

## ORDINANCE NO. 2024-02

### AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), ADDING A NEW CHAPTER 17.41 PUBLIC FACILITIES (PF) ZONE.

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

#### The City Council finds:

- A. The 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
- B. The amendment is in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements; and
- 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
- 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
- E. The City Council conducted the public hearing on April 8, 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
- F. All persons were given an opportunity to provide written and/or oral testimony on the proposed ordinance amendment.

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

**SECTION 1.** Chapter 17.52 (Supplementary Regulations and Exceptions), Section 17.52.160 (Required Setbacks – Exceptions), Subsection 17.52.160.E. (Disabled Access Facilities) is hereby amended to read as follows:

## Chapter 17.41 PUBLIC FACILITIES (PF) ZONE

Sections:

**17.41.010 Purpose.**

**17.41.020 Permitted uses.**

**17.41.030 Conditional uses.**

**17.41.040 Maximum building height.**

**17.41.050 Setback requirements.**

**17.41.060 Landscaping.**

**17.41.070 Signs.**

**17.41.080 Off-street parking and loading.**

### **17.41.010 Purpose.**

The PF zone provides areas for public safety facilities, public cultural facilities, park and recreational facilities, schools, and other public facilities to ensure a safe and healthy community and to support and accompany residential, commercial, and industrial growth. Lands containing municipal infrastructure facilities including pump stations, wastewater and water treatment plants, stormwater facilities, water tanks and reservoirs, and radio towers are included in the PF designation.

### **17.41.020 Permitted Uses.**

The following uses are permitted in the Public Facilities (PF) zone:

- A. Public safety facilities such as police, fire, and public or private ambulance facilities;
- B. Medical facilities such as hospitals, clinics, and medical office buildings;
- C. Public community centers, meeting buildings, and auditoriums;
- D. Municipal, state, and federal buildings such as City Hall, Division of Motor Vehicles, and social services offices;
- E. Public library;
- F. Public cultural facilities such as visual art centers, performing arts centers, and museums;
- G. Public parking facilities such as parking lots and parking structures;
- H. Visitor information centers;

- I. Uses permitted in the Park or Open Space zones;
- J. Community gardens;
- K. Public transportation uses, as defined in Chapter 17.08 LCMC;
- L. Emergency shelters, subject to LCMC 17.80.220 and as defined in LCMC 17.08.010;
- M. Temporary emergency operations uses pursuant to Chapter 2.72 LCMC;
- M. Essential emergency communications, early warning and associated emergency facilities;
- O. Accessory uses and accessory buildings and structures customarily appurtenant to a permitted use.

**17.41.030 Conditional Uses.**

The following conditional uses are permitted in the Public Facilities (PF) zone:

- A. Public schools including kindergartens or day care centers
- B. Public sewage treatment plants and pumping stations;
- C. Public water treatment plants, pumping stations, and storage reservoirs
- D. Public utility facilities such as vehicle maintenance facilities and equipment and materials storage facilities;
- E. Municipal, state, and federal facilities such as vehicle maintenance facilities and equipment and materials storage facilities;
- F. Stormwater detention and treatment facilities not accessory to uses allowed in this or other zones
- G. Publicly owned and operated jails, detention centers, and prisons;
- H. Conditional uses allowed in the Park or Open Space zones.

**17.41.040 Maximum Building Height.**

The maximum building height shall be 35 feet, except as provided in LCMC 17.52.190 and 17.52.200.

**17.41.050 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.

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.

**17.41.060 Landscaping.**

Landscaping shall be provided in accordance with Chapter 17.55 LCMC.

**17.41.070 Signs.**

Signs shall be allowed subject to the provisions of Chapters 9.34 and 17.72 LCMC.

**17.41.080 Off-street Parking and Loading.**

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

**SECTION 2. 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 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.

**SECTION 3. 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 validity of the remaining sections, subsections, paragraphs and clauses.

**SECTION 4. Ordinance Effective Date.** Pursuant to Chapter IX, Section 9.3, this ordinance takes effect 30 days after the date of its adoption.

**SECTION 5. 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", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section 9.2 of the City of Lincoln City Charter on the 8<sup>th</sup> of April, 2024 (First Reading and Second Reading).

PASSED AND ADOPTED by the City Council of the City of Lincoln City this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

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