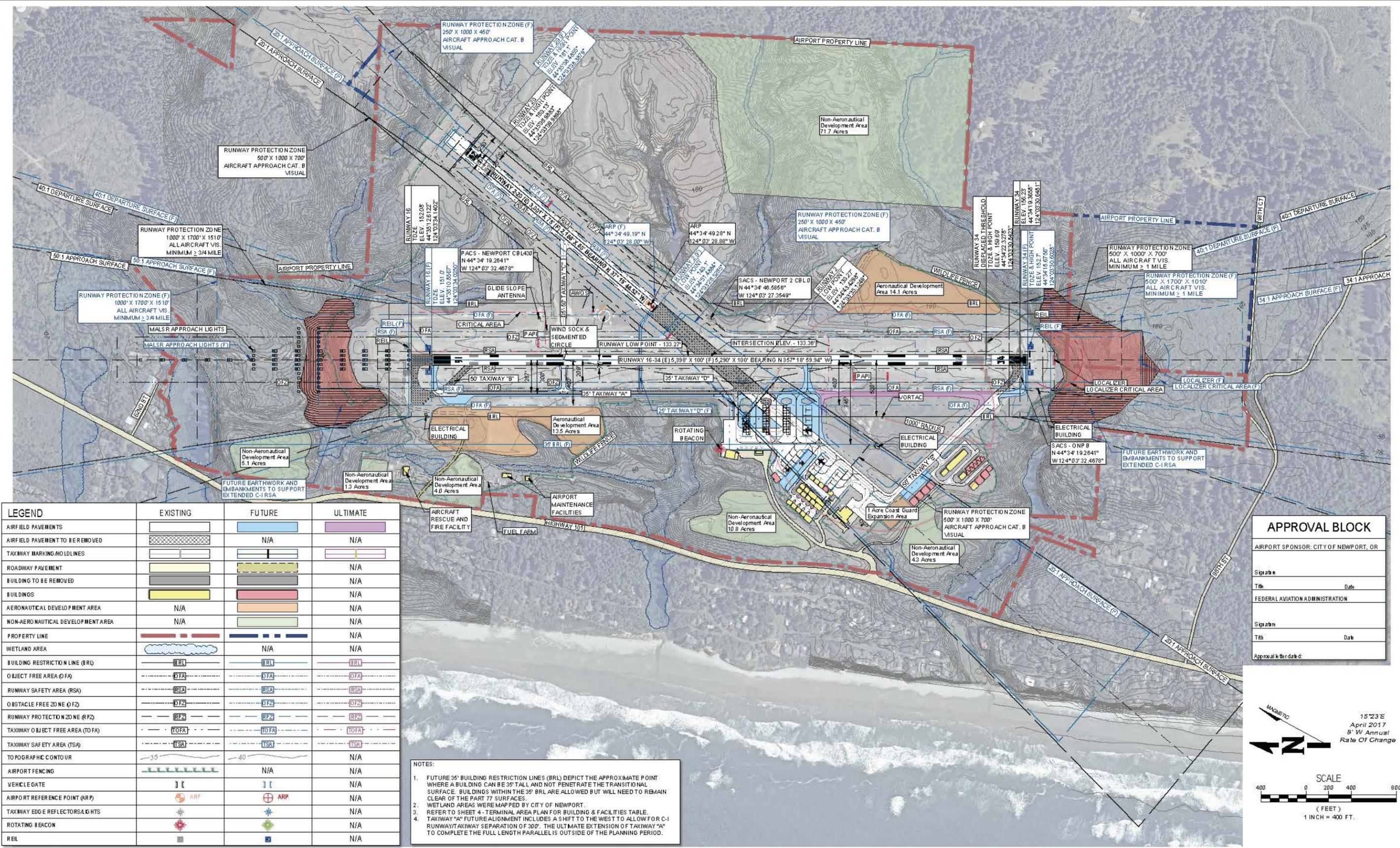
4. Notwithstanding any other provisions of this Code, no use may be made of land or water within any zone established by this Code in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.
- sales of aircraft and aeronautic equipment and supplies to the public but not including activities, facilities or structures for the manufacturing of aircraft or aircraft related products for sale to the public.
9. Crop dusting activities, including activities, facilities and structures accessory to crop dusting operations. Crop dusting activities include, but are not limited to, aerial application of chemicals, seed, fertilizer, defoliant and other chemicals or products used in a commercial agricultural, forestry or rangeland management setting.
10. Agricultural and Forestry Activities, including activities, facilities and accessory structures that qualify as a "farm use" as defined in ORS 215.203 or "farming practice" as defined in ORS 30.930.
11. **[NOTE: Other uses, such as commercial or manufacturing uses, may be added to this list if they are consistent with applicable provisions of the acknowledged comprehensive plan and if the uses do not create a safety hazard or otherwise limit approved airport uses. For example, inside an urban growth boundary, commercial or manufacturing uses may be allowed. Outside an urban growth boundary, other uses are permitted only if authorized by a goal exception.]** [ORS 836.616; OAR 660-013- 0100, 0110]
- E. Uses Permitted Subject to the Acceptance of City of Newport. The following uses and activities and their associated facilities and accessory structures are permitted in the Public Use Airport Zone upon demonstration of acceptance by the City of Newport. [ORS 836.616(2)(j); OAR 660-013- 0100(8)]
1. Aeronautic recreational and sporting activities, including activities, facilities and accessory structures at airports that support recreational usage of aircraft and sporting activities that require the use of aircraft or other devices used and intended for use in flight. Aeronautic recreation and sporting activities authorized under this paragraph include, but are not limited to, fly-ins; glider flights; hot air ballooning; ultralight aircraft flights; displays of aircraft; aeronautic flight skills contests; and gyrocopter flights, but do not include flights carrying parachutists or parachute drops (including all forms of skydiving). **[NOTE: Federally funded airports may need the concurrence of the FAA to preclude some kinds of aeronautic recreational and sporting activities.]**
2. Flights carrying parachutists, and parachute drops (including all forms of skydiving) onto an airport, but only upon demonstration that the parachutist business has secured approval to use a drop zone that is at least 10 contiguous acres. The configuration of the drop zone shall roughly approximate a square or a circle and may

contain structures, trees, or other obstacles only if the remainder of the drop zone provides adequate areas for parachutists to land safely. **[NOTE: where evidence of missed landings and dropped equipment supports the need for a larger area, a larger drop zone may be required.]** **[NOTE: Where there is only one airport within the jurisdiction, the city or county may tailor the provisions of this subsection to the interests of the airport sponsor. For example, if the airport sponsor does not want to allow skydiving or ultralight activity, those provisions can be deleted from the ordinance.]**

F. Uses Permitted Under Prescribed Conditions. The following uses and activities and their associated facilities are permitted in the Public Use Airport Zone upon demonstration of compliance with the standards of this subsection.

1. **[NOTE: Other uses may be included here, subject to such conditions or standards prescribed by the local government, provided that they are consistent with applicable provisions of the acknowledged comprehensive plan and that the uses do not create a safety hazard or otherwise limit approved airport uses.]** [ORS 836.616(3); OAR 660-013-0110]

G. **[NOTE: This model ordinance does not include standards addressing setbacks or other dimensional requirements, access, parking, landscaping, and the like. While not required by statute, a local government may wish to include such provisions in its Public Use Airport Zone.]**



LEGEND	EXISTING	FUTURE	ULTIMATE
AIRFIELD PAVEMENTS	[Symbol]	[Symbol]	[Symbol]
AIRFIELD PAVEMENT TO BE REMOVED	[Symbol]	N/A	N/A
TAXIWAY MARKING HO DLINES	[Symbol]	[Symbol]	[Symbol]
ROADWAY PAVEMENT	[Symbol]	[Symbol]	N/A
BUILDING TO BE REMOVED	[Symbol]	[Symbol]	N/A
BUILDINGS	[Symbol]	[Symbol]	[Symbol]
AERONAUTICAL DEVELOPMENT AREA	N/A	[Symbol]	[Symbol]
NON-AERONAUTICAL DEVELOPMENT AREA	N/A	[Symbol]	[Symbol]
PROPERTY LINE	[Symbol]	[Symbol]	[Symbol]
WETLAND AREA	[Symbol]	N/A	N/A
BUILDING RESTRICTION LINE (BRL)	[Symbol]	[Symbol]	[Symbol]
OBJECT FREE AREA (OFA)	[Symbol]	[Symbol]	[Symbol]
RUNWAY SAFETY AREA (RSA)	[Symbol]	[Symbol]	[Symbol]
OBSTACLE FREE ZONE (OFZ)	[Symbol]	[Symbol]	[Symbol]
RUNWAY PROTECTION ZONE (RPZ)	[Symbol]	[Symbol]	[Symbol]
TAXIWAY OBJECT FREE AREA (TOFA)	[Symbol]	[Symbol]	[Symbol]
TAXIWAY SAFETY AREA (TSA)	[Symbol]	[Symbol]	[Symbol]
TOPOGRAPHIC CONTOUR	[Symbol]	[Symbol]	N/A
AIRPORT FENCING	[Symbol]	N/A	N/A
VEHICLE GATE	[Symbol]	[Symbol]	N/A
AIRPORT REFERENCE POINT (ARP)	[Symbol]	[Symbol]	N/A
TAXIWAY EDGE REFLECTOR LIGHTS	[Symbol]	[Symbol]	N/A
ROTATING BEACON	[Symbol]	[Symbol]	N/A
REL	[Symbol]	[Symbol]	N/A

NOTES:

- FUTURE 35' BUILDING RESTRICTION LINES (BRL) DEPICT THE APPROXIMATE POINT WHERE A BUILDING CAN BE 35' TALL AND NOT PENETRATE THE TRANSITIONAL SURFACE. BUILDINGS WITHIN THE 30' BRL ARE ALLOWED BUT WILL NEED TO REMAIN CLEAR OF THE PART 77 SURFACES.
- WETLAND AREAS WERE MAPPED BY CITY OF NEWPORT.
- REFER TO SHEET 4 - TERMINAL AREA PLAN FOR BUILDING & FACILITIES TABLE.
- TAXIWAY "A" FUTURE ALIGNMENT INCLUDES A SHIFT TO THE WEST TO ALLOW FOR C-I RUNWAY/TAXIWAY SEPARATION OF 300'. THE ULTIMATE EXTENSION OF TAXIWAY "A" TO COMPLETE THE FULL LENGTH PARALLEL IS OUTSIDE OF THE PLANNING PERIOD.

APPROVAL BLOCK

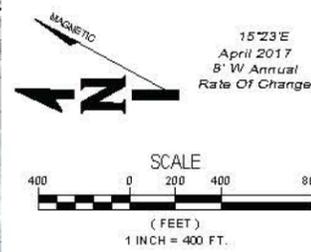
AIRPORT SPONSOR: CITY OF NEWPORT, OR

Signature: _____ Date: _____

FEDERAL AVIATION ADMINISTRATION

Signature: _____ Date: _____

Approval letter date: _____



WHPacific

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SHEET INFO		REVISIONS	
DESIGNED	---	NO.	BY DATE REMARKS
DRAWN	---		
CHECKED	---		
APPROVED	---		
LAST EDIT	10/19/2016		
PLOT DATE	8/30/2016		
SUBMITTAL			

PRELIM

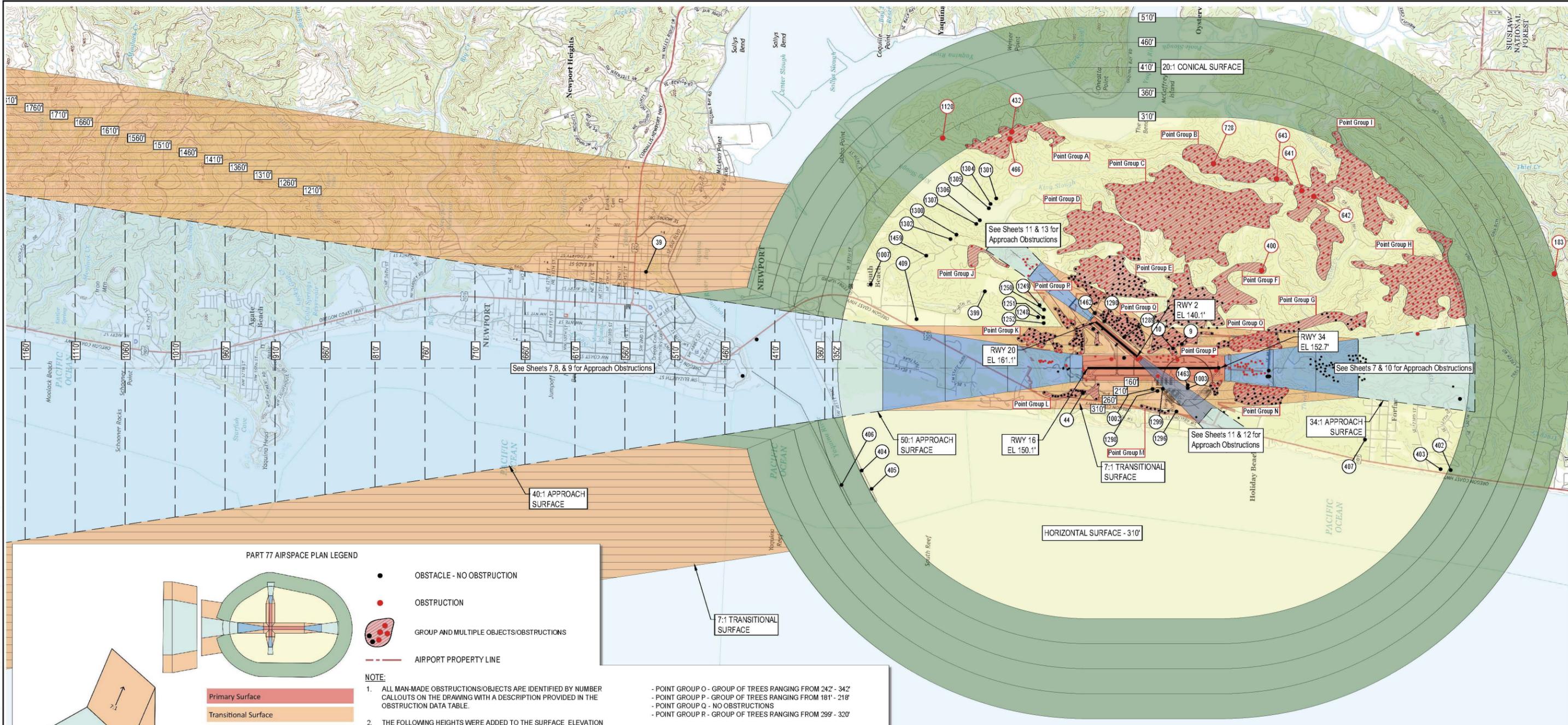
AIRPORT LAYOUT PLAN

CITY OF NEWPORT, OR.

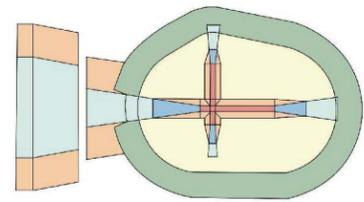
NEWPORT MUNICIPAL AIRPORT MASTER PLAN UPDATE

PROJECT NUMBER P0009837W	DRAWING FILE NAME 0009837W-C-ALP	SCALE ---
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SHEET NUMBER
3 of 33



PART 77 AIRSPACE PLAN LEGEND

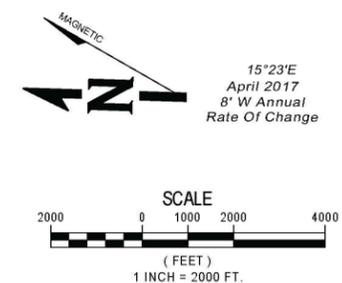


- Primary Surface
- Transitional Surface
- Horizontal Surface
- Conical Surface
- Approach Surface Below Horizontal Surface
- Approach Surface Above Horizontal Surface

- OBSTACLE - NO OBSTRUCTION
- OBSTRUCTION
- GROUP AND MULTIPLE OBJECTS/OBSTRUCTIONS
- AIRPORT PROPERTY LINE

NOTE:

1. ALL MAN-MADE OBSTRUCTIONS/OBJECTS ARE IDENTIFIED BY NUMBER CALLOUTS ON THE DRAWING WITH A DESCRIPTION PROVIDED IN THE OBSTRUCTION DATA TABLE.
2. THE FOLLOWING HEIGHTS WERE ADDED TO THE SURFACE ELEVATION FOR CERTAIN GROUND FEATURES:
 - 10FT FOR A PRIVATE ROAD
 - 15FT FOR A PUBLIC ROAD
 - 17FT FOR AN INTERSTATE ROAD
 - 23FT FOR RAILROAD TRACKS
3. THE REMAINING MAJORITY OF OBSTRUCTIONS/OBJECTS IDENTIFIED IN THE AGIS SURVEY ARE TREES AND HAVE BEEN GROUPED ACCORDINGLY.
 - POINT GROUP A - GROUP OF TREES RANGING FROM 356' - 407'
 - POINT GROUP B - GROUP OF TREES RANGING FROM 353' - 470'
 - POINT GROUP C - GROUP OF TREES RANGING FROM 351' - 554'
 - POINT GROUP D - GROUP OF TREES RANGING FROM 350' - 398'
 - POINT GROUP E - GROUP OF TREES RANGING FROM 350' - 387'
 - POINT GROUP F - GROUP OF TREES RANGING FROM 350' - 417'
 - POINT GROUP G - GROUP OF TREES RANGING FROM 314' - 349'
 - POINT GROUP H - GROUP OF TREES RANGING FROM 352' - 534'
 - POINT GROUP I - GROUP OF TREES RANGING FROM 350' - 555'
 - POINT GROUP J - GROUP OF TREES RANGING FROM 348' - 385'
 - POINT GROUP K - GROUP OF TREES RANGING FROM 225' - 265'
 - POINT GROUP L - NO OBSTRUCTIONS
 - POINT GROUP M - NO OBSTRUCTIONS
 - POINT GROUP N - GROUP OF TREES RANGING FROM 210' - 285'
4. OCCASIONALLY A MAN-MADE OBJECT IS LOCATED WITHIN A GROUP OF TREES BUT IS IDENTIFIED INDIVIDUALLY
5. FOR OBSTRUCTION DATA TABLE INFORMATION SEE SHEET 5.



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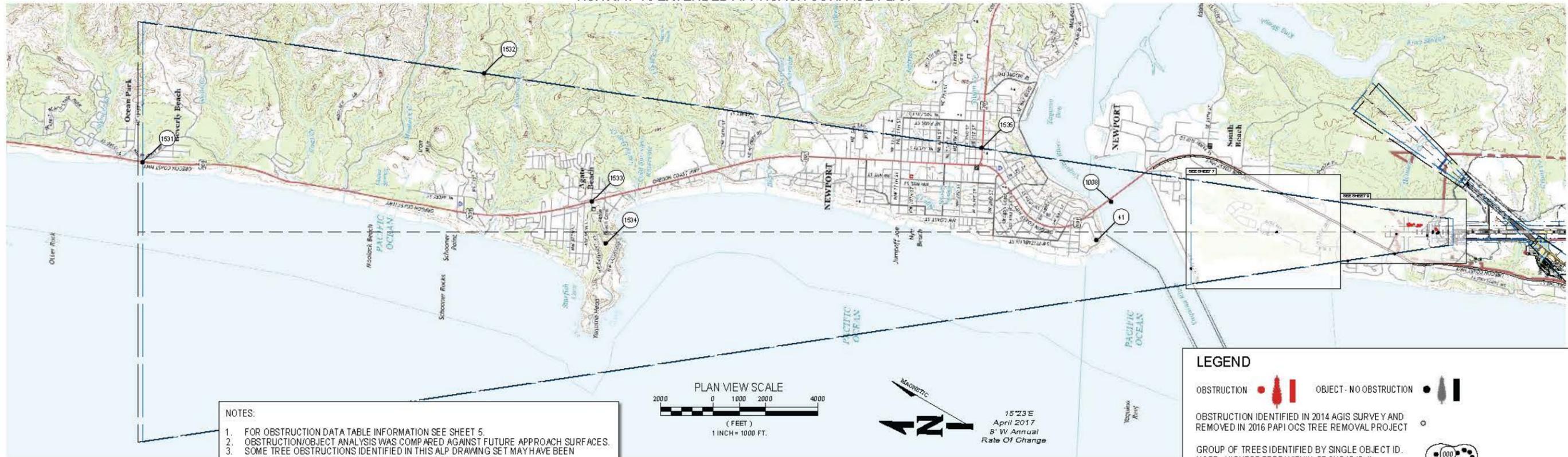
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DESIGNED	MD
DRAWN	RI
CHECKED	MD
APPROVED	DN
LAST EDIT	5/19/2017
PLOT DATE	5/19/2017
SUBMITTAL	

REVISIONS				
NO.	BY	DATE	REMARKS	
1				
2				
3				

DRAFT

AIRPORT AIRSPACE PLAN (PART 77)			SHEET NUMBER
CITY OF NEWPORT, OR. NEWPORT MUNICIPAL AIRPORT MASTER PLAN UPDATE			6
PROJECT NUMBER P0009837W	DRAWING FILE NAME 0009837W-F-PART77	SCALE 1"=2000'	34

RUNWAY 16 EXTENDED APPROACH SURFACE PLAN



- NOTES:
1. FOR OBSTRUCTION DATA TABLE INFORMATION SEE SHEET 5.
 2. OBSTRUCTION/OBJECT ANALYSIS WAS COMPARED AGAINST FUTURE APPROACH SURFACES.
 3. SOME TREE OBSTRUCTIONS IDENTIFIED IN THIS ALP DRAWING SET MAY HAVE BEEN REMOVED IN RECENT TREE REMOVAL PROJECTS FOR PAPI OCS.
 4. OBJECTS & OBSTRUCTIONS WITH ID# OF 1500 AND GREATER WERE NOT SURVEYED AS PART OF AGIS SURVEY AND ARE IDENTIFIED FOR PLANNING PURPOSES ONLY.

LEGEND

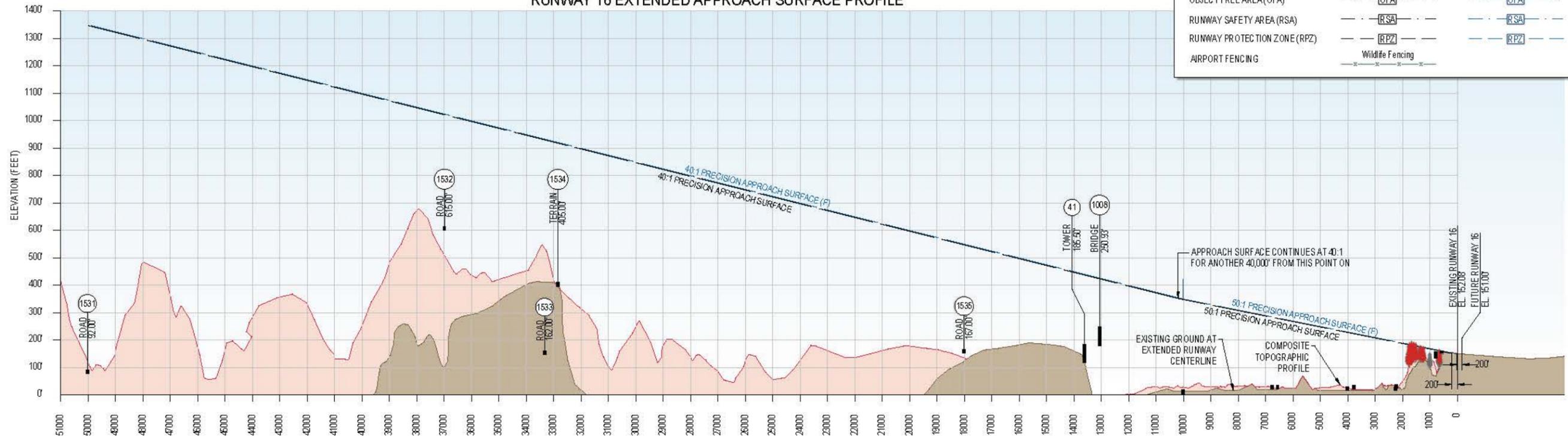
OBSTRUCTION OBJECT - NO OBSTRUCTION

OBSTRUCTION IDENTIFIED IN 2014 AGIS SURVEY AND REMOVED IN 2016 PAPI OCS TREE REMOVAL PROJECT

GROUP OF TREES IDENTIFIED BY SINGLE OBJECT ID. NOTE: HIGHEST TREE WITHIN GROUP IS ID #

	EXISTING	FUTURE
PROPERTY LINE		
OBJECT FREE AREA (OFA)		
RUNWAY SAFETY AREA (RSA)		
RUNWAY PROTECTION ZONE (RPZ)		
AIRPORT FENCING		

RUNWAY 16 EXTENDED APPROACH SURFACE PROFILE



DATE: 8/30/2016 3:08 PM | AUTHOR: mdane | PLOTTER: None | STYLE: WHP-Standard.ctb | PATH: P:\City of Newport\Design\Drawings\Civil\ALP\Sheets\0009837W-H-runway-16_extend_app.dwg | LAYOUT: 7 Runway 16 Extended Approach Surface



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SHEET INFO		REVISIONS			
DESIGNED	MD/RI	NO.	BY	DATE	REMARKS
DRAWN	MD/RI				
CHECKED	MD				
APPROVED	DN				
LAST EDIT	5/15/2017				
PLOT DATE	5/15/2017				
SUBMITTAL					

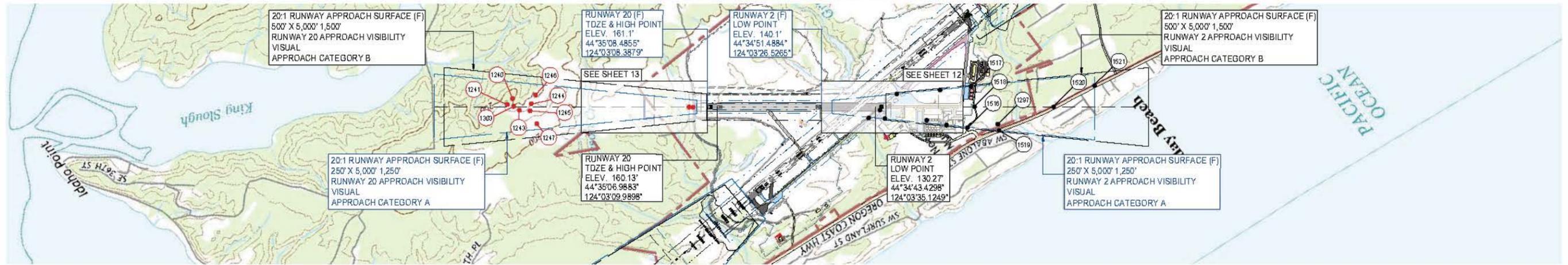
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RUNWAY 16 EXTENDED APPROACH SURFACE

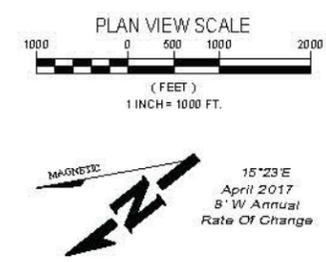
CITY OF NEWPORT, OR.
NEWPORT MUNICIPAL AIRPORT MASTER PLAN UPDATE

PROJECT NUMBER P0009837W	DRAWING FILE NAME 0009837W-H-RUNWAY-16 EXTEND APP	SCALE 1"=2000'
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RUNWAY 2-20 APPROACH SURFACE PLAN



- NOTES:
- FOR OBSTRUCTION DATA TABLE INFORMATION SEE SHEET 5.
 - OBSTRUCTION/OBJECT ANALYSIS WAS COMPARED AGAINST FUTURE APPROACH SURFACES. SOME TREE OBSTRUCTIONS IDENTIFIED IN THIS ALP DRAWING SET MAY HAVE BEEN REMOVED IN RECENT TREE REMOVAL PROJECTS FOR PAPI OPS.
 - OBJECTS & OBSTRUCTIONS WITH ID# OF 1500 AND GREATER WERE NOT SURVEYED AS PART OF AGIS SURVEY AND ARE IDENTIFIED FOR PLANNING PURPOSES ONLY.



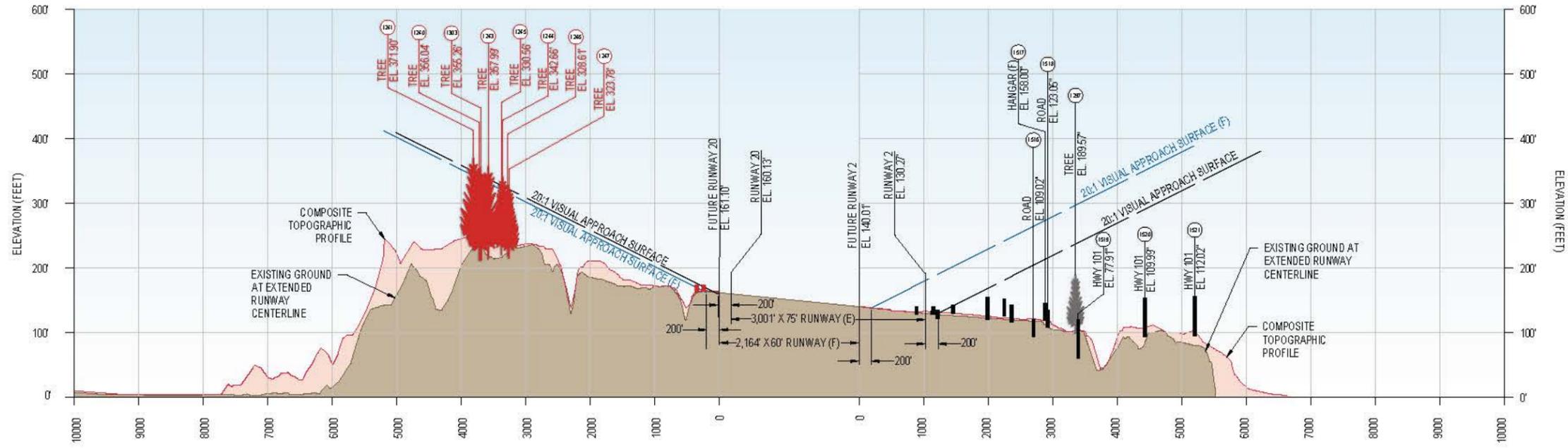
LEGEND

OBJECT - NO OBSTRUCTION: [Symbol]

OBSTRUCTION: [Symbol]

	EXISTING	FUTURE
PROPERTY LINE	[Symbol]	[Symbol]
AVIGATION EASEMENT	[Symbol]	[Symbol]
OBJECT FREE AREA (OFA)	[Symbol]	[Symbol]
RUNWAY SAFETY AREA (RSA)	[Symbol]	[Symbol]
RUNWAY PROTECTION ZONE (RPZ)	[Symbol]	[Symbol]
AIRPORT FENCING	[Symbol]	[Symbol]

RUNWAY 2-20 APPROACH SURFACE PROFILE



DATE: 8/29/2016 12:15 PM [AUTHOR: mdane] [PLOTTER: None] [STYLE: WHP-Standard.ctb] [PATH: P:\City of Newport\0009837W-K-Runway-2-20-APP.dwg] [LAYOUT: 11 Runway 2-20 Approach Surface]

<p style="font-size: 8px; margin-top: 5px;">9755 SW Barnes Rd, Suite 300 Portland, OR, 97225 503-626-0455 Fax 503-526-0775 www.whpacific.com</p>	<p>*THE PREPARATION OF THESE DOCUMENTS MAY HAVE BEEN SUPPORTED, IN PART THROUGH THE AIRPORT IMPROVEMENT PROGRAM FINANCIAL ASSISTANCE FROM THE FEDERAL AVIATION ADMINISTRATION (PROJECT NUMBER 34-1004-023) AS PROVIDED UNDER TITLE 49, UNITED STATES CODE, SECTION 47104. THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OR POLICY OF THE FAA. ACCEPTANCE OF THESE DOCUMENTS BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE UNITED STATES TO PARTICIPATE IN ANY DEVELOPMENT DEPICTED HEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.*</p>	<p>SHEET INFO</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>DESIGNED</td><td>RI/MD</td></tr> <tr><td>DRAWN</td><td>RI</td></tr> <tr><td>CHECKED</td><td>MD</td></tr> <tr><td>APPROVED</td><td>DN</td></tr> <tr><td>LAST EDIT</td><td>5/15/2017</td></tr> <tr><td>PLOT DATE</td><td>5/15/2017</td></tr> <tr><td>SUBMITTAL</td><td></td></tr> </table>	DESIGNED	RI/MD	DRAWN	RI	CHECKED	MD	APPROVED	DN	LAST EDIT	5/15/2017	PLOT DATE	5/15/2017	SUBMITTAL		<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>BY</th> <th>DATE</th> <th>REMARKS</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td><td></td></tr> </tbody> </table>	NO.	BY	DATE	REMARKS	1				2				3				DRAFT	<p style="font-size: 12px; margin: 0;">RUNWAY 2-20 APPROACH SURFACE</p> <p style="font-size: 10px; margin: 0;">CITY OF NEWPORT, OR. NEWPORT MUNICIPAL AIRPORT MASTER PLAN UPDATE</p> <p style="font-size: 8px; margin: 0;">DRAWING FILE NAME: P0009837W 0009837W-K-RUNWAY-2-20-APP SCALE: 1"= 1000'</p>	<p>SHEET NUMBER</p> <p style="font-size: 24px; font-weight: bold;">11</p> <p style="font-size: 12px;">36</p>
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Planning Commission Work Session Agenda Item Report

Agenda Item No. 2016-1877

Submitted by: Sherri Marineau

Submitting Department: Community Development

Meeting Date: December 11, 2017

SUBJECT

Planning Commission Goal Setting Discussion

Recommendation:

ATTACHMENTS

- [Goal Setting.pdf](#)

Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director 

Date: December 7, 2017

Re: Goal Setting for FY 2018/2019 and Beyond

With the adoption of the Greater Newport Vision 2040 Strategic Plan, and the establishment of a permanent vision oversight committee, the City will be adjusting its approach to setting goals for the preparation of the budget. City staff and standing committees are now being asked to align their goals with the strategies contained in the 2040 Plan. The new Vision 2040 Advisory Committee will then review whether or not the goals are accurately aligned with the strategies they have been coupled with. The information will then be turned over to the City Council who will determine their relative priority, particularly as it release to funding for FY 18/19. This process will also serve as an annual “check-in” on progress toward implementing strategies where the City is the lead implementing agency.

Included with this memo is a copy of the letter the Planning Commission forwarded to the City Council last year, for the FY 17/18 goal setting session. Also, enclosed is a copy of the Community Development Department’s goals, which are broken down into the following categories: Ongoing, FY 17/18, 2-5 years, and more than 5 years. For this work session, I’ll be prepared to review the status of the goals and hope to get a sense of the Commission’s priorities for the FY 18/19 fiscal year and beyond. Please think about the Vision 2040 strategies the goals align with as well, as that will also be a topic that we will need to cover.

Once I have your feedback, I’ll plan to bring a letter, summarizing the Commission’s consensus position, for possible adoption at the first meeting in January.

Attachments

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mombetsu, japan, sister city

To: Newport City Council
 From: Newport Planning Commission
 Date: December 12, 2016

RE: Goal Setting for the 2017/2018 Fiscal Year

Dear Council Members,

We want to express our appreciation to you and staff for soliciting our thoughts on what the City's priorities should be for the upcoming fiscal year as it relates to matters relevant to the Planning Commission's roles and responsibilities. On November 28th the Commission held a work session where it reviewed the status of current projects and past goals that the Community Development Department has discussed with the City Council.

In general, we support the Department's goals as presented for the current year, the next 2-5 years, and beyond (see attached), and would place particular emphasis on completing capital facilities plans that are in draft form or have been delayed so that the 2040 visioning process can be completed. This includes adopting the draft storm drainage and wastewater master plans, completing the airport master plan, initiating work on a new park system master plan, and updating the city's transportation system plan. The Commission appreciates efforts the Public Works Department has made to upsize its wastewater pump stations on the north side of town and would like to see that work fully funded and prioritized to eliminate chronic sewage overflows and to ensure that the wastewater system has capacity to support further growth.

The facility plans provide an opportunity for us to build on the visioning work and will inform future urban renewal infrastructure investments in Agate Beach and the City Center area. Additional planning work is also needed in South Beach to guide the final project phase of that urban renewal plan and to provide land owners with certainty as to their long term development options so that we can proceed to annex the unincorporated pockets along US 101 and normalize the City's boundaries. Efforts to normalize the City's boundaries should also take into account isolated pockets of unincorporated territory on the north side of town.

The Planning Commission has for some time been concerned about the lack of affordable housing within our community and appreciates the City Council's effort to identify the types of measures it believes the City can reasonably pursue. The Commission is currently developing a package of tax incentives for multi-family development and is actively engaged in the update to the City's System Development Charge Methodology that may reduce development costs while at the same time create a modest excise tax to provide a consistent funding source for affordable housing. We look forward to completing this work in the coming year.

We hope the City Council finds this feedback to be useful and that there will be an opportunity, after the goal setting process has concluded, for us to meet in a joint work session to discuss priorities moving forward. In the past, we have found such meetings to be very helpful.

Sincerely,


 Jim Patrick, Chairman
 On behalf of the Planning Commission

City of Newport



2017/2018 Department Goals Setting Information Form

Submitted By: Derrick I. Tokos, AICP
 Department: Community Development Department
 Date: February 3, 2017

- A. **Service Priorities Narrative:** The Community Development Department (CDD) is responsible for administering the city's land use planning, building services and urban renewal programs, with an emphasis on providing clear, courteous, and consistent service to the Council, Planning Commission, and public. Service priorities for each of these programs are as follows:

Land Use Planning - Assist the citizenry in planning for, and facilitating future growth of the community; evaluate development projects to ensure that they meet city and state land use requirements; respond to customers with planning and zoning questions; and work with constituents to resolve code enforcement issues.

Building Services - Review and approve building plans; update building codes and system development charges to comply with state law and local policy; issue electrical and plumbing permits; respond to customers with building questions; and conduct building inspections.

Urban Renewal - In consultation with the Urban Renewal Agency, implement and refine, as needed, projects identified in the Newport Northside, Mclean Point, and South Beach Urban Renewal Plans.

- B. **Ongoing Goals:**

1. Maintain and implement economic development strategies. Goal met. The Department has worked collaboratively with Oregon State University, affected property owners, and the general public to make necessary amendments to the Wilder Planned Development and the City's building height limitations to set the table for construction of Marine Studies Initiative classroom/research building and student housing project. The Department has done the same for the Pacific Communities Hospital District, assisting them with rezoning property, vacating rights-of-way, and resolving traffic impacts and height limitations associated with the hospital expansion. Department staff is engaged in a parking study that is likely to recommend that off-street parking requirements in the Bayfront and Nye Beach areas be eliminated in favor of a meter based parking management system, which should make it easier for businesses to expand and properties to redevelop.

2. Involve citizens in every aspect of planning. Goal met. Department staff is taking a lead role in conducting public outreach for the Greater Newport Vision 2040 project, advertising public engagement opportunities, facilitating advisory committee meetings, conducting stakeholder interviews and soliciting feedback at outreach events. The Department coordinates the efforts of multiple permanent and ad-hoc advisory committees, staffing the Planning Commission, Parking District Advisory Committees, Bike and Pedestrian Committee, SDC/CET Ad-Hoc Committee, and the Vision 2040 Advisory Committee. Citizens are also engaged in quasi-judicial land use actions via required mail notice and legal publications.

C. Goals for FY 2016/2017:

1. Assist the consultant, stakeholders and the broader community in developing a 2040 Vision Plan for the Greater Newport Area. Goal will be met. Department staff is arranging and advertising public engagement opportunities, facilitating advisory committee meetings, conducting stakeholder interviews and soliciting feedback at outreach events for this multi-year project.
2. Facilitate adoption of the storm drainage, sewer, and airport master plans into the Newport Comprehensive Plan. Goal not yet met. The Airport Master Plan and corresponding revisions to the Comprehensive Plan and Airport Restricted Area zoning overlay are likely to be adopted. The storm drainage and sewer master plans are in draft form and the adoption process will be initiated, but is unlikely to be completed by the end of the fiscal year. The Planning Commission identified this as a priority for next year.
3. Complete the funded, substantial amendment to the City's System Development Charge methodology. Goal will be met. This process is underway, with a consultant having been hired and advisory committee formed to actively work through the issues. An updated methodology should be available by the end of April, with possible adoption by the end of June.
4. Initiate an update to the City's 1993 Park System Master Plan in coordination with the Newport Parks and Recreation Department. Goal not yet met. Work on the Park System Master Plan update has been postponed to FY 17/18 to allow sufficient time for the Vision 2040 process to conclude.
5. Complete the parking study for the Bay Front, Nye Beach and City Center areas, including any recommended changes to the City's Comprehensive Plan, Zoning Ordinance and Municipal Code. Goal will be met. Consultant performed data collection during the summer and winter and is preparing recommendations for the Advisory Committee's consideration.
6. Implement City adopted affordable and workforce housing strategies, which may include collaboration with the County on development of a Multiple Unit Property Tax Exemption program. Goal will be met. Department staff is working with the

- Planning Commission to develop three tax abatement programs for multi-family housing, which should be complete and vetted with the County by the end of the fiscal year.
7. Assist the Council in reviewing city owned properties to identify if any are surplus to the public need. Goal met. Department staff provided policy makers with an overview of the city's real property assets and assisted it with making strategic adjustments to the portfolio, including acquisition of the commercial property next to City Hall and the sale of a seafood processing plant on the Bayfront.
 8. Amend City land use regulations, as needed, to address state and federal floodplain and wetland regulatory mandates. Goal not yet met. FEMA has delayed preliminary release of the new FIRM maps and set dates for compliance with the ESA litigation for March of 2018. This will be a priority for next fiscal year.
 9. Coordinate with ODOT and the Public Works Department on the implementation of the Agate Beach Wayside project. Goal met. Street, sidewalk and trail improvements are finished and a contractor is about to begin work on the restroom/shower building.
 10. Work with Central Lincoln People's Utility District and ODOT on the preparation of a utility undergrounding plan for US 101 south of the bridge and SE Ferry Slip Road. Goal met. Department staff has worked with Central Lincoln on a utility undergrounding plan and budget that will allow the undergrounding work to be completed in calendar year 2017, before ODOT initiates construction of the 35th and US 101 intersection project in early 2018.
 11. Coordinate with ODOT on the design and construction of the SW 35th Street intersection project. Goal met. Department staff has been working with ODOT and is pushing them to bring additional funding to the table, as costs associated with Agency's management and design of the project increase. Draft design is complete and final design is to be finished by the end of 2017.
 12. Work with the Urban Renewal Agency and community on a redevelopment concept for the 2.3 acre, agency owned, parcel at the northeast corner of SE 35th and US 101. Goal not yet met. Department expects to initiate outreach in the fall of 2017 after the Vision 2040 process has concluded.
 13. Assist the Urban Renewal Agency in establishing South Beach Urban Renewal Plan Phase III project priorities and seek matching funds where appropriate. Goal met. Department staff provided the Agency with an overview of the Phase III projects and is developing recommendations for prioritizing the remaining work.

14. Assess initial e-permitting implementation and update, as needed, to improve customer service. Goal met. Mechanical permitting was added as an option and reporting tools have been improved.

15. Obtain new 2017 aerial imagery in collaboration with Lincoln County and integrate the imagery and other GIS data into the e-permitting software, if practicable. Goal will be met. Department staff has obtained quotes for the work and is making arrangements for the flight to occur in June of 2017.

D. Goals for FY 2017/2018:

1. Facilitate adoption of the 2040 Vision Plan and the integration of its strategies and actions into the Newport Comprehensive Plan.
2. Complete adoption of the storm drainage, sewer, and airport master plans into the Newport Comprehensive Plan and begin work on recommended implementation strategies.
3. Implement new System Development Charge Methodology, Affordable Housing Construction Excise Tax (if adopted), and Multi-Family Property Tax Exemption initiatives (if adopted).
4. Initiate an update to the City's 1993 Park System Master Plan in coordination with the Newport Parks and Recreation Department.
5. Implement recommendations of the parking study for the Bayfront, Nye Beach, and City Center commercial districts.
6. Seek grant funding to update Yaquina Bay Estuary maps and rules concurrent with changes to the City's land use regulations to address state and federal floodplain and wetland regulatory mandates.
7. Coordinate with Central Lincoln People's Utility District and Public Works on implementation of utility undergrounding plan for US 101 south of the bridge and SE Ferry Slip Road.
8. Assist ODOT in completing design of the 35th and US 101 Intersection project, including coordinating with the Urban Renewal Agency, Public Works Department and neighboring land owners in preparation for the construction phase of the project.
9. Work with the Urban Renewal Agency and community on a redevelopment concept for the 2.3 acre, agency owned, parcel at the northeast corner of SE 35th and US 101 and coordinate with the Public Works department on the demolition of structures.
10. Begin implementation of South Beach Urban Renewal Plan Phase III projects. This may include a refinement plan for the commercial/industrial areas.

11. Reconcile City nuisance and unsafe building codes to ensure streamlined and equitable process for abating dangerous buildings, including those damaged as a result of landslides or other natural events.
12. Initiate preparation of an infrastructure refinement plan for the Agate Beach Neighborhood as envisioned in the Northside Urban Renewal Plan.
13. Work with ODOT to begin the process of updating the Newport Transportation System Plan (TSP), with an emphasis on revitalizing the City Center area (Downtown Revitalization Plan) and future replacement of the Yaquina Bay Bridge.
14. Assist Bike/Pedestrian Committee in assessing the condition, gaps, and obstacles to accessibility inherent to the City's sidewalk network to inform the TSP work.
15. Coordinate with the County on an Urban Growth Management Area Agreement to encourage the orderly urbanization and annexation of South Beach industrial areas.

D. 2-5 Year Goals:

1. Ensure planning initiatives are consistent with strategies outlined in the 2040 Vision Plan.
2. Complete updates to the City's Park System Master Plan and incorporate the changes into the City's Comprehensive Plan, Zoning Ordinance and SDC methodology as appropriate.
3. Coordinate with Parking Advisory Committee on success of parking study for the Bayfront, Nye Beach, and City Center commercial districts.
4. Initiate annexation of unincorporated South Beach pockets of land, including addressing the ongoing Seal Rock Water District assessments.
5. Implement Council strategies for strategic property acquisitions and sale and/or donation of property that is surplus to the public need.
6. Explore viability of obtaining Community Rating System certification to reduce flood insurance rate premiums for properties located within floodplains.
7. Complete the Agate Beach Neighborhood Plan and revise the projects in the Northside Urban Renewal District to align with the plan.
8. Seek opportunities to partner with ODOT to improve signal timing and intersection functionality along US 101 and work with the state on design of the 25th to 36th Street US 101 sidewalk project.
9. Assist the community, in partnership with ODOT, on the completion of the TSP update and Downtown Revitalization Plan and revise the projects in the Northside Urban Renewal District to align with the plan.

10. Adopt storm drainage and erosion control standards for new development in line with the newly adopted storm drainage master plan.
11. Initiate community engagement on forming an LID to supplement URA funding for street improvements in the Coho/Brant neighborhood.
12. Coordinate with ODOT on the design and construction of the SW 35th Street Intersection project.
13. Implement South Beach Urban Renewal Plan Phase III project priorities.
14. Work with the Port of Newport and Public Works Department to fund the design and construction of a sewer extension to Mclean Point as envisioned in the urban renewal plan.
15. Assess efficiencies that may be achieved by more fully automating building plan reviews and inspections.

E. Goals Beyond 5 Years:

1. Assist the community in revisiting and refreshing the 2040 Vision Plan, as needed.
2. Provide staff support on a range of strategies to achieve a tangible increase in the amount of affordable and workforce housing units in the City.
3. Obtain funding and initiate updates to Newport's housing and buildable lands inventories.
4. Assess staffing of community development and building service functions and seek adjustments, where needed, to respond to workflow demands.
5. Coordinate with ODOT on the replacement of the Yaquina Bay Bridge.
6. Assist with the implementation of the sewer extension and other projects identified in the McLean Point Urban Renewal Plan.
7. Pursue implementation of projects identified in the Northside urban renewal plan.
8. Facilitate closure of the South Beach urban renewal plan.

F. Attachments: Planning Commission Letter Regarding FY 2017/2018 Goals