1 2	ORDINANCE NO. 2024-01				
3 4 5 6 7	 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING AMENDING CHAPTER 17.52 (SUPPLEMENTARY REGULATIONS AND EXCEPTIONS), AMENDING SECTION 17.52.160 (REQUIRED SETBACKS - EXCEPTIONS) AND ADDING A NEW SECTION 17.52.061 (MAXIMUM LOT COVERAGE – EXCEPTIONS). 				
8		notated to show deletions and additions to the code sections being modified. Deletions are bold In through and additions are <u>bold underlined</u> .			
9 10 11	The	City Council finds:			
12 13 14 15	A.	The amendment to the Lincoln City Municipal Code is in conformance with the Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached Exhibit "A"; and			
15 16 17 18	В.	The amendment is in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements; and			
19 20 21 22 23	C.	The City duly notified the Oregon Department of Land Conservation and Development pursuant to ORS 197.610, of its consideration of the proposed amendment on February 13, 2024; City staff determined that the amendment does not remove uses from any zone and accordingly did not require a city-wide mailing under ORS 227.186(4); and			
24 25 26 27 28	D.	The Planning Commission, on March 19, 2024, held a public hearing and considered the amendment contained within this ordinance. On March 19, 2024, the Planning Commission voted to transmit the amendment to the City Council with a recommendation that the ordinance be adopted; and			
29 30 31 32	E.	The City Council conducted the public hearing on March 19, 2024, closed the hearing, closed the record, and deliberated on the proposed amendment and directed that the ordinance be returned to Council for approval; and			
33 34 35	F.	All persons were given an opportunity to provide written and/or oral testimony on the proposed ordinance amendment.			
36 37	THE	THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:			
37 38 39 40	(Req	TON 1 . Chapter 17.52 (Supplementary Regulations and Exceptions), Section 17.52.160 uired Setbacks – Exceptions), Subsection 17.52.160.E. (Disabled Access Facilities) is hereby inded to read as follows:			

E. Disabled Access Facilities. Disabled access facilities may be constructed in required setback 1 areas as additions to existing buildings if they do not conflict with the clear vision requirements 2 of LCMC 17.52.060. For purposes of this section disabled access facilities include ramps, 3 4 elevators, wheelchair lifts, stairway chair lifts, sidewalks, curbing and entrances constructed for the purpose of making a building accessible to a disabled person. Disabled 5 access facilities must be constructed in accordance with any applicable requirements of the 6 7 building code in effect at the time of their construction. Disabled access facilities constructed as 8 additions to a nonconforming structure shall not be considered an alteration or extension of 9 the nonconforming structure. 10 **SECTION 2.** Chapter 17.52 (Supplementary Regulations and Exceptions) is hereby amended by 11 adding Section 17.52.161 (Maximum Lot Coverage – Exceptions) to read as follows: 12 13 14 17.52.161 Maximum Lot Coverage – Exceptions 15 16 A. Disabled Access Facilities. Disabled access facilities may be constructed as additions to existing buildings without regard to maximum lot coverage restrictions if they do not 17 conflict with the clear vision requirements of LCMC 17.52.060. For purposes of this 18 section disabled access facilities include ramps, elevators, wheelchair lifts, stairway chair 19 20 lifts, sidewalks, curbing and entrances constructed for the purpose of making a building 21 accessible to a disabled person. Disabled access facilities must be constructed in accordance with any applicable requirements of the building code in effect at the time of 22 their construction. Disabled access facilities constructed as additions to a 23 nonconforming structure shall not be considered an alteration or extension of the 24 25 nonconforming structure. 26 27 28 SECTION 3. Findings Adopted. The findings contained in the Whereas Clauses of this ordinance, together with the Findings set forth in Exhibit A, as well as the competent substantial 29 30 evidence in the whole record of this legislative proceeding are incorporated into this section by reference as if fully set forth herein, and are adopted in support of this legislative action. 31 32 33 SECTION 4. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the 34 validity of the remaining sections, subsections, paragraphs and clauses. 35 36 SECTION 5. Ordinance Effective Date. Pursuant to Chapter IX, Section 9.3, this ordinance 37 38 takes effect 30 days after the date of its adoption. 39 40 SECTION 6. Codification. Provisions of this Ordinance shall be incorporated in the City of Lincoln City Municipal Code and the word "ordinance" may be changed to "code", "article", 41 "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or 42 re-lettered, provided that any Whereas clauses and boilerplate provisions need not be codified 43 and the City Recorder is authorized to correct any cross-references and any typographical errors. 44

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2	The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section			
3	9.2 of the City of Lincoln City Charter on the 8 th of April 2024 (First Reading and Second			
4	Reading).			
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6	PASSED AND ADOPTED by the City Council of the City of Lincoln City this day of			
7	, 2024.			
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10		SUSAN WAHLKE, MAYOR		
11	ATTEST:			
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14	JAMIE YOUNG, CITY RECORDER			
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16	APPROVED AS TO FORM:			
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