

1 **Ordinance No. 2024-13**

2 **An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning), Chapter**
3 **17.08 (Definitions), Chapter 17.28 (Recreation Commercial (RC) Zone), Section 17.28.020**
4 **(Uses Permitted), LCMC Chapter 17.32 (General Commercial (GC) Zone), Section 17.32.020**
5 **(Uses Permitted), LCMC Chapter 17.34 (Nelscott Plan (NP) District), Section 17.34.030**
6 **(Permitted Uses), LCMC Chapter 17.45 (Taft Village Core (TVC) Zone), Section 17.45.020**
7 **(Permitted Uses), and LCMC Chapter 17.50 (Oceanlake Plan (OP) District), Section 17.50.030**
8 **(Permitted Uses) to Add “Indoor Commercial Recreation Facility” as a Permitted Use**

9 **Whereas**, the amendment to the Lincoln City Municipal Code is in conformance with the
10 Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached
11 Exhibit “A”; and

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

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

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

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

24 **Whereas**, all persons were given an opportunity to provide written and/or oral testimony on
25 the proposed ordinance amendment,

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

27 **Section 1:** LCMC Chapter 17.08 (Definitions) is hereby amended to add the following definition:

“Indoor commercial recreation facility” means an establishment providing recreational activities predominantly indoors. Examples of this use include movie theaters, music venues, bowling alleys, batting cages, indoor skating facilities, amusement arcades, pool and billiard halls, indoor shooting and archery ranges, laser tag arena, trampoline park, water park, tennis and similar courts, recreational crafting activities, and similar establishments where the predominant recreation or entertainment activity takes place inside a building. Consumption of food and beverages may occur but is not the primary activity. This use does not include restaurants or public entertainment venues such as night clubs and cabarets.

Section 2. LCMC Chapter 17.28 (Recreation Commercial (RC) Zone), Section 17.28.020 (Uses Permitted) is hereby amended to add an additional allowed use as follows:

Z. Indoor commercial recreation establishments

Section 3. LCMC Chapter 17.32 (General Commercial (GC) Zone), Section 17.32.020 (Uses Permitted) is hereby amended to add an additional allowed use as follows:

UU. Indoor commercial recreation establishments

Section 4. LCMC Chapter 17.34 (Nelscott Plan (NP) District), Section 17.34.030 (Permitted Uses), Table 17.34.030-1 is hereby amended to add an additional use under “Commercial Categories”

Indoor commercial recreation establishments	P	N	N
---	---	---	---

Section 5. LCMC Chapter 17.45 (Taft Village Core (TVC) Zone), Section 17.45.020 (Permitted Uses), Table 17.34.020-1 is hereby amended by replacing the existing part “E. Entertainment/Recreation Establishments” with a new “E. Entertainment/Recreation Establishments” to read as follows:

E. Entertainment/Recreation Establishments	
Commercial establishments which provide participant/spectator amusement, entertainment or sport, primarily for financial gain. Examples include: auditoriums, theaters, museums.	
1. High impact indoor establishments such as auditoriums, convention centers	C
2. Indoor commercial recreation establishments	P
3. Miscellaneous outdoor establishments (i.e., amphitheater, swimming/aquatics facility)	C

Section 6. LCMC Chapter 17.50 (Oceanlake Plan (OP) District), Section 17.50.030 (Permitted Uses), Table 17.50.030-1 is hereby amended to add an additional use under “Commercial Categories”

Indoor commercial recreation establishments	P	N	N
---	---	---	---

Section 7: 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.

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

4 **Section 9.** Ordinance Effective Date. Pursuant to Chapter IX, Section 9.3, this ordinance takes
5 effect 30 days after the date of its adoption.

6 **Section 10.** Codification. Provisions of this Ordinance shall be incorporated in the City of Lincoln
7 City Municipal Code and the word "ordinance" may be changed to "code", "article", "section",
8 "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-
9 lettered, provided that any Whereas clauses and boilerplate provisions (i.e. Sections 1-38) need
10 not be codified and the City Recorder is authorized to correct any cross-references and any
11 typographical errors.

12 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section
13 9.2 of the City of Lincoln City Charter on the _____ day of _____ 2024 (First Reading)
14 and on the ____ day of _____ 2024 (Second Reading).

15 PASSED AND ADOPTED by the City Council of the City of Lincoln City this ____ day of
16 _____ 2024.

17 _____
18 SUSAN WAHLKE, MAYOR

19 ATTEST:

20 _____
21 JAMIE YOUNG, CITY RECORDER

22 APPROVED AS TO FORM:

23 _____
24 David Robinson, CITY ATTORNEY
25
26
27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27