

Development Review Staff Report, Decision, and Conditions of Approval Case File DEV REV 2023-02

Date: April 5, 2023

Case File: DEV REV 2023-02 Copeland Lumber

Project Contact: Nathan Knott

Property Owner: KR Cinemas, LLC

Situs Address: Unaddressed

Location: Northeast corner of SE High School Dr/Hwy 101 intersection

Tax Map and Lot: 07-11-27-BD-to be determined-00 (Parcel 2 of Partition Plat No. 2023-3)

Comprehensive Plan Designation: General-Commercial District (G-C)

Zoning District: General Commercial (GC) Zone

Site Size: 2.25 acres

Proposal: Request for development review of a new building supply store

Surrounding Land Uses and Zones: North: Undeveloped; NBD
South: Industrial businesses; PI
East: Vacant building; GC
West: Hotels; RC

Authority: Table 17.76.020-1 of Lincoln City Municipal Code (LCMC) 17.76.020 lists a development review application as a Type II procedure with the Planning and Community Development Director (Director) listed as the review authority. LCMC 17.76.040.A states that Type II procedures apply to administrative permits and applications and that decisions on administrative applications are made by the Director, based on reasonably objective approval criteria that require only limited discretion.

Procedure: The application was received on March 1, 2023. The application was deemed complete on March 16, 2023. On March 7, 2023, pursuant to LCMC 17.76.040.E, the Planning and Community Development Department mailed a notice of application to property owners within 250 feet of the subject property.



Applicable	LCMC Chapter 17.32 General Commercial (GC) Zone
Substantive	LCMC Chapter 17.52 Supplementary Regulations and Exceptions
Criteria:	LCMC Chapter 17.55 Landscaping Standards
	LCMC Chapter 17.56 Off-Street Parking and Loading
	LCMC Chapter 17.74 Design Standards
	LCMC Section 17.76.040 Type II Procedure
	LCMC Section 17.77.010 Adjustment – Design Standard
	LCMC Section 17.77.070 Development Review

BACKGROUND

The subject property (site) is unaddressed in the GC zone. The site is at the northeast corner of the SE High School Dr/Hwy 101 intersection and is Parcel 2 of a recent partition plat. The recorded plat shows the site size as 2.25 acres. The site is developed as a parking lot with landscaping as part of the former movie theater. The former movie theater is located on Parcel 1 of the recent partition plat. The site's south boundary is SE High School Dr and its west boundary is Hwy 101. North of the site is undeveloped in the NBD zone. East of the site is the former movie theater in the GC zone.

Lincoln City's GIS mapping shows the site does not contain bluff erosion hazards, aesthetic resource, floodway, flood hazard areas, or natural resource overlays.

The proposal is to construct a building supply store with a primary retail building of 6,160 square feet and an accessory storage building of 13,905 square feet. The project will also include an outdoor storage area, landscaping, and off-street parking. The outdoor storage area will be completely enclosed with a chain-link fence containing slats to provide screening. The site has an existing irrigation system and landscaping. The existing irrigation system will remain and existing trees will be preserved to the extent possible during construction.

COMMENTS

No comments were received from the public.

Comments were received from North Lincoln Fire & Rescue District #1, via email, on March 10, 2023, noting that fire's only request is that a hydrant flow test is performed to ensure there will be proper water flow.

Comments were received from Oregon Department of Transportation (ODOT), via email, on March 15, 2023, noting that if any work is proposed or required in highway right-of-way that an ODOT permit must be issued prior to the work taking place. It was also noted that the plans did not give sufficient detail at the corner of Hwy 101 and SE High School Dr regarding curb ramps, sidewalks, and easements. Last, ODOT observed for the city's consideration that the city's new force main may be within the footprint of the proposed warehouse building. Terry Chamberlin, a project manager in Public Works, responded that the city is in the process of obtaining all easements and that the alignment of the force' main has changed to accommodate the proposed building.

Comments were received from Lincoln City Public Works, via email, on April 13, 2023, and consisted of conditions of approval for the development review. The conditions of approval are included at the end of the staff report as part of the decision.

ANALYSIS

Chapter 17.32 General Commercial (GC) Zone

17.32.020 Uses permitted

Finding: The site is located in the GC zone. The proposed use is a building supply store. Building supply stores are listed as a permitted use (LCMC 17.32.020.F) in the GC zone. The proposed use is allowed. This requirement is met.

17.32.030 Accessory uses

Finding: The application includes an accessory structure to be used as a storage area and yard for building supplies and lumber. 17.32.030.C is listed as “other accessory uses and accessory buildings and structures customarily appurtenant to a permitted use.” A storage building and outdoor storage yard are customarily part of a building supply store. This requirement is met.

17.32.040 Conditional uses

Finding: The project does not propose any uses that require conditional use approval, so this requirement is not applicable.

17.32.050 Setback requirements

- A. Front Setback. None, except when the property line is abutting or across the street from a property in a residential zone and then the front setback shall be that required in the contiguous residential zone. However, the provisions of LCMC 17.52.060 shall apply.*

Finding: The parcel is a corner parcel with frontage on Hwy 101 (west property line) and SE High School Dr (south property line). The shortest line is the front property line per the definition of front property line in LCMC 17.08.010. Accordingly, the front property line is the west property line. The property across the street from Hwy 101 is in a commercial zone, so the front setback is zero.

- B. Side, Street Side, and Rear Setback. None, except when the side, street side, or rear property line is abutting or across the street from a property in a residential zone, and then the side, street side, or rear setback shall be a minimum of 10 feet. The required side, street side, or rear setback shall be increased by one-half foot for each foot by which the building height exceeds 15 feet. However, the provisions of LCMC 17.52.060 shall apply.*

Finding: The north property line is a side property line. The south property line is a street side property line. The east property line is the rear property line. The north property line is abutting a commercial zone, so the north side setback is zero. The south property line is abutting an industrial zone, so the south street side setback is zero. The east property line is abutting a commercial zone, so the east rear setback is zero. The submitted site plan shows that the proposed structures are more than zero feet from any property line and not encroaching into right-of-way or adjacent properties. This requirement is met.

17.32.060 Minimum lot width

Automobile service stations, drive-in restaurants and similar drive-in establishments shall have a minimum lot width of 100 feet.

Finding: The project is a new building supply facility and accessory storage area. The project does not include an automobile service station, drive-in restaurant, or similar drive-in establishments. This requirement is not applicable.

17.32.070 Maximum building height

Maximum building height shall be 45 feet, except as provided in LCMC 17.52.190 and 17.52.200.

Finding: The submitted elevations show the principal building as 20 feet tall and the accessory storage building as 30.25 feet tall. Both proposed buildings are less than the maximum height allowance of 45 feet, so this requirement is met.

17.32.080 Maximum building size

- A. No building or group of contiguous buildings shall exceed a footprint of 60,000 square feet. Notwithstanding this limitation, any building or group of contiguous buildings in lawful existence that exceeded this limitation on January 1, 2003, may expand its footprint, by not more than 10 percent of the footprint on January 1, 1002; provided, that the use of the building or combined contiguous buildings has not ceased for a period of six months or more ending at any time on or after January 1, 2003.*

Finding: The submitted site plan shows the principal building at 6,160 square feet and the accessory storage building at 13,905 square feet. The site does not contain any existing buildings, and the total square footage of the proposed buildings is 20,065 square feet, which is less than the maximum 60,000 square feet. This requirement is met.

17.32.085 Landscaping

Landscaping shall be provided in accordance with Chapter 17.55 LCMC.

Finding: A detailed review of compliance with landscaping requirements is given in this report under Chapter 17.55.

17.32.090 Signs

Signs shall be allowed in accordance with Chapter 9.34 and 17.72 LCMC.

Finding: The submitted materials don't show any proposed signs, nor does the application include any requests for signs.

17.32.100 Off-street parking and loading

Off-street parking and loading shall be provided in accordance with Chapter 17.56 LCMC.

Finding: A detailed review of compliance with off-street parking and loading is given in this report under Chapter 17.56.

17.32.110

Other required conditions

- A. Outdoor Storage Areas. All outdoor storage areas shall be screened from ground level view from adjacent properties and from rights-of-way.*

Finding: The submitted site plan shows the outdoor storage area surrounded by a 6-foot-tall cyclone fence. The supplemental letter submitted by the applicant, with a revision date of March 16, 2023, states that the fence will be a chain link fence with gray or green slats to provide screening. The proposed colors of the buildings are muted blues and grays. Accordingly, the slats to provide screening shall be a coordinating blue or gray, rather than green. This requirement is met with the condition that the color of the slats shall be a coordinating blue or gray to coordinate with the colors of the buildings.

- B. *Outdoor Sales Displays.* Outdoor sales displays are allowed, but shall not be located in any setback area, landscaped area, or off-street parking or loading area which is required by this title.

Finding: The submitted site plan does not show any proposed outdoor sales displays.

- C. *Restrictions.* No development shall occur in the GC zone unless all city services (sewer and water) are available to serve such development.

Finding: The submitted materials included a preliminary utility plan showing sewer and water facilities for the new development. This requirement is met.

- D. *All development in the GC zone must conform to and comply with applicable portions of Chapter 17.74 LCMC, Design Standards.*

Finding: A detailed review of compliance with design standards is given in this report under Chapter 17.74.

Chapter 17.52 Supplementary Regulations and Exceptions

17.52.030 Access requirement

Every lot shall abut a street, other than an alley, for at least 25 feet.

Finding: The site has more than 100 feet of frontage on both Hwy 101 and SE High School Dr. This requirement is met.

17.52.050 Storage in front setback area

Boats, RVs, trailers and house trailers shall not be stored in a required front setback area.

Finding: The front setback for this site is zero; notwithstanding the zero setback, the site plan does not show any boat, RV, trailer, or house trailer storage areas anywhere on the site.

17.52.060 Clear-vision area requirement

- A. *Requirement to Provide Clear Vision.* For public safety purposes, all properties shall have triangular clear-vision areas (aka clear-vision triangles) where streets (public or private) intersect with other streets, commercial alleys and commercial driveways. Clear-vision triangles shall be also be provided for street intersections with commercial driveways as provided herein. Clear-vision areas at local intersections shall meet the requirements in this section, which are meant to be adequate to allow drivers and pedestrians who are stopped or approaching with caution to see intersecting traffic in time to avoid collisions. Clear-vision areas at intersections with Highway 101 must meet with Oregon Department of Transportation approval and comply with the requirements of this section.
- B. *Definition of a Clear-Vision Triangle.* This section defines a clear-vision triangle differently for (1) controlled intersections, where at least one street has a stop sign or traffic control light; (2) for uncontrolled intersections; and (3) in commercial zones, for alleys and driveways.
1. *For intersections controlled by a stop sign or traffic light and for T intersections, two sides of the triangle are aligned with the property lines of the corner lot. The side of...*
 2. *For uncontrolled intersections. A corner lot that abuts two uncontrolled streets shall have a triangle for each abutting street, defined by the following sides: a side extending along the...*
 3. *Alleys and Driveways in Commercial Zones.*
 4. *Notwithstanding the definitions set forth above, the minimum clear-vision area (clear-vision triangle) may be modified by the city engineer, with the concurrence of the director, upon written finding that more or less sight distance is necessary (i.e., due to traffic speeds or roadway alignment).*
- C. *Clear-Vision Requirements.* Clear-vision triangles shall be free of obstructions (including but not limited to plantings, fencing, or other temporary or permanent obstruction) from two-and-one-half

feet to eight feet above the grade of the street, except for obstructions specified in subsection (D) of this section.

Finding: The site is a corner lot in a commercial zone. The submitted site plan shows two accesses, both from SE High School Dr. The required clear-vision triangles are shown on both sides of the westerly access with no obstructions except a new fire backflow vault that is less than 2 ½ feet tall. The clear-vision triangles are not drawn on the site plan on either side of the easterly access, but both sides of the easterly access are free from any obstructions. There is also a clear-vision area at the corner of Hwy 101 and SE High School Dr. This triangle is shown on the site plan and is free from obstruction. As a condition of approval, the clear-vision triangles shall be shown on both sides of both accesses and at the corner of Hwy 101 and SE High School Dr on the site plan submitted with the structural permit applications and shall be shown as being free of obstructions from 2 ½ feet to 8 feet above the grade of the street. This requirement is met for purposes of this application with the aforementioned condition of approval.

17.52.120 Utilities

In all zones, all electrical, telephone and cable television utility service installations or connections made as part of new construction of a building or structure shall be placed underground in accordance with city standards.

Finding: The project proposes new construction, so all electrical, telephone, and cable television utility service installations or connections made as part of the new construction shall be underground. This is noted on the submitted site plan. This requirement is met for purposes of this application.

17.52.150 Exterior lighting.

Artificial exterior lighting shall not be designed to shine or create glares in any residential zone or residential use, adjacent dwelling unit or in a public right-of-way.

- A. Light poles must not exceed a height of 20 feet.*
- B. All lighting must be shielded to avoid glare, light pollution (night sky), and light spillover onto residential properties. Shielding must be integral to the light fixture and direct light downward.*
- C. Luminance at the property line, or no more than five feet over the property line, must be zero.*
- D. Maximum initial luminance of outdoor sales displays, outdoor storage areas, service station canopies, and similar areas must not exceed 20 foot-candles.*
- E. Maximum initial luminance of parking lots must not exceed four foot-candles.*
- F. Up-lighting is prohibited. The maximum illumination limits for wall washing are one foot-candle for dark colored surfaces and one-half foot-candle for light colored surfaces.*
- G. Pedestrian ways and building entrances not otherwise illuminated by building-mounted lights or streetlights must provide between one and two foot-candles of light from bollards, step lights, or other low-profile fixtures that are appropriate for walkways and plazas.*
- H. The manufacturer's data or measurement must demonstrate conformance with this section. Cut sheets, a photometric plan analysis, and an exterior lighting plan showing the locations, types, sizes, and heights of all exterior lighting fixtures shall be included with the applicable application submittal.*

Finding: The applicant deferred submittal of the exterior lighting plan, photometric plan analysis, and exterior light fixture cut sheets to the building permitting stage of the project.

17.52.160 Required setbacks – Exceptions

- A. Architectural Features. Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, flues, awnings, and bay windows may project up to 18 inches into a required setback area.*

Finding: As detailed previously in the staff report, there are no minimum setback requirements for this project because it's in the GC zone and is not adjacent to or across the street from any residential zones. The

submitted site plan does not show any encroachments into right-of-way or adjacent properties. This requirement is not applicable.

- B. Accessory Structures. A required side or rear setback may be reduced to three feet for an accessory structure, provided the structure is detached from other structures by five feet or more and does not exceed a height of one story nor an area of 200 square feet.*

Finding: As detailed previously in this staff report, there are no minimum setback requirements for this project because it's in the GC zone and is not adjacent to or across the street from any residential zones. The submitted site plan shows that the proposed accessory structure does not encroach into right-of-way or adjacent properties. This requirement is not applicable.

- C. Fences. Fences, within required setback areas up to and on the property line, may not exceed seven feet in height nor conflict with requirements of a clear vision area as provided in LCMC 17.52.060 or the clear vision areas of adjacent private driveways.*

Finding: As detailed previously in this staff report, there are no minimum setback requirements for this project because it's in the GC zone and is not adjacent to or across the street from any residential zones. This requirement is not applicable.

- D. Retaining Walls. Retaining walls may be constructed in required setback areas, subject to the following limitations:*
- 1. One or more retaining walls, none of which individually exceeds six feet in height, may be used, in front or street side setback areas provided each successive wall is set back or stepped from the next lowest wall at least one foot for each one foot of height for that wall;*
 - 2. Within interior side and rear setback areas a retaining wall may be constructed up to eight feet in height.*
 - 3. All building code and structural permitting requirements shall be met prior to construction of any retaining wall.*

Finding: As detailed previously in this staff report, there are no minimum setback requirements for this project because it's in the GC zone and is not adjacent to or across the street from any residential zones. These requirements are not applicable.

- E. Disabled Access Facilities. Disabled access facilities may be constructed in required setback areas as additions to existing buildings...*
- F. Bridges. Unenclosed and uncovered pedestrian or vehicular bridges for access to a dwelling may be constructed in a required setback area.*
- G. Porches, Decks, and Stairs. Unenclosed and uncovered porches, decks, and stairs may be constructed in a required setback area, provided no part of the porch, deck, or stairs is more than 30 inches above the ground or otherwise requires a building permit.*

Finding: As detailed previously in this staff report, there are no minimum setback requirements for this project because it's in the GC zone and is not adjacent to or across the street from any residential zones. These requirements are not applicable.

17.52.170 Solid waste, garbage, trash, recycling, and composting receptacle storage areas. All solid waste, garbage, trash, recycling, and composting receptacles shall be located within a building or within an enclosure which screens the receptacle from the view of adjacent property and from right-of-way, except those receptacles associated with a detached single-unit dwelling, attached single-unit dwelling, duplex, or manufactured home.

Finding: The submitted site plan shows the trash area along the west property line, along with a six-foot-tall cedar fence dumpster enclosure. This requirement is met for purposes of this application.

17.52.180 Placement and screening of mechanical equipment

- A. Any heating, air conditioning, or other mechanical equipment installed on or near a building to be used to serve the building or a function performed therein, and any propane tanks, shall be screened from the ground level view from adjacent property and from right-of-way, except those associated with a detached single-unit dwelling, attached single-unit dwelling, duplex, or manufactured home.*

Finding: The application states that no rooftop or ground-mounted mechanical units are proposed.

- B. Rooftop mechanical units shall not exceed the allowable building height.*

Finding: The application states that no rooftop mechanical units are proposed.

- C. Ground-mounted mechanical units shall be limited to the sides or rears of buildings and screened from view from adjacent property and from right-of-way.*

Finding: The application states that no ground-mounted mechanical units are proposed.

- D. Standpipes, meters, vaults, and similar equipment shall not be placed on a front elevation unless there is no other option.*

Finding: The plans submitted with the development review application show no standpipes, meters, vaults, or equipment are proposed to be placed on the front elevation. A note has been placed on the Landscape and Tree Protection Plan stating that no standpipes, meters, vaults, or similar equipment will be placed on the front elevation of either building. This shall be reviewed for continued compliance during the structural permitting and construction process.

17.52.190 Building height limitations

- A. No structure used for human habitation that exceeds 45 feet in height...*

Finding: The architectural elevations submitted in the application indicate the both new building will be less than 45 feet in height. This standard has been met.

- B. No structure that exceeds 35 feet in height shall be permitted in a residential zone within 500 feet of any shoreline without prior approval as a Type III procedure.*

Finding: The site is not in a residential zone, nor is it within 500 feet of any shoreline. This standard is not applicable.

- C. No structures used for human occupancy shall be permitted to exceed the building height limitations of the zones in which they are located. To ensure that this standard is met the following rules apply:*

Finding: The maximum building height in the GC zone is 45 feet. The submitted elevations show both buildings being less than 45 feet tall. This standard has been met.

- 1. Building permit applications must include elevations of all exterior walls of the proposed structure showing:*
- a. The line of the approved grade in the plane of the wall; and*
 - b. The highest part of the structure.*

Finding: The elevations show measurements from the approved grade to the highest part of the structure.

2. *The grade may not rely on retaining walls, riprap, other artificial restraints, or berming to increase elevation at the point of height measurement.*

Finding: The site grading is existing. No changes are proposed that would affect the building height. This standard has been met.

3. *For the purposes of this subsection, “approved grade” means:*
 - a. *The existing grade, meaning one of the following:*
 - b. *The grade shown on a grading plan approved as a part of one of the following:*
 - i. *A final master plan for a planned unit development under LCMC 17.77.120; or*
 - ii. *A partition or subdivision under Chapter 16.08 LCMC; or*
 - iii. *A development review under LCMC 17.77.070; or*
 - iv. *A conditional use permit under LCMC 17.77.060; or*
 - v. *A grading plan under Chapter 12.08 LCMC; or*
 - vi. *A building permit for a structure not subject to any approvals in subsections (C)(3)(b)(i) through (v) of this section.*

Finding: The proposed project is a redevelopment of an existing site, which has already been graded. No grading or fill will be taking place that will elevate the existing grade shown as part of this development review.

17.52.200 Building height limitations – General exception

Projections such as chimneys, spires, domes, elevator shaft housing, towers, aerials, flagpoles, and other similar objects not used for human occupancy are not subject to the building height restrictions of this title.

Finding: The submitted elevations show the tallest point of the both buildings as less than 45 feet. No projections are proposed that would go beyond the allowed 45-foot height maximum.

17.52.220 Tree protection and removal

Finding: The submitted materials included a Landscape and Tree Protection Plan. The plan shows that the existing landscape includes more than 150 trees and 300 shrubs. The plan notes that the intent is to preserve as many trees and shrubs as possible. Tree protection fencing will be installed around the construction area prior to the commencement of site development.

17.52.230 Public infrastructure improvements

Finding: Public Works reviewed the submitted plans and provided conditions of approval that are included in the decision at the end of this report.

17.52.300 Traffic impact study (TIS) requirements

- B. *A TIS shall accompany a land use application at the request of the city engineer, if the proposal involves one or more of the following:*
 1. *An amendment to the Lincoln City comprehensive plan or zoning map;*
 2. *A new direct property approach road to US 101;*
 3. *Likely generation of 50 or more p.m. peak-hour trips on US 101, or 100 or more p.m. peak-hour trips on the local transportation system, according to the Institute of Transportation Engineers (ITE) Trip Generation Manual;*

4. *If use on any street or direct property approach road intersecting with US 101 increases by 10 vehicles or more per day that exceed 20,000 pounds gross vehicle weight;*
5. *An existing or proposed access driveway that does not meet minimum spacing or sight distance requirements, or a driveway located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard; or*
6. *A change in internal traffic patterns that may cause safety problems, such as back-up onto the highway or traffic crashes in the approach area.*

Finding: The project does not appear to trigger the requirements for a TIS. However, as a condition of approval, a memo or letter stamped and signed by a licensed traffic engineer shall be submitted with the structural permit applications listing the likely generation of PM peak-hour trips on Hwy 101 and the local transportation system, as well as the anticipated increase in vehicles per day that exceed 20,000 pounds gross vehicle weight. In the event that the traffic engineer finds that the project will trigger a TIS, then a TIS shall be completed and submitted prior to issuance of any structural permits.

Chapter 17.55 Landscaping

17.55.040 Landscaping requirements for all development other than detached single-unit dwellings, attached single-unit dwellings, manufactured dwellings, and duplexes.

- A. *Landscaping is required on all portions of the site not covered by buildings, structures, or impervious surfaces.*

Finding: The submitted plans show that landscaping will be provided on all portions of the site not covered by buildings, structures, or impervious surfaces. This requirement is met for purposes of this application and will be reviewed for continued compliance during the structural permitting and construction process.

- B. *Existing plants and trees that are healthy and noninvasive count towards the tree and shrub requirement below, provided they will be protected during development adequately enough to ensure future preservation.*

Finding: A note on the Landscape and Tree Protection Plan indicates the intent is to preserve as many of the existing trees and shrubs as possible so that they can count towards the tree and shrub requirement.

1. *At a minimum, the site shall contain the following spaced and/or planted according to best planting practices and aesthetics:*
 - a. *One tree per 100 feet of total lot perimeter; and*
 - b. *One shrub per 30 feet of total lot perimeter; and*
 - c. *The remainder of the site that is not covered by buildings, structures, or impervious surfaces shall be covered with living or nonliving ground cover as outlined subsection (C) of this section and LCMC 17.55.050.*

Finding: The site perimeter is 1,640.5 feet which yields a requirement of at least 16 trees and 55 shrubs. The application indicates 62 trees and 60 shrubs will be provided. The submitted Landscape and Tree Plan shows the landscaped areas, but it does not show the locations or quantities of the existing or proposed trees and shrubs. As a condition of approval, the site shall contain at least 16 trees and 55 shrubs in compliance with Chapter 17.55 before Planning will approve issuance of the final certificate of occupancy.

2. *If islands are required in parking areas, each island must contain at least one tree, sized appropriately for the area of the island. The remainder of the island must be covered with shrubs and/or living or nonliving ground cover, subject to the standards set out in subsection (C) of this section and LCMC 17.55.050. Islands count towards the parking landscaping requirement.*

Finding: It is unclear from the submitted Landscape and Tree Plan if the required islands in the parking areas meet the landscaping requirements. As a condition of approval, the islands in the parking areas shall be compliant with all portions of Chapter 17.55 before Planning will approve issuance of the final certificate of occupancy.

C. Ground Cover and Mulch

1. *Ground cover used as mulch between plantings shall be placed at a minimum two- to three-inch-thick layer to ensure effective erosion control and to avoid leaching of excessive nutrients.*
2. *Acceptable mulch materials are straw, well-aged compost and leaves, wood mulch or bark dust, or wood nuggets that are a minimum diameter of one inch. Mulching with manure that has not been composted or aged is prohibited.*
3. *Nonliving ground cover materials such as noncompacted pea gravel, river rock, pumice, stones, boulders, bark dust, cedar chips, or similar, are acceptable nonliving ground cover.*
4. *Standards for living ground cover are those set out in LCMC 17.55.050.*

Finding: The submitted Landscape and Tree Plan states that non-living ground cover and mulch will be placed between plantings per 17.55.040.C. This shall be reviewed for continued compliance during the structural permitting and inspection process.

17.55.050 Selection, preparation, and installation for all landscaping

A. Selection of Materials

1. *Noxious vegetation as defined in LCMC 8.12.010 or by the Oregon Department of Agriculture is prohibited. Noxious weeds as defined in LCMC 8.10.020 are prohibited.*
2. *All selections must be healthy at the time of planting.*
3. *Sizes of Plantings.*
 - a. *Deciduous trees must be a minimum of one-half caliper inches at the time of planting.*
 - b. *Conifer trees must be a minimum of four feet in height at the time of planting.*
 - c. *Ground cover plants must be at least four-inch pot size.*
 - d. *Shrubs must be at least one-gallon size at the time of planting.*
 - e. *Plantings at their mature height shall not be higher than five feet if they would block the view of any shoreline of the Pacific Ocean, Siletz Bay or Devils Lake.*
 - f. *All plantings must be one, or a combination of, the following: native to the Pacific Northwest; selected from the City of Lincoln City Guide to Landscape Selections; or suitable for the site conditions as certified by a written and signed statement from a landscape architect licensed in the state or Oregon, a licensed landscaped contractor, or a landscape nursery person.*

Finding: The submitted materials do not provide any specific information regarding selection of materials. However, the plan does include a note stating: “In the event that remaining trees and shrubs are less than required by code, Contractor to replace in sufficient numbers so as to comply with 17.55.040 and will be planted in compliance with 17.55.050.” As a condition of approval, both the site plan and landscape plan submitted with the building permit application shall state that the project shall be fully compliant with all applicable portions of Chapter 17.55 prior to issuance of a certificate of occupancy for either building.

17.55.060 Irrigation and maintenance

- A. *Irrigation. The intent is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. Irrigation systems shall be provided for all planted areas for a period of at least two years, or until it is demonstrated that new plants have become naturalized.*

Finding: The submitted landscape plan states that the site contains an existing irrigation system and it will continue to be utilized for the project. This requirement is met.

17.55.070 Clear-vision requirements.

Landscaping shall be in conformance with the clear-vision area requirements set out in LCMC 17.52.060.

Finding: The submitted landscape plan does not specify the type of landscaping in the clear-vision area. As a condition of approval, landscaping shall be in conformance with the clear-vision area requirements set out in LCMC 17.52.060 and any landscaping not in compliance with clear-vision area requirements shall be removed.

17.55.080 Living landscaping as screening

- A. When screening is required, the applicant may choose to use vegetation as the screening method. If so, the following standards must be met:*
- 1. Screening shall be in the form of a hedge.*
 - 2. The hedge shall consist of evergreen shrubs and shall be native to the Pacific Northwest and suitable for the site conditions as certified by a nursery person or a landscape architect licensed in the state of Oregon or selected from the City of Lincoln City Guide to Landscape Selections.*
 - 3. Selected shrubs must have a mature height of at least six feet.*
 - 4. Shrubs must be of sufficient size and number to provide solid sight obstruction, at a minimum of six feet in height, at the time of planting.*

Finding: The project is not proposing the use of live vegetation as screening.

Chapter 17.56 Off-street Parking and Loading Regulations

17.56.030 Number of off-street parking spaces required

- A. The number of off-street parking spaces required shall be as set forth in Table 17.56.030-1.*

Finding: The proposed retail building is 6,160 square feet. Table 17.56.030-1 shows a parking requirement of one parking space per 400 square feet, plus one for each employee for retail use. The square footage yields a requirement of 15 spaces, plus 14 spaces for the 14 employees stated on the submitted site plan. The accessory storage building is 13,905 square feet. The parking requirement for storage is one space for each 5,000 square feet for the first 20,000 square feet. The square footage of the storage building yields a requirement of three spaces. The total off-street parking requirement then is 32 spaces (15 + 14 + 3). The site plan shows provisions for 40 off-street parking spaces. This requirement is met.

- B. Exceptions to the Number of Off-Street Parking Spaces Required. One or more exceptions may apply to a development.*
- 1. There are no off-street parking requirements for commercial uses, commercial buildings, or the commercial portion of mixed use buildings located within the boundaries of any of the pearls (Wecoma, Oceanlake, DeLake, Taft, Nelscott, Cutler City), said boundaries as identified on the city's adopted zoning map.*

Finding: This exception is not applicable to this project since it is not located in Wecoma, Oceanlake, DeLake, Taft, Nelscott, or Cutler City.

- 2. The number of off-street parking spaces may be reduced by 10 percent of the off-street parking requirement for every five bicycle parking spaces provided over and above the standard requirement for bicycle parking spaces. The number of off-street parking spaces may be reduced by 20 percent of the off-street parking requirement for every 10 bicycle parking spaces provided over and above the standard requirement for bicycle parking spaces.*

Finding: The project is not requesting use of this exception.

3. *The number of off-street parking spaces may be reduced by 10 percent of the off-street parking requirement by preserving at least two mature and healthy trees. The number of off-street parking spaces may be reduced by 20 percent of the off-street parking requirement by preserving at least four mature and healthy trees. To receive this credit, a licensed Oregon arborist must certify the trees to be preserved are health, and the grading plan must show enough protection and lack of disturbance around the roots (again, as certified by a licensed Oregon arborist) that the trees will be protected and preserved throughout construction and thereafter.*

Finding: The project is not requesting use of this exception.

4. *Projects that are providing affordable housing as defined in Chapter 17.08 LCMC may reduce the parking requirement by up to 20 percent.*

Finding: The project is not providing affordable housing, so this exception is not applicable.

17.56.040 Number of off-street loading spaces required

- A. *Every building hereafter erected or established, for a use other than residential, having a gross floor area of 10,000 square feet or more shall provide and maintain at least one off-street loading space plus one additional off-street loading space for each additional 20,000 square feet of gross floor area.*
- B. *Each loading space shall be not less than 10 feet wide by 25 feet in length and 14 feet in height.*

Finding: The principal building is less than 10,000 square feet, with its proposed area of 6,160 square feet, so a loading space is not required. The accessory storage building is 13,905 square feet, which exceeds 10,000 square feet thus requiring one off-street loading space. The required loading space is shown on the site plan with dimensions of 12 feet wide by 50 feet long, uncovered. This requirement is met.

17.56.050 Joint use of off-street parking and loading spaces

- A. *Off-street parking and loading requirements may be satisfied by the same parking or loading space used jointly to the extent that it can be shown by the owners or operators of the uses, structures, sites, or developments that their operations and parking needs do not overlap in point of time.*
- B. *If the uses, structures, sites, or developments are under separate ownership, the right to joint use of off-street parking or loading spaces must be evidenced by a deed, lease, contract, or other appropriate written document establishing the terms of the joint use, and submitted to the department.*

Finding: The project has not requested use of joint off-street parking spaces, and the off-street parking requirement is being met on the site as the submitted site plan shows.

17.56.060 More than one use in a building or on a development

Finding: The development has one use – a building supply establishment. This is not applicable.

17.56.080 Development standards for off-street parking and loading areas for all uses other than detached single-unit dwellings, attached single-unit dwellings, and duplexes

- A. *Location*
 1. *Off-street parking and loading shall be located on the same lot or parcel as the use or on a separate lot or parcel not farther than 1,000 feet from the building or use they are intended to serve, measured in a straight line from nearest property corner to nearest property corner.*

Finding: All required off-street parking is located on the same tax lot as the proposed development.

2. *Area in a public right-of-way or an alley shall not be used as fulfilling any part of the off-street parking or loading requirements.*

Finding: The submitted materials do not show any proposed off-street parking spaces in public right-of-way or an alley.

3. *Off-street parking and loading spaces shall be located above, beneath, to the rear, or to the side of buildings.*

Finding: The submitted materials show that the proposed off-street parking spaces are located to the sides (north, south) or rear (east) of the buildings. Based on the definition of front property line in Chapter 17.08, the front of the building is the elevation that faces Hwy 101 to the west. The proposed off-street parking spaces are shown on the submitted plan set to the north (side) or east (rear) of the buildings. This requirement is met.

4. *Parking and loading spaces must be outside of required building setback areas.*

Finding: The site is in the GC zone and there are no required building setbacks in the GC zone, so this requirement is not applicable.

5. *Parking and loading spaces must be at least 4 feet from public right-of-way, and the space between the public right-of-way and the parking and loading spaces must be landscaped according to the standards in Chapter 17.55 LCMC.*

Finding: The submitted materials show that the off-street parking spaces and the loading space are over four feet from both Hwy 101 and SE High School Dr. The site plan shows the required landscape strip between the site's SE High School Dr frontage and the parking area of the retail building. The storage building does not have any parking area next to right-of-way. This requirement is met.

6. *In no case shall any parking area or parking or loading space be located between the front of the building and the front property line.*

Finding: The front property line is the west property line. The submitted plan set shows that there are no parking spaces between the west (front) property line and the west (front) building elevations.

7. *Parking and loading spaces must be located such that there are no backing movements or other maneuvering within public right-of-way. Backing movements or other maneuvering within alleys or private streets is allowed, however.*

Finding: The submitted plans show that there are no backing movements or other maneuvering taking place within either SE High School Dr or Hwy 101. Rather, all backing movements and maneuvering will take place within the interior of the site. This requirement is met.

B. Surfacing

1. *Parking spaces, parking areas, and driveways shall have permanent, dust-free surfaces and shall be constructed to support use by solid waste vehicles and firefighting apparatus.*
2. *Surfaces shall consist of one or more of the following materials:*
 - a. *Concrete or asphalt;*

- b. *Block pavers of concrete, stone, brick, or similar material. This surface is considered impervious unless, through consultation with the city engineer, the spacing and installation are determined to be sufficient to count as an allowable pervious surface;*
- c. *Pervious concrete or asphalt; or*
- d. *Other materials, as approved by the city engineer.*

Finding: The submitted materials indicate that the parking areas, spaces, and drive aisles will be pavement. The Parcel 2 site summary has a stated 61,597 square feet of pavement.

- C. *Repealed.*
- D. *Installation and Maintenance.*
 - 1. *Materials shall be installed and maintained adequately for all-weather use, including proper drainage so as to avoid flow of water across sidewalks and any property line.*

Finding: A preliminary grading and drainage plan was included with the development review application.

- 2. *All pervious surfaces shall be designed, installed, and maintained to ensure proper storm water infiltration.*

Finding: The project is not proposing pervious surfaces.

- E. *Repealed.*
- F. *Curbing and Wheel Stops*
 - 1. *Parking spaces shall be contained by a curb or wheel stop so placed to prevent a vehicle from extending into an adjacent property, public right-of-way, private street, sidewalk, or landscaping area.*

Finding: The site plan shows wheel stops at the spaces adjacent to sidewalk. The spaces adjacent to the landscape buffer do not show any wheel stops. This requirement is partially met and can be fully met with a condition of approval to provide either wheel stops or curbing at the spaces adjacent to the landscape buffer and landscape islands.

- 2. *Curbing shall be a minimum of four inches in height and width.*

Finding: It is not clear if curbing is proposed, and if so, the dimensions of such curbing. As a condition of approval, the project shall provide either the required curbing or the required wheel stops at the dimensions outlined in the code to prevent vehicles from extending into landscaping areas.

- 3. *Wheel stops shall be a minimum of four inches in height and width, and six feet in length; shall be firmly attached to the ground, and so constructed as to withstand normal wear.*

Finding: The submitted materials do not indicate the dimensions of the wheel stops or how they will be attached. All wheel stops will be required to meet this standard and is addressed in the conditions of approval.

- 4. *Parking spaces having curbing or wheel stops may be reduced in length by two feet, allowing for overhang of the vehicle parked in that space, provided the curbing or wheel stops are placed two feet back from the front of the parking space.*

Finding: The required length of the standard parking space is 20 feet. The plans show wheel stops have been provided to allow for a reduction of length by two feet.

- G. *Marking. All off-street parking and loading spaces shall be permanently and clearly marked, and such marking shall be replaced regularly, so as to remain clearly visible at all times.*

Finding: The site plan shows the spaces are marked. This requirement is met for the purposes of the development review and shall be reviewed for continued compliance during the structural permit and construction process.

H. *Landscaping*

1. *Surface parking lots must have perimeter buffer strip landscaping of not less than four feet in depth (see Figure 17.56.080-1) landscaped in accordance with Chapter 17.55 LCMC.*

Finding: The site plan shows provisions for the required four-foot-wide landscape buffer along the SE High School Dr frontage. This requirement is met.

I. *Repealed.*

J. *Lighting of Parking Areas*

1. *If provided, light poles in parking areas shall not exceed a height of 20 feet.*
2. *Any provided lighting in parking areas shall be shielded or provided with cut-offs to avoid glare, light pollution (night sky) and light spillover onto residentially used properties.*
3. *Maximum initial luminance of lighting provided in parking areas shall not exceed four foot-candles, with zero foot-candles at property lines.*

Finding: The applicant has deferred the submittal of the exterior lighting plan to the structural permitting process.

- K. *Accessible Parking. Parking areas shall meet all applicable accessible parking requirements of federal, state, and local codes.*

Finding: The submitted plans show the required ADA-accessible parking spaces.

L. *Parking Area Layout and Dimensions*

1. *A minimum of 50 percent of the required number of parking spaces must be designed as standard sized spaces with a minimum space width of nine feet and length of 20 feet.*

Finding: The submitted plans show all the provided parking spaces as the standard size of nine feet wide by 20 feet long (with some of the spaces shorter than 20 feet with reduction allowed by the placement of wheel stops).

2. *No more than 50 percent of the required number of parking spaces may be designed as compact sized spaces with a minimum space width of eight feet and length of 16 feet.*

Finding: The project is not providing any compact-sized spaces.

3. *A clear pedestrian circulation route from parking stalls to the primary building entrance, or a pedestrian area immediately adjacent to the primary building entrance, must be provided.*

Finding: The site plan shows striped pedestrian crossings, along with sidewalk along the building to provide access from the parking area to the entrance.

4. *Parking areas shall be designed as follows:*

Finding: The parking space dimensions are in compliance with LCMC standards. This requirement is met.

M. Parking Rows

1. *Surface parking lots containing more than 20 parking spaces must have rows of not more than 12 continuous parking spaces and shall include one planting island between every 12 parking stalls.*

Finding: The project proposes 40 parking spaces, so parking islands are required. A review of the submitted materials shows that there are no more than 12 parking spaces in a row without a planting island. This requirement is met.

2. *The perimeter of parking lots or the outer parking aisles must contain at least a four-foot-wide landscaping/drainage swale or landscape buffer (see Figure 17.56.080-1) landscaped pursuant to the provisions of Chapter 17.55 LCMC. The perimeter landscaping buffer counts towards the interior parking lot landscaping requirement of subsection (H)(1) of this section.*

Finding: The project contains the minimum four-foot-wide landscape buffer around the perimeter of the parking area. The submitted materials depict the required buffer. This requirement is met.

- N. *RV, Motorhome, and Bus Parking. Commercial or mixed-use developments (wholly residential developments do not have this requirement) with 50 or more required off-street parking spaces shall provide the following minimum number of off-street parking spaces sized and designated for the parking of RVs, motorhomes, and buses: ...*

Finding: The required number of off-street parking spaces is 32, so the RV parking space requirement is not applicable.

- O. *Structured Parking. Where structured parking is provided in a stand-alone structure that...*

Finding: The project is not proposing any structured parking.

17.56.090 Bicycle parking

Finding: The project requires 32 vehicle parking spaces, which yields two required bicycle parking spaces. The site plan shows that 14 bicycle parking spaces are being provided. The spaces are located to the rear of the principal building, between the parking area and sidewalk. The spaces are uncovered, and are two feet by six feet. This requirement is met.

Chapter 17.74 Design Standards

17.74.020 Applicability

- A. *Zoning Districts. The provisions of this chapter apply to the multiple-unit residential (R-M), recreation commercial (RC), general commercial (GC), Nelscott plan district (NP), Taft Village core (TVC), and Oceanlake Plan district (OP) zones as follows:*
- B. *Conflicting Regulations. Where conflicts occur between this chapter and other municipal code regulations or ordinances, the strictest requirement shall apply.*
- C. *The provisions of this chapter apply to the development of undeveloped sites, the redevelopment of previously developed sites, and/or new construction of any building or structure.*

Finding: The site is in the GC zone and the project involves both redevelopment of a previously developed site and new construction. Accordingly, the design standards of Chapter 17.74 apply.

17.74.030 Exceptions and nonconformances

- A. *Routine Repairs and Maintenance.*
- B. *Additions or Expansion.*
- C. *Residential Dwelling Exception.*
- D. *Nonconformances*

Finding: The exceptions are not applicable to this project for new construction/redevelopment of a previously developed site.

17.74.060 Site design

- A. *Intent*
- B. *General Standards*
 - 1. *Site Conditions. Locate buildings to preserve existing topography, views, and natural features to the extent possible, and to take advantage of unique site conditions.*

Finding: The site does not have any views or natural features. The site does not have any significant existing topography that needs to be preserved.

- 2. *Pedestrian Space. Maximize opportunities for usable, attractive, well-integrated pedestrian space.*

Finding: The project will be providing pedestrian space as discussed in this staff report under the pedestrian space section.

- 3. *Site Design. Site designs should maximize the preservation of existing mature vegetation and should provide for on-site storm water quality treatment and management such as through providing bioswales or other natural water treatment features.*

Finding: The applicant's letter and landscape plan state that the intent is to preserve as many trees and shrubs as possible.

- 4. *Natural Features and Systems. Prioritize natural features and systems by orienting buildings around existing existing native vegetation, significant wetland, and significant riparian areas, and maximizing passive heating and solar gain, protection from weather, and predominant winds.*

Finding: The site does not contain any natural features.

- 5. *Building Entries. Create clearly identifiable building entries from the street, unless restricted by unique site conditions.*

Finding: The submitted elevations show clearly identifiable building entries for both buildings, but both entries from the north and the street are along the south elevation. The applicant requests an adjustment from this standard, stating the following:

“The proposed retail structure entrance is oriented to its associated parking lot. Customers will park in this parking lot and carry or wheel purchases to their vehicle, making the proposed north entry (opposite of SE High School Drive) the safest and most practical location for the entrance. The proposed warehouse is sited to maximize material delivery and maneuvering, as well as to provide access to the public parking at the adjacent to the retail structure. The proposed warehouse and retail buildings are allowed uses of the site. Both building entries are oriented to the north to provide a safe and convenient customer experience, and to facilitate material delivery and maneuvering of delivery and customer vehicles. For both safety and security reasons, it is not practical to provide building

entries on the High School Drive (south) side of either building. Applicant requests an adjustment for this standard.”

The applicant requested an adjustment from the building entries standard due to the unique nature of the business and the building’s orientation to the parking lot. Customers will park in the parking lot and carry or wheel purchases to their vehicle, so it makes sense to have the primary entrance oriented to the parking lot rather than the street particularly since parking is not allowed between the building and street. While not meeting this standard exactly, the project still provides a clearly articulated site and building design; promotes the city’s economic vitality with a high-quality development and a much-needed building supply facility; establishes a clear relationship between the adjacent streets and buildings by providing sidewalks, landscaping, and pedestrian space; and enhancing and protecting the security and safety of the public with the proposed layout – all of which are the intent of the design standards. Accordingly, the adjustment request for building entries is granted.

6. *Building Continuity. Where practicable, it is encouraged to extend buildings from side property line to side property line to increase vitality and to maintain continuity of a storefront character.*

Finding: Building continuity is a suggestion not a requirement, so compliance is immaterial.

7. *Mixed Use Buffers. Provide buffers at residential entries at sidewalks within mixed use frontages by means of entry courtyards, porches, or stoops as well as landscaping.*

Finding: The project does not propose any mixed use.

8. *Retaining Walls. Where new retaining walls are constructed adjacent to public right-of-way, they must consist of one or more of the following: rusticated concrete block, striated or battered concrete, or natural stone.*

Finding: The site plan shows existing retaining walls, but no new retaining walls.

9. *Compliance with Chapter 17.52 LCMC is required. If conflicts occur, the strictest requirement shall apply.*

Finding: Compliance with Chapter 17.52 is addressed earlier in this staff report. Staff did not find any conflicts.

10. *Drive-Through Facilities and Stacking Lanes.*

Finding: The project is not proposing any drive-through facilities or stacking lanes.

11. *Building Orientation.*

- a. *Building Orientation. A building or structure must extend along at least 50 percent of the lot’s street frontage(s). If the lot has more than one street frontage, this requirement shall apply to all of the lot’s street frontages. This required 50-percent building frontage must be at the back of a public sidewalk, public right-of-way, or adjacent to an area dedicated to the public.*

Finding: The applicant’s letter narratives states: “The subject parcel’s street frontage at High School Drive is 412’. The proposed structures are 210’ for the warehouse building and 110’ for the retail building, including notched corners at the warehouse to provide required clear vision triangles. Both buildings are sited at the back of the public sidewalk and result in approximately 77% of street frontage.” The submitted site plan shows the 412 feet of frontage and lengths of the proposed buildings along SE High School Dr totaling 330

feet as stated in the letter narrative. The total length of the buildings along SE High School Dr exceeds the 50% frontage requirement, so the standard is met for SE High School Dr.

The site has more than one street frontage, though, in that the site also fronts Hwy 101. The applicant requests an adjustment from the building orientation standard for the Hwy 101 frontage of the accessory building. The applicant provides reasoning for the adjustment as follows:

“Street frontage at Hwy 101 is 308’. The proposed warehouse structure extends 68’ along Hwy 101 from the SW corner of the parcel, representing 22% of street frontage. The proposed structure and adjacent lumber yard are designed to allow for adequate truck and forklift circulation and material handling of bulky building materials. Extending the proposed accessory storage building in an “L” shape to the north along Hwy 101 to meet this standard would impede vehicular circulation and material handling. Further, to balance the square footage needed for the purposes of this structure with the required length along Hwy 101 would result in an awkwardly narrow building. The necessary characteristics of this allowed use present practical difficulties in meeting the standard. While the Hwy 101 frontage standard is not met, the overall street frontage combined is 720 feet, proposed structures total 388 feet, providing a total of 54% of frontage coverage. Applicant requests an adjustment for this standard.”

Staff notes that, with the screened outdoor storage area, the project meets the 50% frontage requirement along Hwy 101. Although the outdoor storage area isn’t a structure, it is surrounded with screening fencing, which for purposes of this standard staff is counting as structure frontage. While not meeting this standard exactly, the project still provides a clearly articulated site and building design; promotes the city’s economic vitality with a high-quality development and a much-needed building supply facility; establishes a clear relationship between the adjacent streets and buildings by providing sidewalks, landscaping, and pedestrian space; and enhancing and protecting the security and safety of the public with the proposed layout – all of which are the intent of the design standards. Accordingly, the adjustment request for building orientation along Hwy 101 is granted.

b. Primary Building Entrance.

- i. Corner Building. A primary entrance is required at the corner within 10 feet of right-of-way. Where a corner entrance is not practicable, a primary building entrance must be within 40 feet of the corner.*
- ii. Interior Building. A primary entrance is required within 10 feet of public right-of-way and directly connected to a public sidewalk.*

Finding: The project requests an adjustment from these standards, with the following rationale:

“The proposed warehouse and retail building are sited to maximize delivery and maneuvering, as well as align public parking adjacent to the retail structure. The result is the proposed placement of the warehouse at the corner of Hwy 101 and High School Drive, with the retail structure to the east. The warehouse and adjacent lumber yard will be entirely fenced for security purposes. Access to the warehouse will be approximately 300’ from the corner of Hwy 101 and High School Drive, via a man-door at the NE corner of the building. The proposed retail structure entrance is oriented to its associated parking lot, approximately 75’ from High School Drive. Customers will park in this parking lot and carry or wheel purchases to their vehicle, making this the safest and most practical location for the entrance.”

Staff concurs that the functioning of a building supply establishment is more safe and efficient with the proposed layout. This type of establishment targets vehicular customers rather than pedestrian customers. One intent of the design standards is to enhance and protect the security and health, safety, and welfare of the public. It makes sense, then, and provides for a safer customer experience that the entrances directly connect

to the parking area and adjacent building sidewalk, rather than the public sidewalk along the street frontages. The project provides the alternative of interior parking and loading areas with internal pedestrian walkways and adjacent building sidewalks directly connected to the primary entrances. These alternative features facilitate an efficient and safe customer experience, while still protecting and promoting the city's economic vitality by encouraging and rewarding high-quality development (another intent of the design standards). Staff approves the adjustment request for the primary building entrance for both the corner building and interior building, noting that the proposed alternative meets the intent of the design standards as stated above.

17.74.070 View protection

- A. *Intent.*
- B. *Applicability. The view protection guidelines apply to all lots or parcels with frontage along streets with views of the Pacific Ocean, Siletz Bay, or Devils Lake, except for lots or parcels fronting Highway 101 which are exempt from these requirements.*
- C. *Standard. Buildings shall be no more than 200 feet in width when constructed along streets with views of the Pacific Ocean, Siletz Bay, or Devils Lake. There shall be a minimum distance of 25 feet between buildings on one site, lot, or parcel when siting multiple structures on the same site, lot, or parcel.*

Finding: Not only does the site not have view of the Pacific Ocean, Siletz Bay, or Devils Lake, the site also fronts Hwy 101. These requirements are not applicable.

17.74.080 Pedestrian spaces

- A. *Intent.*
- B. *Standards.*
 - 1. *Required Area and Dimensions. At least three percent of every development site, excepting developments that are wholly residential, must be pedestrian space. Any pedestrian space must be at least eight feet across with a surface area of at least 64 square feet.*

Finding: The site contains 98,010 square feet, which equates to 2,940.3 square feet of pedestrian space. The legend in the site plan states the project is providing 1,025 square feet of hardscape, as well as 2,265 square feet of grass/landscape area with a bench or dog waste station. The hardscape area is the sidewalk between the building and the parking lot and connects with the sidewalk along the shared access that connects to the sidewalk along SE High School Dr. The grass/landscape area is adjacent to the sidewalk along SE High School Dr and connects to the hardscape portion of pedestrian space. The spaces are at least 8 feet across and have surface areas of more than 64 square feet. There is also a pedestrian space shown at the southwest corner of the site adjacent to the southwest corner of the accessory building.

- 2. *In-Lieu Fee. The applicant may find that the creation of pedestrian space is not practicable. In such case, the review authority may approve an in-lieu fee equal to the assessed value of the land and improvements that would have otherwise been required. The assessed value shall be that shown on the most current property tax report from the Lincoln County assessor's office. The in-lieu fee shall be paid to the city.*

Finding: The application does not request payment of an in-lieu fee, nor is one needed since the required pedestrian space square footage is being provided.

- 3. *Preferred location. The highest priority locations for pedestrian spaces are those areas with the highest pedestrian activity that have a western or southern exposure. Where no such area exists, the pedestrian space should be an extended sidewalk or walkway connecting multiple developments.*

Finding: The hardscape area is the sidewalk between the building and the parking lot and connects with the sidewalk along the shared access that connects to the sidewalk along SE High School Dr. The grass/landscape area is adjacent to the sidewalk along SE High School Dr and connects to the hardscape portion of pedestrian space. There is also a pedestrian space proposed at the southwest corner of the site connecting to the sidewalk along SE High School Dr.

4. *Access. All pedestrian spaces must be accessible from the public right-of-way or otherwise be connected to and visible from the public right-of-way by a sidewalk or pedestrian pathway. Connections between pedestrian spaces and the public right-of-way must be identified with a change in paving materials or paving treatment. Use of painted concrete is not an acceptable method of identifying such connections.*

Finding: The hardscape area is the sidewalk between the building and the parking lot and connects with the sidewalk along the shared access that connects to the sidewalk along SE High School Dr. The grass/landscape area is adjacent to the sidewalk along SE High School Dr and connects to the hardscape portion of pedestrian space.

5. *Weather Protection. Where a pedestrian space adjoins a building entrance, it should incorporate a canopy, awning, pergola, portico, or similar weather protection feature.*

Finding: The hardscape pedestrian space adjoins the primary entrance of the principal building and the site plan states an awning will be placed over the walkway. Staff notes that this weather protection is not required, only encouraged, so compliance with this weather protection requirement is immaterial.

6. *Site Features. Features such as trash/recycling receptacles, benches, planter boxes, and other similar items must be coordinated in color and design with each other, the site, and the buildings and structures on the site.*

Finding: The site plan states a bench or dog waste station will be provided, but does not provide colors or design. Colors and design shall be included with the structural permit application as a condition of approval of development review.

7. *Pedestrian Amenities Required. Required pedestrian spaces must contain one or more pedestrian amenity within the designated pedestrian space as follows:*

Finding: The site plan states that a bench or dog waste station will be provided in the grass/landscape pedestrian space.

17.74.090 Landscaping

Landscaping shall be provided in accordance with Chapter 17.55 LCMC.

Finding: Compliance with Chapter 17.55 is addressed earlier in this staff report.

17.74.100 Building design

- A. *Intent. The building design standards reflect the following community values:*
 1. *Context-sensitive and eclectic coastal architecture.*
 2. *Articulated building facades to break up large volumes and promote human scale.*
 3. *Contextually appropriate materials, textures, and colors.*
 4. *Pedestrian-scale development through ground floors made active with windows, pedestrian amenities, and furnishings.*
 5. *Corner buildings that serve as focal points with vertical building elements, furnishings, and/or public art.*

- 6. *Architecture that is consistent with the character of each pearl, balancing rhythm and continuity, yet creative in the design of building elevations, rooflines, and façade elements.*
- 7. *Design that increases environmental sustainability, softens the building’s edge, and provides visual interest for the pedestrian.*

B. Specific Design Elements for Pearls.

Finding: The site is not located in a pearl.

C. Development Standards.

Standard		Required/Provided
1.	<i>Building height.</i>	
	a. <i>Minimum building height adjacent to public right-of-way.</i>	<p>15 feet</p> <p>32.45 accessory storage building and 20 feet primary retail. Note that a landscape strip and pedestrian space is between the right-of-way and the edge of the buildings, so they are not flush against the right-of-way. However, the pedestrian space is supposed to be adjacent to the public sidewalk, and a landscape buffer between the right-of-way and the building is staff’s preference to provide relief to the building façade and provide a break in impervious surface between the sidewalk and the building. Having landscaping between the building and the public right-of-way enhances the pedestrian experience, enhances the pedestrian space, and provides aesthetically pleasing visual interest along the streets. Accordingly, the adjustment request to not have the buildings adjacent to public right-of-way is granted.</p>
	b. <i>Maximum height.</i>	<p><i>Established by the underlying zone and calculated according to LCMC 17.52.190 and 17.52.200</i></p> <p>Building heights are 32.45 feet and 20 feet, both of which are under the maximum height of 45 feet in the GC zone. This requirement is met.</p>
2.	<i>Ground floor windows.</i>	
	a. <i>Minimum percentage of transparent windows adjacent to public right-of-way.</i>	<p>60% required</p> <p>Principal building providing 20%. Adjustment requested and granted. Accessory building providing 14% along SE High School Dr and 11% along Hwy 101. Adjustment requested and granted.</p> <p>The applicant states that the accessory structure will include material storage racks at perimeter walls, and the principal building will display retail products at the perimeter of the building and in aisles utilizing typical store features. In both instances, it is not practical for access, display, maintenance or security purposes to place windows at the ground floor of the proposed structures. “In an effort to address the intent of this design standard, Applicant proposes to place windows at 6-8’ elevation above grade, evenly spaced along the south exterior elevations. Proposal includes added windows in the dormers at the warehouse to provide natural light for the warehouse and visual interest at the corner of the parcel. For security purposes, Applicant proposes obscure glass</p>

Standard		Required/Provided
		<p>at all windows on the south elevation of both buildings. Applicant requests an adjustment for this standard.”</p> <p>Staff concurs with the applicant’s reasoning behind not providing the minimum percentage of transparent windows. Staff notes that the proposed design as designed with the requested adjustments meets the intent of context sensitivity, articulated building facades, contextually appropriate materials, textures, and colors, a focal point at the corner of the corner building with pedestrian space, and visual interest for the pedestrian through wainscot, dormer, corner pedestrian space, varying roof pitches, and small wall planes.</p>
3.	<i>Building entrances.</i>	
a.	<i>Minimum number of entrances connected to street.</i>	<p><i>One entrance, and at least one additional entrance for every 40 feet of building street frontage; or</i> <i>An average of at least one entrance for every 90 feet, if the internal building function prevents closer entrance spacing.</i></p> <p>Applicant requests an adjustment for this standard as follows: “As stated previously in the Primary Building Entrance discussion, it is not practical, given the retail lumber yard function of this development to provide entrances connected to the street for either the warehouse or retail structure.” This adjustment request is granted for all the reasons staff cited in the Primary Building Entrance section earlier in this staff report.</p>
4.	<i>Building articulation.</i>	
a.	<i>Maximum individual wall plane size.</i>	<p><i>800 square feet maximum required.</i></p> <p>The size of the individual wall planes is not shown on the submitted elevations, but the applicant states in the submittal letter that the maximum individual wall plane size requirement of 800 square feet is being met with the proposed window placement and panel colors. As a condition of approval, the elevations submitted with the structural permit applications shall show the square footages of each individual wall plane such that each plane does not exceed 800 square feet. This requirement is met.</p>
b.	<i>Minimum recess or projection of each wall plane.</i>	<p><i>i. Facades less than 100 feet long: 3 feet</i> <i>ii. Facades 100 feet or longer: 6 feet</i></p> <p>The applicant states the following: “Please see proposed building elevations for building articulation details. Applicant proposes a mix of metal panel colors and window openings, as well as notches and overhangs to provide aesthetically pleasing visual interest along Highway 101 and High School Drive. Because both proposed buildings are metal building structures, there is less flexibility with the exterior wall framing to provide the extent of projections and recesses as called out in 17.74.100.C.4. The proposed warehouse building includes two notches, 10’ in depth at the western extent closest to the Hwy 101 and High School Drive intersection; and 5’ in depth at the eastern extent near the main access approach. Both notches serve to provide the required clear vision triangles. Additional perimeter articulation</p>

Standard		Required/Provided
		<p>would reduce functionality of the interior space and introduce additional risk of weather barrier failure. The proposed retail structure mimics the desired architectural style, with a cohesive but varied mix of panel colors and window openings. The proposed design balances the requirements of a functional interior and weather-tight structure, with the aesthetic goals of this section of the code. With the proposed window placement and panel colors, C.4.a standard is met. Applicant requests an adjustment for C.4.b Recess/Projections of wall plans and C.4.c Maximum length of individual wall plane.”</p> <p>Staff concurs with the applicant’s rationale for the requested adjustment. Staff further notes that the proposed design meets the building design intent of context sensitivity, articulated building facades, contextually appropriate materials, textures, and colors, a focal point at the corner of the corner building with pedestrian space, and visual interest for the pedestrian through wainscot, dormer, corner pedestrian space, varying roof pitches, and small wall planes. This adjustment request is granted.</p>
	<i>c. Maximum length of individual wall plane.</i>	<p><i>12 feet</i></p> <p>The applicant states the following: “Please see proposed building elevations for building articulation details. Applicant proposes a mix of metal panel colors and window openings, as well as notches and overhangs to provide aesthetically pleasing visual interest along Highway 101 and High School Drive. Because both proposed buildings are metal building structures, there is less flexibility with the exterior wall framing to provide the extent of projections and recesses as called out in 17.74.100.C.4. The proposed warehouse building includes two notches, 10’ in depth at the western extent closest to the Hwy 101 and High School Drive intersection; and 5’ in depth at the eastern extent near the main access approach. Both notches serve to provide the required clear vision triangles. Additional perimeter articulation would reduce functionality of the interior space and introduce additional risk of weather barrier failure. The proposed retail structure mimics the desired architectural style, with a cohesive but varied mix of panel colors and window openings. The proposed design balances the requirements of a functional interior and weather-tight structure, with the aesthetic goals of this section of the code. With the proposed window placement and panel colors, C.4.a standard is met. Applicant requests an adjustment for C.4.b Recess/Projections of wall plans and C.4.c Maximum length of individual wall plane.”</p> <p>Staff concurs with the applicant’s reasoning for this request. Staff further notes that the proposed design meets the intent of context sensitivity, articulated building facades, contextually appropriate materials, textures, and colors, a focal point at the corner of the corner building with pedestrian space, and visual interest for the pedestrian through wainscot, dormer, corner pedestrian space, varying roof pitches, and small wall planes. This adjustment request is granted.</p>
5.	<i>Pedestrian shelters.</i>	
	<i>a. Minimum along street frontage.</i>	<i>75% of building frontage length</i>

Standard	Required/Provided
	<p>The applicant states the following: “Two pedestrian shelters are provided at the south face of the warehouse structure, one at each corner/notch. A full length overhang/pedestrian shelter is provided at the north face of the retail structure, where the majority of pedestrian activity will occur. The combined area of pedestrian shelters provide ample opportunity for shelter from the elements, but is acknowledged that the length does not equal 75% of the building frontage length. Applicant requests an adjustment for this standard.”</p> <p>Staff notes that the intent of this requirement is to provide protection for pedestrians walking along the street. This area of town is not oriented towards pedestrians, nor does it experience much pedestrian traffic. There are no surrounding restaurants, shops, or offices, nor are there any surrounding open spaces, trails, or public parks. The nature of the proposed business targets vehicular traffic. The project is providing pedestrian shelter for the customers, where the majority of pedestrian activity will occur. Staff feels the intent of the requirement is being met for this particular project in this specific location and grants the adjustment request provided the pedestrian shelters described in the applicant’s letter are installed as described.</p>

D. Building Form.

1. *Upper Floor Stepback. Building facades must step back according to the following:*
 - a. *For buildings over two stories in height, the top floor must step back at least 10 feet; or*
 - b. *Progressive stepbacks on upper floors must be a total of at least 10 feet.*

Finding: Both buildings are single-story buildings, so this standard is not applicable.

2. *Street-Facing Facades. Architectural designs must address all sides of a building that are adjacent to or visible from a public right-of-way or pedestrian space.*

Finding: The submitted materials address both the west (Hwy 101) of both buildings, north of the retail building (pedestrian space), and south of both buildings (SE High School Dr and pedestrian space). This requirement is met.

3. *Varied Height. Height must vary from building to building to avoid a homogenous appearance. This standard is met by using stepped parapets, gables, or different height from building to building.*

Finding: The project proposes two buildings, with one proposed at 32.45 feet and the other at 20 feet. A pitched roof with gable ends and a stepped up element at the corner of Hwy 101 and SE High School Dr is proposed for the accessory building, with a single pitched roof proposed for the principal building. Collectively, the variety of roof types will serve to avoid a homogenous appearance. This standard is met.

4. *Minimum Height. Single-story buildings must incorporate parapets, towers or other design elements to reach the minimum height.*

Finding: One building is 32.45 feet and the other is 20 feet high. The elevations show that portions of the façade project higher than other portions to create the height, along with roof slope. The accessory building includes a stepped up roof with a dormer to provide a tower feature for the portion of the building at the corner of Hwy 101 and SE High School Dr. This requirement is met.

5. *Building Modulation. Vertical and horizontal building modulation must be used to add variety and to make large buildings appear to be an aggregation of smaller buildings. A roof plan and foundation footing plan are required at submittal to show compliance with this standard.*

Finding: One building is approximately 6,000 square feet and the other is slightly over 13,000 square feet. Staff does not consider either square footage as a “large” building. This standard is, therefore, not applicable to the project.

6. *Relation to Shorter Buildings. Where a wall of a proposed building is 10 feet taller or more than the adjacent building, the taller building must follow the horizontal lines of the shorter building along the ground floor, and reference elements or detailing of the shorter building(s) on its upper stories.*

Finding: The horizontal lines of the taller building follow the horizontal lines of the shorter building as shown on the submitted elevations. This requirement is met.

7. *Highway 101 Corner Buildings. New buildings that are constructed on a corner site that is located at the intersection of a street and Highway 101 must include at least a two-step hierarchy in the building height, with the tallest portion of the building at the corner, tapering down in height along each street frontage. Buildings must additionally include at least two of the following on building corners facing the public right-of-way:

 - a. *Bay windows;*
 - b. *Roof decks or balconies on upper stories;*
 - c. *Corner entrance;*
 - d. *Crowning features to a tower form such as wide cornices, projecting parapets, or a pitched roof; and/or*
 - e. *Bevel, notch, or rounded corner.**

Finding: The submitted elevations for the accessory building, which is located at the corner of Hwy 101 and SE High School Dr, show a two-step hierarchy in building height, with the tallest portion at the corner. Additionally, the accessory building includes a pitched roof and a bevel, thus meeting the requirement. The principal building is not a Hwy 101 corner building, so this standard is not applicable to the principal building.

E. Roof Form.

1. *Primary Roof Form. Buildings with a street-facing façade width less than 50 feet must have sloped roofs. Secondary roof forms may include towers, dormers, turrets or other features with rounded, shed, pyramidal, or crossing elevations.*

Finding: Both buildings have a street-facing façade width more than 50 feet, so sloped roofs are not required.

2. *Pitched Roofs. Roofs must be gabled or hipped. Sloped roofs should have a minimum pitch of at least 3:12.

 - a. *The gable end of the roof must face the abutting street.**

Finding: The principal building will have a pitched roof at a pitch of 3:12, with gabled ends. The accessory building will have a roof with varying pitches with a 4:12 pitch at the west elevation and a stepped up roof and dormer. The remaining roof pitch is 2 ½:12. Staff notes that the 3:12 pitch is a suggestion (sloped roofs “should”), not a requirement, so compliance with pitch is immaterial. Both roofs are gabled, with the gables facing Hwy 101. This requirement is met.

3. *Flat Roofs. Buildings with flat roofs must have projecting cornices to create a prominent edge against the sky. Cornices must be made of a different material and color than the predominate siding of the building, except that brick siding may include matching brick cornices.*

Finding: No flat roofs are proposed.

4. *Decks and Balconies. Decks and balconies on upper stories should be designed so that they do not significantly increase the apparent mass of the building within the required upper story setbacks. Mixed use building facades adjacent to streets and pedestrian spaces should provide balconies of a sufficient depth that are integrated into the structure and fully functional.*

Finding: No decks or balconies are proposed.

5. *Prohibited Roofs. Dual-pitched or hipped “mansard” and A-frame roof forms are not permitted.*

Finding: The project does not propose any dual-pitched, hipped, or A-frame roof forms.

F. Building Articulation.

1. *Changes in Plane. Building elevations must incorporate offsets or divisions to reduce the apparent building scale and to improve aesthetics of large buildings. Walls of a structure must be in distinct smaller areas or planes to minimize the appearance of bulk as viewed from any street, pedestrian space, or adjacent property. Changes in plane may include but are not limited to:*
 - a. *Recessed entries;*
 - b. *Bays;*
 - c. *Stepped parapets;*
 - d. *Secondary roof forms such as gables, lower roof sheds, dormers and towers;*
 - e. *Building bases;*
 - f. *Canopies;*
 - g. *Awnings;*
 - h. *Alcoves;*
 - i. *Pergolas;*
 - j. *Pediments;*
 - k. *Porticos;*
 - l. *Roof overhangs; and/or*
 - m. *Other features that are consistent with the overall composition of the building*

Finding: The project is providing second roof forms, building bases, and awnings. This requirement is met.

2. *Vertical Elements. All architectural elevations of buildings over 25 feet in height visible from public right-of-way or pedestrian space must have a clearly discernible base, body, and cap. The base and cap must be clearly distinguishable from the body through changes in color, material, pattern, profile, or texture.*
 - a. *Base. The base must occupy the lowest portion of the elevation using articulation and weightier materials such as concrete and must have a height of at least three feet.*
 - b. *Body. The component described as the body must constitute a minimum of 50 percent of the total building height.*
 - c. *Cap. The cap must occupy the highest portion of the elevation, excluding the roof, and must have a dimension that does not exceed the height of the base. The cap must consist of a cornice, parapet, awning, canopy, eave, or other architectural treatment that visually performs in the same manner.*

Finding: The principal building is less than 25 feet in height, so these standards are not applicable to the retail building. All four of the elevations of the accessory building, though, are over 25 feet in height. The south, west, and east elevations of the accessory building are visible from public right-of-way and pedestrian space, so these standards are applicable to those three elevations. The elevations submitted with the development review application show a distinct base, body, and cap on the south, west, and east elevations of the accessory building. The five-foot-tall base is a muted dark gray exterior material, the body is a different material in a muted blue and a light gray exterior material, and the cap is a dark gray material not exceeding the height of the base. The cap includes a bevel, dormer, and eaves. This requirement is met.

3. *Horizontal Lines.*

- a. *Multi-story buildings must have designs that establish prominent horizontal lines and avoid blank walls. Examples of such horizontal lines include: the base below a series of storefront windows; an existing awning or canopy line, or belt course between building stories; and/or an existing cornice or parapet line. It is not necessary for new lines to match existing lines.*
- b. *Use of awnings, canopies, belt course, or similar detailing, materials and/or fenestration must distinguish between street level and upper floors.*

Finding: Both buildings are single-story buildings, so these standards are not applicable.

4. *Blank Wall Treatments. In pearls, walls longer than 30 feet...*

Finding: The site is not in a pearl, so these requirements are not applicable.

G. *Entrances.*

1. *Primary Entrances. Buildings must have clearly defined primary entrances that provide a weather protection shelter for a depth of not less than five feet extending from the building.*

Findings: The elevations submitted with the development review application clearly show defined primary entrances for both the principal and accessory buildings. A six-foot overhang is shown at the primary entrance of the principal building, and a five-foot awning is shown over the primary entrance of the accessory building. This requirement is met.

2. *Transparency. Ground level entrances must be at least partly transparent, accomplished with a window in the door, a transom window above the door, or sidelights beside the door.*

Finding: The elevations for the principal building show a storefront window system for the principal building, including sidelights on either side of the entrance. The primary entrance door for the accessory building contains a window in the door. This requirement is met.

3. *Corner Entrances. Corner buildings that do not have at least one corner entrance must provide a corner plaza consistent with LCMC 17.74.080 or architectural features honoring the corner as a pedestrian space, such as an alcove with seating, public art, a vertical building element such as a tower, or other feature as approved by the review authority.*

Finding: The accessory building is a corner building, and it does not have any corner entrances. Accordingly, it must provide a corner plaza or architectural features honoring the corner as a pedestrian space. The site plan submitted with the development review application shows the corner as a pedestrian space of approximately 12 feet by 35 feet, for an approximate area of 420 square feet. This meets the size and dimensions required for a pedestrian space. Neither the site plan nor the landscape plan provide details on the landscaping and amenities proposed for this pedestrian space, but the applicant's letter states that a notch in the building with a bench for seating as well as a vertical element in the form of a raised former roof with windows will be

provided. The applicant's letter also states that a sheltered seating area and tower feature is proposed for the corner of the accessory building. As a condition of approval, the site plan, elevations, and the landscape plan submitted with the structural permit application for the accessory building shall show detailed landscaping of the corner pedestrian space (mindful of the clear-vision triangle) and shall include the details, design, and color of the bench, sheltered seating area, tower feature, and the raised dormer roof with windows such that all elements coordinate with the colors and design of the accessory building.

4. *Accessibility. Accessibility must be consistent with Americans with Disabilities Act (ADA) standards and applicable building codes. Wheelchair ramp design must incorporate materials and detailing similar to the base of the building.*

Finding: Compliance with accessibility will be reviewed during the structural permitting process as part of the building plan review and as required by the building code.

H. Windows/Transparency.

1. Ground Floor Windows.

- a. *Consistent with a desired storefront character, and to avoid blank walls, each individual wall plane must contain partial transparency in the form of windows, windowed doors, or transom windows.*

Finding: The submitted elevations show wall planes contain windows or windowed doors. This requirement is met.

- b. *The required percentage of ground floor transparency in the individual wall plane should be placed in the area of that wall plane that is between 30 and 80 inches above the sidewalk grade.*

Finding: This is a suggestion not a requirement, so compliance is immaterial.

- c. *Ground-floor elevation windows should be framed by piers or pilasters at their sides; awnings, canopies, or trim/hoods at their top; and kick plates or bulkheads at their base.*

Finding: This is a suggestion not a requirement, so compliance is immaterial.

- d. *Decorative detailing and ornamentation around windows is encouraged, but is not required.*

Finding: This is a suggestion not a requirement, so compliance is immaterial.

2. *Upper Floor Windows. Upper-floor window orientation must be vertical or have a width that is no greater than the width of the ground-floor window immediately below it. Upper-floor windows should follow the vertical lines of the lower-level piers and the horizontal definition of spandrels and any cornices.*

Finding: The building is a single-story building, so there are no upper floor windows.

3. *Projecting Windows, Display Cases. For durability and aesthetic reasons, projecting windows and display cases must be integral to the building design and contain trim or other detailing consistent with the overall composition of the building.*

Finding: The project does not propose any projecting windows or display cases.

4. *ATMs and Service Windows. ATMs and service windows must be visible from the public right-of-way for security and have a canopy, awning, or other weather protection shelter.*

Finding: The project does not propose any ATMs or service windows.

5. *Prohibited Windows. Highly tinted, opaque, or mirrored glass (except stained-glass windows) do not meet the intent of this section and are prohibited.*

Finding: The project does not propose any prohibited windows.

I. Pedestrian Shelters and Weather Protection.

1. *Required pedestrian shelters must extend at least five feet over the pedestrian area, with a minimum clearance of 8 feet between the shelter and sidewalk surface.*
2. *Required pedestrian shelters must shed rain away from building entrance(s), be proportionate to the building in their dimensions, not obscure the building's architectural details, and be below any mezzanine or transom windows.*
3. *Pedestrian shelters must match the width of storefronts or window openings and be integral to the overall composition of the building. Designs must address the location and function of the shelter, building codes, architectural compatibility, durability, and right-of-way constraints, if any.*
4. *Pedestrian shelters must be made of glass, metal, or a combination of these materials. Fabric awnings are not permitted.*
5. *Pedestrian shelters must be maintained and in good condition.*

Finding: The principal building will provide a six-foot overhang projecting from the entire north face of the structure, including the primary entrance and adjacent pedestrian area. The overhang will be an extension of the roof, so the material of the overhang will be the roof material. No fabric is proposed. The pedestrian shelters for the accessory building are integrated into the building itself in the notches at the southeast and southwest corners as extensions of the roof. These requirements are met.

J. Materials and Color.

1. Primary Materials.

- a. *Exterior building materials must consist predominantly of unfinished wood, painted or natural-stained wood, fiber cement lap siding, stone, rusticated concrete block, or comparable cladding.*
- b. *Rough-hewn wood, timbers, and metals may only be used as accents or secondary exterior materials, and not as the primary exterior cladding.*
- c. *Corrugated metal, foam/synthetic stucco, vinyl, and similar materials shall not be allowed.*

Finding: The elevations included in the submitted plan set show exterior building materials of metal siding. Corrugated metal, foam/synthetic stucco, vinyl, and similar materials are not proposed. The applicant states the following in the adjustment request for metal siding as the primary material:

“There are three different types of exterior wall metals. Some flat panels on the east and west gable ends, vertical square ribbed on all exterior walls with a lower wainscot ribbed metal that also contrasts the other types to break up the exterior. It would be very difficult to use something other than metal exterior siding for this large of a retail and warehouse [accessory storage] building and application. Proposed siding material is painted metal siding, with alternating colors approximately 20’ wide by 16’ tall; separated by metal trim. We believe the proposed material is comparable to the materials listed.”

The siding will be of varying profiles and colors.

2. *Secondary Materials.*

- a. *Any of the materials listed as primary exterior building materials also may be used as secondary materials or accents.*
- b. *Metals such as copper, steel, iron, bronze and similar-appearance metals may be used as trims or accents when compatible with the overall building design.*

Finding: Metal trim is being used as trim and accent.

3. *Change in Materials.*

- a. *Elevations must incorporate changes in material that define a building's base, middle, and top and create visual interest and relief.*

Finding: The submitted materials show a base, middle, and top. The base is defined with a muted gray finish of one type of siding. The middle is a muted blue, with a different type of siding. The top is muted gray, with a siding type that differs from the middle. Shading on the elevations indicates the siding color scheme, with the note that colors will be as shown or similar. Features providing change in planes include windows, wainscot, and siding color delineated by metal trim.

The applicant states in the applicant's letter:

“Both buildings are proposed to incorporate planes of alternating colors, approximately 20' wide by 16' tall on the street-facing elevations. Each plane will contain at least two windows. A 4' high wainscot around the entirety of the both buildings provides continuity of design and defines the base of each. The alternating color scheme provides the appearance of change in materials with no individual plane exceeding 320 s.f. (inclusive of windows). Both buildings are proposed to include a standing seam metal roof of a complimentary color to the siding, providing visual interest and definition of the base, middle and top of each building.”

Staff concludes that the submitted elevations show a distinct base, middle, and top and that this requirement is met as shown in the submitted elevations and as stated in the applicant's letter.

- b. *Side and rear elevations that do not face a public right-of-way, street public parking area, pedestrian space, or public park may utilize changes in texture and/or color of materials in the interest of affordability; provided, that the design is consistent with the overall composition of the building.*

Finding: The code does not require, only suggests, texture and/or color changes in side and rear elevations that do not face right-of-way, street public parking area, pedestrian space, or public park. Accordingly, compliance is immaterial. Regardless, the elevations that do not face public right-of-way or pedestrian space are complementary to the street-facing elevations and include features consistent with the overall design of the building.

4. *Substitute Materials. Substitute materials that are equal in appearance and durability to those in this section may be requested as an adjustment or modification for review and approval by the review authority. The application must provide specifications from the manufacturer as part of the adjustment or modification request.*

Finding: The project proposes metal siding as the primary exterior material. The applicant states the following:

“There are three different types of exterior wall metals. Some flat panels on the east and west gable ends, vertical square ribbed on all exterior walls with a lower wainscot ribbed metal that also contrasts the other types to break up the exterior. It would be very difficult to use something other than metal exterior siding for this large of a retail and warehouse [accessory storage] building and application. The proposed metal siding is an attractive and cost-effective siding material that will weather well and is consistent with similar structures in the area. With alternating colors, wainscot, and varying metal siding and roof profiles, the proposed buildings have a mix of design features that provide visual interest at a reasonable construction cost.”

The review authority approves the requested material with the condition that the cut sheets submitted with the structural permit application reflect the applicant’s stated descriptions above and as shown in the elevations submitted with this development review submittal package.

5. *Contemporary Designs. Materials that provide a contemporary interpretation of local architecture styles, including arts and crafts, art deco, and vernacular (beach cottage) styles, are encouraged. Building designs that resemble suburban strip-malls or have been replicated in many suburbs and those that use highly reflective glass and/or similar nontraditional features are not permitted.*

Finding: Contemporary designs are encouraged, but not required; notwithstanding, the proposed design is a contemporary design as shown in the submitted elevations. The project does not use highly reflective glass or resemble a suburban strip mall. The applicant feels the proposed structures reflect the local architectural vernacular.

6. *Sustainability. Where possible, use materials indigenous to the region and/or manufactured or supplied locally and that have minimal adverse impacts to the environment.*

Finding: This is not a requirement, merely a suggestion, so compliance is immaterial.

7. *Color.*
 - a. *Muted and subtle earth tones or neutral colors, that are low-reflectance shades, are preferred as the primary colors of buildings. Natural wood finishes are encouraged.*

Finding: The proposed colors are muted blues and grays.

- b. *Coordinated Color. Color schemes must be simple and coordinated over the entire building to establish a sense of overall composition. Color schemes must tie together signs, ornamentation, awnings, canopies and entrances. Color choices must address the following:*
 - i. *Base Color. Maximum of one base color for every 25 feet of the front elevation. One base color for the entire front elevation is preferred; and*

Finding: The base color on both buildings is gray.

- ii. *Accent Color. Up to two accent colors, except where precedent exists for using more than two colors with some architectural styles.*

Finding: Accent colors are blue and gray.

- c. *Metals. Metals must have a brushed finish or be painted in muted earth tones or neutral colors to minimize glare.*

Finding: The submitted elevations show muted blues and grays as the selected colors, with metals painted in muted blues and grays as well.

- d. Prohibited Colors. Luminescent, sparkling, neon and “day-glow” colors are not acceptable, except that neon signs are allowed subject to applicable sign codes.*

Finding: No prohibited colors are proposed. The color requirements are met.

- 8. Restoration and Rehabilitation. Restoration and rehabilitation projects are encouraged to incorporate the building’s original materials and design elements to the extent practicable.*

Finding: The project is new construction, not restoration or rehabilitation, so compliance is immaterial.

K. Sustainable Design.

- 1. When used, sustainable technologies must be an integral part of the building’s form...*

Finding: Sustainable technologies are not being used for the project, nor are they required, so compliance is immaterial.

Chapter 17.76 Procedures

17.76.040 Type II procedure

- A. General Description. Type II procedures apply to administrative permits and applications. Decisions on administrative applications are made by the director, based on reasonably objective approval criteria that require only limited discretion. Type II procedures require public notice and an opportunity for appeal, but do not require a public hearing or a public meeting.*
- B. When Applicable. Table 17.76.020-1 identifies Type II applications. Applications not listed in Table 17.76.020-1 may be identified as Type II by the director based on the general description in this section.*
- C. Pre-Application Conference. A pre-application conference is not required for Type II procedures.*

Finding: A pre-application conference is not required, nor was one held.

D. Application Requirements. Type II applications shall:

- 1. Be submitted on application forms provided by the department and shall include all information, exhibits, plans, reports, and signatures requested on the application forms.*
- 2. Be accompanied by the required fee as adopted by city council resolution.*
- 3. Be subject to the completeness review procedure set forth in LCMC 17.76.110(D) and (E).*

Finding: The required application forms and materials were submitted, along with the required fee. The application was deemed complete in accordance with LCMC 17.76.110.D and E.

- E. Public Notice of Application and Comment Period. Type II applications require public notice of receipt of a complete application with an opportunity for area property owners and other interested parties to provide written comment prior to issuance of the decision.*
- 1. After a Type II application has been accepted as completed under LCMC 17.76.110(E), the department shall mail a written public notice to the following:*
 - a. The applicant and applicant’s representative;*
 - b. The owners of record of the subject property;*
 - c. Property owners of record within 250 feet of the perimeter property line of the property or properties subject to the application, using the most recently provided property tax*

assessment roll of the Lincoln County assessor's office as provided to the city to determine property owners of record; and

- d. Any neighborhood or community organization or association recognized by the governing body and whose boundaries include the site.*

Finding: The Planning and Community Development Department mailed the public notice of a complete application to the parties noted in LCMC 17.76.040.E.1.a through d.

- 2. The written public notice shall include the following:*
 - a. A brief description of the request;*
 - b. The applicable criteria from the ordinance and the comprehensive plan that apply to the application at issue;*
 - c. The street address or other easily understood geographical reference to the subject property;*
 - d. Statement that failure of an issue to be raised in writing prior to the expiration of the public comment period, or failure to provide statements or evidence sufficient to afford the review authority an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA);*
 - e. The name of a department staff member to contact and the telephone number where additional information may be obtained; and*
 - f. Statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.*
- 3. The failure of a property owner to receive notice does not invalidate the land use action if the notice was sent.*
- 4. Public notices for receipt of complete Type II applications shall include a written comment period of 14 days from the date the notice was mailed for the submission of written comments before the decision is issued.*

Finding: The written public notice contained all the information required in LCMC 17.76.040.E.2.a through f. The written public notice included the written comment period of 14 days.

F. Review Authority. The review authority for Type II applications shall be the director.

Finding: The Director reviewed the submitted Type II application.

G. Decision.

- 1. Based on the criteria and facts contained within the record, the director shall approve, approve with conditions, or deny the request. The decision shall address all relevant approval criteria and consider written comments submitted before the close of the comment period.*

Finding: The relevant approval criteria are addressed in detail throughout this staff report. Consideration of the written comments received, if any, is given at the beginning of this report.

- 2. The decision is considered final for purposes of appeal on the date the notice of the decision is mailed. Within seven days after the director has issued the decision, a notice of the decision shall be sent by mail to the following:*
 - a. The applicant and applicant's representative;*
 - b. The owners of record of the subject property;*
 - c. Any person, group, agency, association, or organization who submitted written comments during the comment period; and*
 - d. Any person, group, agency, association, or organization who submitted a written request to receive notice of the decision.*

Finding: Within seven days after the Director has issued the decision, the notice of that decision shall be mailed by the Planning and Community Development Department, pursuant to LCMC 17.76.040.G.2.

3. *The notice of the decision shall include the following:*
 - a. *A brief description of the request;*
 - b. *A statement of the decision and the applicable approval criteria used in making the decision;*
 - c. *The street address or other easily understood geographical reference to the subject property;*
 - d. *A statement that the decision is final, unless appealed as provided in LCMC 17.76.180;*
 - e. *The requirements for filing an appeal of the decision, including a statement of the date and time by which an appeal must be filed;*
 - f. *A statement that the complete file is available for review; and*
 - g. *The name of a department staff member to contact and the telephone number where additional information may be obtained.*

Finding: The Planning and Community Development Department will issue the notice of decision that shall contain all the information noted in subsection 17.76.040.G.3.a through g.

Chapter 17.77 Applications
17.77.070 Development review

- A. *Purpose. The purpose of development review is to establish a coordinated process to ensure that development is in compliance with the requirements of this title.*
- B. *Applicability. Except as exempted in subsection (C) of this section, development review approval is required:*
 1. *Before application for or issuance of any nonresidential structural permit, mixed-use structural permit, or any multi-unit residential structural permit on undeveloped sites in the R-M, PC, RC, GC, PI, MW, P, OS, TVC, NP, and OP zones;*
 2. *Prior to commencement of redeveloping existing parking lots or developing new parking lots in any zone.*

Finding: The site is in the GC zone. A nonresidential structural permit is required for the project. Accordingly, development review approval is required prior to such issuance.

- C. *Exemptions. The following are exempt from development review:*
 1. *Detached single-unit dwellings, attached single-unit dwellings, attached single-unit dwellings developments, recreational vehicles, manufactured homes, and duplexes;*
 2. *Routine repairs and maintenance;*
 3. *Interior remodeling of an existing building or structure;*
 4. *Temporary structures associated with temporary uses;*
 5. *Accessory structures;*
 6. *Construction, alteration, or maintenance of public infrastructure including streets, traffic control devices, drainage ways, sanitary and storm sewers, storm water quality facilities, water lines, electrical power or gas distribution lines, or telephone or television cable systems;*
 7. *Type I procedures;*
 8. *Exterior remodeling;*
 9. *Expansions of an existing structure; or*
 10. *Restoration or replacement of a damaged, destroyed, demolished or substantially damaged lawful, nonconforming structure or use (see LCMC 17.64.010).*

Finding: New construction is not exempted from development review.

- D. *Procedure. Development review applications are subject to the Type II procedure as described in...*

Finding: The application is being processed as a Type II procedure.

- E. Submittal Requirements. Type II application submittal requirements are set forth in LCMC 17.76.040 and more specific submittal requirements are provided on application forms and checklists as authorized in LCMC 17.76.110.*

Finding: The required documents were submitted.

- F. Concurrent Applications for Adjustments. Requests for adjustments to standards required in Chapter 17.74 LCMC should be processed concurrently with the development review application, but may be processed with the structure or site development permit application.*

Finding: Adjustments to LCMC 17.74.130.C were requested as part of the development review application.

- G. Approval Criteria. To approve an application for development review, the review authority must find that the development, as described in the submitted application, either complies with all of the requirements of this title or will comply with all of the requirements of this title subject to conditions that shall ensure compliance with all of the requirements of this title.*

Finding: Based on an analysis of the submitted application and accompanying materials against the requirements of this title and as detailed throughout this staff report, the project as submitted with the adjustment requests either complies with all of the requirements of this title or will comply with all of the requirements of this title subject to the conditions of approval that ensure compliance with all requirements of this title.

- H. Conditions of Approval. Pursuant to LCMC 17.76.120, the review authority may impose conditions on the approval of a development review application to ensure compliance with the requirements of this title.*

Finding: Conditions of approval have been imposed to ensure compliance with applicable criteria.

DECISION

Based upon an analysis of the submitted application and accompanying materials against applicable criteria, the Director concludes that all criteria have been or will be met, and thus **APPROVES WITH CONDITIONS** the development review and adjustment requests for development of a Copeland Lumber building supply store and accompanying accessory uses and structures, subject to the following conditions:

General

1. This approval notwithstanding, the applicant/property owner/developer/contractor shall be responsible for knowledge of and full compliance with all applicable city, state, and federal codes, rules, regulations, codes, rules, standards, and policies, including but not limited to Lincoln City Municipal Code. Certificates of occupancy shall not be issued unless the project is fully compliant with all applicable rules and codes. Non-compliant items discovered at any inspection throughout the construction process shall be removed and replaced with compliant items, regardless of being shown or not shown on approved plans.
2. Structural permits shall not be issued until compliance with applicable codes, rules, regulations, standards, and policies is shown in the materials that accompany the structural permit applications.

Planning

1. Pursuant to LCMC 17.32.110.A, the site plan submitted with the structural permit applications shall clearly show and label the location of the proposed fencing around the outdoor storage area to ensure screening from ground level view from adjoining properties and from rights-of-way. A note on the

site plan shall clearly state the height of the proposed fencing and the type and color of fencing material, such that screening from ground level view from adjoining properties and from rights-of-way will be accomplished upon installation. To coordinate with the blues and grays of the buildings, the fencing material shall be a coordinating blue or gray.

2. Pursuant to LCMC 17.52.060, clear-vision triangles shall be shown on both sides of both accesses and at the corner of Hwy 101 and SE High School Dr on the site plan submitted with the structural permit applications and shall be shown as being free of obstructions from 2 ½ feet to 8 feet above the grade of the street. Any obstructions or proposed plantings shown in the clear-vision triangles on the site plan shall clearly label the height of such obstructions such that they are no greater than 2 ½ feet above the grade of the street.
3. Pursuant to LCMC 17.52.120, all electrical, telephone and cable television utility service installations or connections made as part of new construction of a building or structure shall be placed underground in accordance with city standards. This statement shall be placed as a note on the site plan and in the general notes on the construction drawings submitted with the structural permit applications.
4. An exterior lighting plan, along with cut sheets of the proposed exterior light fixtures and a photometric analysis, shall be included with the structural permit application submittals for both buildings and shall show compliance with LCMC 17.52.150.
5. Pursuant to 17.52.160, no portions of any structures, buildings, fences, retaining walls, landscaping, etc. shall encroach onto or into any public right-of-way.
6. Pursuant to 17.52.170, all solid waste, garbage, trash, recycling, and composting receptacles shall be located within a building or within an enclosure that screens the receptacle from the view of adjacent property and from right-of-way. The site plan submitted with the structural permit applications shall clearly and readily label, show, and identify all solid waste, garbage, trash, recycling, and composting areas on the site, along with the required screening, clearly identifying compliance with 17.52.170 by stating the types and colors of materials of the enclosure(s) and the dimensions of the enclosure(s).
7. Pursuant to 17.52.180, any heating, air conditioning, or other mechanical equipment installed on or near a building to be used to serve the building or a function performed therein, and any propane tanks, shall be screened from the ground level view from adjacent property and from right-of-way; rooftop mechanical units shall not exceed the allowable building height; ground-mounted mechanical units shall be limited to the sides or rears of buildings and screened from view from adjacent property and from right-of-way; and standpipes, meters, vaults, and similar equipment shall not be placed on a front elevation unless there is no other option. The structural permit application submittals shall show compliance with all portions of 17.52.180 and shall clearly and readily identify the type and location of all exterior mechanical equipment such that no equipment is on the fronts (west elevations) of the buildings or between the fronts (west elevations) of the buildings and the front (west) property line and that all mechanical and electrical equipment is screened from view as per 17.52.180.
8. The following notes shall be placed on the site plan and the general construction notes sheet: “Ground-mounted mechanical units shall be limited to the sides (north) or rears (east) of the buildings and screened from view from adjacent property and from right-of-way. Standpipes, meters, vaults, and similar equipment shall not be placed on the front (west) elevation of either building.”
9. Pursuant to 17.52.220, the type and location of tree protection construction fencing shall be clearly shown and labeled on the site plan submitted with the structural permit applications, with specific care taken to label the construction fencing as the required tree protection fencing around the trees proposed for protection during construction. This tree protection construction fencing shall be readily identifiable on the site plan, along with details of the type of fencing and how it is anchored to the ground.
10. Plans and elevations submitted with the structural permit applications shall show compliance with Lincoln City Municipal Code, including 17.52.230.
11. A memo or letter stamped and signed by a licensed traffic engineer shall be submitted with the structural permit applications listing the number of PM peak-hour trips that will likely be generated on Hwy 101 and the local transportation system, as well as the anticipated increase in vehicles per

- day that exceed 20,000 pounds gross vehicle weight, as a result of this project. In the event that the traffic engineer finds that the project will trigger a TIS, then a TIS shall be completed and submitted prior to issuance of any structural permits.
12. A landscaping plan shall be submitted with the structural permit applications that clearly and readily identifies how the plan is compliant with all portions of Chapter 17.55, and showing the types and height of landscaping in the clear-vision triangles such that no landscaping exceeds the allowed height in the clear-vision triangle.
 13. All required landscaping shall be installed, including at least 16 trees and 55 shrubs and all required landscaping for the islands in the parking areas, prior to issuance of the final certificate of occupancy for either building. All newly-planted vegetation shall meet the size-at-the-time-of-planting requirements in Chapter 17.55, and all newly-planted vegetation shall be selected from Lincoln City's Guide to Landscape Selections for trees, shrubbery, and living ground cover.
 14. Both the site plan and landscape plan submitted with the structural permit applications shall state that the project shall be fully compliant with all applicable portions of Title 17 prior to issuance of a certificate of occupancy for either building.
 15. An off-street parking plan shall be submitted with the structural permit applications that clearly and readily identifies how the plan is compliant with all portions of Chapter 17.56, including identification of the required number of vehicle parking spaces, required wheel stops, required landscape islands, required curbing, and required four-foot-wide landscape buffer strips around the perimeter of the parking lot, etc.
 16. The off-street parking plan shall show that all off-street parking spaces shall be contained by a curb or wheel stop so placed to prevent a vehicle from extending into an adjacent property, public right-of-way, private street, sidewalk, or landscaping area. The plan shall clearly indicate and label the required wheel stops or curbing, along with the dimensions of the wheel stops (minimum of four inches in height and width and six feet in length and firmly attached to the ground) or curbing (minimum of four inches in height and width) at the spaces adjacent to landscape buffers, landscape islands, sidewalks, and adjacent property.
 17. A bicycle parking plan shall be submitted with the structural permit applications that clearly and readily identifies how the project is compliant with all portions of 17.56.090, including clear labeling of dimensions of the bicycle parking spaces and the required five-foot-wide unobstructed walkway from the bicycle parking area to the primary entrance of the retail building. The submitted plan shall also clearly indicate/state the type of lockable enclosure for storing bicycles or the stationary object (i.e., a rack) to which bicyclists can lock their bicycles.
 18. The site plan included with the structural permit applications submittal shall clearly label and depict the required 3% of the site's pedestrian space, with dimensions being at least 8 feet across, areas of at least 64 square feet, access, site feature coordination details, and proposed amenities to show full compliance with 17.74.080.B.1 through 8. Full compliance must be easily and readily identifiable through notes, labels, illustrations, cut sheets, and/or a narrative.
 19. Elevations shall be submitted with the structural permit applications that clearly and readily identify how the project is compliant with Chapter 17.74, along with a bullet point memo listing all the design standards, which sheet of the plan set shows compliance, and which design standards had adjustment approvals as part of development review. If additional adjustments are needed, such requests shall be made prior to issuance of any structural permit.
 20. The elevations submitted with the structural permit applications shall show and label the square footages of each individual wall plane such that each plane does not exceed 800 square feet.
 21. Cut sheets of the siding materials shall be submitted with the structural permit applications that reflect the applicant's stated descriptions of the siding in the development review application and adjustment requests and as shown in the elevations submitted with the development review submittal package.
 22. The site plan, elevations, and the landscape plan submitted with the structural permit application for the accessory building shall show detailed landscaping of the corner pedestrian space (mindful of the clear-vision triangle) and shall include the details, design, and color of the bench, sheltered seating

area, tower feature, and the raised dormer roof with windows such that all elements coordinate with the colors and design of the accessory building.

23. Permit applications shall be submitted and permits shall be issued prior to installation of any permanent signs (attached, roof, wall, window, freestanding, monument, pole) in compliance with the building code and Chapter 17.72. Temporary signs are only allowed as per Chapter 9.34. No other signage is allowed other than what is listed in either Chapter 9.34 or Chapter 17.72.

Fire

1. The project shall meet the current Oregon Fire Code requirements for access and water supply, as reviewed by North Lincoln Fire & Rescue District #1 through the structural permitting process, and structural permits shall not be issued until compliance with the current Oregon Fire Code requirements is shown in the submitted plans.

Public Works

Construction Plans:

1. Any public right-of-way work, including excavation, grading, utility connections, and/or roadway improvements shall require submission of a combined public works permit with building permit application. The associated site plan shall be stamped by a professional engineer. Work shall be completed as shown and in accordance with Lincoln City Public Works Standards, local, state, ADA standards, and the provisions of this condition of approval.
2. The approved plan set and permits shall be kept on the site, at all times, until construction is complete and all final inspections have been passed.
3. Within 30 days of the completion of construction field verified, stamped as-built drawings shall be submitted to Lincoln City Public Works (LCPW) in AutoCAD format and shall include relevant survey/monument data for utility placement.

Erosion Control:

4. Grading & erosion control plans showing compliance with LCMC 12.08 shall be submitted as part of permit submittal. Erosion control plans must be prepared by a Registered Professional engineer, Landscape Architect, Engineering Geologist, or Certified Professional in Erosion Sediment and Control.
5. Grading plans shall identify proposed grading, drainage, and proposed stormwater facilities.
6. Approved soil erosion control measures must be in place and inspected by the Department of Public Works prior to any construction activities.

Stormwater:

7. The property owner is responsible for knowledge of, adherence to, and compliance with Oregon Drainage Law. The design & construction of all stormwater facilities shall adhere to and comply with Oregon Drainage Law.
8. The site contains existing water quality & detention facilities. Existing detention & water quality facilities shall be inspected, cleaned, and repaired if needed, prior to final approval, Work shall be to ensure full function & accommodation of existing & new development in accordance with LCPW design standards.
9. Water quality & detention facilities for the proposed development exist on adjacent lots, and detention & water quality facilities for other properties exist on given lot according to PAR 2023-01. Applicant is responsible for easements and/or agreements for the ongoing use, maintenance, preservation, and/or improvement of shared facilities between properties.
10. Existing stormwater facilities discharge and surface flow onto neighboring, private properties to the north. As part of construction the existing outfall shall be altered to convey stormwater flows to the right-of-way in accordance with accepted drainage principles pursuant LCMC 17.52.230.

Water & Sewer:

11. Public water distribution facilities are not present where new water connections are proposed on the preliminary site plan. Public water connections shall be made off of the public water distribution

main on Highway 101 OR a distribution main extension shall be completed on SE High School Drive, in accordance with LCPW standards, to the proposed points of connection.

12. The property owner is responsible for design and construction of required fire and domestic water services in accordance with applicable requirements. LCPW shall be given 48 hours advanced notice prior to any flow testing and a water distribution city staff member shall be on site at the time of flow testing.
13. No sewer collection facilities existing where a new sewer lateral connection is proposed. Development shall connect into the public sewer system within Highway 101 in accordance with LCPW Standard or a public extension to the proposed point of connection completed.

Approved by:



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Anne Marie Skinner
Date: 2023.05.15
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Anne Marie Skinner, Director
Planning and Community Development

Date