



Oregon  
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development  
635 Capitol Street, Suite 150  
Salem, OR 97301-2540  
(503) 373-0050  
Fax (503) 378-5518  
www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

8/2/2010

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Lincoln City Plan Amendment  
DLCD File Number 004-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

### Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, August 13, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

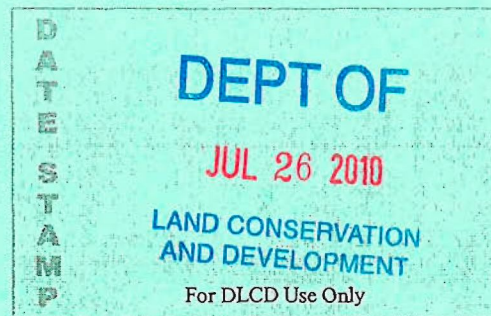
Cc: Richard Townsend, City of Lincoln City  
Gloria Gardiner, DLCD Urban Planning Specialist  
Matt Spangler, DLCD Regional Representative  
Amanda Punton, DLCD Regional Representative

<paa> YA



# 2 Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Lincoln City Local file number: ZOA 2010-06  
 Date of Adoption: June 28, 2010 Date Mailed: July 23, 2010  
 Date original Notice of Proposed Amendment was mailed to DLCD: March 19, 2010

- |   |   |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment        | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment             |
| <input type="checkbox"/> New Land Use Regulation                  | <input type="checkbox"/> Other: _____                     |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

\_\_\_\_\_ The ordinance contains a variety of miscellaneous code amendments to reflect a 2008 recodification of  
 \_\_\_\_\_ the municipal code. The amendments include corrections of scrivener's errors, missed cross-references  
 \_\_\_\_\_ and omissions from previously adopted ordinances.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME".  
 If you did not give Notice for the Proposed Amendment, write "N/A".

No substantive changes.

Plan Map Changed from: n/a to: \_\_\_\_\_  
 Zone Map Changed from: n/a to: \_\_\_\_\_  
 Location: City wide Acres Involved: \_\_\_\_\_  
 Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: \_\_\_\_\_

Was and Exception Adopted? ☐ YES ☒ NO

DLCD File No.: 004-10 (18192) [16241]



Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

**Forty-five (45) days prior to first evidentiary hearing?**

☒ Yes

☐ No

If no, do the statewide planning goals apply?

☐ Yes

☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes

☐ No

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Richard Townsend Phone: (541) 996-2153 Extension: \_\_\_\_\_  
Address: PO Box 50 City: Lincoln City  
Zip Code + 4: 97367- Email Address: rtown@lincolncity.org

## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

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The City Council finds:

- A. The miscellaneous amendments to the Zoning Ordinance to correct errors, omissions and cross-references are in conformance with the Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached Exhibit “A”.

- B. The amendments are in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements.

- C. The Planning Commission, on May 4, 2010 considered the miscellaneous amendments contained within this ordinance. The Planning Commission voted to transmit the amendments to the City Council with a recommendation that the ordinance be adopted.

- D. The City duly notified the Oregon Department of Land Conservation and Development of its consideration of the proposed amendments.

- E. The City Council held public hearings on May 24, 2010 and June 14, 2010 during which the Council considered the proposed amendments transmitted by the Planning Commission.

- F. All persons were given an opportunity to provide written and/or oral testimony on the proposed ordinance amendments.

**THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:**

**Section 1.** To recognize recently enacted zoning districts and to acknowledge repeal of the Environmental Quality Overlay Zone (*Ord. 2000-11*), Section 17.12.010 which establishes a list of zoning districts is hereby amended as follows:

### 17.12.010 Classification of zones.

For the purpose of this title, the following zones are hereby established in the city.

Zone Description	Abbreviated Description
Residential, Single-family	R-1
Residential, Multifamily	R-M
Professional Campus	PC

1	Recreation Commercial	RC
2	General Commercial	GC
3	Nelscott Plan District	NP
4	Planned Industrial	PI
5	Recreation-Residential	R-R
6	Park	P
7	Open Space	OS
8	Marine-Waterway	M-W
9	Taft Village Core	TVC
10	Natural Resource Overlay	NR
11	Oceanlake Plan District	OP

**Section 2.** To correct an inadvertent omission of a previously listed permitted use resulting from adoption of Ordinance 2008-05, Section 17.32.020, the General Commercial (GC) zone, is amended and renumbered to read as follows:

**17.32.020 Uses permitted.**

In a GC zone, the following are given as examples of those uses that meet the intent of this zone:

1. Convenience service/retail use;
2. Eating and drinking establishments, excluding drive-in restaurants;
3. Carpet, rug, fabric and interior decorating shops including reupholstering, making of draperies and other similar articles which are conducted as part of, and secondary to, a retail sales operation;
4. Sporting goods stores;
5. Motels and resorts;
6. Building supply stores;
7. Public facilities;
8. Garden supplies and nursery;
9. Community meeting buildings, fraternal or social organizations;
10. Automotive parts and accessories;
11. Printing;
12. Carpenter, plumbing, cabinet, upholstering and sheet metal shops, if conducted wholly within an enclosed building;
13. Appliance sales and service;
14. Single-family dwellings, if developed under the standards in the R-1 zone;
15. Mini-warehouses, if existing on or if site plan approval was applied for before June 9, 2008. Mini-warehouses in existence on or applied for before June 9, 2008, may be expanded within the boundaries of the lot or lots they occupied as of that date, subject to the standards applicable as of the date of application for expansion;
16. Time-share units, when developed under the standards of LCMC 17.28.050;
17. Bed and breakfast accommodations;
18. Professional and business offices;
19. Art gallery and studio;
20. Physical therapy;
21. Equipment rental establishments;

22. Physical fitness center;
23. Manufactured homes when developed in accordance with the standards specified in LCMC 17.28.100 (C) and 17.52.250;
24. Veterinary clinics;
25. Community gardens and market gardens not larger than 12,500 square feet, in accordance with the standards of LCMC 17.80.080;
26. Mixed-use development.
27. Essential emergency communications and warning facilities.

**Section 3.** To correct a scrivener's error, Section 17.44.040 (B) (6) (e), the Marine-Waterway zoning district (*Ord. 84-2*), is hereby amended to read as follows:

6. Plans for a pier, dock, boat house, or similar facility shall meet the following requirements:
  - a. In new subdivisions considered by the planning commission following the adoption of the ordinance codified in this title, docks having less than 10 moorage spaces will be approved only in the instance that no other public or private means of launching or moorage is available or can be developed within 1,000 feet of the site in question.
  - b. Facilities being proposed in areas where it is likely that additional similar structures will be desired shall be designed to be combined into joint facilities whenever possible.
  - c. The design of moorages must provide sheer logs or similar devices for fending debris. Such improvements need not be maintained during periods where there is no danger of flood water.
  - d. Docks shall have the long dimension running parallel to the channel unless future development will result in pier construction or moorages being connected, necessitating facility design perpendicular to the channel. The width of those portions of such facilities shall be the minimum dimension required to provide safe access and moorage.
  - e. One dock shall not be closer to another dock than the length of the shorter structure or 25 feet, whichever distance is greater.

**Section 4.** To correct the omission of a date in the adoption of the Taft Village Core zoning district (*Ord. 2000-09*), as it pertains to nonconforming uses and structures, Section 17.45.100 is amended to read:

**17.45.100 Nonconforming uses and structures.**

A. Continuation of Nonconforming Use. A use lawfully occupying a structure or site on November 6, 2000 that does not conform to the regulations for the Taft Village Core zone shall be deemed to be a nonconforming use and may be continued, subject to the following regulations:

1. Routine maintenance and repairs may be performed on structures or sites the use of which is nonconforming.



2. Structures or sites, the use of which is nonconforming, may be altered, renovated, enlarged, replaced, or moved if, and only if:

- a. As to any added area, at least the entire added area will be used for a use that conforms to the regulations for the Taft Village Core zone; and
- b. The area continuing to be used for the nonconforming use is not more than the area lawfully used for the nonconforming use immediately prior to the alteration, renovation, enlargement, replacement, or movement.

B. Continuation of Nonconforming Structure. A structure lawfully occupying a site on November 6, 2000 that does not conform to the regulations for the Taft Village Core zone shall be deemed to be a nonconforming structure and may be continued or replaced, subject to the following regulations:

1. Routine maintenance and repairs may be performed on nonconforming structures.
2. Nonconforming structures may be altered, renovated, enlarged, replaced, or moved if, and only if, the alteration, renovation, enlargement, replacement, or movement does not cause the ultimate structure to further violate the regulation or regulations under which the structure was nonconforming.

C. Applicability of Chapter 17.64 LCMC (Nonconforming Uses). LCMC 17.64.010, 17.64.040 and 17.64.060 shall not apply to nonconforming uses and structures in the Taft Village Core zone. Except as so limited, Chapter 17.64 LCMC shall apply to nonconforming uses and structures in the Taft Village Core zone.

**Section 5.** To reflect the applicability of site plan review in the Park Zone (*Ord. 2002-01*), Open Space Zone (*Ord. 2002-03*), Taft Village Core (*Ord. 2000-09*), Oceanlake Plan District (*Ord. 2007-08*) and Nelscott Plan District (*Ord. 2008-18*), Section 17.52.240 (D) 1 is amended to read:

D. Site Plan Review Required.

1. Except as provided in subsection (D)(2) of this section, site plan review is required before any building permit is issued authorizing development and before any outdoor storage area or parking lot development commences, in the R-M, PC, RC, GC, PI, M-W, P, OS, TVC, NPD and OPD zones, and before any nonresidential building permit is issued authorizing development and before any nonresidential storage area or parking lot development commences in any other zone.

**Section 6.** To correct a cross-referencing omission in the Taft Village Core (*Ord. 2000-09*), Oceanlake Plan District (*Ord. 2007-08*), and Nelscott Plan District (*Ord. 2008-18*), Section 17.72.050 (G) is amended to read:

G. Signs on Undeveloped Lots in the GC, PI, RC, PC, M-W, TVC, OPD and NPD zones. For purposes of this subsection, a lot is undeveloped unless: (1) business operations are conducted on the lot in good faith; and (2) the lot either contains development that has been approved through site plan review pursuant to LCMC 17.52.240 or contains development that would have been required to go through site plan review if site plan review had existed at the time the development occurred.

**Section 7.** To correct cross-referencing omissions in the Taft Village Core (*Ord. 2000-09*), Oceanlake Plan District (*Ord. 2007-08*), and Nelscott Plan District (*Ord. 2008-18*), Section 17.72.060 is amended as follows:

17.72.060 Special conditions and standards.

A. Permanent signs may be provided for businesses within the GC, PI, RC and PC zones as follows:

1. Signs Attached to Buildings.

a. Number. There shall be no limit on the number of signs attached to buildings per business subject to the aggregate total limitation below.

b. Area. The total sign area for signs attached to buildings shall not be more than one square foot of sign area for each lineal foot of legal business frontage not to exceed an aggregate total of 100 square feet per business. Sign area shall not exceed 100 square feet for any one sign. For a business with less than 25 feet of business frontage, an aggregate total of 25 square feet of sign area will be allowed. For a business that does not have a freestanding sign, the aggregate total for signs attached to buildings may be increased by an additional one square foot for each two linear feet of business frontage in excess of 100 linear feet, in lieu of a freestanding sign. Such signage shall not exceed an additional aggregate total of 100 square feet. Where the aggregate total of signs attached to buildings is increased to more than 100 square feet as provided above, no freestanding sign will be allowed until the aggregate signage attached to buildings is reduced to 100 square feet or less.

c. Roof Signs. No roof sign will be placed so that it extends more than six feet above a flat roof or the ridge of a pitched roof, and in no case shall the combined height of the building and sign exceed the building height limitations of this title.

2. Freestanding Sign.

a. Number. One sign shall be permitted for each lot with a street frontage of 50 or more lineal feet. Two or more lots of less than 50 feet may be combined for purposes of meeting the foregoing standard. Corner lots can count both street frontages in determining the lineal feet of street frontage, but only one freestanding sign is permitted on such corner lots. In the alternative to the foregoing provision applicable to corner lots, a lot with multiple street frontages each of 100 linear feet or more may have one freestanding sign for each such street frontage, which sign will be placed so as to be read from the qualifying street frontage. In addition, one subordinate freestanding sign per street frontage is allowed where the street frontage on which the sign is located exceeds 200 linear feet in length. No freestanding sign shall be installed within 100 linear feet of another freestanding sign on the same lot.

b. Area. Signs shall not exceed an area of one square foot for each lineal foot of street frontage, with a maximum area of 100 square feet per sign. A subordinate freestanding sign shall not



1 exceed an area of one square foot for each two lineal feet of street frontage in excess of 200 feet  
2 with a maximum area of 100 square feet per sign.

3 c. Placement. Signs on corner properties shall also comply with the vision clearance provisions  
4 of LCMC 17.52.060.

5 d. Height. The maximum height of a freestanding sign shall be 20 feet. The height shall be  
6 measured as the vertical distance from the highest point of the sign, including any vertical  
7 projection thereof, to the level of the street upon which the sign faces, or the adjoining ground  
8 level, if such ground level is above the street level.

9 e. Where the adjoining ground level has been used as a reference in determining the permissible  
10 height of a freestanding sign, it is unlawful to alter the grade or ground level below the sign so as  
11 to render the sign nonconforming as to the height limitations.

12 B. Temporary signs may be provided for businesses within the GC, PI, RC, PC, TVC, OPD and  
13 NPD (except NCR) zones as follows:

14 1. Real Estate Signs. In addition to the other signs allowed in these zones, one real estate sign,  
15 not to exceed 32 square feet in size, is allowed per lot.

16 2. Portable Swinger Signs and A-Frame or Sandwich Board Signs.

17 a. One sign shall be permitted for each lot; provided, that there are no nonconforming signs on  
18 the lot.

19 b. Area. Signs shall not exceed an area of 12 square feet, which area shall count against both the  
20 total aggregate area allowed for signs attached to buildings and freestanding signs.

21 c. Placement. Signs shall also comply with the vision clearance provisions of this title. No such  
22 signs shall be allowed in a street, alley, public right-of-way or on public property.

23 d. Any portable swinger signs or A-frame signs displayed without a permit or displayed in  
24 violation of the placement restrictions of this chapter may be immediately impounded by the  
25 city, and a civil infraction may be issued. Upon a declaration of forfeiture, the court will order  
26 the sign destroyed and the permit or right to apply for a sign permit for such sign will be revoked  
27 or denied for a six-month period of time from the date of entry of the forfeiture.

28 3. Additional Temporary Banner Signs. A temporary banner with an area of not more than 50  
29 square feet shall be permitted for a time certain not to exceed 30 days. Such a sign shall be  
30 allowed in addition to any other signs allowed for a lot under this section. Any such sign must be  
31 removed no later than one day following the expiration date on the permit. Such a permit may  
32 not be renewed. No more than one such permit may be issued per lot in a calendar year.

4. Additional Seasonal Signs. Up to two signs whose combined areas total not more than 64 square feet shall be permitted to a person holding a seasonal permit issued under LCMC 5.04.150(B) for the temporary outside display of merchandise. Such signs shall be allowed in addition to any other signs allowed for a lot under this section. Any such signs shall be displayed only during the period for which the seasonal permit for the temporary outside display of merchandise has been issued. Any such signs must be removed no later than one day following the expiration date on the permit.

C. In R-1, R-M, R-R and NCR zones, the following signs are allowed:

1. A name plate or sign not exceeding two square feet in area for each dwelling;
2. One or two real estate signs, not exceeding seven square feet each in size;
3. Subdivisions may have a freestanding sign not exceeding 42 square feet in area at the entrance to the subdivision;
4. Traffic or directional signs;
5. In an R-M zone, sites with three or more residential units in a building will be allowed one sign not to exceed 20 square feet. Additionally, each such building will be allowed one sign per building, which sign will not exceed 10 square feet for each sign;
6. Any lighting provided for the above signs must be indirect. No flashing lights, electronic message centers or moving or rotating parts will be allowed on signs in these zones;
7. A sign not exceeding 50 square feet in area identifying a nonresidential use.

D. The maximum protrusion of a sign over a street or alley or public property will be 24 inches, except along Highway 101, where no intrusion of a sign into or over the right-of-way will be allowed. Where allowed, the sign must be at least eight feet above grade. No sign shall be constructed, erected or maintained within the public right-of-way, except as installed by a duly constituted governmental entity.

E. Light from a sign will be directed away from all residential zones and will not detract from a motorist's view of any traffic-control device.

F. Illuminated signs must conform to electrical code and the permit fees required thereunder.

G. The maximum sign size for any sign requiring a permit under the provisions of this chapter is 100 square feet.

**Section 8.** To reflect the prohibition of signs on undeveloped lots (*Ord. 97-01*), Section 17.32.040 of the General Commercial zone is amended to delete reference to off-premise signs and structures as a conditional use. Section 17.32.040 is amended to read:

1  
2 **17.32.040 Conditional uses permitted.**

3 In a GC zone, the following are given as examples of those uses which meet the intent of this  
4 zone on a conditional basis, subject to the provisions of Chapter 17.60 LCMC:

5 A. A use listed in this zone with drive-in service facilities and including, but not limited to,  
6 drive-in restaurants, service stations, car washes and photo processing booths;

7 B. Churches;

8 C. Indoor commercial recreation establishments including theaters;

9 D. Passenger terminals;

10 E. Public utility;

11 F. Utility substation;

12 G. Outdoor commercial recreational establishments, such as swimming pool and miniature golf;

13 H. Automobile and trailer sales; provided, that any incidental repair activities shall be conducted  
14 and confined wholly within a building;

15 I. Light fabrication establishments entailing the assembly of electronic or precision equipment,  
16 the sewing of fabric or materials or similar activities;

17 J. Recreational vehicle parks;

18 K. Duplexes developed under the standards of the R-M zone; multifamily dwellings developed  
19 under the standards and provisions of the high density section of the R-M zone;

20 L. Motor vehicle repair facility;

21 M. Tire shops;

22 N. Kennels;

23 O. Aggregate sales and storage;

24 P. Manufactured dwelling sales and service;

25 Q. Mortuary;

26 R. Wireless communications facilities, subject to the provisions of LCMC 17.52.270;

27 S. Emergency shelters.  
28

29 **Section 9.** To reflect repeal of the Environmental Quality Overlay Zone and Environmental  
30 Concern Implementing Section, and subsequent adoption of the Natural Resources Overlay  
31 Zone; Natural Hazards, Beaches and Dunes; and Aesthetic, Historic and Archaeological Sites  
32 (*Ord. 2000-11*), Section 17.52.240 (E) (3) (o) relating to application requirements for site plan  
33 review is amended as follows:  
34

35 o. If environmental assessments or reports are required by Chapters 17.46, 17.47 and 17.48, the  
36 location of any riparian vegetation, significant wildlife habitat and major marshes, exceptional  
37 aesthetic resources and related natural vegetation cover, historic and archeological sites, natural  
38 hazards, and beaches and dunes that are subject to those sections.  
39

40 **Section 10.** To reflect repeal of the Environmental Quality Overlay Zone and Environmental  
41 concern Implementing Section, and subsequent adoption of the Natural Resources Overlay Zone;  
42 Natural Hazards, Beaches and Dunes; and Aesthetic, Historic and Archaeological Sites (*Ord.*  
43 *2000-11*), Section 17.52.240 (E) (4) relating to application requirements for site plan review is  
44 amended as follows:  
45



4. Any environmental assessments or reports required by Chapters 17.46, 17.47 and 17.48. If an application does not include the required environmental assessments or reports, the application shall be deemed not complete, but on the request of the applicant, site plan review officials may review and comment on the site plan on a preliminary basis.

**Section 11.** To correct a scrivener's error (*Ord. 2007-10*), Section 17.74.060 (H), Commercial Design Standards, is amended as follows:

H. Parking in Front without Shopping Street (Performance Standard No. 6). Where the planning director finds that it is necessary to place surface parking between a building's primary entrance and the highway or other public street (strings only), and it is not possible to develop an internal shopping street as described above, e.g., due to the small size of a property, its configuration, or other physical site constraints, then the following standards shall apply: all surface parking and internal drives shall be set back at least 20 feet from the highway right-of-way behind a landscape buffer; adequate vehicle queuing distances shall be provided between the highway right-of-way and all parking areas, subject to review and approval by ODOT; a six-foot minimum width walkway shall connect the primary building entrance to a public sidewalk with three-foot minimum width planter strips placed between such walkways and abutting driveways; raised or textured paving with ADA wheelchair accessible ramps shall be provided at all pedestrian crossings of vehicle areas; and provisions shall be made for potential future driveway extensions as adjacent properties are developed or street connections can be made. See also LCMC 17.74.120 Landscaping.

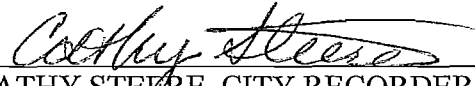
**Section 12.** The City Council delegates to the City Recorder the authority to make any required corrections due to scrivener's errors, including but not limited to cross-references, and to make such changes prior to codifying this ordinance.

**Section 13.** In the event that any provision of this ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, such invalid provision shall be severed and the remaining provisions of the ordinance that have not been held invalid or unenforceable shall continue to be valid and enforceable to the fullest extent permitted by law.

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 28th day of June, 2010.

  
LORI HOLLINGSWORTH, MAYOR

ATTEST:

  
CATHY STEERE, CITY RECORDER

ORDINANCE 2010-05  
EXHIBIT A

Conformance with Statewide Land Use Planning Goals

- (1) Goal 1: "Citizen Involvement" - All proposed documents were made available for public review and purchase and assistance was available to interpret and explain the technical information. Hearing notices were published in the local newspaper in accordance with notice requirements. Therefore, the amendments are consistent with Goal 1.
- (2) Goal 2: "Land Use Planning" - This goal is to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to insure an adequate factual basis for such decisions and actions. The Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, was adopted by the City Council of Lincoln City after public hearings and have been reviewed on a periodic cycle to take into account changing public policies and circumstances. Opportunities were provided for review and comment by citizens and affected governmental units during preparation, review, and revision of the plan and implementing ordinances. Review of this application in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions establishes conformance with this goal.
- (3) Goal 3: "Agricultural Lands" - Because the proposed amendments are corrective in nature, and because there are no agricultural lands within the city, Goal 3 is not applicable.
- (4) Goal 4: "Forest Lands" - Because the proposed amendments are corrective in nature, and because there are no forest lands within the city, Goal 4 is not applicable.
- (5) Goal 5: "Open Spaces, Scenic and Historic Areas and Natural Resources" - Because the proposed amendments are corrective in nature, and because the amendments do not by themselves authorize any development inconsistent with open space, scenic, significant natural resource, or historic designations, Goal 5 is not applicable.
- (6) Goal 6: "Air, Water and Land Resources Quality" - Because the proposed amendments are corrective in nature, and because the amendments will not serve to increase the waste and process discharges already being generated within the city, Goal 6 is not applicable.
- (7) Goal 7: "Areas Subject to Natural Disasters and Hazards" - Because the proposed amendments are corrective in nature, and because the amendments do not authorize any development inconsistent with the city's existing natural hazard standards, Goal 7 is not applicable.

- (8) Goal 8: "Recreational Needs" - Because the proposed amendments are corrective in nature, and because the amendments do not authorize any development inconsistent with the recreational needs of the community, region, or state, Goal 8 is not applicable.
- (9) Goal 9: "Economic Development" - Because the proposed amendments are corrective in nature, and because the amendments do not affect the availability of land suitable for industrial and commercial development, Goal 9 is not applicable.
- (10) Goal 10: "Housing" - Because the proposed amendments are corrective in nature, and because the amendments do not affect the availability of housing, Goal 10 is not applicable.
- (11) Goal 11: "Public Facilities and Services" - Because the proposed amendments are corrective in nature, and because existing City water and sewer infrastructure and treatment facilities will not be affected by the amendments, nor will their ability to serve surrounding properties be affected, Goal 11 is not applicable.
- (12) Goal 12: "Transportation" - Because the proposed amendment are corrective in nature, and because the amendments do not affect the City's *Transportation Master Plan*, Goal 12 is not applicable.
- (13) Goal 13: "Energy Conservation" - Because the proposed amendments are corrective in nature, and because the amendments by themselves will have no effect on energy conservation, Goal 13 is not applicable.
- (14) Goal 14: "Urbanization" - Because the proposed amendments are corrective in nature, and because the proposed amendments will not affect the need to expand the Urban Grown Boundary, Goal 14 is not applicable.
- (15) Goal 15: "Willamette River Greenway" - The City is not located within the Willamette River Greenway. Therefore, Goal 15 is not applicable.
- (16) Goal 16: "Estuarine Resources" - Because the proposed amendments are corrective in nature, and because the amendments do not authorize any development affecting estuarine resources, Goal 16 is not applicable.
- (17) Goal 17: "Coastal Shorelands" - Because the proposed amendments are corrective in nature, and because the amendments do not authorize any development in the city's coastal shorelands, Goal 17 is not applicable.
- (18) Goal 18: "Beaches & Dunes" - Because the proposed amendments are corrective in nature, and because the amendments do not authorize any development in a beach or active dune area, Goal 18 is not applicable.



- (19) Goal 19: "Ocean Resources" - Because the proposed amendments are corrective in nature, and because the amendments do not authorize any development affecting ocean resources, Goal 19 is not applicable.

Conformance with the Lincoln City Comprehensive Plan goals:

(1) Planning Goal

*"To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."*

The Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, was adopted by the City Council of Lincoln City after public hearing and has been reviewed on a periodic cycle to take into account changing public policies and circumstances. Opportunities were provided for review and comment by citizens and affected governmental units during preparation, review, and revision of the plan and implementing ordinances. Review of these amendments in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions, establishes conformance with this goal.

(2) Citizen Involvement Goal

*"Develop a Citizen Involvement Program which ensures the continued participation of citizens in the land use planning process."*

The City has developed a Citizen Involvement Program. In addition, the public hearing process, with notice to the public and property owners and review of the amendments by the Planning Commission (a citizen board), and the City Council (a citizen board) establishes conformance with this goal.

(3) Public Services and Utilities Goal

*"To plan and develop a timely, orderly, and efficient arrangement of public facility and services which compliment the area and serve as a framework for urban and rural development."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(4) Urbanization Goal

*"To promote an orderly and efficient transition of land uses from rural to urban."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(5) Natural Hazard Goal

*"The City shall control development in hazardous areas to protect life and property from natural disasters and hazards."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(6) Housing Goal

*"To provide for the housing needs of all citizens."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(7) Economy Goal

*"To support the tourist industry and achieve a degree of diversity in the community which will allow a balanced economy that will, in turn, support an adequate level of services for all members of the area."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(8) Aesthetic Goal

*"To develop a livable and pleasing city which enhances man's activities while protecting the exceptional aesthetic quality of the area."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(9) Transportation Goal

*"To provide a safe, convenient and rapid transportation network to facilitate the movement of goods and people."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(10) Energy Goal

*"To conserve energy."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(11) Overall Environmental Goal

*"To achieve a balance between the need to provide housing and services and the need to protect and enhance the natural environment of the city."*

Because the proposed amendments are corrective in nature, this goal is not applicable.

(12) Shoreland, Beaches, Dunes, Estuary and Ocean Resources Goal

*"To conserve, protect, and enhance the coastal resources of the city."*

Because the proposed amendments are corrective in nature, this goal is not applicable.



PLANNING & COMMUNITY DEVELOPMENT  
CITY OF LINCOLN CITY  
PO Box 50  
LINCOLN CITY, OR 97367

Attn: Plan Amendment Specialist  
Dept. of Land Conservation/Dev.  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540

