

GOALS AND POLICIES

PUBLIC FACILITIES ELEMENT

GENERAL

Goal: To assure adequate planning for public facilities to meet the changing needs of the City of Newport urbanizable area.

Policy 1: The city shall develop and maintain public facilities master plans (by reference incorporated herein). These facility plans should include generalized descriptions of existing facilities operation and maintenance needs, future facilities needed to serve the urbanizable area, and rough estimates of projected costs, timing, and probable funding mechanisms. Public facilities should be designed and developed consistent with the various master plans.

Policy 2: In order to assure the orderly and cost efficient extension of public facilities, the city shall use the public facilities master plans in the capital improvement planning.

Policy 3: The city shall work with other providers of public facilities to facilitate coordinated development.

Policy 4: Essential public services should be available to a site or can be provided to a site with sufficient capacity to serve the property before it can receive development approval from the city. For purposes of this policy, essential services shall mean water, sanitary sewer (i.e. wastewater), storm drainage and streets.

Development may be permitted for parcels without the essential services if:

- a. The proposed development is consistent with the Comprehensive Plan; and
- b. The property owner enters into an agreement, that runs with the land and is therefore binding upon future owners, that the property will connect to the essential service when it is reasonably available; and
- c. The property owner signs an irrevocable consent to annex if outside the city limits and/or agrees to participate in a local improvement district for the essential service, except that annexation shall be required before property that is contiguous to the city limits can receive sanitary sewer service.

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

Policy 6**: Local Improvement Districts (LIDs) should be evaluated as a means of funding public facilities where the construction of such facilities is expected to enhance the value of properties that are adjacent or proximate to the planned improvements.

For LIDs in developed residential areas, the aggregate assessment amount within a prospective LID should be no more than 10% of the assessed value of properties within the boundaries of the proposed district. The aggregate assessed value may be higher for other types of LIDs, such as developer initiated districts; however, in no case should it exceed 50% of the assessed value of the affected property.

When considering a new LID, the City should proceed with preparing an engineer's report that sets out the likely cost of constructing the improvement.

Consideration should be given to bundling LID projects with other capital projects that the City secures bond funds to construct. For an LID to proceed, it must have a reasonable chance of being self-financing, with adequate reserves to ensure that payments are made on bonds/loans regardless of the property-owners' repayment.

If an LID project is considered by the City Engineer to be a partial improvement (less than ultimate planned design), the City should require that interim improvements conform to current City standards in a manner which will allow for completion of the total facility at such time that resources are available.

New LIDs may be initiated by petition or resolution of the City Council.

Formation of an LID by Petition

The City Council shall evaluate new LIDs proposed by petition to determine if City resources should be expended to formulate an engineer's report. Only those projects with substantial public support should proceed. An LID petition that includes non-remonstrance agreements and/or petitions of support from property owners representing 75% of the benefited area shall be presumed to

have substantial public support.

If an LID petition seeks to leverage other funding to achieve 100% of the project costs then the City Council should consider the likelihood of whether or not those funds will be available within the timeframe that they would need to be committed for construction.

When the City receives petitions for multiple LIDs, priority should be given to prospective LIDs with the highest level of documented support, as measured by recorded non-remonstrance agreements and/or petitions in the benefit area in question.

The cost of completing the engineer's report should be included in the total LID assessment. The City should update its fee schedule to include a non-refundable LID Application Fee to be paid by LID petitioner(s) for petition-initiated LIDs.

City Council Initiated LIDs

The City Council on its own motion or upon recommendation by the City Manager may initiate an LID without a petition. In doing so the City Council shall consider the following factors:

- Project purpose and need, including whether or not the improvement addresses an immediate health and safety risk or if it has been identified as a priority improvement in an adopted public facility plan.
- Whether the improvement will address existing deficient infrastructure that is chronically failing.
- Capital cost of the improvement.
- Project cost contingencies and related construction risk factors, such as the need to acquire new public right-of-way, unique construction challenges, or environmental issues.
- Nature of the area benefited, including its existing condition.
- The amount of potential non-LID funding that is expected to be leveraged by the LID, if any. This may include, but is not limited to, federal or state grants, sewer or other types of service charges, urban renewal funds, revenue or general obligation bonds, and reimbursement districts.
- Percentage of properties within the benefit area that have prerecorded non-remonstrance agreements or have owners that favor formation of an LID.

When considering multiple City-initiated LIDs, priority should be given to the LID that addresses the greatest number of factors identified above.

Policy 7**: The City may use various means to finance, in whole or in part, improvements to public services in order to maintain public facility service levels and to carryout improvements identified in public facility plans, and adopted city goals and policies. This includes but is not limited to consideration of federal or state grants; water, sewer, storm drainage and other types of service charges; urban renewal funds, revenue or general obligation bonds, local improvement districts, and reimbursement districts.

WATER

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

Policy 1: The city will comply with state and federal laws concerning water quality and will take appropriate steps consistent with those laws to protect and maintain drinking water source areas.

Implementation Measure 1: The City shall work to establish a source water protection buffer in the Big Creek Watershed. The City declares the Big Creek Watershed a public facility consistent with the definition of Public Facility Systems in OAR 660-011-0005(7)(a)(A). The City will work to establish a source water protection buffer that is consistent with the findings of the Oregon Department of Environmental Quality / Oregon Health Department source water assessment report (PWS #4100566).

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

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

Policy 4: The city will acquire lands within the municipal watershed when available or necessary to protect water quality or improve its water system.

Policy 5: The city will reconstruct its municipal raw water storage and distribution facilities to address identified structural deficiencies to Big Creek Dam #1 and Big Creek Dam #2.

Implementation Measure 1: The city shall conduct necessary and appropriate engineering studies to determine the safest and most cost-effective approach to ensure the integrity of the municipal water supply. The studies shall identify the cost and timing of needed capital projects to address identified structural deficiencies and comply with Policy 2 of this section.

Implementation Measure 2: The city shall explore financing mechanisms, and prepare a financing plan to fund construction needed to resolve the structural deficiencies by 2030.

Implementation Measure 3: The city shall use data and findings from Implementation Measures 1 and 2 of this section to update the Water Supply section of the Public Facilities element of the Newport Comprehensive Plan to reflect new information as a result of the engineering and finance studies.

WASTEWATER

Goal 1: To provide a wastewater collection and treatment system with sufficient capacity to meet the present and future needs of the Newport urbanizable area in compliance with State and Federal regulations.

Policy 1: Improve and maintain the wastewater collection system as identified in the 1990 Public Facilities Plan for the City of Newport, by CH2MHILL, as amended by the following updates:

- A. Wastewater Facilities Plan, by Fuller & Morris Engineering & CH2MHILL, dated May 1996
- B. 2006 South Beach Neighborhood Plan (Ord. No. 1899)
- C. Sanitary Sewer Master Plan, by Brown and Caldwell, dated February 9, 2018

Policy 2: On-site sewer systems or holding tanks shall not be allowed unless the city's sanitary sewer system is greater than 250 feet away. In any case, a subsurface permit from the Lincoln County Sanitarian must be obtained prior to any development that will rely on an on-site sewer system or holding tank.

Policy 3: Existing structures within the city limits that contain sanitary facilities shall connect to the city's sanitary sewer system at such time as a gravity main or equivalent wastewater collection system is extended to within 250 feet of the property.

Policy 4: City wastewater services may be extended to any property within the urban growth boundary. Except for the very limited circumstances allowed by state law and regulations, the city will not generally provide wastewater services outside the urban growth boundary. The city may require a consent to annexation as a condition of providing wastewater service outside the city limits and shall require a

property to annex before providing wastewater service if it is contiguous to the city limits. Nothing in this policy obligates the City to provide wastewater services outside of the city limits. For property outside the city limits but within the urban growth boundary, wastewater services may be provided at the City's discretion only for:

- A. residentially zoned lands as allowed by county zoning without urban services, and
- B. commercial and industrial zoned lands as allowed by county zoning at the scale of development in existence on September 4, 2007.

Policy 5: When designing the wastewater collection and treatment system to ensure there is sufficient capacity to meet current and future needs of the community, the City shall consider the demands of various users under normal and predictable daily and seasonal patterns of use.

Policy 6: When undertaking capital improvement planning, priority shall be given to projects that will repair, replace or upsize wastewater infrastructure with known condition or capacity limitations in order to minimize discharges that could compromise public health and safety, damage real property, or harm the environment.

TRANSPORTATION

Transportation Goals and Policies repealed by Ordinance No. 1802 (January 4, 1999).

STORM WATER DRAINAGE

Goal 1: Provide a storm water drainage system with sufficient capacity to meet the present and future needs of the Newport urbanizable area.

Policy 1: Assess the condition of the City’s stormwater drainage system and identify needed capacity improvements for a 20-year planning period through periodic updates to the City’s Stormwater Master Plan.

Policy 2: Maintain and implement a Capital Improvement Plan to address deficiencies in the storm drainage system.

Policy 3: Address deficiencies in storm drainage conveyance system when reconstructing existing streets.

Policy 4: Require that new development projects manage storm run-off from new impervious surfaces to minimize impacts to the downstream drainage system.

Policy 5: Provide that storm run-off attributed to new development in geologically hazardous areas is evaluated by qualified professionals to minimize impacts to the subject, or nearby properties.

Policy 6: Pursue a range of options for financing priority storm drainage improvement projects, including (a) revenue bonds that leverage utility fees; (b) general obligation bonds; (c) clean water state revolving loan funds; (d) FEMA hazard and flood mitigation grants (e) urban renewal funds; (f) system development charges, and (g) formation of local improvement districts.

Goal 2: Develop a stormwater regulatory framework that emulates DEQ Phase II permitting standards, so that the City is positioned to comply with such requirements when required.

Policy 1: Amend the City’s ordinances to require drainage analysis for development with new impervious surfaces that demonstrates run-off can be managed on-site, or that the downstream conveyance system has capacity for the volume and velocity of stormwater attributed to a 25-year, 24-hr storm event.

Policy 2: Develop boilerplate storm drainage management options for small scale development projects to alleviate the need for site specific hydraulic analysis.

Policy 3: Adopt pre and post development erosion control requirements.

Policy 4: Encourage the use of pervious surfaces as a method of managing storm run-off, such as porous pavement/concrete, porous pavers, retention/detention facilities, and infiltration trenches.

Policy 5: Establish a set of “good housekeeping” policies for City property and facilities that limit pesticide, herbicide, and fertilizer use, and provide such policies as best practices guidelines for private property owners.

Goal 3: Collaborate with local and regional partners to establish water quality standards that meet State and Federal requirements.

Policy 1: Support efforts to develop a mid-coast Total Daily Maximum Load (TMDL) Implementation Plan.

Policy 2: Coordinate with stakeholder groups to detect and eliminate illicit discharges into drainage ways, Yaquina Bay, and the Pacific Ocean.

Subsection updated by Ordinance No. 2169 (July 20, 2020)

AIRPORT

Goal 1: Strive to provide for the aviation needs of the City of Newport and Lincoln County.

Policy 1: City will ensure that the airport will be able to operate safely and efficiently.

Implementation Measure 1.1.1: Periodically review municipal codes and zoning codes to see that they are in line with the needs of the airport.

Implementation Measure 1.1.2: Maintain training and best management operational practices.

Policy 2: City will cooperate with state and federal agencies in the development of the airport.

Implementation Measure 1.2.1: Staff will attend aviation conferences, participate in collaborative meetings, keep abreast of changes in personnel, and network with aviation engineering consultant to ensure quality relationships with key players in industry, state and federal agencies.

Policy 3: City will assess airport neighboring properties that will benefit aviation in the future for potential purchase.

Implementation Measure 1.3.1: Use the 2017 Airport Master Plan, approved

FAA Airport Layout Plan, and recommendations from the Planning consultants to determine which areas surrounding the airport should be considered and why and prioritize acquisitions.

Goal 2: Pursue recognition by the Oregon Department of Aviation (ODA) as the coastal lifeline in emergency/disaster situations.

Policy 1: City of Newport will assess the seismic stability of the Newport Municipal Airport for readiness to support the region during and after a Cascadia Event.

Implementation Measure 2.1.1: City of Newport shall conduct a seismic stability study of the airport including the financial requirements necessary to upgrade or stabilize any weaknesses discovered during the seismic study.

Implementation Measure 2.1.2: City of Newport will work with regional and national bodies to develop a plan to finance and implement any recommended improvements coming out of the seismic study.

Policy 2: The City of Newport will continue to investigate recommendations listed in Section F of the Report from the City of Newport Regional Airport Review Task Force (17 February 2016, Roumagoux, et al.): In the event of a natural disaster, the airport could play a critical role in meeting the emergency needs of individuals on the central coast.

Implementation Measure 2.2.1: City will work with the Coast Guard to evaluate the USCG airport facility to determine its stability in the event of a major Cascadia event.

Implementation Measure 2.2.2: City will contact FEMA to see what they need to establish an emergency supply depot facility at the airport.

Implementation Measure 2.2.3: City will work with the Oregon Department of Aviation, FEMA, the FAA and other governing agencies for recognition as a regional emergency response facility.

Goal 3: Achieve financial sustainability.

Policy 1: Develop a finance strategy for airport improvements.

Implementation Measure 3.1.1: City of Newport will continue to investigate co-partnering with other government bodies to manage the airport.

Policy 2: The City of Newport will continue to investigate recommendations listed in Section C of the Report of the Regional Airport Review Task Force: “The City of Newport provides a subsidy to the airport for its operation....it is important for the city to review increasing revenue opportunities as well as reducing expenditures.”

Implementation Measure 3.2.1: City will assess economical and practical ways of building access to the east side and back area of the airport to allow for commercial development of those properties.

Implementation Measure 3.2.2: City will look for ways to utilize leasing land on the east side of the airport designated for non-aviation Development, and explore ways to facilitate non-aviation development on the west side of the airport in areas designated appropriate for such development.

Goal 4: Strive for a clear understanding of aviation impacts on land use adjacent to the Airport, such as noise, surface transportation, height restrictions, and others.

Policy 1: The Airport will work with neighboring property owners to maintain a safe aviation boundary around the airport.

Implementation Measure 4.1.1: Evaluate impact to surrounding private properties when developing airport alternatives.

Implementation Measure 4.1.2: Develop airport facilities and alternatives with adherence to environmental regulations.

Implementation Measure 4.1.3: Balance the needs of airport infrastructure with protection of the environment.

Implementation Measure 4.1.4: City will evaluate impacts to neighboring property owners when establishing or modifying Imaginary Surfaces and update avigation easements whenever there is a navigation change at the airport necessitating changes to Imaginary Surfaces.

Policy 2: City of Newport will continue to investigate recommendations listed in Section E of the *Report of the Regional Airport Review Task Force*: “The airport, city, and its partners need to explore opportunities to enter into economic development ventures or partnerships that encourage the development potential in and around the airport and act as a catalyst to ensure the airport is positioned for future economic or business development.”

Implementation Measure 4.2.1: City will explore potential economic development incentives for businesses desiring to locate at the airport.

Implementation Measure 4.2.2: City will continue obtaining buildable fill materials as available and test placed material for structural stability.

Goal 5: Establish and maintain avigation easements to ensure all pertinent FAA Imaginary Surfaces are free of obstacles and supported by appropriate documentation allowing the City to maintain applicable Imaginary Surfaces.

Policy 1: City of Newport will update current aviation easements surrounding the airport.

Implementation Measure 5.1.1: Update existing aviation easements based on current and presently foreseen navigation needs.

Implementation Measure 5.1.2: With the installation of new navigation aids at the airport, review existing easements for needed upgrade to maintain new navigation requirements.

Policy 2: City will establish easements where needed for proper maintenance of the Airport.

Implementation Measure 5.2.1: Conduct a survey of all easement needs adjacent to the airport. Periodically review aviation easements to ensure easement negotiation happen concurrent with airport development.

Implementation Measure 5.2.2: Negotiate aviation easements where none exist but are required by FAA design standards.

Goal 6: Secure commercial service when economically feasible.

Policy 1: Look for independent commuter service opportunities in a changing commercial air service industry moving away from rural airports to hub connections.

Implementation Measure 6.1.1: Collaborate with the Oregon Department of Aviation (ODA) to identify strategies for securing economically feasible commuter service to rural airports throughout Oregon.

Policy 2: Maintain airfield to safety standards required for commuter service.

Implementation Measure 6.2.1: Complete further study to determine if the 139 Certification is necessary to the Airports success in drawing a commercial airline.

Implementation Measure 6.2.2: Retain ARFF facilities & equipment for airport and community safety.

Policy 3: The City of Newport will continue to investigate recommendations listed in Section A of the *Report of the Regional Airport Review Task Force*, which states that providing commercial passenger air service into Newport would clearly be a significant tool to continue support of the marine research community, commercial fishing, and tourism economies in Lincoln County.

Implementation Measure 6.3.1: Craft a marketing strategy (three or four key elements); have strategy reviewed by regional experts from a variety of sectors (business, recreation, personal travelers).

Implementation Measure 6.3.2: Establish a steering committee to work with a consultant selected to perform a feasibility study. Committee will ensure study

findings are representative of the local community. Summarize results of the study and include in a package provided to potential carriers.

Implementation Measure 6.3.3: Craft a strategy to entice air service providers. Include answers key questions: What is the return on investment? What risks are there and what are the actions needed to mitigate that risk? What support can providers expect from the city and the community?

Goal 7: Maximize or fully leverage airport footprint for aviation use.

Policy 1: Upgrade Airport facilities as warranted to maintain a safe and useful airfield.

Implementation Measure 7.1.1: Continue to assess airport facilities—including apron redesign and correction of non-standard geometry—for future role of airport.

Policy 2: Future development shall comply with FAA regulations, maintain existing airfield capability and increase resiliency.

Implementation Measure 7.2.1: Partner with FAA Capital Improvement Program to upgrade areas of the airfield currently designed to outdated standards.

Goal 8: Foster community awareness of how the Airport meets community needs.

Policy 1: Promote the advantages of having airport services available to the community.

Implementation Measure 8.1.1: Create an Airport Outreach Program adaptable to all ages to educate families as well as business on the benefits of a local airport.

Policy 2: The City of Newport will continue to investigate recommendations listed in Section D of the *Report of the Regional Airport Review Task Force*, which states it is important the City utilize any available resources including websites, social media, and other forums to share with the community what services are available at the airport.

Implementation Measure 8.2.1: City will pursue strategies to promote the use and development of airport land and facilities to enhance economic conditions in Lincoln County.

Implementation Measure 8.2.2: City will periodically review user-friendly services available at the airport, and supplement identified gaps, to ensure they meet the needs of the aviation community and broader public.

Implementation Measure 8.2.3: City will explore the possibility of contracting with a person/firm, or assigning this task to the Destination Newport Committee,

to develop professional marketing information regarding the Newport Municipal Airport.

Goal 9: Expand and install utility infrastructure at the airport for aviation and non-aviation development.

Policy 1: Sufficient utility infrastructure should service Airport buildings and meet operating needs as well as future growth.

Implementation Measure 9.1.1: Install sanitary sewer to the airport as usage increases and City infrastructure expands south to serve increased sewer and water demands off the airport.

Implementation Measure 9.1.2: Assess sanitary sewer needs on an individual basis as development occurs on the airport. Utilizing septic tanks until usage demands out-grow septic system limits.

Implementation Measure 9.1.3: Investigate property purchase or ground easements for sewage system expansion from wastewater treatment plant to the airport in preparation of future expansion of City infrastructure south to users both on and off the airport.

Implementation Measure 9.1.4: Expand City of Newport water system from existing service at the ARFF Station to other areas of the airport when usage demands make expansion cost effective.

Policy 2: Seek strategic partnerships to leverage public/private funds other than City resources to expand infrastructure to serve new uses.

Implementation Measure 9.2.1: Research potential grant opportunities supporting infrastructure development.

Implementation Measure 9.2.2: City will seek to develop private/public funding partnerships to expand infrastructure to and on airport property.

Policy 3: City will investigate potential timelines and practices necessary to install sewer and water to the airport.

Implementation Measure 9.2.1: City will develop an implementation plan to provide residential and commercial sewer services within the Newport Urban Growth Boundary, for lands in and around the airport.

Implementation Measure 9.2.2: City will act on its implementation plan to provide sewer and water service to the airport when economically feasible to do so.

Goal 10: Develop and maintain a clear distinction between aviation and non-aviation development requirements and the role of the FAA in the development review process in both areas.

Policy 1: Coordinate with FAA to develop separate procedures for review of aviation related and non-aviation related development with an eye towards creating a predictable set of requirements and streamline review timelines particularly for non-aviation related development.

Implementation Measure 10.1.1: Review current version of *5190_6b FAA Airport Compliance Manual* to outline a protocol for addressing the FAA with Aviation and Non-aviation development opportunities.

Implementation Measure 10.1.2: Create a procedure policy that addresses requirements stated in *5190_6b FAA Airport Compliance Manual* combined with needs of local developers to present to the FAA for review.

Implementation Measure 10.1.3: Incorporate agreed upon review procedures into City codes.

Policy 2: Explore opportunities to leverage non-aviation development areas (including reconfiguring, leasing, or selling), to further aviation/non-aviation development objectives.

Goal 11: Strive to prepare the airfield for adaptation to changes in the national fleet and local needs in the next 15 to 20 years as design airport operations increase nationally and locally.

Policy 1: Design airfield improvements to a B-11 design craft during the next 10 to 15 years or until a new master plan is conducted or enplanements warrant a change in classification.

Implementation Measure 11.1.1: Use B-II design criteria to a) redesign apron area; b) separate taxiway “E” from RW 2; c) separate intersecting runways; d) install new taxiway between taxiway A and relocated RW 2 threshold; e) correct non-standard geometry at taxiway “A”, “D” and RW 2 threshold.

Policy 2: Prepare for future C-II growth.

Implementation Measure 11.2.1: Invest in additional airside land purchases to prepare for the changes in runway protection zones and flight patterns required for a C-II airport.

Implementation Measure 11.2.2: Base zoning codes, noise contours, and land use policy updates to protect land use around the airport for the future C-II classification.

Subsection updated by Ordinance No. 2128 (February 5, 2018).

PORT OF NEWPORT*

Goal: To collaborate with the Port of Newport on the implementation of its Capital Improvement Plan.

Policy 1: The city will coordinate with the Port of Newport when planning to upgrade or construct new public facilities within the Port District and will seek to partner on capital projects to achieve mutually beneficial outcomes.

Policy 2: The city will assist the Port of Newport in its efforts to secure outside funding for capital projects.

**Subsection added by Ordinance No. 2056 (September 5, 2013).*

***General Policies 6 & 7 added by Ordinance No. 2093 (May 19, 2016)*