



CITY OF
West Linn

**SANITARY SEWER MASTER PLAN
LAND USE PLANING APPLICATION**

FILE NUMBER:

HEARING DATE:

REQUEST: To consider a recommendation to City Council for adoption of the West Linn 2019 Sanitary Sewer Master Plan (SSMP) Update as Attachment A, along with proposed amendments to Comprehensive Plan Goal 11 and Chapter 85 of the Community Development Code.

APPROVAL

CRITERIA: Community Development Code (CDC) Chapters 98, 100 and 105.

PREPARED BY: City Engineering Staff

TABLE OF CONTENTS

GENERAL INFORMATION 2
EXECUTIVE SUMMARY 3
APPLICATION.....5

GENERAL INFORMATION

APPLICANT: City of West Linn

DESCRIPTION: A recommendation to City Council for consideration of adoption of the West Linn 2019 Sanitary Sewer Master Plan (SSMP) Update as Attachment A. The Commission will also consider recommendations on proposed amendments to West Linn Comprehensive Plan Goals 11 and Chapter 85 of the Community Development Code (CDC).

APPROVAL CRITERIA: Community Development Code (CDC) Chapter 98 provides administrative procedures for legislative amendments to the Comprehensive Plan and the CDC. Section 98.100 of the CDC lists the factors upon which a decision shall be based. These are briefly described below and addressed in greater detail in a separate Section of this report:

1. The Statewide Planning Goals and rules adopted under ORS Chapter 197 and other applicable state statutes;
2. Any federal or state statutes or rules found applicable;
3. Applicable plans and rules adopted by the Metropolitan Service District (Metro);
4. The applicable Comprehensive Plan policies and map; and,
5. The applicable provisions of implementing ordinances.

EXECUTIVE SUMMARY

In 2016, the City of West Linn engaged in a planning process involving citizens and agency stakeholders to update the Sanitary Sewer Master Plan (SSMP). While this is an update to the 1998 SSMP, the 2019 SSMP completely replaces the old plan. The 2019 SSMP maintains the original plan's objectives and basis of planning. The update includes review of facilities constructed since 1998, and consideration of aging facilities, regulatory changes, and population trends, utilizing the current best practices of the industry.

The SSMP is a supporting document to the Comprehensive Plan. The update to the SSMP requires a number of amendments to goals and policies in the Comprehensive Plan, as well as applicable amendments to Chapter 85 of the Community Development Code (CDC).

The proposed amendments to the Comprehensive Plan and CDC in attachment A of the application. Adoption of the proposal will ensure goals and policies, and land use development criteria, are aligned with the vision outlined in the SSMP for an efficient sanitary sewer collection system to meet community needs into the future.

The primary intent of this legislative action is to ensure the City's SSMP and the Comprehensive Plan remain viable tools for decision-makers. By adopting the amendments, the City will also ensure continued compliance with applicable laws, rules, regulations, plans, and programs.

Project Background

The City of West Linn owns, operates and maintains the sanitary sewer collection system within the City, and transports the wastewater to the Tri-City Water Pollution Control Plant for treatment. The Tri-City Water Pollution Control Plant belongs to the Water Environment Services partnership of Clackamas County (WES). The City's Sanitary Sewer Master Plan provides an in-depth analysis of existing system conditions and incorporates hydraulic modeling of the system to identify hydraulic capacity deficiencies in the sewer collection system for both existing and future planning needs. The SSMP is considered a living document that is inherently flexible to allow the City to respond to opportunities and changing conditions as they develop. The main topics covered in the SSMP include the following:

- Identify the basis of planning and performance criteria
- Describe the existing system
- Hydraulic model development and calibration
- Capacity evaluation
- Inflow/infiltration reduction
- Develop a capital improvement program
- Identify planning level cost estimates for identified projects

The SSMP defines the capacity needs of the sanitary sewer collection system to meet current and future populations within the twenty-year planning period based upon population projects, underlying zones, past wastewater flow data, existing conditions and regulatory requirements. The projects identified are conceptual, and future work will be required to design, permit and construct the improvements.

Proposed Comprehensive Plan Amendments

In addition to adopting the West Linn SSMP Update, a number of amendments are proposed to goals, policies, and action measures found in the West Linn Comprehensive Plan. The proposed amendments will ensure consistency and compliance with regional and state plans and policies, and includes the following:

- Update to the narrative for Goal 11 Public Facilities and Services – Section 1 Sanitary Sewers
- Update the goal to provide reliable and environmentally sound wastewater collection.
- Update policy to encourage development and annexation that makes orderly and efficient use of the wastewater collection system.
- Update action measures to:
 - Edit measure #1 to coordinate with WES with regard to sanitary sewer needs.
 - Edit measure #2 to refer to the sanitary sewer system.
 - Add measure #4 continue to make an effort to reduce inflow and infiltration into the collection system.

These changes are more fully shown in the in attachment A of the application.

Proposed CDC Amendments

In addition to adopting the West Linn SSMP, one amendment is proposed to the CDC. The proposed amendment will ensure consistency and compliance with regional and state plans and policies, and includes the following:

- Update chapter 85 to refer to the “SSMP dated March 2019” instead of the “SSMP”.

APPLICATION

APPLICABLE CRITERIA

West Linn Community Development Code

Chapter 98.040 Duties of Director

A. The Director shall:

1. If appropriate, or if directed by the City Council or Planning Commission in their motion, consolidate several legislative proposals into a single file for consideration;

Response: The proposed legislative amendments to the West Linn Comprehensive Code and Chapter 85 of the Community Development Code have been consolidated into one file as allowed. The consolidation is appropriate as the proposed amendments will ensure consistency with the adopted plan.

2. Upon initiation of a legislative change, pursuant to this chapter:

a. Give notice of the Planning Commission hearing as provided by CDC 98.070 and 98.080;

b. Prepare a staff report that shall include:.....

c. Make the staff report and all case file materials available 10 days prior to the scheduled date of public hearing under CDC 98.070;

d. Cause a public hearing to be held pursuant to CDC 98.070;

Response: A hearing before the Planning Commission and subsequently City Council will be scheduled as part of this land use application. A staff report will be generated and posted pursuant to CDC 98.040.

Chapter 100 - Procedures for Adoption of Amendment of Supporting Plans:

CDC 100.010 Definitions

A master plan is defined as a supporting document to the Comprehensive Plan.

Response: The SSMP Update is a supporting document to the Comprehensive Plan, therefore the standards of this Chapter must be addressed.

CDC 100.090 Additional Procedures

This refers to procedures set forth in CDC Chapter 98.

Chapter 105 – Amendments to the code and Map:

CDC 105.010 Purpose

This Chapter sets forth the standards for legislative amendments to the CDC and to the map.

Response: An amendment to the CDC Chapter 85 is recommended, therefore the standards of this Chapter must be addressed.

CDC 105.030 Legislative Amendments to this Code and Map

This refers to procedures set forth in CDC Chapter 98.

Chapter 98 - Procedures for Decision Making: Legislative

CDC 98.100 Standards for Decision

A. The recommendation of the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

1. The Statewide planning goals and rules adopted under Chapter 197 ORS and other applicable State statutes;

Statewide Planning Goal 1 – Citizen Involvement:

This goal outlines the citizen involvement requirement for the adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

Response: This goal was addressed with the following steps. The City has maintained a project website tracking the project development since inception in November 2016. The SSMP was introduced to the public at the November 2018 Utility Advisory Board with a more detailed presentation in March of 2019. The draft SSMP has been posted to the City website for public comment since April 2, 2019. Additionally, a public hearing before the Planning Commission and City Council will occur prior to final adoption of the SSMP pursuant to CDC Chapter 98. As a result, the SSMP is in compliance with Goal 1.

No goal or policy changes are recommended.

Statewide Planning Goal 2 – Land Use Planning:

This goal outlines the land use planning process and policy framework. The Comprehensive Plan was acknowledged by DLCD as being consistent with the statewide planning goals.

Response: The City of West Linn has an acknowledged Comprehensive Plan and enabling ordinances. The SSMP was developed to support the underlying land use zones and the populations anticipated. Therefore, the SSMP supports the land use and zoning policies. Goal 2 references carrying capacity, but the only reference to the sanitary system is the overall quality of life. The SSMP recommendations are aimed at properly sizing sanitary facilities and thus helps to maintain the overall quality of life. The amendments will be processed in accordance with City's adopted procedures, which requires any applicable statewide planning goals, federal or state statutes or regulations, Metro regulations or plans, comprehensive plan policies, and the City's implementing ordinances be addressed as part of the decision-making process. This amendment will be processed as a post-acknowledgement plan amendment (PAPA) and noticing requirements will be met. All applicable review criteria has been addressed within this application; therefore, the requirements of Goal 2 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 5 – Natural Resources:

This goal requires the inventory and protection of natural resources, open spaces, historic sites and areas.

Response: The City is currently in compliance with the State’s Goal 5 program and Metro’s Title 13: Nature in Neighborhoods program, which implements Goal 5. The SSMP does not alter the City’s acknowledged Goal 5 inventories or associated land use programs. No changes will occur to current natural resource protections. As a result, the amendments are in compliance with Goal 5 process requirements.

No goal or policy changes are recommended.

Statewide Planning Goal 6 – Air, Water, and Land Resource Quality:

To maintain and improve the quality of air, water, and land resources of the state.

Response: The City is currently in compliance with Metro’s Title 3: Water Quality and Flood Management program, which implements Goal 6. The SSMP does not alter the City’s acknowledged land use programs regarding water quality and flood management protections. The City is included in the Metro Area Airshed, which is in compliance with Federal Clean Air Act regulations. As a result, the SSMP is in compliance with Goal 6.

No goal or policy changes are recommended.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards:

To protect people and property from natural hazards.

Response: The City is currently in compliance with Goal 7 and Metro’s Title 3: Water Quality and Flood Management program. The SSMP does not alter the City’s acknowledged Goal 7 land use programs. No changes will occur to current natural hazard protections. As a result, the SSMP is in compliance with Goal 7.

No goal or policy changes are recommended.

Statewide Planning Goal 8 – Recreational Needs:

This goal requires the satisfaction of the recreational needs of the citizens of the state and visitors.

Response: West Linn provides a robust range of recreational facilities throughout the community, and has an adopted Parks Master Plan and is in the process of updating that plan. The SSMP does not alter the Parks Master Plan. The SSMP is in compliance with Goal 8.

No goal or policy changes are recommended.

Statewide Planning Goal 9 – Economic Development:

To provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

Response: The City is currently in compliance with Goal 9 and Metro’s Title 1: Requirements for Housing an Employment Accommodation and Title 4: Industrial and Other Employment Areas. The SSMP does not alter the City’s compliance with Goal 9. The SSMP recommendations are aimed at properly sizing sanitary facilities and thus help to support economic growth. The requirements of Goal 9 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 10 – Housing:

To provide adequate housing for the needs of the community, region and state.

Response: The City is currently in compliance with Goal 10 and the Metropolitan Housing Rule (OAR 660-007/Division 7), and Metro’s Title 1: Requirements for Housing an Employment Accommodation. The SSMP does not alter the City’s compliance with Goal 10. The SSMP recommendations are aimed at properly sizing sanitary facilities and thus help to accommodate housing needs. The requirements of Goal 10 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 11 – Public Facilities and Services:

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as framework for urban and rural development.

Response: The City is currently in compliance with Goal 11 through its acknowledged Comprehensive Plan. This includes an adopted Public Facility Plan as required by Oregon Revised Statute 197.712 and Oregon Administrative Rule (OAR) 660-011. The purpose of facility planning per OAR 660-011 is to help assure that urban development “is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the urban areas to be serviced”. The SSMP will update the sanitary sewer component of the Public Facility Plan as allowed by Oregon Administrative Rule 660-011-0010-0045. As a result, the SSMP is in compliance with Goal 11.

West Linn Comprehensive Plan Goal 11: Public Facilities and Services, Section 1 should be amended to read as provided in Attachment A.

Sections 2: Water System; 3: Storm Drainage; 4: Fire and Police; 5: Government Administration Facilities; 6: Libraries; 7: Schools; 8: Private Utilities and Telecommunications; and 9: Health Services are not affected by the SSMP and no changes in goals or policies are required.

Statewide Planning Goal 12 – Transportation:

To provide and encourage a safe, convenient, and economic transportation system.

Response: The City is currently in compliance with Goal 12 and Metro’s Regional Transportation Plan through its acknowledged Comprehensive Plan and TSP as required by Oregon Administrative Rule 660-012 (Transportation Planning Rule). The SSMP does not alter the City’s compliance with Goal 12. The SSMP recommendations are aimed at properly sizing sanitary facilities which does not affect the transportation system. The requirements of Goal 12 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 13 – Energy Conservation:

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principles.

Response: The City is currently in compliance with Goal 13 through its acknowledged Comprehensive Plan. The adoption of the SSMP does not alter the City’s compliance with Goal 13. The SSMP includes a plan to reduce inflow and infiltration into the collections system which would reduce the energy cost to transport wastewater through the pump stations, which supports energy conservation. The requirements of Goal 13 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 14 – Urbanization:

To provide for orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Response: The City is currently in compliance with Goal 14 and Metro’s Title 11: Planning for New Urban Areas through its acknowledged Comprehensive Plan and land use regulations. The City also has a signed Urban Growth Management Agreement with Clackamas County as required by ORS 195.065. The SSMP does not alter the City’s compliance with Goal 14. The SSMP recommendations are aimed at properly sizing sanitary facilities and thus helps to promote orderly growth. The requirements of Goal 14 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 15 – Willamette River Greenway:

To provide for keeping the land green along the banks of the river and providing for recreation access.

Response: The City is currently in compliance with Goal 15 through its acknowledged Comprehensive Plan and land use regulations. The SSMP does not alter the City’s compliance with Goal 15 and is consistent with this goal. The requirements of Goal 15 have been met.

No goal or policy changes are recommended.

Conclusion: Based on the analysis above, the proposed SSMP is consistent with applicable Statewide Planning Goals.

2. Any federal or State statutes or rules found applicable;

Oregon Administrative Rule 660-011

Response: The Land Conservation and Development Commission adopted Oregon Administrative Rule 660-011 (Public Facility Planning Rule) to implement Statewide Planning Goal 11. The proposed SSMP describes the sewer facilities necessary to support the land use designated in the City's acknowledged comprehensive plan within the City's urban growth boundary, one component of the City's overall Public Facilities Plan. See the material above which addresses State Wide Planning.

Oregon Administrative Rule 340-041-0009 (7) (DEQ Bacterial Rule)

Response: The requirement generally prohibits the sanitary sewer overflow during the summer except in storms greater than a one in ten-year event, and in winter to a one in five year event. Planning and sizing of sanitary sewers must be based upon this criteria. The SSMP uses the five-year 24 hour storm event with an adjustment for climate change to model the system and size the facilities. The City has not had any documented overflows in the past. The SSMP is in compliance with the rule.

Oregon Administrative Rule 340-045

Response: This rule requires a discharge permit (NPDES or WPCF) for wastewater. The City of West Linn transports the wastewater to the Tri-City Water Pollution Control Plant managed by Water Environment Services (WES). Therefore, the City of West Linn does not discharge wastewater and is not required to have a discharge permit. The SSMP is in compliance with the rule.

Oregon Administrative Rule 340-050

Response: This rule defines the requirement for land application of biosolids. The City of West Linn transports the wastewater to the Tri-City Water Pollution Control Plant managed by Water Environment Services. Therefore, the City of West Linn does not manage biosolids, so this rule does not pertain. The SSMP is in compliance with the rule.

Conclusion: Based on the analysis above, the proposed SSMP is consistent with applicable federal or state statutes or rules.

3. Applicable plans and rules adopted by the Metropolitan Service District;

Response: Metro's responsibility includes management of the boundary that separates urban and rural lands with regard to land use and development, coordinate and plan investments in the transportation system for the three-county area, act a regional clearinghouse for land information, manage regional parks and natural areas, operate regional visitor venues, and oversee the regions solid waste system. Their responsibility does not extend to sanitary sewer collection or treatment.

Under the land use goals 2, 5 and 8 earlier in this document a response has been provided addressing land use planning, natural areas and recreational areas. The SSMP does not affect the Metro plans and rules.

Conclusion: Based on the analysis above, the SSMP is consistent with applicable plans and rules adopted by Metro.

4. *The applicable Comprehensive Plan policies and map*

Response: Comprehensive policies have been addressed in this application under the Statewide Planning Goals. Amendments to Goal 11 Public Facilities and Services Section 1: Sanitary Sewer have been recommended.

The Comprehensive Plan does not include maps pertaining to the sanitary sewer system. Therefore, there are no map changes required.

Conclusion: Based on the analysis above, the proposed SSMP is consistent with the Comprehensive Plan policies and map.

5. *The applicable provisions of the implementing ordinances.*

Response: The applicant is not aware of any additional applicable provisions, which are not found above. Implementing ordinances include:

- *CDC Chapter 55.100 I 4 – Design Review Approval Standards: Public Facilities, Sanitary Sewers.*
- *CDC Chapter 60.070 A 4 – Conditional Uses Approval Standards and Conditions, Adequate Public Facilities.*
- *CDC Chapter 85.170 – General Provisions Submittal Requirements for Tentative Plan, and Supplemental Submittal Requirements for Tentative Subdivision or Partition Plan.*
- *CDC Chapter 85.200 G - General Provisions Submittal Requirements for Tentative Plan, and Approval Criteria, Sanitary Sewers.*

Response: These chapters require design engineers to demonstrate sufficient capacity available in the sanitary sewer system to serve the proposed development. The proposed SSMP provides updated capacity information, but does not alter this requirement. CDC Chapter 85.200 G references SSMP, but not a specific SSMP, therefore that section of the CDC should be modified as proposed in Attachment A.

Chapter 92.010 F – Required Improvements, Public Improvements for all Development, Sanitary Sewer.

Response: This requires that sanitary sewers shall be installed to City standards to serve the subdivision and to connect the subdivision to existing mains. The SSMP does not affect this requirement.

Conclusion: Based on the analysis above, Chapter 85.200 G 1 of the CDC is proposed to be amended to be consistent with the SSMP. Otherwise the proposed SSMP is consistent with the CDC.

Annotated to show deletions and additions to the plan section being modified. Deletions are ~~bold lined through~~ and additions are **bold underlined**.

1. Proposed Comprehensive Plan Amendments

The following text amendments are proposed for the West Linn Comprehensive Plan:

.....

West Linn Comprehensive Plan goal 11: Public facilities and Services should be amended to read as follows:

SECTION 1: SEWER SYSTEM

BACKGROUND AND FINDINGS

~~West Linn has 110~~ The City operates and maintains several miles of ~~public sewers~~ public sanitary sewer mains and several pump stations. ranging in diameter from 6 to 24 inches. Wastewater is conveyed through the City sanitary sewer system to the Tri-City Plant for treatment. The Tri-City Water Pollution Control Plant belongs to the ~~The~~ Water Environment Services partnership ~~Ddepartment~~ of Clackamas County (WES) ~~is responsible for providing wastewater treatment services for the cities of West Linn, Oregon City, and Gladstone. Eleven pumping stations, eight City owned and three owned by Clackamas County, carry the City's wastewater to Clackamas County's Tri-City Wastewater Treatment Plant. The Water Environment Services Department of Clackamas County operates under a master plan adopted for the Tri-City Wastewater Treatment Plant.~~ The sanitary sewer system is separate from the storm sewer system ~~and untreated storm water drains directly to surface streams.~~

In 1999, the City contracted with Bookman-Edmonston Engineering to update the 1989 Sanitary Sewer System Master Plan. The study determined expansion and rehabilitation needs of the current system, and identified a comprehensive schedule for improvements. The City's Sanitary Sewer Master Plan, dated March 2109, provides an in-depth analysis of existing system conditions and incorporates hydraulic modeling of the system to identify hydraulic capacity deficiencies in the sewer collection system for both existing and future planning needs.

.....

GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES

GOAL

Provide ~~adequate, reliable and~~ adequate, reliable and environmentally sound wastewater collection and treatment for all West Linn residents and businesses.

POLICIES

- ~~1. Coordinate sanitary sewer service to existing future residents to allow for the most efficient provision of service within the City and subsequent expansion of the service area. Encourage~~

development and annexation that makes orderly and efficient use of the wastewater collection system.

2. Require the installation of new sanitary sewer collection facilities to be the responsibility of property owners who will receive direct benefit from those facilities. The City may participate in the development of those facilities to the extent that they benefit residents or businesses in addition to those directly involved.
3. Maintain and operate the sanitary sewer system to meet all federal and state permitting requirements.

RECOMMENDED ACTION MEASURES

1. **Participate Coordinate** with the Clackamas County Department of Water Environment Services in meeting the City's sanitary sewer ~~requirements~~ **needs**.
2. Work with Clackamas County and other affected agencies to plan major wastewater treatment facilities. The City recognizes and assumes its responsibility for operation, planning, and regulating ~~the wastewater sanitary sewer~~ system as designated in the City's ~~1999~~ Sanitary Sewer System Master Plan, **dated March 2019**, which is a supporting document of the Comprehensive Plan.
3. Encourage residents with septic systems to connect to the City sanitary sewer system.
4. **Continue efforts to reduce inflow and infiltration into the wastewater collection system to the extent such reduction are documented to be cost-effective and/or required by State or Federal regulation.**

2. Proposed CDC Chapter 85 Amendments

The following text amendments are proposed for the Community Development Code Chapter 85:

.....

A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan, **dated March 2019**, and subsequent updates and amendments. Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is efficient. The sewer system must be in the correct zone.