

Ordinance No. 2024-10
An Ordinance Amending the City of Lincoln City Municipal Code, Title 16 (Subdivisions),
Repealing Sections 16.12.210 and 16.12.220

Whereas, 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

Whereas, the amendment is in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements

Whereas, 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 _____, 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

Whereas, the Planning Commission, on _____ 2024, held a public hearing and considered the amendment contained within this ordinance. On _____ 2024, the Planning Commission voted to transmit the amendment to the City Council with a recommendation that the ordinance be adopted; and

Whereas, the City Council conducted a public hearing on _____, 2024 closed the hearing, closed the record, and deliberated on the proposed amendment; and

Whereas, 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: LCMC Section 16.12.210 (*Lots- General Requirements*) is hereby deleted in its entirety as follows:

~~The lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated.~~

Section 2: LCMC Section 16.12.220 (*Minimum Lot Sizes*) is hereby deleted in its entirety as follows:

~~A. The lot sizes, in addition to conformance with LCMC Title 17, shall be not less than as given in the following table:~~

Minimum Size in Feet		
Type of Lot	Width	Average Depth

1	Corner lot	60	80
2	Interior lot	50	70
3	Through lot with	50	120
4	planting screen		

6 ~~B. In the case of irregular lots, the widths measured at a building line must be not less than 70 feet.~~

8 ~~C. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the planning commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off street loading and parking facilities required by the type of use and development contemplated.~~

12 **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 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.

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

17 **Section 5.** Ordinance Effective Date. Pursuant to Chapter IX, Section 9.3, this ordinance takes effect 30 days after the date of its adoption.

19 **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", "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 (i.e. Sections 1-38) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

23 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 _____ day of _____ (First Reading) and on the ____ day of _____ 202__ (Second Reading).

25 PASSED AND ADOPTED by the City Council of the City of Lincoln City this ____ day of _____.

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SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

David Robinson, CITY ATTORNEY