



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: June 01, 2016
Jurisdiction: City of Lincoln City
Local file no.: 2016-01
DLCD file no.: 002-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 05/31/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 002-16 {24245}

Received: 5/31/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Lincoln City

Local file no.: **ZOA 2016-01**

Date of adoption: 5/9/16

Date sent: 5/31/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 1/27/16

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

The ordinance is one section of the original draft, which was submitted as a group of miscellaneous (unrelated) zoning ordinance amendments. Not all amendments were approved. This ordinance allows the planning director to initiate plan/zoning text & map amendments.

Local contact (name and title): Richard Townsend, Planning & Community Development Director

Phone: 541-996-1227

E-mail: rtown@lincolncity.org

Street address: 801 SW Hwy. 101

City: Lincoln City

Zip: 97367-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

n/a

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Title 17, Zoning, Chapter 17.88 (Amendments), Section 17.88.020 (Initiation of Amendments) to add initiation by the Planning & Community Development Director

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

This ordinance was originally submitted as a group of miscellaneous ordinance amendments. In the final decision, the City Council split up the different elements and adopted several ordinances under this same planning file (ZOA 2016-01).

ORDINANCE NO. 2016-07

1
2
3 **AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE,**
4 **TITLE 17, (ZONING); CHAPTER 17.88 (AMENDMENTS); AMENDING**
5 **SECTION 17.88.020 (INITIATION OF AMENDMENTS) TO ADD**
6 **INITIATION BY THE PLANNING & COMMUNITY DEVELOPMENT DIRECTOR;**
7

8 *Annotated to show deletions and additions to the code sections being modified. Deletions are bold*
9 *~~lined through~~ and additions are **bold underlined**.*

10 **The City Council finds:**

- 11 A. The proposed amendment to the Lincoln City Municipal Code is in conformance
12 with the Statewide Planning Goals and Lincoln City Comprehensive Plan goals as
13 addressed in attached Exhibit "A".
- 14 B. The amendment is in conformance with the Zoning Ordinance, including, but not
15 limited to, required initiation, processing and noticing requirements.
- 16
17 C. The City duly notified the Oregon Department of Land Conservation and Development
18 pursuant to ORS 197.610, of its consideration of the proposed amendment(s) on January
19 27, 2016; notice of the proposed amendments was included in an ORS 227.186(4) notice
20 to all affected property owners.
- 21
22 D. The Planning Commission, on March 1, 2016 held a public hearing on four proposed
23 (miscellaneous) amendments including the amendment contained within this ordinance.
24 The Planning Commission had different recommendations on the different miscellaneous
25 amendments. On March 15, 2016 the Planning Commission voted to transmit this
26 amendment to the City Council with a positive recommendation, that is, that the
27 ordinance be adopted.
- 28 E. The City Council held a public hearing on March 28, 2016 on the miscellaneous
29 amendments, closed the record, and deliberated on the proposed amendments.
30 After deliberation Council requested staff bring forward an ordinance on each of
31 the miscellaneous amendments for separate consideration and adoption.
- 32
33 F. All persons were given an opportunity to provide written and/or oral testimony
34 on the proposed ordinance amendments.
35

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

2
3 **SECTION 1.** Lincoln City Municipal Code, Title 17 (*Zoning*), Chapter 17.88 (*Amendments*),
4 Section 17.88.020, (*Initiation of amendments*) is hereby amended to read as follows:

5 **17.88.020 Initiation of amendments.**

6 An amendment to the text of this title or to the zoning map and/or to the
7 comprehensive plan map or text may be initiated by:

8 A. Motion of the planning commission;

9 B. Motion of the city council;

10 C. Application filed by an owner of record, a purchaser under a recorded land sale
11 contract, or the holder of an option to purchase property which is the subject of
12 the application for rezoning or comprehensive plan map redesignation;

13 D. A Lincoln City resident requesting a change to the text of the comprehensive
14 plan or this title;

15 **E. The Planning & Community Development Director.**

16
17 **SECTION 2. Findings Adopted.**

18
19 The findings contained in the Whereas Clauses of this ordinance, together with the Findings set
20 forth in Exhibit A, as well as the competent substantial evidence in the whole record of this
21 legislative proceeding are incorporated into this section by reference as if fully set forth herein,
22 and are adopted in support of this legislative action.

23
24 **SECTION 3. Severability.**

25
26 The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity
27 of one section, subsection, paragraph, or clause shall not affect the validity of the remaining
28 sections, subsections, paragraphs and clauses.

29
30 **SECTION 4. Savings.**

31 Notwithstanding the amendment to this Title, the existing Title remains valid and in full force
32 and effect for purposes of all criminal, civil or administrative code enforcement cases or land use
33 actions or applications filed or commenced during the time said ordinances were operative.
34 Nothing in this Ordinance affects the validity of prosecutions commenced and continued under
35 the laws in effect at the time the matters were originally filed.

1 **SECTION 5. Ordinance Effective Date.**


2 Pursuant to Lincoln City Charter Chapter IX, Section 9.3, this ordinance takes effect 30 days after
3 the date of its adoption.

4
5 **SECTION 6. Codification.**

6 Provisions of this Ordinance shall be incorporated in the City of Lincoln City Municipal Code and
7 the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word,
8 and the sections of this Ordinance may be renumbered, or re-lettered, provided that any
9 Whereas clauses and boilerplate provisions (i.e. Sections 2-6) need not be codified and the City
10 Recorder is authorized to correct any cross-references and any typographical errors.

11 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section
12 9.2 of the City of Lincoln City Charter on the 9TH day of May 2016 (First Reading) and on the 9th
13 day of May 2016 (Second Reading).

14
15 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 9th day of May
16 2016.

17
18
19 
20 _____
DON WILLIAMS, MAYOR

21 ATTEST:

22
23 
24 _____
CATHY STEERE, CITY RECORDER

25

ORDINANCE NO. 2016-07

**INITIATION OF AMENDMENTS
BY THE PLANNING & COMMUNITY DEVELOPMENT DIRECTOR**

EXHIBIT A - FINDINGS

A. Statewide Planning Goals

(1) Goal 1: Citizen Involvement

"To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

All documents relating to this proposal were made available for public review and purchase, and were posted on the city's website. Staff was available to interpret and explain the technical information. The city sent notice to all affected property owners regarding the public hearings on the proposed zoning ordinance amendment and the local newspaper published hearing notices in accordance with notice requirements. The planning commission and the city council each held a public hearing at which citizens were invited to participate. Therefore, the amendment is consistent with Goal 1.

(2) Goal 2: Land Use Planning

"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 City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearing and has reviewed them on a periodic cycle to take into account changing public policies and circumstances. Citizens and affected governmental units had opportunities for review and comment during preparation, review, and revision of the plan and implementing ordinances. The City Council considered the proposed amendment to the Lincoln City Zoning Ordinance in accordance with the process and based on the criteria provided in the Municipal Code. Therefore the amendment is consistent with Goal 2.

(3) Other Statewide Planning Goals:

The amendment does not authorize, regulate, or prohibit any development and therefore the other Statewide Planning Goals are not applicable.

B. 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 City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance after public hearing and has reviewed it on a periodic cycle to take into account changing public policies and circumstances. The city provided opportunities for review and comment by citizens and affected governmental units during their preparation, review, and revision. Review of the proposed amendment was in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions and, therefore, in 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 amendment by the Planning Commission (a citizen board) and the City Council (comprised of elected citizen representatives,) establishes conformance with this goal.

(3) Other Comprehensive Plan Goals

The amendment does not authorize, regulate, or prohibit any development and therefore the other Statewide Planning Goals are not applicable.

ORDINANCE NO. 2016-08

**AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE,
TITLE 17, (ZONING); CHAPTER 17.52 (SUPPLEMENTARY REGULATIONS
AND EXCEPTIONS); SECTION 17.52.160 (REQUIRED YARDS EXCEPTIONS) TO ADD A
NEW PARAGRAPH AUTHORIZING ADMINISTRATIVE ADJUSTMENT;**

*Annotated to show deletions and additions to the code sections being modified. Deletions are **bold lined through** and additions are **bold underlined**.*

The City Council finds:

- A. The proposed amendment to the Lincoln City Municipal Code is in conformance with the Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached Exhibit "A".
- B. The amendment is in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements.
- C. The City duly notified the Oregon Department of Land Conservation and Development pursuant to ORS 197.610, of its consideration of the proposed amendment(s) on January 27, 2016; notice of the proposed amendments was included in an ORS 227.186(4) notice to all affected property owners.
- D. The Planning Commission, on March 1, 2016 held a public hearing on four proposed (miscellaneous) amendments including the amendment contained within this ordinance. The Planning Commission had different recommendations on the different miscellaneous amendments. On March 15, 2016 the Planning Commission voted to transmit this amendment to the City Council with a positive recommendation, that is, that the ordinance be adopted, but with changes.
- E. The City Council held a public hearing on March 28, 2016 on the miscellaneous amendments, closed the record, and deliberated on the proposed amendments. After deliberation Council requested staff bring forward an ordinance on each of the miscellaneous amendments for separate consideration and adoption.
- F. All persons were given an opportunity to provide written and/or oral testimony on the proposed ordinance amendments.

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

2
3 **SECTION 1.** Lincoln City Municipal Code, Title 17 (*Zoning*), Chapter 17.52 (*Supplementary*
4 *Regulations and Exceptions*), Section 17.52.160, (*Required yards - Exceptions*) is hereby
5 amended by adding the following new paragraph H at the end of the section:

6 **H. Administrative Adjustment.**

7
8 **1. The Planning & Community Development Director is authorized to make a**
9 **minor adjustment to the dimensional standards of the required yard for any**
10 **zone, including the dimensional standards of this section, and including any**
11 **County zoning standards applied in the City.**

12 **2. An administrative adjustment permits a minor encroachment into a required**
13 **yard, not to exceed 6 inches or 7.5 percent of the requirement, whichever is**
14 **less, in addition to any other relief granted by the applicable Code.**

15 **3. A property owner may not initiate a request for an administrative**
16 **adjustment, and the Planning and Community Development Director may not**
17 **grant an administrative adjustment, in advance of the initiation of**
18 **construction of the building for which it is sought; instead, an administrative**
19 **adjustment may be sought or approved only after the discovery of an**
20 **unintentional situation such as a surveyor's error after the start of**
21 **construction.**

22 **4. An administrative adjustment is a discretionary decision and that the**
23 **Planning and Community Development Director may make as a Director's**
24 **decision, subject to appeal under LCMC 17.76.040.A. The Director shall not**
25 **grant such relief unless the applicant demonstrates that: (1) the relief is minor**
26 **in nature; (2) the relief will correct or avoid a non-compliance; (3) all**
27 **reasonable efforts to rectify the situation have been exhausted and (4) the**
28 **relief will not be materially detrimental to the purposes of the zone.**

29 **5. A property owner may initiate a request for an adjustment by filing an**
30 **application with the Planning Department with the required application fee.**

31 **6. Denial of an administrative adjustment does not preclude an application for**
32 **a variance under LCMC 17.68.**

33 **7. The Director may elect to refer a request for an adjustment to the Planning**
34 **Commission for a public hearing.**

1 **SECTION 2. Findings Adopted.**

2

3 The findings contained in the Whereas Clauses of this ordinance, together with the Findings set
4 forth in Exhibit A, as well as the competent substantial evidence in the whole record of this
5 legislative proceeding are incorporated into this section by reference as if fully set forth herein, and
6 are adopted in support of this legislative action.

7

8 **SECTION 3. Severability.**

9

10 The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of
11 one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections,
12 subsections, paragraphs and clauses.

13

14 **SECTION 4. Savings.**

15 Notwithstanding the amendment to this Title, the existing Title remains valid and in full force and
16 effect for purposes of all criminal, civil or administrative code enforcement cases or land use
17 actions or applications filed or commenced during the time said ordinances were operative.
18 Nothing in this Ordinance affects the validity of prosecutions commenced and continued under the
19 laws in effect at the time the matters were originally filed.

20 **SECTION 5. Ordinance Effective Date.**

21 Pursuant to Lincoln City Charter Chapter IX, Section 9.3, this ordinance takes effect 30 days after
22 the date of its adoption.

23

24 **SECTION 6. Codification.**

25 Provisions of this Ordinance shall be incorporated in the City of Lincoln City Municipal Code and
26 the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word,
27 and the sections of this Ordinance may be renumbered, or re-lettered, provided that any Whereas
28 clauses and boilerplate provisions (i.e. Sections 2-6) need not be codified and the City Recorder is
29 authorized to correct any cross-references and any typographical errors.

30 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section 9.2
31 of the City of Lincoln City Charter on the 9th day of May 2016 (First Reading) and on the 23rd day of
32 May 2016 (Second Reading).

33

34

1 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 23rd day of May 2016.

2

3

4



DON WILLIAMS, MAYOR

5

6

ATTEST:

7

8



CATHY STEERE, CITY RECORDER

9

10

ORDINANCE NO. 2016-08

ADMINISTRATIVE ADJUSTMENTS

EXHIBIT A - FINDINGS

A. Statewide Planning Goals

(1) Goal 1: Citizen Involvement

“To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”

All documents relating to this proposal were made available for public review and purchase, and were posted on the city’s website. Staff was available to interpret and explain the technical information. The city sent notice to all affected property owners regarding the public hearings on the proposed zoning ordinance amendment and the local newspaper published hearing notices in accordance with notice requirements. The planning commission and the city council each held a public hearing at which citizens were invited to participate. Therefore, the amendment is consistent with Goal 1.

(2) Goal 2: Land Use Planning

“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 City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearing and has reviewed them on a periodic cycle to take into account changing public policies and circumstances. Citizens and affected governmental units had opportunities for review and comment during preparation, review, and revision of the plan and implementing ordinances. The City Council considered the proposed amendment to the Lincoln City Zoning Ordinance in accordance with the process and based on the criteria provided in the Municipal Code. Therefore the amendment is consistent with Goal 2.

(3) Goal 3: Agricultural Lands

“To preserve and maintain agricultural lands.”

The area affected by the proposed zoning ordinance amendment is located within the city’s urban growth boundary. The area currently is designated and zoned for urban development. There is no agricultural land in Lincoln City. The amendment does not affect agricultural lands. Goal 3 is not applicable.

(4) Goal 4: Forest Lands

“To conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.”

The area affected by the proposed zoning ordinance amendment is within the city’s urban growth boundary. The affected area does not include any designated forest lands; therefore, Goal 4 is not applicable.

(5) Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

“To protect natural resources and conserve scenic and historic areas and open spaces.”

The amendment affects only areas already committed to urban development. It does not by itself permit development in any areas of protected natural resources, scenic or historic areas, or open spaces. The amendment is consistent with Goal 5.

Goal 6: Air, Water and Land Resources Quality

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

The amendment affects only areas already committed to urban development. It does not by itself permit development that might affect water or air quality. The existing ordinance and plan requirements relating to water and air quality will continue to apply to all properties that might be affected. Therefore, the amendment is consistent with Goal 6.

(7) Goal 7: Areas Subject to Natural Disasters and Hazards

“To protect people and property from natural hazards.”

The amendment does not by itself permit development within any natural hazard area. The existing ordinance and plan requirement relating to natural hazards will continue to apply to all properties that might be affected by natural hazards. Therefore, the amendment is consistent with Goal 7.

(8) Goal 8: Recreational Needs

“To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities, including destination resorts.”

The proposed ordinance amendment does not relate to recreation as that term is used in this goal and does not adversely affect the provision of or ability to site recreational areas in the City. The amendment is consistent with Goal 8.

Goal 9: Economic Development

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

The amendment does not by itself permit or regulate development. The amendment does not relate directly to economic development. The proposed amendment is consistent with Goal 9.

(10) Goal 10: Housing

“To provide for the housing needs of citizens of the state.”

The amendment does not by itself permit development. The amendment does not relate directly to the housing needs of the people of Lincoln City. Goal 10 therefore, is not applicable.

(11) Goal 11: Public Facilities and Services

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

The amendment does not relate directly to public facilities and services. Goal 11 is not applicable.

(12) Goal 12: Transportation

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

The amendment does not relate directly to transportation. Goal 12 is not applicable.

(13) Goal 13: Energy Conservation

“To conserve energy.”

The amendment does not relate directly to energy conservation. Goal 13 is not applicable.

(14) Goal 14: Urbanization

“To provide for an 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.”

The amendment affects only areas already committed to urban development. It does not by itself permit development. Goal 14 is not applicable.

(15) Goal 15: Willamette River Greenway

“To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.”

The affected area is not located within the Willamette River Greenway; therefore, Goal 15 is not applicable.

(16) Goal 16: Estuarine Resources

“To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon’s estuaries.”

The amendment by itself does not allow development in areas adjacent to the city’s designated estuarine resource (i.e., Siletz Bay). All development in such areas already is controlled by existing ordinance and comprehensive plan standards and these standards would be applied to any development in areas affecting the estuary. The amendment, therefore, is consistent with Goal 16.

(17) Goal 17: Coastal Shorelands

“To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon’s coastal shorelands.”

The city’s coastal shorelands include all land west of Highway 101, land within 500 feet of the ordinary high-water elevation of Devils Lake and Spring Lake, and land within 1,000 feet of the shoreline mean higher-high-water elevation of Schooner Creek, Drift Creek, and Siletz Bay estuaries. All development in such areas already is controlled by existing ordinance and comprehensive plan standards and these standards would be applied to any development in areas affecting the coastal shorelands. The amendments, therefore, are consistent with Goal 17.

(18) Goal 18: Beaches & Dunes

“To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.”

Lincoln City has a large amount of coastal beach. Inventory maps show active dunes and deflation plains on the Salishan spit, but not within Lincoln City, with the possible exception of a few isolated spots in Cutler City. For Roads End, inventory maps show older, stabilized dunes. The amendments do not, by themselves, allow any development in or near beach and dune areas. All development in such areas already is controlled by existing ordinance and comprehensive plan standards and these standards would be applied to any retail marijuana facilities that might be developed in areas affecting beaches and dunes. The amendments are consistent with Goal 18.

(19) Goal 19: Ocean Resources

“To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.”

The amendment does not, by itself, affect any ocean resources and, therefore, is consistent with Goal 19.

B. 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 City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance after public hearing and has reviewed it on a periodic cycle to take into account changing public policies and circumstances. The city provided opportunities for review and comment by citizens and affected governmental units during their preparation, review, and revision. Review of the proposed amendment was in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions and, therefore, in 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 amendment by the Planning Commission (a citizen board) and the City Council (comprised of elected citizen representatives,) establishes conformance with this goal.

(3) Public Services and Utilities Goal

“To plan and develop a timely, orderly, and efficient arrangement of public facilities and services, which complement the area and serve as a framework for urban and rural development.”

The proposed amendment does not relate directly to public services and utilities. This goal is not applicable.

(4) Urbanization Goal

“To promote an orderly and efficient transition of land uses from rural to urban.”

The amendment affects only areas already committed to urban development. It does not by itself permit development. 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.”

The amendment, by itself, does not allow development in hazardous areas. Development in such areas is controlled by existing comprehensive plan and zoning ordinance standards, as well as building code requirements. The amendment is consistent with this goal.

(6) Housing Goal

“To provide for the housing needs of all citizens.”

The amendment does not by itself permit development. The amendment does not relate directly to the housing needs of the people of Lincoln City. The housing goal does apply.

(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.”

The amendment does not by itself permit or regulate development. The amendment does not relate directly to economic development. The amendment, therefore, is consistent with this goal.

(8) Aesthetic Goal

“To develop a livable and pleasing city which enhances man’s activities while protecting the exceptional aesthetic quality of the area.”

The amendment does not relate directly to aesthetics. 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.”

The amendment does not relate directly to transportation. This goal is not applicable.

(10) Energy Goal

“To conserve energy.”

The amendment does not relate directly to energy conservation. 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.”

The amendment, by itself, does not allow development in sensitive natural resource areas. The existing ordinance and plan requirements relating to protecting the natural environment will continue to apply to all properties that might be affected. This amendment contributes to this goal.

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

“To conserve, to protect, to enhance the coastal resources of the city.”

The amendment, by itself, does not allow development in areas adjacent to the city’s designated estuarine resource (i.e., Siletz Bay), in the city’s coastal shorelands, beach and dune areas, or in ocean resource areas. The existing ordinance and comprehensive plan standards would be applied, thereby protecting these resources. The amendment is consistent with this goal.

ORDINANCE NO. 2016-09

AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE,
 TITLE 17, (ZONING); CHAPTER 17.52 (SUPPLEMENTARY REGULATIONS
 AND EXCEPTIONS); SECTION 17.52.230 (PUBLIC INFRASTRUCTURE IMPROVEMENT
 REQUIREMENTS) TO ADD NEW ALTERNATIVE PROVISIONS
 FOR D RIVER INFRASTRUCTURE

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

The City Council finds:

- A. The proposed amendment to the Lincoln City Municipal Code is in conformance with the Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached Exhibit "A".
- B. The amendment is in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements.
- C. The City duly notified the Oregon Department of Land Conservation and Development pursuant to ORS 197.610, of its consideration of the proposed amendment(s) on January 27, 2016; notice of the proposed amendments was included in an ORS 227.186(4) notice to all affected property owners.
- D. The Planning Commission, on March 1, 2016 held a public hearing on four proposed (miscellaneous) amendments including the amendment contained within this ordinance. The Planning Commission had different recommendations on the different miscellaneous amendments. On March 15, 2016 the Planning Commission voted to transmit this amendment to the City Council with a positive recommendation, that is, that the ordinance be adopted.
- E. The City Council held a public hearing on March 28, 2016 on the miscellaneous amendments, closed the record, and deliberated on the proposed amendments. After deliberation Council requested staff bring forward an ordinance on each of the miscellaneous amendments for separate consideration and adoption.
- 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. Lincoln City Municipal Code, Title 17 (*Zoning*), Chapter 17.52 (*Supplementary Regulations and Exceptions*), Section 17.52.230, (*Public infrastructure improvement requirements*), subsection A, is hereby amended to read as follows:

17.52.230 Public infrastructure improvement requirements.

- A. Infrastructure Easement and Improvement Requirements. The issuance of a building permit ~~shall be~~ for the addition, alteration, or repair, within any 12-month period, exceeding 50 percent of the assessed value or

1 market value, whichever is greater, of an existing building or structure, or for a new building or structure in
2 connection with any permitted or conditional use within any zone as described in this title, or of a site plan
3 approval for development for which site plan review is required under LCMC 17.52.240, shall be subject to
4 the following requirements:

5 1. The applicant shall submit, as part of a building permit application, a site plan drawn to scale
6 showing the nature, size, and location of:

7 a. Proposed buildings and improvements,

8 b. Proposed access and off-street parking,

9 c. Proposed private and public utility lines, facilities, and easements,

10 d. Proposed curbs, gutters, pavement, and sidewalks, and related easements,

11 e. Proposed stormwater detention, treatment, and drainage features, facilities, and
12 easements,

13 f. Existing private and public utility lines, facilities, and easements,

14 g. Existing stormwater detention, treatment, and drainage features, facilities, and
15 easements,

16 h. Existing lot lines; and

17 2. The applicant shall agree, except as otherwise provided in subsections (B) and (C) of this section:

18 a. To install curbs and gutters along adjacent streets not having curbs and gutters, and also
19 to pave the roadways from the curbs to 12 feet beyond centerline of unpaved or partially
20 unpaved streets contiguous to the property to be developed, in accordance with the
21 standards of this title and LCMC Title 16 (Subdivisions) applicable to the type of
22 development planned on the subject property; and, if existing rights-of-way for streets
23 contiguous to the property are not adequate in width, under the standards of this title and
24 LCMC Title 16 (Subdivisions), to dedicate right-of-way to the city sufficient to allow
25 streets that are adequate in width,

26 b. To dedicate to the city utility easements five feet in width along rear lot lines, or along
27 front lot lines as required by the city,

28 c. To dedicate easements for drainage purposes, and provide stormwater detention,
29 treatment, and drainage features and facilities, as approved by the city engineer, in order to
30 accommodate expected runoffs as determined by a registered professional engineer licensed
31 in Oregon, according to generally accepted drainage accommodation principles,

1 d. To install sidewalks five feet in width along boundaries contiguous with streets, within
2 existing right-of-way if adequate in width; and, if existing easements are not adequate in
3 width, to deed easements to the city sufficient to allow sidewalks five feet in width,

4 **Exceptions: In lieu of the sidewalks required by paragraph 2.d. of this section, the**
5 **applicant shall agree as follows:**

6 1. **For properties in a commercial zone east of Highway 101 that abut the D**
7 **River, to install sidewalks five feet in width adjacent to the river, and to deed**
8 **easements to the city sufficient to allow the city to add additional width to the**
9 **riverfront sidewalks so that they can be a total of ten feet in width.**

10 2. **[Reserved]**

11 3. **[Reserved]**

12 e. To install and connect to the city systems water and sewer lines and appurtenances which
13 conform to adopted city standards,

14 f. To place underground all existing electrical, telephone, and cable television utility service
15 installations or connections between any building or structure and the utility distribution
16 system, in accord with city standards, in addition to meeting the requirements of LCMC
17 17.52.120, and

18 g. To develop the site and construct all buildings and improvements in strict conformity to
19 the tendered site plan.

20 **SECTION 2. Findings Adopted.**

21
22 The findings contained in the Whereas Clauses of this ordinance, together with the Findings set forth in
23 Exhibit A, as well as the competent substantial evidence in the whole record of this legislative proceeding
24 are incorporated into this section by reference as if fully set forth herein, and are adopted in support of this
25 legislative action.

26
27 **SECTION 3. Severability.**

28
29 The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one
30 section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections,
31 paragraphs and clauses.

32
33 **SECTION 4. Savings.**

34 Notwithstanding the amendment to this Title, the existing Title remains valid and in full force and effect for
35 purposes of all criminal, civil or administrative code enforcement cases or land use actions or applications
36 filed or commenced during the time said ordinances were operative. Nothing in this Ordinance affects the
37 validity of prosecutions commenced and continued under the laws in effect at the time the matters were
38 originally filed.

1 **SECTION 5. Ordinance Effective Date.**

2 Pursuant to Lincoln City Charter Chapter IX, Section 9.3, this ordinance takes effect 30 days after the date
3 of its adoption.

4
5 **SECTION 6. Codification.**

6 Provisions of this Ordinance shall be incorporated in the City of Lincoln City Municipal Code and the word
7 "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of
8 this Ordinance may be renumbered, or re-lettered, provided that any Whereas clauses and boilerplate
9 provisions (i.e. Sections 2-6) need not be codified and the City Recorder is authorized to correct any cross-
10 references and any typographical errors.

11 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section 9.2 of the
12 City of Lincoln City Charter on the 9th day of May 2016 (First Reading) and on the 9th day of May 2016
13 (Second Reading).

14
15 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 9th day of May 2016.

16
17
18 
19 _____
20 DON WILLIAMS, MAYOR

21
22
23 ATTEST:

24
25 
26 _____
27 CATHY STEERE, CITY RECORDER

ORDINANCE NO. 2016-09

PUBLIC INFRASTRUCTURE IMPROVEMENT REQUIREMENTS

EXHIBIT A - FINDINGS

A. Statewide Planning Goals

(1) Goal 1: Citizen Involvement

“To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”

All documents relating to this proposal were made available for public review and purchase, and were posted on the city’s website. Staff was available to interpret and explain the technical information. The city sent notice to all affected property owners regarding the public hearings on the proposed zoning ordinance amendment and the local newspaper published hearing notices in accordance with notice requirements. The planning commission and the city council each held a public hearing at which citizens were invited to participate. Therefore, the amendment is consistent with Goal 1.

(2) Goal 2: Land Use Planning

“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 City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearing and has reviewed them on a periodic cycle to take into account changing public policies and circumstances. Citizens and affected governmental units had opportunities for review and comment during preparation, review, and revision of the plan and implementing ordinances. The City Council considered the proposed amendment to the Lincoln City Zoning Ordinance in accordance with the process and based on the criteria provided in the Municipal Code. Therefore the amendment is consistent with Goal 2.

(3) Goal 3: Agricultural Lands

“To preserve and maintain agricultural lands.”

The area affected by the proposed zoning ordinance amendment is located within the city’s urban growth boundary. The area currently is designated and zoned for urban development. There is no agricultural land in Lincoln City. The amendment does not affect agricultural lands. Goal 3 is not applicable.

(4) Goal 4: Forest Lands

“To conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.”

The area affected by the proposed zoning ordinance amendment is within the city’s urban growth boundary. The affected area does not include any designated forest lands; therefore, Goal 4 is not applicable.

(5) Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

“To protect natural resources and conserve scenic and historic areas and open spaces.”

The amendment affects only areas already committed to urban commercial development. It does not by itself permit development in any areas of protected natural resources, scenic or historic areas, or open spaces. It does affect how sidewalks will be provided along the D River, including an area on the north bank of the river that is designated in the comprehensive plan as a significant riparian area. The limitations on development in the riparian area found in the Natural Resource Overlay Zone will continue to apply to any development that might occur in this area in the future. The amendment is consistent with Goal 5.

Goal 6: Air, Water and Land Resources Quality

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

The amendment will not adversely affect the quality of the air or water. It does not by itself permit development that might affect water or air quality. The existing ordinance and plan requirements relating to water and air quality will continue to apply to all properties that might be affected. Therefore, the amendments are consistent with Goal 6.

(7) Goal 7: Areas Subject to Natural Disasters and Hazards

“To protect people and property from natural hazards.”

The amendment does not by itself allow development within any natural hazard area. The existing ordinance and plan requirement relating to natural hazards will continue to apply to all properties that might be affected by natural hazards. Therefore, they are consistent with Goal 7.

(8) Goal 8: Recreational Needs

“To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities, including destination resorts.”

The proposed ordinance amendment does not relate to recreation as that term is used in this goal and does not adversely affect the provision of or ability to site recreational areas in the City. The amendments are consistent with Goal 8.

Goal 9: Economic Development

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

The amendment does not relate directly to economic development. It will result in the creation of an amenity, the D River Walkway that could be considered to be an asset that will reinforce the tourism economy of the city. The proposed amendment is consistent with Goal 9.

(10) Goal 10: Housing

“To provide for the housing needs of citizens of the state.”

The amendment does not relate directly to the housing needs of the people of Lincoln City. Goal 10 therefore, is not applicable.

(11) Goal 11: Public Facilities and Services

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

The proposed amendment does not relate directly to public services and utilities such as water and power. But it does relate to sidewalks. The amendment will continue to require new development to provide sidewalks, but will specify that for commercially developed properties along the D River that they are to be provided along the river rather than the street. The result eventually will be a public walkway along the river that will serve as an amenity for the city and will be an important link in the city’s pedestrian network. The amendment is consistent with Goal 11.

(12) Goal 12: Transportation

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

The amendment eventually will result in a public walkway along the river that will serve as an amenity for the city and will be an important link in the city’s pedestrian network. The amendment is consistent with Goal 12.

(13) Goal 13: Energy Conservation

“To conserve energy.”

The amendment does not relate directly to energy conservation. Goal 13 is not applicable.

(14) Goal 14: Urbanization

“To provide for an 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.”

The amendment does not relate directly to urbanization. Goal 14 is not applicable.

(15) Goal 15: Willamette River Greenway

“To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.”

The affected area is not located within the Willamette River Greenway; therefore, Goal 15 is not applicable.

(16) Goal 16: Estuarine Resources

“To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon’s estuaries.”

The amendment by itself does not allow development in areas adjacent to the city’s designated estuarine resource (i.e., Siletz Bay). All development in such areas already is controlled by existing ordinance and comprehensive plan standards and these standards would continue to be applied to development in areas affecting the estuary. The amendment, therefore, is consistent with Goal 16.

(17) Goal 17: Coastal Shorelands

“To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon’s coastal shorelands.”

The city’s coastal shorelands include all land west of Highway 101, land within 500 feet of the ordinary high-water elevation of Devils Lake and Spring Lake, and land within 1,000 feet of the shoreline mean higher-high-water elevation of Schooner Creek, Drift Creek, and Siletz Bay estuaries. All development in such areas already is controlled by existing ordinance and

comprehensive plan standards and these standards would continue to be applied to any development in areas affecting the coastal shorelands. The amendments, therefore, are consistent with Goal 17.

(18) Goal 18: Beaches & Dunes

“To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.”

Lincoln City has a large amount of coastal beach. Inventory maps show active dunes and deflation plains on the Salishan spit, but not within Lincoln City, with the possible exception of a few isolated spots in Cutler City. For Roads End, inventory maps show older, stabilized dunes. The amendment does not, by itself, allow any development in or near beach and dune areas. All development in such areas already is controlled by existing ordinance and comprehensive plan standards and these standards would continue to be applied to any development in areas affecting beaches and dunes. The amendment is consistent with Goal 18.

(19) Goal 19: Ocean Resources

“To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.”

The amendment does not, by itself, affect any ocean resources and, therefore, is consistent with Goal 19.

B. 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 City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance after public hearing and has reviewed it on a periodic cycle to take into account changing public policies and circumstances. The city provided opportunities for review and comment by citizens and affected governmental units during their preparation, review, and revision. Review of the proposed amendment was in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions and, therefore, in 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 amendment by the Planning Commission (a citizen board) and the City Council (comprised of elected citizen representatives,) establishes conformance with this goal.

(3) Public Services and Utilities Goal

“To plan and develop a timely, orderly, and efficient arrangement of public facilities and services, which complement the area and serve as a framework for urban and rural development.”

The proposed amendment does not relate directly to public services and utilities such as water and power. But it does relate to sidewalks. The amendment will continue to require new development to provide sidewalks, but will specify that for commercially developed properties along the D River that they are to be provided along the river rather than the street. The result eventually will be a public walkway along the river that will serve as an amenity for the city and will be an important link in the city’s pedestrian network. The proposed amendment is consistent with this goal.

(4) Urbanization Goal

“To promote an orderly and efficient transition of land uses from rural to urban.”

The amendment do not relate directly to urbanization. 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.”

The amendment, by itself, does not allow development in hazardous areas. Development in such areas is controlled by existing comprehensive plan and zoning ordinance standards, as well as building code requirements. The amendments are consistent with this goal.

(6) Housing Goal

“To provide for the housing needs of all citizens.”

The amendment does not relate directly to the housing needs of the people of Lincoln City. The housing goal does not apply.

(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.”

The amendments do not relate directly to economic development other than by providing for the development of a public walkway along the river that will serve as an amenity for the city and will be an important link in the city’s pedestrian network. The amendment, therefore, is consistent with this goal.

(8) Aesthetic Goal

“To develop a livable and pleasing city which enhances man’s activities while protecting the exceptional aesthetic quality of the area.”

The amendment will provide for the development of a public walkway along the river that will serve as an amenity for the city and will be an important link in the city’s pedestrian network that is planned to be a positive addition to the city’s aesthetics. The amendment is consistent with this goal.

(9) Transportation Goal

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

The amendment eventually will result in a public walkway along the river that will serve as an amenity for the city and will be an important link in the city’s pedestrian network. The amendment is consistent with the goal.

(10) Energy Goal

“To conserve energy.”

The amendment does not relate directly to energy conservation. 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.”

The amendment, by itself, does not allow development in sensitive natural resource areas. The existing ordinance and plan requirement relating to protecting the natural environment will continue to apply to all properties that might be affected. These amendments contribute to this goal.

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

“To conserve, to protect, to enhance the coastal resources of the city.”

The amendment by itself does not allow development in areas adjacent to the city’s designated estuarine resource (i.e., Siletz Bay), in the city’s coastal shorelands, beach and dune areas, or in ocean resource areas. The existing ordinance and comprehensive plan standards will continue to be applied, thereby protecting these resources. The amendment is consistent with this goal.