

**WESTFIR CITY STAFF MEETING**  
**Friday, September 8, 2023, 2:30 p.m.**

**NOTES**

**PRESENT AT MEETING:**

Gary Darnielle, LCOG Attorney (via Zoom)  
Henry Hearley, LCOG Associate Planner (via Zoom)  
Nicole Tritten, Westfir City Recorder  
Matt Wadlington, City Engineer  
John Webster, Lane County Building Program Manager (via Zoom)

**TO DISCUSS:** North Fork Gateway applications: MPD2023-01; SPP2023-01; and ZC2023-01. Applicants: Ralph Christensen, Roscoe Divine, and Sunset Investments; Applicant Representative Teresa Bishow, AICP, Bishow Consulting, LLC; Tax Lot 00132, Assessor's Map 21-35-07-40.

*Comments and questions are paraphrased.*

**Henry Hearley (HH) started the meeting with the following comments about the applications:** The applicant is no longer proposing a Phase 2. They are firm on their proposal for a pressurized sewer line and will withdraw the application if a gravity system is required. The extension of water lines and the type of sewer line are the primary issues for the City.

**Question by Nicole Tritten (NT):** What are the drawbacks and complications of managing two different types of sewer lines within one system, one gravity and one pressurized?

**Response by Matt Wadlington (MW):** Installing a pressurized system would preclude anyone upstream in downtown Westfir from using a gravity system in the future. Adding the individual pump stations means that a pressurized system is not the cheapest alternative for the City. A pressurized system is not a drawback in terms of wastewater treatment but affects the City at large with future development.

**NT follow up question:** A complication of the pressurized system is maintaining the pump stations?

**Response by MW:** Although the pumps are technically the homeowners' responsibility to maintain, as the owner of a public wastewater system, the City has a duty to prevent wastewater leaks. In cities with isolated pressurized systems, it's not unusual for the City to have to pump the tanks during power outages or other failures. The tanks are generally not sized for extended power outages, although less water would be used during a power outage with appliances like washing machines not in use.

**NT follow up question:** Are there tanks that would offer longer storage for power outages?

**Response by MW:** It is possible, but the problem is that the wastewater can go septic/anoxic, which would impact wastewater treatment because it changes how the microbes are working. There would also be odor issues once the effluent entered the gravity system.

**Question by NT:** I am concerned about how the City will afford to maintain and manage this additional system on the mill site for initially just a few homes. Roughly 40% of the funding of the Sewer Fund is provided by the General Fund, which is under increasing pressure from police and fire costs.

**Response by MW:** A newly constructed gravity collection system is virtually maintenance free. Operational costs should be low.

**Question by HH to NT:** Would the City collect System Development Charges (SDC) for the mill site development?

**Response by NT:** I'm not sure if the City collects SDCs when they don't install the lines.

**Response by Gary Darnielle (GD):** Yes, the City would collect SDCs because SDCs are meant to support the main facility.

**Question from GD to MW:** Does the City have a facilities plan that indicates that eventually downtown Westfir will be served with sewer?

**Response by MW:** Not that I know of.

**Response by NT:** I don't know about a facility plan, but I believe that bringing sewer lines to the other side of the river is part of the Comprehensive Plan.

**GD:** Are there Federal funds through DEQ available?

**Response by MW:** There probably are federal funds available, but we haven't checked with Business Oregon or DEQ. Generally, they won't fund anything that's not in a planning document. I'm not sure whether the Comprehensive Plan would be sufficient. In theory, the feasibility study to construct water and sewer lines on the mill site could be a planning document that makes the City eligible for funding.

**NT:** Isn't there a Facilities Master Plan?

**Responses by MW, HH:** Neither had been able to find a Facilities Master Plan.

**Question by NT:** On page 5 of the MPD Staff Report, it states that "The City's sewer system has the capacity to serve the development at full build out." Is that the case?

**Response by MW:** Capacity is an issue. The system is inherently expandable, but there may not be the capacity for significant expansion. There probably is capacity for Phase 1, but I don't have an exact number of households. I will look back through documents to see if I can find any information. I will also try to determine the cost of an additional expansion pod.

**Question by NT:** When commenting on the project, MW stated that he saw it being difficult to require compliance with the LDC in the future if the City waived LDC requirements (sidewalks, fire hydrants, water lines) for the applicants. Could MW elaborate? Did he mean that prospective developers would also have to be given variances?

**Response by MW:** If you allow development in Phase 1 and someone wants to develop Lot 4, how are you going to make them extend all those utilities up to Lot 4, along the frontage of Lots 1, 2 and 3? It makes it difficult to enforce that if you've allowed someone else to come in and develop without extending utilities.

**Response by GD:** A possible remedy is a Waiver of Remonstrance required of all the property owners. You can build in ways that say, since Lot 4 bears the cost of the extension, they can be reimbursed as Lots 1, 2 and 3 are developed, but it's a complicated mechanism.

**MW:** And it puts the burden of that management on the City.

**Question by NT:** What does it mean to put a loop in the City water system and what is the benefit of that?

**Response by MW:** Ideally you want to have a loop system, so that the water can flow to any one place from multiple directions. So, if there is a break in a line, you can valve off that area and everyone else still has water. A loop system allows a redundant water source to every location. It also significantly reduces the velocity in the water line, so if a hydrant is open or there is a water line break, there is less pressure loss. The City should look for funding avenues to loop the system, which would be beneficial regardless of whether the development happens.

**Question by NT:** Is there a way to know if wells are viable on the mill site short of drilling one?

**Response by MW:** I am not certain.

**Question from MW to GD:** When you mentioned a Waiver of Remonstrance, that's a legal document that ensures that the property owner can't oppose the extension of utilities, but does it require them to pay for that extension?

**Response by GD:** It depends on how it's drafted. What normally is done is that the City would create a Local Improvement District (LID), and the remonstrance would be that you can't oppose/vote against the LID. So, all those people along the hypothetical line couldn't vote against an LID, so the City would always have a majority vote to form the LID and tax them accordingly for the improvement.

**MW:** Tax them?

**HH:** The cost of the line gets added on to their property tax over a long period of time.

**MW:** Again, that's a burden of management of that LID that the City would have to take on.

**GD:** The other consideration from a planning standpoint is that even if you give all those concessions, you're creating a very low density subdivision with the likelihood that it's not going to build out for decades upon decades. If the City develops a facilities plan; goes after funding for the plan; and fulfills the plan to extend the lines, that would be attractive to developers to develop the mill site much more densely. It's the last area the City has for real residential growth.

**MW:** I support the idea of developing the lots in line, starting in the east with Lot 1. I can investigate at what point they should extend water to fully loop the system.

**GD:** Another option would be to divide Lot 1 into five half-acre lots, which would still be large properties, and would be marketable and serviceable in terms of extension of both water and sewer.

**GD:** It would be useful for staff to create a list of the concessions that have been requested and a cost-benefit analysis of each from the City's perspective. Not the actual dollar cost but what are the implications for the City in the future.

**HH:** Teresa Bishow created a table in the revised Master Plan Development application that shows what improvements the applicant is making and what they are not. (p. 17, MPD application revised August 31, 2023)

**HH:** Lane County building official John Webster is on the line. John, do you have any input?

**John Webster (JW):** I don't have anything to add. Does anyone have questions?

**MW to JM:** Can you permit a house in the City if it doesn't have a fire hydrant?

**JW response:** It's really the fire authority that makes the decision about whether or not hydrants are needed. If you're over a certain amount of residential development, around 30 units, you have to look at how access is met if you don't have two independent fire access roads. The usual path forward is that the homes get fitted with an NFPA 13D system, a domestic fire sprinkler system. I like to have the fire authority available for these questions because the building department is obliged by State law to work in partnership with the local fire authority to get their buy in before permits are approved.

**MW:** Who is the fire authority?

**HH:** Regional State Fire Marshal, Kristina Deschaine. When we met with her onsite, the fire hydrants were discussed, and there are options for permitting a home in the absence of fire hydrants. The property must have something else built on site like an underground storage tank or sprinkler system.

**MW:** We've talked about water and sewer today but not roads. My concern is the same: You're saying ultimately, we want the road to meet the City's development criteria, but it becomes a City administration issue to make sure that future residents build that road. I can take the list from the revised MDP and develop a list of pros and cons for the Planning Commission to consider.

**HH:** From staff's perspective, I think we would not recommend approval with all the concessions the applicants are requesting. The City wants to see a more or less traditional subdivision development with extension of critical City infrastructure.