

## **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

November 7, 2008

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Lincoln City Plan Amendment

DLCD File Number 009-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

## DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 24, 2008

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 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 DATE SPECIFIED ABOVE.

Cc: Gloria Gardiner, DLCD Urban Planning Specialist Laren Woolley, DLCD Regional Representative Richard Townsend, City of Lincoln City

## 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

P A T	DEPT OF
S	NOV 0 4 2008
A	LAND CONSERVATION AND DEVELOPMENT
P	For DLCD Use Only

Jurisdiction: City of Lincoln City	Local file number: 20A 2008-06		
Date of Adoption: October 27, 2008	Date Mailed: NOV 1 3, 2008		
Date original Notice of Proposed Amendment was mailed	to DLCD: Oct. 10, 2008		
Comprehensive Plan Text Amendment	Comprehensive Plan Map Amendment		
Land Use Regulation Amendment	Zoning Map Amendment		
New Land Use Regulation	Other: Scrivener's errors		
Summarize the adopted amendment. Do not use technical	terms. Do not write "See Attached"		
An ordinance to correct scrivener's errors in Ordinance to Vacation rental dwellings.  Correcting a reference to a sunset provision for			
2008-07 pertaining to Vacati	on rental dwellings.		
Correcting a reference to	a sunset provision tor		
a grace period on permit ren an error deleting words	intended for delations		
in the original ordinance	mariae of the actions		
Describe how the adopted amendment differs from the pro-	oposed amendment. If it is the same, write "SAME"		
If you did not give Notice for the Proposed Amendment, v			
no substantive changes			
Plan Map Changed from: // / /	to:		
Zone Map Changed from: $\eta$	to:		
Location: n/a	Acres Involved:		
Specify Density: Previous: n/a	New:		
Applicable Statewide Planning Goals:			
Was and Exception Adopted?			
DLCD File No.: 009-08 (17191)			

Diđ t	the Department of Land Conservation and Development	receive a Notice of Pr	roposed Am	endment	
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 in	nmediate adoption?	✓ Yes	□ No	
Affe	cted State or Federal Agencies, Local Governments or S	pecial Districts:			
Loca	al Contact: Richard Townsend Pho	one: <u>(541)</u> 996_ 2	153 Extens	sion;	
Address: PO BOX 50 City: Lincoln City  Zip Code + 4: 97367- Email Address: 1 town			ty		
Zip (	Code + 4: 97367- Em	ail Address: 1 tou	on Clinc	olneity,	org
2.	Send this Form and TWO (2) Copies of the Adopted  ATTENTION: PLAN AMEN  DEPARTMENT OF LAND CONSERV  635 CAPITOL STREET  SALEM, OREGON  Submit TWO (2) copies the adopted material, if cop complete copies of documents and maps.	Amendment to:  DMENT SPECIALIS  ATION AND DEVE  NE, SUITE 150  1 97301-2540  ies are bounded please	LOPMENT	'O (2)	
3.	<u>Please Note</u> : Adopted materials must be sent to DLC following the date of the final decision on the amend		2 (5) workin	g days	
4.	Submittal of this Notice of Adoption must include the and supplementary information.	e text of the amendme	ent plus adop	ted findings	
5.	The deadline to appeal will not be extended if you su days of the final decision. Appeals to LUBA may be date, the Notice of Adoption is sent to DLCD.				
6.	In addition to sending the Notice of Adoption to DLO participated in the local hearing and requested notice		ersons who		
7.	Need More Copies? You can copy this form on to 9 Office at (503) 373-0050; or Fax your request to:(50 mara.ulloa@state.or.us - ATTENTION: PLAN AN	3) 378-5518; or Email	your reques		

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revised: 7/7/2005

2 AN ORDINANCE OF THE CITY OF LINCOLN CITY CORRECTING	
3 SCRIVENER'S ERRORS IN ORDINANCE NO. 2008-07 PERTAINING TO	9
VACATION RENTAL DWELLINGS; AND DECLARING AN EMERGENCY	
The City Council ordains as follows:	
6 Section 1. Approval of corrections.	
Two scrivener's errors in Ordinance No. 2008-07 are corrected as follows:	
A. Section 1 of Ordinance No. 2008-07, as shown in Exhibits A and B, is corrected by deleting the words "in a residential" as shown:	
9 E. Revocable Annual Vacation Rental Dwelling Permit.	
1. Permit required. Prior to engaging in the use of a vacation rental	
dwelling in a residential for any period of time, a person shall apply for a revocable permit for a vacation rental dwelling on forms provided by the	
12 city.	
B. Section 3 of Ordinance No. 2008-07 is corrected to delete the reference to subsection	
(d) and replace it with a reference to subsection (e), to read as follows:	
Section 3. Expiration of temporary provision (sunset). The provision	
added by Section 1 of this ordinance to LCMC §17.80.050 F(2)(e) shall expire as a matter of law on November 30, 2008, unless the City Council	
provides otherwise by taking action by October 30, 2008 to approve an	
amendment to this ordinance that has the effect of extending the provision.	
Section 2. Amendments.	±_
Ordinance No. 2008-07 and Lincoln City Municipal Code are hereby amended by the ordinance.	IS
Section 3. Emergency declared.	
The corrections of this ordinance are necessary to meet the safety and welfare of the cit	
through effective and timely provisions of law. If Ordinance No. 2008-07 is not amended effective prior to October 30, 2008, a provision intended to remain law will by operation	
of law terminate through a sunset provision in Ordinance No. 2008-07. The amendment	ts
established a temporary provision allowing additional time for applicants to apply for	or
renewal permits during the transition to a revised administrative permit program. The one-time extension period for submitting renewal applications in paragraph F(2)(e) was	ne
intended to expire rather than the provisions in F(2)(d) which were intended to remain in	in
effect. By becoming effective immediately, this ordinance will avoid further confusion due to scrivener's errors.	n

1	Section 4. Effective date.
2	Based on the declaration of emergency as stated in Section 3 this ordinance shall take effect immediately as of the date of its adoption.
3	PASSED AND ADOPTED by the City Council of the City of Lincoln City this 27th
4	day of October, 2008.
5	1. 1.11.
6	LORI HOLLINGSWORTH, MAYOR
7	Edit Hollings Williams
8	i.
9	ATTEST:
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11	Cother theere
12	CATHY STEERE, CITY RECORDER
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Attn: Plan Amendment Specialist Dept. of Land Conservation & Development 635 Capitol Street NE, Suite 150 Salem, OR 97301-2540

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