

1 **Ordinance No. 2024-11**

2 **An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning), Amending**
3 **Chapter 17.34 (Nelscott Plan (NP) District), Amending Section 17.34.040 (Development**
4 **Standards), Amending Table 17.34.040-1 (Development Standards)**

5 **Whereas**, the amendments to the Lincoln City Municipal Code are in conformance with the
6 Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached
7 Exhibit "A"; and

8 **Whereas**, the amendments are in conformance with the Zoning Ordinance, including, but not
9 limited to, required initiation, processing and noticing requirements; and

10 **Whereas**, the City duly notified the Oregon Department of Land Conservation and
11 Development pursuant to ORS 197.610, of its consideration of the proposed amendment(s) on
12 _____, 2024; City staff determined that the amendment does not remove uses
13 from any zone and accordingly did not require a city-wide mailing under ORS 227.186(4); and

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

18 **Whereas**, The City Council conducted a public hearing on _____ 2024, closed the
19 hearing, closed the record, and deliberated on the proposed amendments on _____
20 2024; and

21 **Whereas**, all persons were given an opportunity to provide written and/or oral testimony on
22 the proposed ordinance amendments,

23 **The City of Lincoln City Ordains as follows:**

24 **Section 1:** Lincoln City Municipal Code Chapter 17.34 (Nelscott Plan (NP) District), Section
25 17.34.040 (Development Standards), Table 17.34.040-1 (Development Standards), is hereby
26 amended to read as follows:

27 **17.34.040 Development Standards**

Table 17.34.040-1 – Development Standards

Standard	Business District	Cottage Residential	
Minimum Lot Area* (square feet) *Development must conform to yard setback and coverage standards – Detached single-unit dwelling – Attached single-unit – Other structures	3,750 sq. ft. 3,750 sq. ft. 3,750 sq. ft.	2,500 sq. ft. Not applicable 2,500 sq. ft.	
Minimum Dwelling Unit Density			
– Single-unit dwelling and duplex	None	None	
– Multi-unit dwelling ¹	Subject to Chapter <u>17.20</u> LCMC	Not applicable	
Minimum Lot Width	50 ft.	25 ft.	
Minimum Lot Depth	50 ft.	50 ft.	
Maximum Building Height			
- Lots 3,750 square feet or larger	45 ft.	35 ft.	
- Lots smaller than 3,750 square feet	Not applicable	25 ft. ²	
Maximum Building Coverage			
- Lots 3,750 square feet or larger	90%	35%	
- Lots smaller than 3,750 square feet	Not applicable	80%	
Minimum Setbacks			
Front, street, side, and rear property lines, except garage or carport entrances	0 ft., except as required for utility easements; single-unit dwellings (detached or attached) subject to NCR standards	5 ft.	10 ft.; single-unit dwellings (detached or attached) subject to NCR standards
Garage/carport entrance setback from front and street property lines	20 ft.	20 ft.	20 ft.
Building setback from alley or walkway	5 ft.	5 ft.	Not applicable

1. Multi-unit dwellings must meet the design standards of LCMC 17.74.130.

1 2. 35 feet for dwellings existing on or if development review approval was applied for
2 before October 1, 2024.

3 **Section 2:** Findings Adopted. The findings contained in the Whereas Clauses of this ordinance,
4 together with the Findings set forth in Exhibit A, as well as the competent substantial evidence
5 in the whole record of this legislative proceeding are incorporated into this section by reference
6 as if fully set forth herein, and are adopted in support of this legislative action.

7 **Section 3.** Severability. The sections, subsections, paragraphs and clauses of this ordinance are
8 severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the
9 validity of the remaining sections, subsections, paragraphs and clauses.

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

12 **Section 5.** Codification. Provisions of this Ordinance shall be incorporated in the City of Lincoln
13 City Municipal Code and the word "ordinance" may be changed to "code", "article", "section",
14 "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-
15 lettered, provided that any Whereas clauses and boilerplate provisions (i.e. Sections 1-38) need
16 not be codified and the City Recorder is authorized to correct any cross-references and any
17 typographical errors.

18 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section
19 9.2 of the City of Lincoln City Charter on the _____ day of _____ (First Reading) and
20 on the ____ day of _____ 202__ (Second Reading).

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

23 _____
24 SUSAN WAHLKE, MAYOR

25 ATTEST:

26 _____
27 JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

David Robinson, CITY ATTORNEY