



AGENDA

Lincoln City Planning Commission
Tuesday, February 4, 2020, 6:00 PM
Council Chambers,
801 SW Highway 101 - 3rd Floor, Lincoln City, OR 97367

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL

2. AGENDA CHANGES OR REVISIONS

3. MINUTES

3.1. Planning Commission - Regular Meeting - Jan 21, 2020 6:00 PM

4. FINAL ORDERS, RESOLUTION, & WRITTEN COMMUNICATIONS

1. FO 2020-01 for CUP 2019-05 Devils Lake RV

5. PUBLIC HEARINGS/DELIBERATIONS

1. APP 2020-01 Lawson Appeal of Eclevia VRD

5.1.1. Planning and Community Development: Appeal filed by Lawson, et al appealing the Planning and Community Development Director's decision of approval to convert the Eclevia vacation rental dwelling from accessory to unlimited use.

2. CUP 2020-01 & SPR 2020-01 NWN Lincoln City Resource Center

5.2.1. Planning and Community Development: Conditional Use Permit and Site Plan Design Review Request for construction of Northwest Natural resource center on NE 36th Drive.

6. OLD BUSINESS

7. NEW BUSINESS

8. PLANNING COMMISSION TRAINING

9. REPORTS & COMMENTS

10. FUTURE AGENDA ITEMS & NEXT MEETINGS

11. ADJOURN

All information for this meeting is available on the City of Lincoln City website at www.lincolncity.org, and this meeting will be televised live on Charter Channel 4 Lincoln City and rebroadcast at various times. Planning Commission meetings are streamed live on the Internet through a link on the City of Lincoln City website, and can also be viewed following the meeting. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Cathy Steere, City Recorder, at 541-996-1203.

**LINCOLN CITY PLANNING COMMISSION
MINUTES
January 21, 2020**

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL

Attendee Name	Title	Status	Arrived
Lenny Nelson	Commissioner	Present	
Patti Kroen	Chair	Present	
Miles Schlesinger	Commissioner	Present	
Joshua Brainerd	Commissioner	Present	
Marci Baker	Commissioner	Present	
Kim Blackerby	Commissioner	Present	

2. AGENDA CHANGES OR REVISIONS

No changes to the agenda.

Planning Commission Chair, Patti Kroen, took a few moments to welcome Kim Blackerby, the newest member of the Planning Commission. Commissioner Blackerby introduced himself and his background.

3. MINUTES

3.1. Planning Commission - Regular Meeting - Jan 7, 2020 6:00 PM

MOTION:
MOVER: Lenny Nelson, Commissioner
SECONDER: Joshua Brainerd, Commissioner
AYES: Nelson, Kroen, Schlesinger, Brainerd, Baker, Blackerby
RESULT: Passed

4. FINAL ORDERS, RESOLUTION, & WRITTEN COMMUNICATIONS

There are no final orders, final resolutions, or written communications. There will be, after the conditional use permit hearing, deliberation on the bluff ordinance hearing. Staff will likely ask for a motion to approve a final recommendation based on the deliberation.

5. PUBLIC HEARINGS/DELIBERATIONS

1. ZOA 2019-08

There is a request to continue the public hearing to March 17, 2020. It was previously continued from October 15, 2019. About the request to continue the hearing, Planning and Community Development Director Anne Marie Skinner said that she has found, when looking at getting the design standards right, that there are several things in the existing code in parking, landscaping, and processes that need to be changed for the design standard revision to go through correctly. She said that she would like to notice those changes so that the Planning Commission can hear

them concurrent with the design standards so that they flow together and we do not end up with a mishmash of inconsistencies.

After the motion and vote to continue the public hearing to March 17, 2020, Commissioner Blackerby asked what the design standards are for. Ms Skinner answered that the design standards are just for commercial development. They only apply to the General Commercial (GC) and Recreation-Commercial (RC) zones, and currently only when site plan review is required. There are many ways in the current code where the design standards do not apply, which is one of the things that we are trying to fix in the revision. There are a number of chapters where inconsistencies need to be removed in order for the design standards to be effective. We are trying to capture those inconsistencies in one go-around. There are currently no design standards in multi-family. These revisions add design standards for multi-family residential. Single-family residences require the use of at least two design features from a list, but there are not otherwise design standards for single-family residences. Chair Kroen added that the design standard revisions have been in process for a long time.

5.1.2.

MOTION:	Continue the public hearing to March 17, 2020
MOVER:	Lenny Nelson, Commissioner
SECONDER:	Marci Baker, Commissioner
AYES:	Nelson, Kroen, Schlesinger, Brainerd, Baker, Blackerby
RESULT:	Passed

2. CUP 2019-05 Devils Lake RV Park - addition of 4 RV spaces

Chair Kroen read the required statements. No ex-parte contacts were declared. There were no challenges to the qualifications of any of the commissioners to participate in the hearing. At the request of Chair Kroen, Ms Skinner read the applicable substantive criteria for the decision. All testimony must be directed to the substantive criteria. Chair Kroen summarized the public hearing procedures.

2. Staff Report

Ms Skinner presented the staff report for CUP 2019-05 Devils Lake RV Park. She described the site as the southwest corner of West Devils Lake Road and Highway 101. The site is in the Recreation-Commercial (RC) zone and is mostly surrounded by RC zone. A portion to the north and across Highway 101 is zoned General Commercial. To the southeast is residential and to the southwest is General Commercial. Ms Skinner described the notices sent and published. She reviewed the conditional use permit history of the development of the park. The applicant is seeking permission to add 4 more spaces - F, G, H, and I.

Ms Skinner read into the record the definition of Recreational Vehicle.

Ms Skinner described the conformance of the proposal with each of the criteria for approval of the conditional use permit.

Condition 1 (*The proposal is in compliance with the comprehensive plan*): Staff finds that the criterion is met or not applicable. The Comprehensive Plan contains no directly applicable policies related to RV parks.

Condition 2 (*The site for the proposed use is adequate in size and shape to accommodate the use*): Staff went through each of the requirements for the RV park.

- Surface drains were submitted and approved for the entire park in the original application. Public Works had no comments on surface drainage submitted for the added spaces.
- Square footage for each of the spaces exceeds the minimum required.
- Applicant-submitted materials show the paved pads 2 square feet short of the required 400 square feet. This is easily remediable.
- RVs must be separated by at least 10 feet. The submitted materials show that the new spaces will meet that requirement. With addition of accessory structures, it is likely that separation requirements will not be met.

There was some discussion between Ms Skinner and the commissioners about what is meant by accessory structures. Commissioner Blackerby clarified that Devils Lake RV Park is not a mobile home park and asked whether there are any RVs at the park semi-permanently. Ms Skinner deferred to the applicant to answer the question. Commissioner Nelson asked whether there is a law saying that you cannot prohibit someone from living permanently in an RV park. Ms Skinner explained that the Lincoln City Municipal Code does not clarify one way or the other. Commissioner Nelson asked how, if someone built a structure (at Devils Lake RV, referring to the conversation about accessory structures) without going through the planning department, we would know. Ms Skinner answered that it would not be any different than other structures that do not regularly require permits such as fences and other accessory structures.

- The four new spaces will provide asphalt spaces for off-street parking. Space F is shown with a driveway space that is four feet too short for the required 9x20 parking space, and would have to be increased as a condition of approval. Chair Kroen asked whether the extension of the driveway will affect the ingress/egress of the other sites. Ms Skinner answered that they may have to move the pad to the north or curve the driveway.
- Existing roads are over the required 30 feet in width, and no new roadways are proposed.
- Required fences were approved as part of the original approval and the outer boundary of the park is not being expanded. Commissioner Nelson pointed out that there is a note that three of the spaces are not inside the fencing. Ms Skinner answered that it is because the northeast corner of the park is a wetland area and fencing was precluded. Commissioner Nelson asked how the conflict between fencing being required and fencing not being allowed because of the wetland can be resolved. Ms Skinner replied that a possible remedy is making it a condition of approval that fencing go outside the wetland area.
- The number and location of required trash receptacles was met as part of the original approval, and the new application gives no indication of changes and does not suggest a need for additional ones.

- Park maintenance and a prohibition against outside storage remains a condition of operation of the park. This is something that would come under code enforcement and is part of enforcement being complaint-driven.
- Wetlands. There are two different types of wetlands that we look at - significant wetlands identified as part of the Comprehensive Plan, and jurisdictional wetlands. The natural resources map shows significant wetlands in the park area. However, based on previous approvals and conversations with the Department of State Lands (DSL), none of the existing wetland delineations show the areas mapped as significant wetlands as being wetlands at all. What should have happened previously was a revision to the map as part of a declaration of map error. Staff was not able to find anything in the files that made any reference to this being a significant wetland, and the original approval was before the wetland inventory. In 2018 AKS conducted a delineation and there was no wetland found in what is currently mapped as a "significant wetland" area.

Commissioner Kroen pointed out that it is difficult to determine where the RV park overlay is on the wetland delineation that was handed out. Ms Skinner replied by reading one of the recommended conditions for approval: “An application for natural resources development review, with the accompanying wetland delineation of the northeastern area south of the existing access driveway, shall be submitted for review prior to the site plan review meeting” and showing all of the areas of the spaces F, G, and H outside of the wetland. Following up on the claim of map error, the applicant submitted the wetland delineation yesterday [January 20, 2020] and Ms Skinner submitted it to DSL. The delineation shows no wetland in the area that we show as significant wetland and DSL did not make any comments about there being any wetlands. However, in a message that DSL left, they did additional digging and found something in 1994 about an unmapped mitigation wetland.

The wetland situation at this point in time remains murky, which is the reason for the recommended condition. If the applicant cannot verify that F, G, and H are outside the wetland, there will not be spaces F, G, and H. Site plan review is required for this project, so that is why the conditions are tied to site plan review. The use could be conditionally approved based on the wetland and natural resource review being approved prior to site plan review. Commissioner Schlesinger commented that he thinks the wetland is there, but that it is on the north side of the driveway into the park going up to the city property which has a pump station on it. Ms Skinner replied that there are wetlands in that location as well; that the entire north side is significant wetlands, and that the applicant originally wanted to expand in that direction and was precluded from it.

Ms Skinner showed the mapped significant wetlands in relationship to the proposal and said that she is working with DSL to get clarification, although the situation is not very clear at the present moment.

Condition 3 (*The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use*): Access to the site is from West Devils Lake Road and has a traffic signal. This criterion is satisfied.

Condition 4 (*The proposed use will have minimal adverse impact upon adjoining properties and the improvements thereon*): Notice was sent to property owners within 250 feet of the

site. No comments were received.

Condition 5 (*In areas designated as requiring preservation of historic, scenic or cultural attributes, proposed structures will be of a design complementary to the surrounding area*): The site does not contain any designated historic, scenic, or cultural attributes. This criterion is not applicable.

Chair Kroen asked Ms Skinner to explain the Natural Resource Overlay Zone. Ms Skinner explained that development in areas identified as part of the Natural Resource Overlay Zone is not allowed by default. There are two ways that development can be allowed in the Natural Resource Overlay Zone. One is a variance. The other way is through a claim of map error. Otherwise, if you have a significant wetland or significant riparian area on your site, you cannot develop in that area. Chair Kroen asked whether the development on the site is within the Natural Resource Overlay Zone. Ms Skinner replied that it is.

3. Applicant's Testimony

The applicant, Robert Swan, addressed the Planning Commission, saying that he could add to what was said in the staff presentation. Regarding accessory structures, Mr Swan explained that there are several monthly residents in the park. There are several park model RVs that are used as vacation homes, and several that are permanent residences. These four spaces are planned for one-time installations of park model RVs. Most of the RVs are owned by individuals. The applicant prefers to rent spaces to renting the RVs. The spaces are easier to take care of.

Regarding the fence through the wetlands, Mr Swan explained that they have fence all around the property. He believes the point of the fence was to keep a buffer around the messy RV park. The fence stops where it is wetlands, but the vegetation is so thick there that you cannot see the RV park. It is pretty well hidden. Chair Kroen asked whether any trees will have to be taken down to add the new RV pads. Mr Swan responded that they will have to remove a few alders.

Chair Kroen asked whether the playground was required in the original permitting for the RV park. Mr Swan replied that he does not know - that the park had two previous owners. There is still a playground up now but it is in bad shape and needs to come out. It is rarely used.

Chair Kroen asked where runoff from the new pads will go, and whether it will run into the wetland. This led to discussion amongst the commissioners about management of storm water on the site.

Commissioner Blackerby asked whether sites F, G, and H will be permanently installed on piers? This led to a lengthy discussion about the potential implications of the requirements of HB 2333 2019. Both Ms Skinner and Mr Appicello pointed out that the application being considered by the Planning Commission is for the addition of 4 RV spaces, and that discussion of whether the RVs will be lived in permanently or not is irrelevant to the conditional use permit. Mr Appicello suggested that the applicant look at the house bill and talk to the building official because there are some triggers where there is the assumption that an RV has been converted to a residence and then triggers the building code. Commissioner Blackerby summarized the conclusion of the conversation, saying that if the Planning Commission approves the conditional use permit for 4 RV spaces and the applicant converts the RVs to structures, and the building official determines that they have been converted, it

would be both a building code enforcement and a planning code enforcement issue because the approval was for RV spaces.

Chair Kroen expressed that it feels clunky to approve something with a long list of conditions that may be more appropriately resolved before approving the conditional use. Mr Appicello replied that there is the additional step of the required site plan review, and that he thinks that the most appropriate process for resolving many of the issues is the site plan review process. Chair Kroen said that the Planning Commission could approve conditional use with conditions that are all going to need to be proving in the site plan review process. Mr Appicello responded, saying that he would not suggest that process if he did not think that there was enough information in the record suggesting that it would be feasible.

Commissioner Nelson said that it is problematic when you are doing something like this because you end up with equipment in the wetlands even if you are not filling, and that she would like to see a condition requiring wetlands be marked during construction to not allow any equipment or motorized vehicles in the wetland. Mr Appicello replied that it is a good condition, and any time you have development next to a wetland, unless you have a permit to fill it, you need to stay out of it, but that it is a stretch to add it as a condition of a conditional use permit and is more appropriate in the site plan review process. He suggested, however, that the condition could be part of satisfying the adequate space criterion as a way to show that they are not affecting existing wetlands by putting up barriers. Commissioner Nelson said that she was suggesting it as an addition to conditions 4 and 4a. Commissioner Blackerby supported Commissioner Nelson's suggestions, saying that he is concerned not only about equipment going into the wetland but also debris and soil and other things that can come about from the construction site. Mr Swan replied that he does not plan on filling and has no problem being required to mark off the wetlands. He will not be putting equipment in the wetlands.

Commissioner Nelson said that she still has a question about the fencing - that the point of the fencing was to close off the park from traffic going by. She asked the applicant what he proposes if a fence cannot be installed in the northeast corner. Mr Swan replied that he thinks that the point is that you cannot physically see the property from the road. Commissioner Nelson said that she would like to see as a condition of approval that the site-obscuring vegetation be left in place where the fence cannot be built.

There were no further questions for Mr Swan.

4. Public Testimony

A. Testimony in Support

There was no public testimony in support of the application.

B. Neutral Testimony

There was no neutral public testimony related to the application.

C. Testimony in Opposition

There was no public testimony in opposition to the application.

5. Applicant Rebuttal

There was no rebuttal.

5.2.6.

MOTION:	Close the hearing and the record
MOVER:	Kim Blackerby,
SECONDER:	Miles Schlesinger,
AYES:	Nelson, Kroen, Schlesinger, Brainerd, Baker, Blackerby
RESULT:	Passed

7. Deliberation

There was no request for continuance and no request for the record to be left open. The applicant waived the opportunity to submit final written argument after the close of the record.

Mr Appicello read the modifications to the recommended conditions, which included the addition of restricting activity in the wetland to proposed condition 4a, and the addition of condition 7 to leave the existing vegetation as a visual screen for spaces F, G, and H.

Chair Kroen asked about the commissioners' opinion on a prohibition on accessory structures. Commissioner Baker said that the suggestion makes sense - especially on the spaces that do not have the extra room. Commissioner Blackerby also agreed.

Chair Kroen said that the only other question is related to the Natural Resource Overlay Zone, and the clarification of the wetland mapping will take that into consideration. She said that it looks like there is construction proposed within the Natural Resource Overlay Zone. Ms Skinner replied that once the site plan is overlaid on what has been delineated so far, any work inside the Natural Resource Overlay Zone will not be allowed.

5.2.8.

Staff will prepare a final order for adoption at the next meeting.

MOTION:	Approve CUP 2019-08 with conditions as stated
MOVER:	Lenny Nelson, Commissioner
SECONDER:	Joshua Brainerd, Commissioner
AYES:	Nelson, Kroen, Schlesinger, Brainerd, Baker, Blackerby
RESULT:	Passed

3. ZOA 2019-12

Chair Kroen introduced the deliberations, which were continued from the public hearing held during the December 17, 2020 meeting of the Planning Commission. The record was left open for additional comment from the Siletz tribal planner and deliberations were continued to the January 21, 2020 meeting. Chair Kroen asked Commissioner Blackerby to review the video of that meeting so that he could participate in the deliberations. He reviewed the video. Mr Appicello asked the commissioners to take judicial note of a LUBA appeal on their table on the topic. That

decision is that for the bluff setback, the measurement must be made from the unaltered bluff line. There were two lines in the subject case, and the original Council decision was to allow measurement from the altered line. The LUBA decision was that the Lincoln City Municipal Code requires measurement from the unaltered line. There were a couple of other issues including the definition of "footprint," which includes cantilevering, which is something that both the petitioners caught and LUBA pointed out.

Mr Appicello went on to say that we want to make clear that the clarification in the draft ordinance (ZOA 2019-12) is not a change. In the land use context, if you adopt a new land use regulation after January 2007 an owner of residential property can file a claim for compensation (Measure 49). We are not adopting a new regulation. LUBA just said that the regulation we have is measured from the unaltered bluff. We are not changing from altered bluff to unaltered bluff. If that is what we were doing, it could result in a claim. LUBA has said that the existing code says the setback is measured from the unaltered bluff and that the City was wrong in measuring from the altered bluff. All we are doing is clarifying what the code already requires. Chair Kroen responded that we are going to clarify the ordinance and asked whether the LUBA opinion will be incorporated into that clarification. Mr Appicello replied that the recommendation still has to go to the City Council, but that the Planning Commission might add language suggesting that the ordinance is just a clarification of the existing situation based on the LUBA appeal.

Chair Kroen said that she is fine with going back and approving that way. She reminded staff that the draft ordinance in the packet does not reflect the change requested by the Planning Commission of "a registered engineer" to a civil or geotechnical engineer. Ms Skinner explained that staff did not change the draft ordinance because the public hearing had already been closed, and so the change will instead be made in the final recommendation from the Planning Commission and will be added to the draft ordinance that goes to and is noticed for the City Council.

5.3.2.

MOTION:	Approve the final recommendation for ZOA 2019-12 with clarification and modified language
MOVER:	Lenny Nelson, Commissioner
SECONDER:	Marci Baker, Commissioner
AYES:	Nelson, Kroen, Schlesinger, Brainerd, Baker, Blackerby
RESULT:	Passed

5.3.3.

MOTION:	Authorize the chair to sign final order when prepared
MOVER:	Lenny Nelson, Commissioner
SECONDER:	Kim Blackerby,
AYES:	Nelson, Kroen, Schlesinger, Brainerd, Baker, Blackerby
RESULT:	Passed

6. OLD BUSINESS

Commissioner Nelson referred to the question asked of the commissioners during the 2020 Work Plan discussion at the January 7, 2020 meeting about removing single-family residential structures from the General Commercial zone. She explained that such a change would immediately turn anyone with a single-family residence in those zones into an existing nonconforming use, and so is not in favor of it. Commissioner Baker added that she also thought some about the question but wondered what the benefit would be. Ms Skinner replied that if she presumed to guess the reasoning behind the original question it would probably be to encourage residential use in residential zones and save the commercial zones for commercial use. Chair Kroen responded that such encouragement might be appropriate in new development, but that it would be hard for existing properties, given the fact that so much of the city is cobbled together.

7. NEW BUSINESS

No new business

8. PLANNING COMMISSION TRAINING

Have planned training but are holding off in the hopes of having a new planning commissioner seated soon.

9. REPORTS & COMMENTS

No reports and comments

10. FUTURE AGENDA ITEMS & NEXT MEETINGS

The next meeting is on February 4, 2020. There is a hearing for a conditional use permit and a combined site plan review for the Northwest Natural Resource Center on NE 36th. There will be a number of items involved. The Planning Director has the ability to elevate site plan review from the SPR Committee to the Planning Commission. This is a large enough project, and with its proximity to residential on the east and south, she said that she is more comfortable with the Planning Commission making the decision on requests for modifications that have been asked for to the design standards.

There is also an appeal to a VRD land use decision scheduled for the February 4, 2020 meeting. At the January 7, 2020 meeting the appeal hearing was mistakenly identified as occurring at tonight's meeting.

11. ADJOURN

Respectfully submitted,

James White
Assistant Planner

Patti Kroen
Chair



PLANNING COMMISSION STAFF REPORT
MEETING DATE: February 4, 2020

Report prepared by AnneMarie Skinner, Planning & Community Development Director

APP 2020-01 Lawson appeal of Eclevia VRD

PROJECT INFORMATION

See attached Staff Report

STAFF RECOMMENDATION

See attached Staff Report

Staff Report APP 2020-01 (PDF)

Appeal Letter(PDF)

Application (PDF)

Deed (PDF)

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Staff Report

Planning Commission Hearing on February 4, 2020

Case File APP 2020-01

Date: January 27, 2020

Case File: APP 2020-01 Lawson, et al Appeal of Eclevia VRD Approval

Appellants:

Jerry L. Lawson, Jr. PO Box 751 Lake Oswego, OR 97034	Jerry and Marilynne Newton 1145 NE Lake Dr Lincoln City, OR 97367
Octavian and Lynlee Tomos 1165 NE Lake Dr Lincoln City, OR 97367	Maryann D. Hatlelid 1082 NE Lake Dr Lincoln City, OR 97367
Robert Piples 1203 NE Lake Dr Lincoln City, OR 97367	

Property Owners: Macario and Rachel Eclevia
7114 NE Elm St
Hillsboro, OR 97124

Situs Address: 1184 NE Lake Dr

Location: South side of NE Lake Dr, approximately 37 feet west of NE Regatta Park Rd

Tax Map and Lot: 07-11-11-CD-03300

**Comprehensive
Plan Designation:** Single-Family Residential (R-5)

Zoning District: Single-Family Residential (R-1-5)

Site Size: 6,538 sq ft

Proposal: Appeal of approval of Eclevia Vacation Rental Dwelling

**Surrounding
Land Uses
and Zones:**

North:	Houses and Regatta Park; Single-Family Residential (R-1-5) and Park (P)
South:	Devils Lake
East:	One house, then Regatta Park; Single-Family Residential (R-1-5) and Park (P)
West:	Open Space and houses; Open Space (OS) and Single-Family Residential (R-1-5)



Public Notice: The Planning and Community Development Department mailed notice of the appeal public hearing to the owners of all properties within 250 feet of the site on January 6, 2020.

Authority: Section 17.80.050.C.3 of the Lincoln City Municipal Code (LCMC) states that the decision of the Planning and Community Development Director on an application for vacation rental dwelling use may be appealed as provided in LCMC 17.76.040.A. Appeal of the decision of the Planning and Community Development Director shall be in the form of an evidentiary hearing before the Planning Commission. The Planning Commission decision shall be final and is not subject to further appeal.

Applicable Substantive Criteria: LCMC Section 17.80.050 Vacation Rental Dwelling Use Criteria
LCMC Chapter 17.76.040 Appeals

BACKGROUND

The subject property, addressed as 1184 NE Lake Dr, is owned by Macario and Rachel Eclevia. On July 22, 2019, an Application for Vacation Rental Dwelling Use as an Accessory Use was received by the Planning and Community Development, along with the application fee and required attachments.

On August 15, 2019, the application was deemed complete and the required notice of application for a vacation rental dwelling (VRD) was mailed to all property owners within 250 feet of the exterior boundary of the subject property on August 16, 2019. No comments were received.

On September 6, 2019, staff performed the required site inspection to review the site's compliance with required VRD standards.

On September 20, 2019, staff mailed notice of the decision approving the residence for use as an accessory VRD. The notice was mailed to all property owners within 250 feet of the exterior boundary of the subject property and all Lincoln City Neighborhood Associations. The 20-day appeal period for this decision ended on October 10, 2019. No appeals were received.

On November 14, 2019, Planning and Community Development received a letter from Macario and Rachel Eclevia, dated November 7, 2019, requesting "an amendment for land use for property 1184 NE Lake Drive, Lincoln City, Oregon from an accessory license to an unlimited license."

The original application that was approved on September 18, 2019 was for an accessory VRD. The reason the Eclevias did not apply for an unlimited VRD was that there were no unlimited use permits available.

However, when the Eclevias applied for the accessory VRD, they also requested placement on the waiting list for an unlimited VRD permit. Between the period of September 18, 2019 and November 7, 2019, an existing unlimited VRD ceased to exist, thus providing the Eclevias with the opportunity to take that now-available unlimited VRD space and switch their accessory VRD to an unlimited VRD.

There is no difference or change in standards for an accessory versus unlimited VRD, other than the number of nights allowed for use. Based upon the fact that all standards were met enabling the previous director to approve the accessory VRD in September 2019, and, after reviewing that none of the standards changed between September 2019 and December 2019, the current Planning and Community Development Director approved the request for an unlimited VRD on December 16, 2019.

On December 18, 2019, staff mailed notice of the decision approving the amendment from an accessory to an unlimited VRD. The notice was mailed to all property owners within 250 feet of the exterior boundary of the subject property and all Lincoln City Neighborhood Associations. The 20-day appeal period for this decision ended on January 7, 2020.

On January 3, 2020, Planning and Community Development received a letter from Jerry L. Lawson, Jr., with Delta Counsel, P.C., on behalf of himself and Octavian and Lynlee Tomos, Jerry and Marilynne Newton, Maryann D. Hatlelid, and Robert Pipes, dated December 30, 2019, appealing the decision approving the Eclevias' unlimited VRD. The basis of the appeal is that traffic from an unlimited VRD will be a danger to residents on NE Lake Drive and that off-street parking is not available at this location.

ANALYSIS

17.76.040 Appeals

- A. Decision of Planning Director. A decision of the planning director of an administrative permit or discretionary action concerning a land use matter may be appealed to the planning commission by an affected party entitled to notice of decision by filing an appeal with the planning and community development director within 12 days of the mailing of the decision. The notice of appeal that is filed with the city shall indicate the decision that is being appealed and the basis for the appeal. The notice shall indicate in what respects the decision being appealed is a discretionary decision involving a land use matter. The matter at issue will be a determination of the appropriateness of the director's interpretation of the requirements of this title. Notice of the hearing shall be mailed as provided in LCMC 17.76.020(B)(1).*

Finding: The notice of decision approving the unlimited VRD was mailed on December 18, 2019. The filed appeal was received January 3, 2020, which is more than 12 days following the mailing date. However, LCMC 17.80.050.C.2.d allows any person opportunity to appeal the decision within 20 days of mailing of the notice. The appeal notice was received within the allowed 20-day period.

The filed appeal notes the appellants are appealing the decision of VRD land use approval on 1184 NE Lake Drive for an unlimited license. The appeal states this decision was a Planning Commission decision. The decision was, in fact, a decision made by the Planning and Community Development Director, not the Planning Commission.

The notice of appeal states the basis for appeal is twofold: 1) Traffic from an unlimited Vacation Rental will be a danger to residents on NE Lake Drive; 2) Off street Parking is not available at this location.

LCMC 17.80.050.C.3 states the following:

“Appeal. The decision of the planning and community development director on an application for vacation rental dwelling use may be appealed as provided in LCMC 17.76.040(A). Appeal of the decision of the Planning and Community Development Director shall be in the form of an evidentiary hearing before the Planning Commission. The Planning Commission decision shall be final and is not subject to further appeal.”

Therefore, this is an evidentiary hearing to determine the appropriateness of the director's interpretation of the requirements pertaining to traffic and off-street parking in relation to the approval of 1184 NE Lake Drive as an unlimited VRD.

17.80.050 Vacation rental dwelling use criteria.

B. Vacation Rental Dwelling Standards. Except where noted, the following standards apply to all vacation rental dwellings in the city:

1. Ownership.

Finding: The subject property containing the vacation rental dwelling is owned by Macario Eclevia and Rachel Eclevia. The statutory warranty deed is attached to this staff report. The Eclevias do not own any other residentially-zoned property in Lincoln City that is authorized for use as a VRD. This standard is met.

2. Accessory or Permitted Use.

- a. Except as otherwise provided in this title, a VRD is allowed as an accessory use in the R-1-5, R-1-7.5, R-1-10, R-1-RE, R-M, and R-R zones, and as a permitted use in the R-1-5, R-1-RE, NBD, NBMU, TVC, OP-OF, OP-IM, OP-MSH, VR, RC, and GC zones, provided the VRD meets the applicable standards of this chapter and obtains a license under Chapter 5.14 LCMC.*

Finding: The subject property is in the R-1-5 zone, which allows VRDs as either accessory or permitted uses. This standard is met.

- b. Incidental and subordinate accessory vacation rental dwelling use is not a commercial use. Commercial vacation rental dwelling use is use of a dwelling for vacation rental dwelling purposes for more than 30 nights per calendar year.*

Finding: The original application received on July 22, 2019 was for an accessory VRD. An amended request to operate as an unlimited VRD was received on November 14, 2019. This standard is met.

- c. The total number of vacation rental dwellings operating without limits on the number of nights for which they may be rented in the R-1-5 zone shall not exceed 10 percent of the total number of lots in that zone.*

Finding: At the time the original application was received on July 22, 2019, the total number of vacation rental dwellings operating without limits on the number of nights in the R-1-5 zone was reached; thus, the original application was for an accessory VRD. Between the time of the original application and the date of the amended request, one of the unlimited VRDs in the R-1-5 zone ceased to exist, allowing a space for the Eclevias to then use their dwelling as an unlimited VRD rather than an accessory VRD. This standard is met.

- d. In the R-1-RE zone, all existing licensed vacation rentals and those with complete applications per ORS 227.178(3) on the effective date of the ordinance codified in this section (November 22, 2017) shall be allowed to continue to operate as legal nonconforming uses without limits on the number of nights for which they may be rented.*

Finding: The subject property is in the R-1-5 zone. This standard is not applicable.

- 3. Parking. In any residential or commercial zone, one off-street parking space will be provided for each bedroom in the dwelling unit, and no less than two spaces will be provided for each dwelling unit. If the proposed VRD use cannot provide the required parking and also meet the other standards of subsection (B) of this section, including required landscaping, the vacation rental occupancy of the dwelling shall be reduced to conform to the available amount of off-street parking and made a condition of licensing under Chapter 5.14 LCMC.*

Finding: The standard is that one off-street parking space must be provided for each bedroom in the dwelling unit, and no less than two spaces must be provided for each dwelling unit. The dwelling unit contains two bedrooms as verified by staff's inspection on September 6, 2019. Accordingly, per the standard, two off-street parking spaces must be provided.

The submitted site plan shows two off-street parking spaces. Staff's site inspection confirmed the existence of the two required off-street parking spaces. One of the off-street parking spaces is located behind the dwelling. The second off-street parking space is located on the side of the dwelling in a 15-foot by 40-foot parking easement on the adjacent property. A copy of the recorded easement is attached to this staff report. The standard requiring off-street parking spaces is met.

4. *Solid Waste. The owner must provide securable receptacles of sufficient size for the deposit of solid waste generated by the vacation rental dwelling use and subscribe to a solid waste collection service for service sufficient for the vacation rental dwelling during all months the dwelling is used for vacation rental. No dumpsters are allowed.*

Finding: The applicants provided proof of garbage service from North Lincoln Sanitary Service in the original application. Staff's inspection on September 6, 2019 confirmed the presence of the required receptacles. This standard is met.

5. *Landscaping.*

Finding: Staff's inspections of the site confirmed the presence of the required landscaping. The total lot size is approximately 6,537 square feet. The total portion that is landscaped is approximately 3,000 square feet. That is above the required 20% in the R-1-5 zone. The landscaping consists of shrubs, turf, and other various types of plants. There are at least three shrubs on the subject property. This constitutes more than the required points of landscaping. There is at least 1,000 square feet of living ground cover, which exceeds the requirement. Based off of the definition of front yard in LCMC Section 17.08.010, the front yard calculation is 0 square feet. This standard is met.

6. *Signs.*

Finding: Signs in residential zones are limited to one sign not exceeding four square feet in area. Staff's site inspection shows no signs on the site. Continuing compliance with this standard is required and will be reviewed for compliance during the annual license renewal process. This standard is met.

7. *TRT.*

Finding: Compliance with this standard is subject to review during the annual license renewal process and throughout the year. In the application, the applicants have indicated that they will comply with this requirement. It is staff's determination, therefore, that this standard is met for purposes of this application.

8. *VRD License. Prior to making a VRD available for use, including advertising by any means or otherwise offering the VRD for use, the owner shall obtain a valid VRD License as provided in Chapter 5.14 LCMC.*

Finding: Compliance with this standard is subject to review during the annual license renewal process and throughout the year. In the application, the applicant have indicated that they will comply with this

requirement and obtain the required license upon approval of the application. It is staff's determination that this standard is met.

9. *Subject to the limitations and provisions of this section and of Chapter 5.14 LCMC, a vacation rental dwelling located in the R-1-7.5, R-1-10, R-M, R-R, or NCR zone that, prior to December 1, 2016, had received a vacation rental dwelling land use approval and a vacation rental dwelling license approval for the 2016 license year, and that has such approvals remaining valid as of January 18, 2017, may continue to operate without compliance with the 30-night accessory use limitation of this section, and continue...*

Finding: The dwelling was not approved as a VRD prior to December 1, 2016; therefore, this standard is not applicable.

APPELLANTS' ARGUMENTS

The appellants state that traffic from an unlimited vacation rental will be a danger to residents on NE Lake Drive. As staff reads this argument, it appears the appellants are contending the unlimited use of the VRD should be denied based upon excessive traffic creating a danger to residents, drivers, and pedestrians in and around NE Lake Drive. A complete review of the required standards listed above shows that traffic issues are not a standard. There are no criteria in LCMC 17.80.050 "vacation rental dwelling use criteria" to allow basing the approval or denial of a vacation rental dwelling, whether it be accessory or unlimited, on traffic, excessive traffic, traffic dangers, or lack thereof.

The appellants additionally state that off-street parking is not available at this location, contending that even though the site plan shows off-street parking spaces the house is too close to the corner and the road narrows at the peak of the hill. Staff reads this as saying cars won't be able to access the shown off-street parking spaces due to the location of the house in proximity to the corner and the hill. Staff has inspected the site, confirmed the presence of the two off-street parking spaces shown on the site plan, and parked in the spaces. The criterion for parking is to provide two off-street parking spaces for the two bedrooms. Two off-street parking spaces are being provided. The spaces are shown on the submitted site plan. The existence of the spaces has been confirmed by staff during a site inspection. This criterion is being met.

The appellants contend that the "two car limit will likely never be observed" and that "the actual usage at virtually every vacation rental exceeds the number of permitted spaces given how many people share vacation homes." Again, the criterion for parking states "one off-street parking space will be provided for each bedroom in the dwelling unit, and no less than two spaces will be provided for each dwelling unit." This criterion is being met through the two provided off-street parking spaces shown on the site plan and confirmed by staff's inspection. Nowhere in the criterion is there a basis for approving or denying the accessory or unlimited VRD use based on speculation of future code violations. In the event that, while the site is being used as a VRD, more vehicles are parked off the street than there are designated off-street parking spaces, that could be a violation of the parking standard which is a Class B violation if found to be true.

RECOMMENDATION

Staff recommends that the Planning Commission take public testimony as an evidentiary hearing and close the evidentiary hearing, deliberate, and make the determination that the director's decision to approve the unlimited VRD was an appropriate interpretation of the requirements of LCMC 17.80.050, thereby upholding the approval granted on December 16, 2019 and denying the appellants' request to overturn the director's approval.



DELTA COUNSEL, P.C.

Jerry L. Lawson, Jr.
Admitted in OR, WA
Email: jerry@dcounsel.net

PO Box 751
Lake Oswego, OR 97034
Telephone: 503.681.2991 Δ Facsimile: 503.681.8092

Michelle Anderson
Legal Assistant
Email: michelle@dcounsel.net

December 30, 2019

RECEIVED

JAN 03 2020

PLANNING

Planning Commission
City of Lincoln City
PO Box 50
Lincoln City, OR 97367-0050

Re: Appeal of Planning Commission Decision of Vacation Rental Dwelling Land Use Approval on 1154 NE Lake Drive, Lincoln City, Tax Lot 03300 (the "Property")

Dear Sir or Madam:

I own the real property located at 1155 NE Lake Drive, Lincoln City, and received the Planning Commission's Decision on the Property listed above related to the City's decision to grant an unlimited license for the Property. I am writing to appeal the Planning Commission's decision. The Notice of Decision was mailed on December 18, 2019. I have enclosed a check made payable to the City of Lincoln City in the amount of \$200.00, to cover the cost to appeal the decision of two issues that comprise the basis of the appeal.

In addition to my individual capacity I am also writing as the attorney for and on behalf of the following additional property owners who appeal the decision on the same basis as set out below:

Octavian and Lynlee Yornos – 1165 NE Lake Drive, Lincoln City.
Jerry and Marilynne Newton – 1145 NE Lake Drive, Lincoln City.
Maryann D. Hatlelid – 1082 NE Lake Drive, Lincoln City.
Robert Piples – 1203 NE Lake Drive, Lincoln City.

Basis for Appeal:

1. Traffic from an unlimited Vacation Rental will be a danger to residents on NE Lake Drive. Many full-time residents live on NE Lake Drive which is a dead end street with a partially blind corner exiting onto and from Regatta Way. Regatta Park is a busy place in the summer months with significant pedestrian traffic. The residents living on NE Lake Drive routinely walk to get their mail. The subject Property is located adjacent to the community mailbox at the top of NE Lake Drive as it exits to Regatta Way. Any traffic parked along NE Lake Drive at this Property will pose a hazard to ingress and egress of traffic, both pedestrian and vehicular. Allowing an unlimited vacation rental will result in excessive traffic from vacationers which will create a danger to residents, drivers and

Planning Commission
 City of Lincoln City
 December 30, 2019
 Page 2 of 2

pedestrians in and around NE Lake Drive. With this letter the City is now on notice that if anyone is hurt as a result of the traffic related to this Property and vacation rental this letter will be part of the public record and discoverable by anyone representing someone hurt as a result of the traffic from this Property. I encourage the City to drive to the location and observe the Property, the logistics and the danger increased traffic will create at this location. The amendment should be denied.

2. Off street Parking is not available at this location. Despite the drawings provided by the applicant and easement it claims to hold to allow off street parking, the house is too close to the corner and the road narrows at that location at the peak of the hill on NE Lake Drive. While the original permit allows only two vehicles we believe that the two car limit will likely never be observed nor will the narrow easement on to the public street for the second parking spot likely be observed if not abused by multiple cars. I suspect the actual usage at virtually every vacation rental exceeds the number of permitted spaces given how many people share vacation homes. We request that the City visit the site to review the parking, the condition of the off street parking, and deny the amendment.

Please contact me with any questions. Thank you.

Very truly yours,

DELTA COUNSEL, P.C.



Jerry L. Lawson, Jr.

Memo

December 4, 2019

To: AnneMarie Skinner, Director of Planning & Community Development
From: Weston Fritz, Assistant Planner

Re: Amendment to Land-Use Approval of Eclevia (File #VRD 2019-14-A)

Location: 1184 NE Lake Dr 07-11-11-CDD-03300

Zoning: Residential Single Family (R-1-5)

Background: The applicants, Rachel and Macario Eclevia, requested an amendment to their original approval to change their application from an accessory use license to an unlimited vacation rental license.

The applicants first applied to operate the property as a VRD in July 2019. The original application was for use as an accessory use as there were no unlimited use permits available. The applicants waited on the waiting list, and an unlimited use permit has now become available. A VRD license has not yet been issued.

Parking: Parking will not change.

Landscaping: The landscaping will remain the same.

The property will continue to maintain compliance with all standards, including those regarding trash, signage, TRF, additional landscape requirements, etc

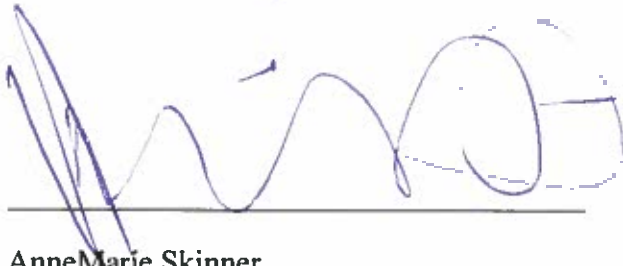
In conclusion, staff has determined that the request will not create any non-conformities with the VRD land-use standards, as listed in LCMC §17.80.050 B and complies with the VRD parking and all other standards required for the approval of a VRD land-use application for a dwelling with three bedrooms. Accordingly, staff recommends that this request be approved, subject to the following conditions of approval:

1. The applicant shall apply for and obtain a Vacation Rental Dwelling License, sign a VRD agreement, and complete all information required by the Lincoln City Finance Department for transient room tax (TRT) registration.
2. The required two off-street parking spaces must be maintained on the subject site while the dwelling is being used as a VRD pursuant to LCMC 17.80.050(B)(3). No more vehicles shall be parked on the property than there are designated off-street parking spaces.



APPROVED 

DENIED _____



AnneMarie Skinner
Planning & Community Development Director



Date

Attachments: VRD File 2019-08-A, which includes the original staff report and request to amend.



Macario E. Eclevia
Rachel B. Eclevia
7114 NE Elm St
Hillsboro, OR 97124
(503) 349-3608
reclevia@comcast.net



November 7, 2019

Mr. Weston Fritz
Assistant Planner, CFM
City of Lincoln City | Planning and Community Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541-996-1226 | E: wfritz@lincolncity.org | W: LincolnCity.org

SUBJECT: Land Use Amendment

Dear Mr. Fritz:

The purpose of this letter is to request an amendment for land use for property 1184 NE Lake Drive, Lincoln City, Oregon from an accessory license to an unlimited license.

Attached is the filing fee for \$262.50.

Sincerely yours,



Macario E. Eclevia



Rachel B. Eclevia

Vacation Rental Dwelling Site Evaluation

Street Address: 1184 NE Lake Dr

Applicant: Macario and Rachel Eclevia

No. Bedrooms: 2

No. Off-Street Parking Spaces: 2

Trash Receptacle: ☐ Yes ☐ No Location: See account info in file.

Landscaping Approved: ☐ Yes ☐ No H&S compliance? _____

Picture of Proposed VRD



Site Evaluation: ☐ Approved ☐ Not Approved

Inspector Signature

[Signature]

Vacation Rental Dwelling Tracking Sheet**VRD** VRD-2019-13VRD Street Address: 1184 NE Lake DrApplicant's Name: Macario and Rachel EcleviaApplicant's Mailing Address: 7114 NE Elm st
Hillsboro, OR 97124Applicant's Phone No.: Home 503-349-3608 Work _____Local Representative: Meredith Lodging

Local Representative's Mailing Address: _____

Local Representative's Phone #: Day 541-996-2955 Night 800-24-1736Email Address: Office@meredithlodging.comProperty Map and Tax Lot No.: 07-11-11-CD-3300Date Received: 7/22/19 Date Deemed Complete: 8/15/19No. of Bedrooms: 2 No. of Off-Street Parking Spaces: _____

Date Site Inspected: _____ Inspected By: _____

☐ **Approved**☐ **Denied**☐ **Withdrawn**

Date Notice of Decision Mailed: _____ Appeal Ends: _____

No. of 20-day Notices Sent: _____ Appealed? _____ Result: _____

Date Agreement/Transient Room Tax Sent to Owner: _____

Date File Sent to Finance Department: _____

Staff Comments: _____

Filed in Address File ☐Filed in VRD File ☐

In the Matter of:

Macario and Rachel Eclevia	)	VRD 2019-14-A
Request for Authorization for	)	Findings of Fact
Use as a Vacation Rental Dwelling	)	and Decision
at 1184 NE Lake Dr.	)	Eclevia
Map 07-11-11-CD Tax lot 03300	)	

VRD 2019-14-A - Eclevia (Accessory Use Authorization)

The application is for authorization for accessory use as a Vacation Rental Dwelling (VRD) for the residence located at 1184 NE Lake Dr (07-11-11-CD Tax lot 03300). The dwelling is in the Single-Family Residential (R-1-S) Zone. The applicants and owners are Macario and Rachel Eclevia.

PROJECT INFORMATION

Applicants: Macario and Rachel Eclevia

Site Location: 1184 NE Lake Dr
Map & Lot No. Map 07-11-11-CD Tax lot 03300

**Comprehensive
Plan Designation:** Single-Family Residential (R-S)

Zoning: Single-Family Residential (R-1-S)

**Surrounding
Land Uses
& Zoning:** North: Single-family homes, Regatta Park; Single-Family Residential (R-1-S) Park (P) Zone
 South: Devils Lake
 East: Regatta Park, Single-family homes; Single-Family Residential (R-1-S) Park (P) Zone
 West: Single-family homes, Undeveloped Land, Single-Family Residential (R-1-S), Open Space (OS) Zone

Public Notice On August 16, 2019, city staff mailed a public notice to property owners within 250 feet of the subject site with a 14-day period to submit any comments. ~~One comment was received:~~

None were received

**Applicable
Substantive
Criteria:** Municipal Code 17.16 Single-Family Residential Zone
 Municipal Code 17.80.050 Vacation Rental Dwelling Use Criteria

**Responsible
Planner:** Weston Fritz

CRITERIA and STANDARDS

The criteria and standards that apply to vacation rental dwellings (VRDs) are governed by Section 17.80.050 of the Lincoln City Municipal Code (LCMC), also referred to as Ordinance 2016-20. Section 17.80.050A of the ordinance specifies that vacation rental dwellings are allowed in recognition of the fact that property owners may desire to allow others to use a vacation home on occasions when the owners themselves are not using it, and the accommodation option that best fulfills the desires of many guests visiting Lincoln City is the rental of a private home during their stay. The ordinance establishes standards that must be met prior to the approval/authorization for vacation rental dwelling use. An analysis of these standards with respect to the subject application is provided further on in this report.

BACKGROUND

On July 27, 2019, the applicant filed an application for authorization for use as a vacation rental dwelling; the application was deemed complete on August 15, 2019. The property has been inspected for compliance with land use standards (as well as the health and safety licensing standards).

The subject residence has two bedrooms and is located on a 6,500 square foot lot on adjacent to Regatta Park and Devils Lake. The owners do not have an ownership interest in other property in the city that is authorized by the City for use as a vacation rental dwelling. The applicants have designated an eligible local representative. Staff has reviewed the house for compliance with land use and health and safety standards. The application is for accessory VRD Use.

ANALYSIS

Municipal Code 17.80.050 requires that the Planning and Community Development Director review an application for authorization for use as a vacation rental dwelling under the applicable standards of subsections 17.80.050(B) and shall issue an administrative decision on the application. Each required and applicable standard is addressed as follows:

LCMC 17.80.050(B)

(1) **Ownership. Approved Use as a VRD, including the license is not transferable.** A person may have ownership interest in no more than one dwelling unit in a residential zone that is authorized for use as a vacation rental dwelling.

The owner of the subject property does not own other residentially-zoned property in the city that is authorized by the City for use as a vacation rental dwelling. Staff has determined that this standard has been met.

(2) **Accessory or permitted use.** Except as otherwise provided in this title, a VRD is allowed as an accessory use in the R-1-5, R-1-7.5, R-1-10, R-M, and R-R zones, and as a permitted use in the R-1-5, NBD, NBMU, TVC, OP-OF, OP-1M, OP-MSH, VR, RC, and GC zones, provided the VRD meets the applicable standards of this chapter and obtains a license under Chapter 5.14 LCMC. The total number of vacation rental dwellings operating without limits on the number of nights for which they may be rented in the R-1-5 zone shall not exceed 10% of the total number of lots in that zone.

As stated above, the property is in a Single Family Residential (R-1-5) Zone. The limit of full-time VRD's in the R-1-5 zone has been exceeded. Therefore, the number of rental nights will be limited to

VRD 2019-14-A
Lelewa

thirty (30) nights a year.

(3) **One off-street parking space will be provided for each bedroom in the dwelling unit, and no less than two spaces will be provided for each dwelling unit. If the proposed VRD use cannot provide the required parking and also meet the other standards of LCMC § 17.80.050 B, including required landscaping, the vacation rental occupancy of the dwelling shall be reduced to conform to the available amount of off-street parking and made a condition of licensing under Chapter 5.14. No more vehicles shall be parked on the property than there are designated off-street parking spaces. No variance from the parking standards is allowed.**

The residence consists of a two bedroom dwelling. The property has two available off street parking spaces per a recorded easement (Doc 8189780). One parking space is located behind the house, and the other to the side of the home, in a 15 by 40-foot parking easement on the adjacent property. The legal documentation was provided to staff with the application. Staff has determined this standard has been met per the requirements of 17.80.050(B).

(4) **The owner must provide secureable receptacles of sufficient size for the deposit of solid waste generated by the vacation rental dwelling use and subscribe to a solid waste collection service for service sufficient for the vacation rental dwelling during all months the dwelling is used for vacation rental. No dumpsters are allowed.**

The applicant has submitted proof of solid waste collection. Continuing compliance with this standard will be required and will be reviewed during the annual renewal process, if a license is issued. Violations of this standard will initiate action up to and including the revocation of the annual VRD license pursuant to LCMC 17.80.050.D(2). Staff has determined that this standard has been met.

(5) **Residential Zones and the VR Zone: The owner must landscape all yards in accordance with the standards of LCMC 17.52.100. A minimum of 30 percent of the front yard (the area between the side lot lines, the front lot line, and the front of the dwelling) must be landscaped. For oceanfront properties constrained by a need to be set back from the bluff edge due to geological hazards, landscaping may be reduced in order to accommodate required parking.**

The total lot size is approximately 6,537 square feet. The total portion that is landscaped is roughly 3,000 square feet. That is above the required 20 percent in this zone. The landscaping consists of mature shrubs, some turf, and other various types of plants. There are at least 3 shrubs on the property. This constitutes more than the required points. There is at least 1,000 square feet of living ground cover, which exceeds the requirement. Staff has determined that this standard has been met.

The front of the home encroaches into the city right of way as demonstrated by the survey provided in the application materials. Based off of the definition of "front yard" in LCMC 17.04, the front yard calculation is 0 square feet. Therefore, this standard has been met.

(6) **In both residential and commercial zones, any sign on the property shall be in compliance with the sign requirements for the use in the R-1 zone, as established in Municipal Code 17.72.060 B.**

The sign ordinance limits signs in residential zones to "a non-plate or sign not exceeding four square

VR13 2019-14-A
Ecorvia

feet in area for each dwelling." Continuing compliance with this standard will be required and will be reviewed during the annual renewal process, if the permit is issued. Currently, the property contains no signage. It is staff's determination that this standard has been met for purposes of this application.

(7) The owner shall comply with LCMC Chapter 3.04 Transient Room Tax.

Compliance with this standard is subject to review during the annual renewal process and throughout the year, if the application is approved and a license issued. In the application, the applicants have indicated that they will comply with this requirement. It is staff's determination, therefore, that this standard has been met for purposes of this application.

(8) The occupancy must comply with any additional conditions of approval that in the discretion of the planning and community development director are necessary to mitigate potential adverse effects of the vacation rental use on the neighborhood as determined by a review of the application and staff inspections.

All conditions of approval can be found at the end of this document. All conditions must be met before issuance of a license.

LCMC 17.80.050(C)(2)

- a. Notice of Receipt of Application. After receipt of a vacation rental dwelling land use approval application, the department shall provide written notice of the application to:
- i. Owners of property within 250 feet of the property for which the application is submitted. The list of property owners shall be compiled from the most recent property tax assessment roll. Where 50 percent or more of the number of properties in the area subject to notice are owned by the same person, as defined in this section. The notice area shall be expanded until the number of properties owned by the same person constitutes 20 percent or less of the properties in the notice area. (Comments must be submitted within 14 days of notice date, LCMC 17.80.050.C.2.)
 - ii. Any neighborhood association recognized by the city whose boundaries include the site.

The required notice was mailed on August 16, 2019. No comments were received.

CONCLUSION

It is the department's determination that all applicable standards have been met in this application for authorization for use as a vacation rental dwelling. The subject residence conforms to all land use regulations as given in the Lincoln City Municipal Code, Chapter 17.16, Single-Family Residential (R-1-5), and has met the provisions of Ordinance 2016-20, Municipal Code 17.80.050.

DECISION

Based on the foregoing staff analyses of and conclusions regarding the standards given in Lincoln City Municipal Code 17.80.050.B, Vacation Rental Dwelling Standards, the Director of Planning and Community Development makes the following determination of the application for authorization for use as a vacation rental dwelling for the residence located at 1184 NE Lake Dr. (Map 07-11-11-CD Tax lot 03300),

APPROVED X DENIED

Subject to the following conditions:

1. The applicant shall apply for and obtain a Vacation Rental Dwelling License, sign a VRD agreement, and complete all information required by the Lincoln City Finance Department for transient room tax (TRT) registration.
2. To mitigate potential adverse impacts from extra vehicles, no more than two vehicles shall be associated with the property at any one time during a rental occasion. All parking must be contained onsite, no on street parking is permitted. If issues related to the number of vehicles at the property arise when it is being used as a VRD, the City reserves the right to reduce the allowed number of vehicles.
3. In order to comply with standard #2, accessory use in a residential zone, the number of nights per year that the property can be made available for rent as a vacation rental dwelling shall be limited to thirty (30).


Lindsey Sehmel
Planning & Community Development Director

9.18.19
Date

Application for
**Vacation Rental
 Dwelling use**

TO: Planning & Community Development
 801 SW Hwy. 101
 PO Box 50
 Lincoln City, OR 97367

Stamp Date Received

RECEIVED

JUL 22 2019

Zoning District

PLANNINGAccessory Use ☒ Permitted Use ☐File No: VRD-2014-A

Filing Fee: \$350

Street Address: 1184 NE Lake Dr. Lincoln City, OR 97367 #Bedrooms 2
 Assessor's Map and Tax Lot Number 07-11-11 CD; Tax Lot #3300
 Duplex: Yes ☐ No ☒ Hot Tub or Spa: Yes ☐ No: ☒

Applicant's Name(s)*: Melanie and Rachel Etkin
 Street Address: 214 NE Elm St, Astoria OR 97103
 Mailing Address: Same as above
 Telephone #: Home (503) 344-3663 Work ()
 Email Address: REALEVIN@GMAIL.NET

Current Owner's Name(s)*: Same as above
 Street Address: _____
 Mailing Address: _____
 Telephone #: Home () Work ()

If owner and applicant are different parties, please explain:

*Name, mailing address and telephone number of ALL persons holding or contracted to hold an ownership interest in the property, or holding an ownership interest in the entity that owns the property, must be provided. Please attach additional sheets as necessary to provide a full and accurate ownership list.

Local Representative:

Not currently in contract But
 Meredith Lodging
 Phone: (866) 996-7498
 Fax: 541-996-2955

Address:

2015 NW 39th St., Suite 100

City, State and Zip:

Lincoln City, OR

Email Address (Required):

owner@meredithlodging.com

Do you currently own an interest in other property in Lincoln City being used as a vacation rental?

Yes ☐No ☒

If so, what is the address? _____

Number of nights per year the property will be available for rent

300

=====

I (We) hereby declare under penalty of perjury under the laws of the State of Oregon that the foregoing information is true, complete, and correct. If the applicant is a contract purchaser, the applicant must provide written authorization from the current property owner. I (We) have read and fully understand, and agree to meet the standards included with this application. I (We) further certify that if the subject property is in a residentially-zoned district, that no person listed on this application owns an interest in other property in Lincoln City that is used as a vacation rental dwelling or is approved by the City of Lincoln City for vacation rental dwelling use. I (We) understand that providing false information in this application shall be a violation of Section 17.80.050 of the Municipal Code, and shall be grounds to deny the application, void the approval, enjoin the use, and revoke a vacation rental dwelling license issued for the property.

Maria S. Roberts
 Roberts

Applicant Signature(s)

07/17/2019

Date

Property Owner Signature(s) (if different from applicant)

Date

RECEIVED

JUL 22 2019

PLANNING

You must meet the following Standards for use of a dwelling as a vacation rental.

1. If the dwelling is located in a residential zone, the number of nights you may rent out the VRD is limited to 30 nights per calendar year, unless it is in the R-1-S zone and the city has issued fewer than 194 licenses for permitted use (unlimited rental nights) at the time of applying.
2. You must provide one off-street parking space for each bedroom in the dwelling, but in no event less than two spaces. Off-street parking spaces must be on the subject property. At least half the off-street parking spaces must be full-size spaces (9'x20'), the remainder may be compact-size spaces (8'x16'). Where the number of spaces required cannot be provided on-site, you must reduce the permitted occupancy of the dwelling to conform to the available amount of off-street parking. No more vehicles shall be parked on the property than there are designated off-street parking spaces. No variance from the parking standards is allowed. You must submit a parking plan with this application.
3. You must comply with the requirements of the Transient Room Tax Ordinance.
4. You must provide securable receptacles of sufficient size for the deposit of trash generated by the vacation rental dwelling use, and subscribe to a solid waste collection service. No dumpsters are allowed. You must submit proof of solid waste collection service with this application.
5. Signage on the property must not exceed a total of two (2) square feet and must comply with all other sign requirements for residential, not business use of the property as per LCMC 17.72.060 B.
6. Prior to making a vacation rental dwelling (VRD) available for use, including advertising by any means or otherwise offering the VRD for use, you must obtain a valid VRD License as provided in Chapter 5.14 of this code. To obtain a license your property must comply with all the health and safety standards found in LCMC 5.14.060.
7. You must comply with the landscaping standards as per 17.80.050 B(5), also listed on the reverse side of this page.

By signing below, you are certifying that you have read and understood the standards listed above.

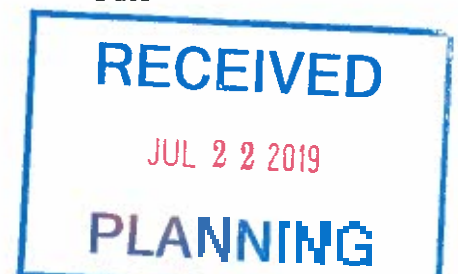


Applicant Signature



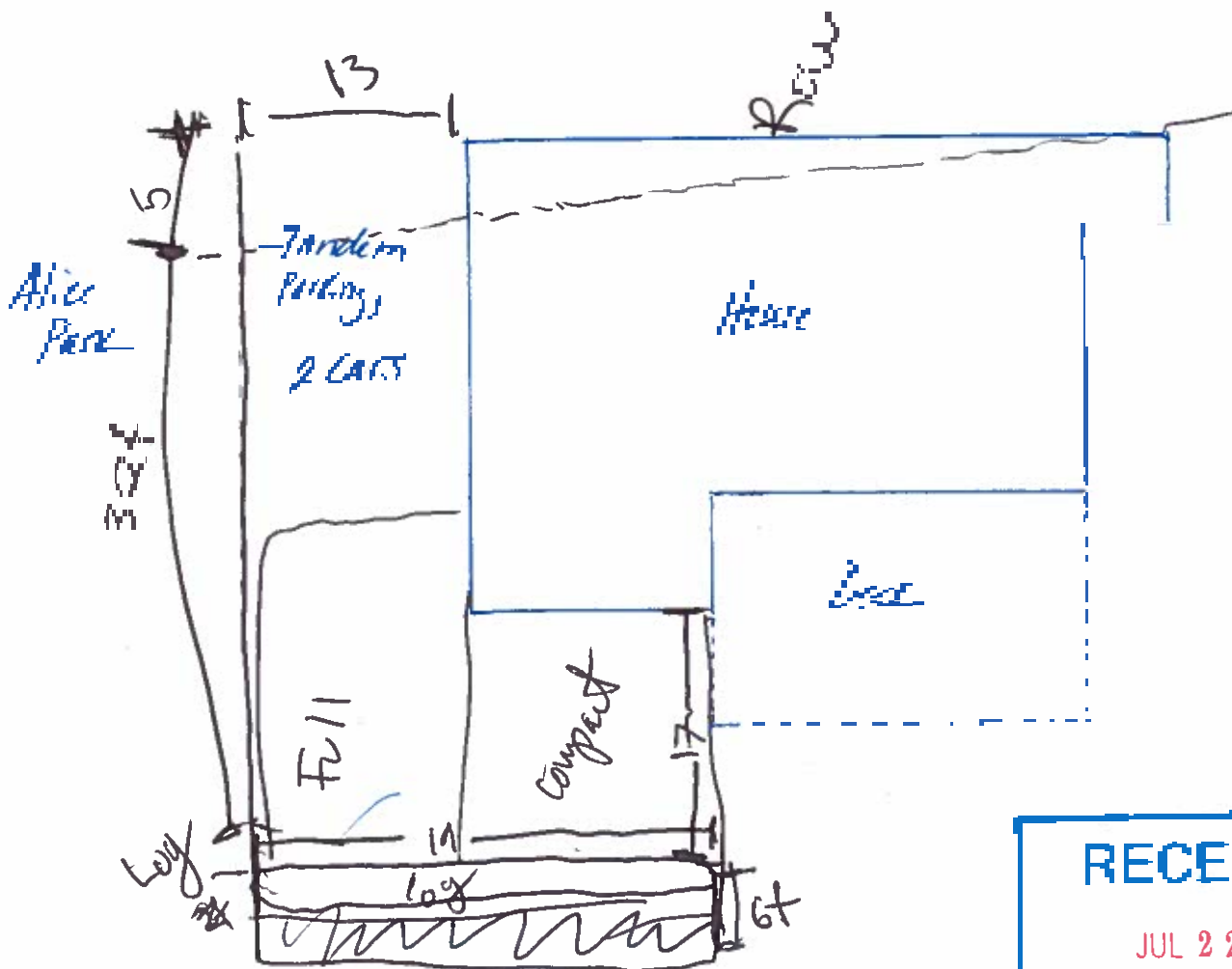
Date

VRD - Application for VRD Use - Mar 2017



Parking Plan

Please see attached easement for driveway and parking areas.



RECEIVED

JUL 22 2019

PLANNING

North Lincoln Sanitary Service

5.1.1.c

07/17/19 10:52:29 AM

ECLEVIA, RACHEL B

Customers Even Week ☒ Prorate ☐ User History Bill Amount Search Quick Check

Account: 23354 Name: ECLEVIA, RACHEL B Type: Residential

Address1: 1184 NE LAKE DR Payment Type: Normal

Address2: Start Date: 08/02/2019

City: LINCOLN CITY OR 97367 Stop Date: / /

Email: RECLEVIA@COMCAST.NET Send Email Status Code: Regular Service

Home #: (503)349-3608 Work: () - Cell: Bill Code: Residential A-K Print Only

Last Billed: / / 0.00 New Customer Attachment Register Bend Mailing

Day 120: 0.00
Day 90: 0.00
Day 60: 0.00
Day 30: 0.00
Current: 0.00
Total: 0.00

Service Address Transactions Cust Text Other Information Customer Contact Route Activity Roll Off Tips

Dir	Number	Street Name	Type	Appt#	Muni	Distance
NE	1184	LAKE	DR	01		0.00

New Address Attachment

Day	Driv #	Seq #	Cal #	Service	Qty	# K/T	Description	ID	Volume
Fri	01	005100	0	32RC	2/M	1 Auto			

Last AutoPost Service 0.00 Container Edit Container Search Show Scrapped

PrintScreen 0.00 New Edit

Comments from Renee
For 07/17/19 10:52:23 AM

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Printed 07/17/19 10:52:33 AM

Packet Pg. 35

1135R P1842

END PAGE

The following description is HERETOFORE on file at 12, Main St., Allen Park, Littleton Company, Littleton in driveway and parking area to structure was property described in MAP 2773120 of the Civil Records of Littleton Company. Structure and site HERETOFORE described as follows:

Registration of the ^{second} ~~first~~ ^{copy} ~~copy~~ of Lot 12, Block 1, Afton 99th Road in Block 6, Page 9 of the plat records of Liberty County, Georgia, shows 62°27'20"N - 99°09'00"W along the west line of said lot. It shows there being 666' 0" on Lot 6, 667°04'20"W - 13°00'00"E along the east line of said lot. As the parcel which said Road 99th is a part on the North Line of said Lot 12, thence 62°27'20"N to 14.60 feet along said North Line to the point of beginning, lying in the SE 1/4 of the SW 1/4 of Section 11, Township 7 North, Range 11 West, Williamsburg, Lincoln County, Georgia.



DATE: 11/11/2011

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JUL 22 2019

PLANNING

LCR 11111-1

City of Columbia, S.C. _____
S.C. Sen. 44 _____
LEGISLATIVE COUN. JR. 17741 _____
BY _____
COLUMBIA LOW EQUITIES TRUSTCO _____
12702 P.O. COLUMBIA, MISS. 39201 _____
WALTON JR. JR. 17741 _____
COLUMBIA LOW EQUITIES TRUSTCO _____
COLUMBIA LOW EQUITIES TRUSTCO _____
COLUMBIA LOW EQUITIES TRUSTCO _____
COLUMBIA LOW EQUITIES TRUSTCO _____

THE

I certify that the within information is true and correct to the best of my knowledge and belief.

 Signature of the Declarant

 Printed Name of the Declarant

 Title of the Declarant

THE FOLLOWING ARE THE NAMES OF THE

1. NAME _____

THESE ARE THE BEST COPY AVAILABLE

מחלקת המחקר והפיתוח

T.T.B. NW 1701

[illegible]

2000 10 10 14:15:00

[illegible]

NOT RECOMMEND FOR DISSEMINATION This document contains information that is exempt from disclosure under exemption (b)(7)(D) of the Freedom of Information Act, 5 U.S.C. 552(b)(7)(D), because it is personnel or medical files and/or contains information the disclosure of which would constitute an unwarranted invasion of privacy.

For Law 3188, Kansas Credit Advertiser, page 7, 11, 1911, which property is described by serial 3188 in the name of serial 3188 of the Kansas Property Sales Record.

THESE RESULTS ARE IN ACCORD WITH THE "A" SERIES DATA AND ARE OF THE
FOLLOWING NATURE:

DATE 27

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JUL 22 2019

PLANNING

Picture of the three party system this system only in the United States party of the three part hold the right to form the national and state governments and should not necessarily be for the party to the end.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01-24-2001 BY 60322 UCBAW

(7-9) **RECEIVED**
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

104-10444-170201A.A

DATE OF REPORT: 11/27/00



NATIONAL BUREAU OF STANDARDS
U.S. DEPARTMENT OF COMMERCE

NY 1, 1966

JUL 22 2019

Packet Pg. 39

WT015830
360

STATUTORY WARRANTY DEED
(unrecorded)

IN WITNESS WHEREOF the abovesigned have executed this document on the date(s) set forth below

Date: 6/14/18


Thomas R. Caperton


Patricia A. Caperton

State of OR
County of Washington

This instrument was acknowledged before me on JUNE 14, 18 by Thomas R. Caperton and Patricia A. Caperton.


Notary Public - State of Oregon
My Commission Expires: 12/19/20

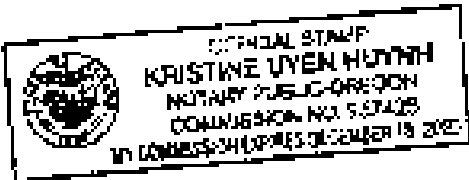


EXHIBIT "A"**Exceptions****Subject to:**

6. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2017-2018

Amount: \$4,894.93

Levy Code: 407

Account No.: R227412

Map No.: 07-11-11-03-0A360-60

7. City Liens, if any, in favor of the City of Lincoln City.

8. Regulations, levies, liens, assessments, rights of way and easements of Devils Lake Water Improvement District.

9. Subject property is either situated within the urban renewal boundaries or within the planned area of the Year 2000 Development Plan, Lincoln City, Oregon, and is subject to the terms and provisions thereof, as outlined by instrument.

Recorded: March 20, 1989

Document No.: Book 302, Page 1267, Lincoln County Records

Amended by instrument

Recorded: December 6, 1989

Document No.: Book 211, Page 1675, Lincoln County Records

Amended by instrument

Recorded: September 26, 2014

Document No.: 2014-08573, Lincoln County Records

Amended by instrument

Recorded: April 23, 2015

Document No.: 2015-08700, Lincoln County Records

Amended by instrument

Recorded: September 18, 2017

Document No.: 2017-09032, Lincoln County Records

10. Any adverse claim based upon the assertion that

a) Some portion of said Land is tide or submerged land, and/or has been created by artificial means or has accreted to such portion so created;

b) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Devil's Lake or has been formed by accretion to any such portion;

11. Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Devil's Lake;

12. Any adverse claim based upon the assertion that some portion of said Land is tide or submerged lands, or has been created by artificial means or has accreted to such portion so created;

13. Covenants, conditions, restrictions and easements, but limiting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document.

Recording Date: October 28, 1948

Recording No.: Book 129, Page 225

14. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document in favor of: City of Lincoln City, a municipal corporation.

Recording Date: August 5, 1983

Recording No.: Book 149, Page 2198

15. Regulations, levies, liens, assessments, rights of way and easements of Aliso Park-Indian Shoshone Urban Local Improvement District, as imposed by instrument.

Recording Date: October 22, 1994

Recording No.: Book 156, Page 201

16. As released by County Survey No. 10576, borne on subject property and abutting onto N.E. Lake Drive.

17. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document.

Between: City of Lincoln City, a municipal corporation

and: John Lee Squires, Trustee of the John Lee Squires Trust U.T.D. May 2, 1936

Recording Date: May 27, 1936

Recording No.: Book 358, Page 1542















PLANNING COMMISSION STAFF REPORT
MEETING DATE: February 4, 2020

Report prepared by AnneMarie Skinner, Planning & Community Development Director

CUP 2020-01 & SPR 2020-01 Northwest Natural Resource Ctr

PROJECT INFORMATION

See attached Staff Report

STAFF RECOMMENDATION

See attached Staff Report

Staff Report CUP 2020-01 (DOCX)
NWN Lincoln City Resource Center Narrative (PDF)
Exh A Application (PDF)
Exh B Drawing Set (PDF)
Exh C Metal Panel Cutsheet (PDF)
Exh D Photometrics Analysis (PDF)
Exh F Traffic Profile (PDF)
Exh E Arborist Report (PDF)
Exh G NWN Neighborhood Mtg (PDF)
Exh H Acoustical Report (PDF)

Staff Report

Planning Commission Hearing on February 4, 2020

Case File CUP 2020-01

Date: January 27, 2020

Case File: CUP 2020-01 and SPR 2020-01 Northwest Natural Resource Center

Applicant: Mary Fierros-Bower
720 NW Davis St, Ste 300
Portland, OR 97209
503.256.1572
mfierrosbower@lrsarchitects.com

Property Owner: Wayne Pipes
220 NW Second Ave
Portland, OR 97209
503.226.4211 ext 2496
wayne.pipes@nwnatural.com

Kim William Biddle
PO Box 214
Gleneden Beach, OR 97388

Situs Address: 2815 NE 36th Dr

Location: North side of NE 36th Dr, approximately 410 feet west of NE West Devils Lake Rd

Tax Map and Lot: 07-11-02-CA-00103

Comprehensive Plan Designation: Commercial-General District (G-C)

Zoning District: General Commercial (GC) Zone

Site Size: 4.72 ac or 203,570 sf

Proposal: Construct a new single-story office and vehicle storage/warehouse of approximately 11,678 square feet. Other site structures proposed include a covered truck washing equipment room, a covered truck washing pad, a covered trash enclosure, emergency generator, telemetry tower, and staff and fleet parking. Site structures (enclosed vehicle storage garages, covered pipe storage metal shed, covered bin areas, fueling tank canopy) will be constructed with pre-engineered metal building structures.

Surrounding Land Uses and Zones: North: Undeveloped and RV park; General Comm (GC) and Recreation Comm (RC)
South: NE 36th Drive and residences; Single-Family Residential (R-1-7.5)
East: residences; Single-Family Residential (R-1-7.5)
West: Undeveloped; General Commercial (GC)



Public Notice: The Planning and Community Development Department mailed notice to the owners of all properties within 250 feet of the site on January 14, 2020. The *News Guard* published the public hearing notice on January 22, 2020.

Authority: Section 17.60.020 of the Lincoln City Municipal Code (LCMC) gives the Planning Commission authority to approve, approve with conditions, disapprove, or revoke conditional use permits subject to the provisions of LCMC Chapter 17.60. LCMC 17.74.030.A.3 gives the Planning Director authority to refer any site plan review application to the Planning Commission for a public hearing when the Planning Director determines that the size or scale of the development (vis-à-vis its appearance, traffic generation, parking, or other characteristics) warrants a public hearing.

Applicable Substantive Criteria: LCMC Chapter 17.32 General Commercial (GC) Zone
LCMC Chapter 17.52 Supplementary Regulations and Exceptions
LCMC Chapter 17.60 Conditional Uses
LCMC Chapter 17.74 Commercial Design Standards

BACKGROUND

The subject site is located in the General Commercial (GC) zone. The purpose of the zone as stated in 17.32.010 is as follows: “The general commercial zone (GC) is provided to accommodate a wide range of retail commercial uses including those which attract shoppers from a community or larger market area, as well as convenience service/retail uses and single-family residential dwelling units. Retail commercial uses are those that sell services and/or products to the ultimate consumer. **Also permitted as conditional uses are low intensity fabrication uses and other limited service facilities as listed.**”

The uses listed in LCMC 17.32.020 as permitted uses are given as examples of those uses that meet the intent of the zone. Likewise, the uses listed in LCMC 17.32.040 as allowed conditional uses are given as examples of those uses which meet the intent of the zone on a conditional basis. Uses listed as conditional uses are drive-in service facilities; indoor commercial recreation establishments; passenger terminals; public utility; utility substations; outdoor commercial recreational establishments; automobile and trailer sales; light fabrication establishments; recreational vehicle parks; multifamily dwellings; motor vehicle repair facility; tire shops; kennels; aggregate sales and storage; manufactured dwelling sales and service; mortuary; wireless communications facilities; emergency shelters; and docks. LCMC Title 17 gives no definition for public utility, utility, utility substation, or utility resource center. Staff has classified the proposed utility resource center as a mix between a public utility and a utility substation. Staff also notes that, without a listed LCMC Title 17 definition for any of the aforementioned terms, staff has reviewed definitions from various dictionaries to determine that a utility resource center meets the intent of the GC zone as “other limited service facilities as listed” and is allowed with conditional use permit approval. The proposed use is not a public utility or utility substation, but it is a utility resource center for the natural gas utility. Since it is similar in nature to a public utility and utility substation, both of which are allowed with conditional use permits, the request for the utility resource center is likewise being considered a conditional use.

The subject site (site) is an undeveloped lot containing vegetation and trees. The site does not possess any aesthetic, historic, cultural, or archaeological resources. The site does not contain any special flood hazard areas. The site does not contain any protected trees, geologic hazards, significant wetlands, wetlands, or significant riparian areas.

Pre-application conferences and neighborhood meetings are not required. However, the applicant voluntarily requested a pre-application conference, which was held on October 24, 2019. The applicant also voluntarily held a neighborhood meeting on December 9, 2019. The applicant states that 12 property owners attended and the project was well received. The applicant notes that the project architect and acoustical engineer were also in attendance to address architectural questions and to discuss noise study findings. The application materials include the neighborhood meeting attendance sheet and pictures from the neighborhood meeting, as well as a site acoustical analysis.

The applicant describes the proposal as follows:

“The scope includes a new 1 story 4,270 SF office building designed to seismic category IV. Including a new 7,408 SF vehicle storage & warehouse, designed to category II, with drive-thru shop bays and truck washing equipment (Landa) room. Both the office and vehicle storage & warehouse buildings will be constructed with pre-engineered metal building structures.

Site work scope includes various other site structures, a covered truck washing pad, a covered trash enclosure, emergency generator, telemetry lattice type tower, and staff and fleet parking spaces. Site structures (enclosed vehicle storage garages, covered pipe storage metal shed, covered spoil bin areas, fueling tank canopy) will be constructed with pre-engineered metal building structures.”

ANALYSIS

The specific findings made by the Planning Commission in granting a conditional use permit must be factual and supported by substantial evidence. The burden of producing substantial evidence to support the requisite findings is on the applicant seeking the approval of the conditional use.

The analysis for site plan design review is given as part of criterion 2. In staff’s estimation, if the site plan design review standards are met, which include yards, spaces, walls, fences, parking, loading, and landscaping requirements, then criterion 2 is met. Conversely, if criterion 2 is met, then the site plan design standards are met.

In order to grant any conditional use, the Planning Commission must find, based upon evidence, both factual and supportive, provided by the applicant, that:

1. The proposal is in compliance with the comprehensive plan;

Finding: In response to this criterion, the applicant notes that the site is in the GC zoning district, and that LCMC 17.32.040 lists examples of those uses which meet the intent of this zone on a conditional basis, subject to the provisions of LCMC Chapter 17.60, with public utility, utility substation, motor vehicle repair facility, tire shops, and aggregate sales and storage as some of the examples listed.

The City of Lincoln City Comprehensive Plan (Comprehensive Plan) provides a “general-commercial district to accommodate a wide range of retail commercial uses which attract shoppers from the community or the larger market area.” The Comprehensive Plan further states the “District runs along Highway 101”, and “to create better Highway 101 visual quality, excellence in design and landscaping will be encouraged by the Planning Commission.” Staff notes that, even though the site is in the GC comprehensive plan district and zone, it is not located along Highway 101. Chapter 17.32 is the General Commercial (GC) zone with a stated purpose to permit as conditional uses low intensity fabrication uses and other limited service facilities as listed. Once an approval is granted with conditions, the Comprehensive Plan’s implementation mechanism (or LCMC) is fully met.

The Comprehensive Plan contains no directly applicable policies for utility substations or utility resource centers; however, the Comprehensive Plan does contain a section for Public Services and Utilities. This section states that “other municipal services, such as fire service, health service, telephone and gas service, are located in Lincoln City and provide utilities on a regional basis to the North Lincoln County areas. These utilities or services have also completed comprehensive planning to ensure that there are no constraints to future extension of the services.” The goal of the Public Services and Utilities section of the Comprehensive Plan is “to plan and develop a timely, orderly, and efficient arrangement of public facility and services which compliment [sic] the area and serve as a framework for urban and rural development.” Overall public facility policies are:

- It shall be the overall policy of Lincoln City to centralize public facilities where appropriate.
- The City shall utilize the extension of public utilities as a method of controlling growth.
- Lincoln City shall work with utility companies to develop and directly implement programs for placing all utilities underground. This program may be accomplished in conjunction with scheduled street repairs.
- The City shall require new developments to pay for service extensions.

Individual public facility policies pertain to sewer, water, and drainage. This criterion is either not applicable or is met.

2. The site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, wall and fences, parking, loading, landscaping and other features required by this title;

Finding: This project entails construction of new buildings and structures on an undeveloped lot in the GC zone. Pursuant to LCMC 17.52.240 and 17.32.110.E, site plan review is required as well as adherence to commercial design standards of LCMC Chapter 17.74. A review of the requirements of LCMC Chapter 17.32, 17.52, and 17.74 follows showing that this criterion is met if the project is constructed in adherence to the submitted materials and code requirements, including those for site plan design review.

Chapter 17.32 General Commercial (GC) Zone

17.32.050 Yard requirements

Finding: There are no yard requirements unless adjacent to or across the street from a residential zone. In this case, the eastern side is adjacent to a residential zone, and the southern property line is across the street from a residential zone. The submitted site plan shows the required setbacks from the southern and eastern property lines of at least 10 feet for the front (southern) property line and at least 18 feet 6 inches from the side (eastern) property line. This requirement is met.

17.32.060 Minimum lot width

Finding: Minimum lot width only pertains to automobile service stations or new drive-in establishments. This project is neither of those; therefore, this requirement is not applicable.

17.32.070 Maximum building height

Finding: The maximum building height in the GC zone is 45 feet. The submitted exterior elevations, identified as Exhibit B, show the office building at 26 feet tall, the vehicle storage building/warehouse height at 28 feet, and the other site buildings varying between 23 and 32 feet in height. This requirement is met.

17.32.080 Maximum building size

The GC zone requires that no building or group of contiguous buildings exceed a maximum footprint of 60,000 square feet. The submitted plans and narrative show and state square footages of the office building at 4,270 square feet; the vehicle storage building and warehouse at 7,408 square feet; the enclosed storage vehicle garage at 1,530 square feet; the covered pipe storage shed at 3,568 square feet; and the covered spoil bin area shed at 3,438 square feet. The total combined square footages of the proposed buildings and structures is 20,214 square feet. This requirement is met.

17.32.090 Signs

Finding: The submitted materials show no proposed signage. The applicant states no signage is proposed for the site. This requirement is not applicable.

17.32.100 Parking

Finding: This requirement is met per the detailed discussion later in this document.

17.32.110 Other required conditions

A. Landscaping

Finding: A landscaping plan was submitted with the applicant's materials showing all landscaping requirements of Section 17.52.100 are being met. The site plan shows a total impervious area of 110,765 square feet. The proposal includes a bioswale of 4,920 square feet, landscape area inside the proposed fence of 2,015 square feet, and landscaped area outside the proposed fence of 38,6y85 square feet. The undeveloped area of the site, that will remain with mature vegetation in place, is 65,145 square feet. The percent of total lot area to be landscaped is 22.4% which exceeds the minimum requirement. This requirement is met.

B. Outdoor Storage Area

Finding: The southern and western sides of the project will be obscured from view by the grade of the hill. All other views will be obscured by a 7-foot-tall chain link fence with black-colored vertical privacy slats. This requirement is met.

C. Outdoor Sale Display

Finding: The narrative states that no outdoor sale displays are proposed. The applicant's submitted site plan also states in a note that no outdoor sale displays are proposed. This requirement is not applicable.

D. Restrictions

Finding: The applicant submitted civil drawings showing a preliminary utility plan for city sewer and water services to the site. This requirement is met.

- E. All commercial or mixed-use buildings in the GC zone must conform to Chapter 17.74 LCMC, Commercial Design Standards.*

Finding: This requirement is met per the detailed discussion later in this document.

17.52.060 Clear-vision requirement

Finding: The project proposes one entrance from NE 36th Drive. The submitted site plan shows the required clear vision triangle, with no obstructions taller than 2.5 feet. This requirement is met.

17.52.100 Landscaping

Finding: The applicant submitted a detailed landscape plan (identified as Exhibit B) showing compliance with landscaping. Landscaping will be inspected by city staff for compliance prior to issuance of a certificate of occupancy. This requirement is met.

17.52.120 Utilities

Finding: The applicant states in the narrative that all electrical, telephone, and cable television services will be placed underground in accordance with city standards. This will be confirmed during the structural permitting process by city staff. This requirement is met.

17.52.170 Lighting

Finding: The applicant submitted an exterior lighting plan that shows compliance with all exterior lighting requirements. The applicant states in the narrative that all light fixtures are proposed to have cut off shields to avoid glare, light pollution, and light spillover onto residential properties. The proposed light poles are under 20 feet tall. This will be confirmed by city staff for compliance during the structural permitting process. This requirement is met.

17.52.170 Trash receptacle enclosure

Finding: The submitted materials show the proposed trash enclosure that is separate from the main building. The enclosure consists of an 8-foot-tall CMU wall that supports a steel canopy 4 feet above the wall. This enclosure will effectively block from view the trash and recycling containers contained therein. Additionally, the trash enclosure is located inside of the 7-foot-tall chain-link-fenced area. The chain link will contain privacy slats. Accordingly, the trash receptacles will not be visible from public right-of-way or neighboring properties. This requirement is met.

17.52.180 Screening of mechanical equipment

Finding: The applicant states in the narrative that the emergency generator and condensing units are located between the office building and the storage vehicle garage. Other mechanical equipment is screened from view of the public right-of-way and neighboring properties with a combination of building facades, the proposed chain link fencing with privacy slats, and vegetation. If constructed as proposed and shown on the submitted plans, this requirement is met.

17.52.220 Tree protection and removal

Finding: The applicant submitted a report from an arborist dated November 15, 2019. The applicant indicates 89 trees will be removed and 86 will be retained. A review of the report and the tree removal plan shows that 63 of the 89 trees being removed are either dead or within 100 feet of the proposed buildings. Accordingly, only 26 trees need to be replaced on a one-for-one basis to meet tree mitigation requirements. The submitted plans show that 89 trees will be planted, which far exceeds the tree mitigation requirement. The applicant submitted a tree protection plan, identified in Exhibit E, along with the tree removal permit application. The tree protection and removal requirements have been met.

17.52.240 Site plan review

Finding: The site is undeveloped, and the applicant proposes new buildings and structures with accompanying landscaping and parking. The proposed new development requires site plan review prior to proceeding to submittal of structural permit applications. The required site plan review application, fee, and drawing set were submitted for review. Applicable agencies and departments were notified of the request. Properties within 250 feet of the site were notified of the request. No comments from the public were received. Dan Wentz with Lincoln City Public Works submitted comments via email with recommended conditions of approval which are incorporated herein. Lon French with North Lincoln Sanitary Service submitted comments stating the following: “I have been in contact with Sky Woodhouse of LRS Architects in regards to NW Natural Gas’s new location. The location of the enclosure works for us, but with the property being surrounded by fencing and building effectively creating a screen, I believe that meets the requirements for the screening needed for their garbage enclosure.” The site plan review requirement has been met.

Chapter 17.56 Off-street Parking and Loading Regulations

Finding: Off-street loading is required for hospitals, hotels, commercial, or industrial buildings having a gross floor area of 10,000 square feet or more. None of the proposed buildings are 10,000 square feet or more, so no off-street loading spaces are required. The number of off-street parking spaces required for the project is based on the use and square footage of the structures. The portion of the building being used as office space requires 1 space per 400 square feet plus 1 space for each employee. The remainder of the structures requires 1 space for each 5,000 square feet for the first 20,000 square feet plus 1 additional space for each 50,000 square feet. In this case, the project proposes to provide 4,270 square feet of office space with 11 employees for a total of 22 parking spaces required. The vehicle storage building and warehouse and the enclosed storage vehicle garage require 2 parking spaces, for a grand total of 24 parking spaces. The parking plan shows 24 parking spaces are being provided. The parking area will be screened from view by the grade of the hill and the proposed 7-foot-tall chain link fence with privacy slats. The parking lot will be surfaced with impervious asphaltic or Portland cement. The submitted plans show either curbing or wheel stops at all parking spaces. All proposed parking spaces are 10 feet wide by 20 feet long, and no compact spaces are being provided. The required accessible parking is being provided. The required landscaping is being provided. One bicycle rack providing two bicycle parking spaces is being provided. If constructed as shown in the submitted materials, the off-street parking requirements are met.

Chapter 17.74 Commercial Design Standards

17.74.060 Site design

Finding: The standards for site design are only applicable for projects located in a pearl or a string. This project is not located in either; therefore, the site design standards are not applicable to this application.

17.74.070 Pedestrian circulation

Finding: Pedestrian facilities shall be provided in accordance with the site design standards in LCMC 17.74.060. The site design standards in LCMC 17.74.060 are only applicable to sites in a pearl or a string. The site is not in a pearl or a string, so the site design standards are not applicable, which means the pedestrian facilities requirements are not application either. The pedestrian circulation requirements are not applicable to this application.

17.74.080 Building design

B. Standards

1. Height.

Finding: The minimum height requirement is 18 feet. The maximum height requirement is 45 feet. The submitted elevations show that all the buildings vary in height between 23 and 32 feet in height. The height requirement is met.

2. Building Form.

a. Overall Design. Architectural designs shall address all four sides of a building, for example by continuing architectural elements around building corners. New buildings should not mimic any other building in their form or detailing, but instead should reflect the predominant forms within each pearl or string, as applicable, while expressing individuality.

Finding: The submitted elevations address all four sides of the buildings. The site is not within a pearl or string, so there is no predominant form to reflect. This requirement is met.

b. Stepped Rooflines. Height should vary from building to building to avoid a homogenous appearance.

Finding: The heights of the proposed buildings vary between 23 feet and 32 feet in height. This requirement is met.

c. Roof Forms. Roof designs shall conform predominately to one of the following: flat with stepped parapet, gabled, or hipped. Secondary roof forms may include towers, dormers, turrets or other features with rounded (e.g., split-barrel), shed (e.g., dormer), pyramidal, or crossing elevations. Gambrel, dual-pitched (e.g., hipped “mansard”), deck (flat-topped, hipped), A-frame, and similar roof forms are discouraged.

Finding: The applicant states the roof form is a “simply high/low split gable roofs to accommodate a ribbon of high clerestory windows to maximize daylighting opportunities into the office building and high bay vehicle storage and warehouse areas.” The elevations show the gable roof type. This requirement is met.

3. Window Transparency

4. Building Orientation

Finding: The standards for window transparency and building orientation are only applicable to pearls and the string. The site is not in a pearl or the string; therefore, these requirements are not applicable to this project.

5. Primary Entrance

Finding: The submitted materials show clearly-defined primary entrances that provide a weather protection shelter of at least 5 feet in depth through the building overhang. This requirement is met.

6. *Secondary entrances*
7. *Armature of Block*
8. *Building Mass*

Finding: The standards for secondary entrances, block armature, and building mass are only applicable to pearls or the string. Since the site is not in a pearl or the string, these requirements are not applicable to this application.

9. *Accessibility*

Finding: The required accessible parking is being provided as shown on the submitted materials. Accessibility requirements for the structures will be reviewed for compliance as part of the structural permitting process. This requirement is met.

10. *Openings*

Finding: The submitted materials show the storefront windows are articulated with mullions and concrete window sills. There are no upper floors, so no upper floor windows are proposed. The building does provide clerestory windows, however, which are vertically aligned with the ground floor windows where possible. The main entry door is articulated with transparent doors and glazing to allow natural light to the inside and views to the outside. The openings requirements are met.

11. *Horizontal Rhythms*

Finding: The submitted materials show, and the narrative indicates, that a horizontal roof overhang provides visual articulation along the façade, protection from the elements, and adds an overall sense of enclosure for the users. The building includes a horizontal CMU building base wall, and a horizontal clerestory window ribbon above featured at all four building facades. This requirement is met.

12. *Vertical Lines*

Finding: The building is a single-story building. However, smooth metal wall panels with vertical seams is being provided along with storefront window frames with a vertical mullion design to further enhance the building's verticality. This requirement is met.

13. *Materials and Color*

Finding: The applicant states in the narrative the following:

“The design of the building is consistent with the character and image of the surrounding area by recalling materials and detailing that is prevalent in this area and on the nearby existing commercial buildings. The proposed building draws from the exterior material color palette used in the existing surrounding residential homes and the site's natural surroundings. The building utilizes a CMU wall base on all four sides of the building, a smooth flat metal panel system above and standing seam metal roofs. Corrugated metal siding is not proposed as it is not allowed as a primary cladding material. Materials were chosen for durability and to withstand the harsh marine environment.

A modernist interpretation of architectural design incorporating tan CMU wall base, warm beige smooth metal panel wall system, dark bronze storefront window frames, concrete window sills, dark bronze roof fascia and gutters is carried throughout the building's "front façade." The color scheme consists of simple earth tones to blend in well with the surrounding trees. The colors, materials, large windows and metal siding are intricately detailed and are recurring elements featured throughout the building facades unifying the building architecture and the site in general. See Exhibit B, Exterior Elevations sheet."

Based upon the applicant's narrative and submitted elevations, staff feels the requirements for natural materials and earth tone colors have been met.

14. Pedestrian Shelters

Finding: The pedestrian shelter requirements only apply to ground floor elevations where the building abuts a sidewalk, plaza, pedestrian access way or outdoor seating area. None of those are the case, so this requirement is not applicable.

15. Mechanical Equipment

Finding: The applicant's submitted materials show mechanical equipment placed between buildings. No rooftop equipment is proposed. The telemetry will be pre-finished in a non-reflective forest green color and located towards the rear side of the property, with the antenna being painted to match the tower. The site will also contain a 7-foot-tall chain link fence with privacy slats around the perimeter. Additionally, existing vegetation to the west will remain and additional perimeter plantings will take place as part of the project. The screening requirements for mechanical equipment are met, provided the project is constructed as shown in the submitted materials.

17.74.090 Transportation and streetscape standards

Finding: The Public Works Department provided recommended conditions of approval addressing street and right-of-way improvements. With the recommended conditions of approval, this requirement will be met.

17.74.110 Parking

Finding: Parking requirements have been found to be in compliance with the code as discussed previously in this document.

17.74.120 Landscaping

Finding: The submitted materials show all the required landscaped areas, tree protection for remaining trees, number and types of plantings, irrigation method, sizes of vegetation at time of planting, and the required percentage of landscaping. Staff finds this requirement is met provided the landscaping is installed as portrayed in the submitted materials.

17.74.130 Exterior Lighting

Finding: The submitted lighting plan and photometric analysis shows that none of the light poles will be taller than 20 feet, all lights will be shielded and down facing, none of the parking area exceeds four-foot candles of luminance, and no light spillage will occur on adjacent properties. The exterior lighting requirements are met.

3. The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use;

Finding: The applicant refers to the applicant's attached Exhibit B, site plan, and Exhibit F, traffic profile, in response to this criterion. The applicant's identified Exhibit F, traffic profile, states this is a specialty trade contractor with no visitors. Said profile indicates the proposed resource center will experience a total of 32 trips per day, with five workers making four trips per day for a total of 20 trips, and six workers making two trips per day for a total of 12 trips.

The site is located on the north side of NE 36th Dr. NE 36th Dr is paved, but it does not contain sidewalk, curb, or gutter. LCMC 17.52.230 requires that a new building or structure in connection with any permitted or conditional use is subject to public infrastructure improvement requirements. These requirements include installation of curbs and gutters along adjacent streets not having curbs and gutters, and also paving the roadways from the curbs to 12 feet beyond centerline of unpaved or partially unpaved streets contiguous to the property proposed for development, in accordance with applicable standards of this title, street design standards in the City's Transportation System plan, and public works/engineering standards (17.52.230.2.a). Also required is installation of sidewalks in accordance with street design standards in the City's Transportation System Plan and public works/engineering standards (17.52.230.2.d). The project contains new buildings and structures, as well as being a conditional use, so adherence to 17.52.230 is mandatory.

Staff notes that pedestrians are forced to walk on the 24-foot-wide roadway of NE 36th Drive, which doesn't contain shoulder or pathways. The development's uses are proposed to include vehicle storage, crew dispatch, equipment storage, and local office function. Although the submitted traffic profile estimates 32 trips per day, the proposed use will change the kind of vehicular traffic. The trips are more likely to be large dispatch vehicles, construction equipment transport, or equipment and material delivery. This kind of traffic frequently includes large trailers and/or flat-bed trailers. Given the current status of NE 36th Dr in its unimproved state with its lack of curb and gutter, sidewalk, and full street section, and given the kind of vehicular traffic the proposed use will involve, staff feels that, for this criterion to be met, frontage improvements are necessary extending east from the southeastern property corner the remaining 400 feet of NE 36th Dr, to NE West Devils Lake Rd, thereby connecting the sidewalk improvements to the multi-use pathway on NE West Devils Lake Rd. With compliance to LCMC 17.52.230, as well as the additional improvements to the remaining 400-foot length of NE 36th Dr, this criterion is met.

4. The proposed use will have minimal adverse impact upon adjoining properties and the improvements thereon. In making this determination, the commission shall consider, but not be limited to, the proposed location of the improvements on the site, vehicular egress/ingress and internal circulation, pedestrian access, setbacks, height and bulk of buildings, walls and fences, landscaping, screening, exterior lighting and signing;

Finding: The submitted site plan shows the proposed building is approximately 150 feet from the east property, 30 feet from the south property line, 50 feet from the north property line, and several hundred feet from the west property line. Existing trees and vegetation on the western portion of the site will remain. Landscaping will be installed around the perimeter of the site, along with a bioswale in the eastern portion of the site and a 7-foot-tall chain link fence with privacy slats around the perimeter of the resource center. Only one entrance is proposed at the southeast corner of the site to provide vehicular egress and ingress for the applicant's stated 32 vehicle trips per day. Street frontage improvements to the site's NE 36th Dr frontage will take place as required by the code to provide sidewalk along the front of the site.

The applicant's narrative indicates the emergency generator and condensing units are ground-mounted to concrete pads, located in between the buildings thus effectively screening them from view from all streets and neighboring properties. No rooftop equipment is proposed. The proposed telemetry tower assembly will be pre-finished in a non-reflective forest green color to blend in with the surrounding area trees and landscape. Additionally, the tower will be located towards the rear of the property to be screened with sight-obscuring rows of trees and vegetation. The applicant states the antenna will be painted to match the tower and all cables and wires will be hidden from view and, if possible, painted to match the tower color.

All proposed exterior lights will be shielded. Parking area luminance does not exceed the four-foot candle maximum. The submitted photometric plan shows no light spillage onto adjacent properties. No up lighting is proposed.

The submitted elevations, model and bird's eye views show the resource center surrounded with trees. Existing trees to the west of the center will remain. Numerous trees will be planted around the center to provide sight obstruction, in addition to the privacy fence.

The application does not include any requests for signage.

The applicant included a site acoustical analysis prepared by Listen Acoustics. The analysis states that sound levels at the site occur for a short period of time, during the morning and afternoon, typically 10 minutes. The rest of the day, very little noise occurs as the employees are off the site. Page 6 of the analysis indicates that the site design has beneficial natural and constructed sound barriers as shown in the 3D perspective below, including the large earth berm/cut and the building itself. The summary states: "noise from typical operations at the Northwest Natural Resource Center generally will not exceed maximum permissible noise as defined by the Lincoln City Municipal Code. One potential exception is a few seconds of vehicle sound passing by the residential lot at the driveway on the East side."

Property owners within 250 feet of the site received notice of the request. No written comments were received from property owners within 250 feet.

Staff finds this criterion is satisfied provided the project is built as presented in the submitted materials.

5. In areas designated as requiring preservation of historic, scenic or cultural attributes, proposed structures will be of a design complementary to the surrounding area.

Finding: As stated previously in this staff report, the site is not an area designated as requiring preservation of historic, scenic, or cultural attributes; therefore, this criterion is not applicable.

RECOMMENDATION

The Planning Commission shall hold a public hearing on the proposed request, take public testimony, close the public hearing, deliberate, and determine whether the request complies with the criteria for granting approval. Staff recommends that the Planning Commission approve the request, with the following conditions of approval:

1. The approval is subject to all applicable federal, state, county, city, and local agency and jurisdictional requirements. It is the applicant's responsibility to ascertain all such requirements and comply accordingly.

2. The approval is subject to being developed and constructed as shown and stated in the submitted materials, notwithstanding any portions of the submitted materials not meeting code requirements. All portions of development and construction shall meet all code requirements.
3. Frontage improvements, per LCMC 17.52.230, extending east from the southeastern property corner the remaining 400 feet of NE 36th Dr, connecting the proposed sidewalk improvements to the multi-use pathway on NE West Devils Lake Rd shall be required prior to issuance of a final certificate of occupancy. This shall include curb, gutter, 5-foot-wide sidewalk, necessary storm system improvements to accommodate drainage changes, and connection to the existing multi-use pathway on NE West Devils Lake Rd.
4. The applicant shall submit two copies of engineering plans for all public improvements and site development to the Department of Public Works for review and approval either as submitted or as modified in accordance with requirements of the City Engineer. The City Engineer's review and any required modifications shall be for the purpose of assuring that the improvements shall be consistent with Lincoln City Public Works Standards and the provisions of this condition of approval.
5. Prior to issuance of the structural permits and any site work, construction activity, demolition, clearing, grubbing, or excavating, a Combined Public Works Permit application shall be submitted with permit application. All right-of-way work planned shall be noted on the approved plans and performed as shown.
6. The approved plan set and permits shall be kept on the site, at all times, until construction is complete and all final inspections have been passed.
7. The applicant shall submit two copies of erosion control plans to the Department of Public Works. The City Engineer will review and approve all erosion control plans. Approved soil erosion control measures must be in place and inspected by the Department of Public Works prior to any construction activities.
8. If disturbing one or more acres of land during construction activity, the applicant is responsible for application, acquisition, and compliance with Oregon DEQ 1200-C Stormwater permit.
9. Sidewalk, curb, and gutter, and necessary pavement repair shall be completed along NE 36th Dr frontage in compliance with LCMC 17.52.230. All city right-of-way work planned shall be noted on the approved plan set and performed as shown.
10. Cross-sections of the NE 36th Dr sidewalk and roadway shall be submitted with engineered plans. Cross-section intervals should not exceed 100 feet and shall demonstrate adequate transition to either existing or proposed asphalt grade.
11. Application shall include engineered plans that demonstrate ADA-accessible clearance, elevations, grade, transitions, and terminations for all public sidewalk in compliance with state and federal standards. Current design required ADA curb ramps on both sides of the noted driveway access design, and for the curb return at the southwestern property corner.

NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

LAND USE REVIEW CUP, SITE PLAN REVIEW, DESIGN REVIEW APPLICATION

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209
☎ 503.221.1121 📠 503.221.2077

NW NATURAL LINCOLN CITY RESOURCE CENTER**LAND USE REVIEW****CUP, SITE PLAN REVIEW, DESIGN REVIEW APPLICATION****PROJECT INFORMATION:**

2815 NE 36TH DRIVE

LINCOLN CITY, OR 97367

MAP AND TAX LOTS 21 AND 22

LEGAL DESCRIPTION: 07-11-02-CA-00103-00

ZONING: GENERAL COMMERCIAL (GC)

PROPERTY OWNER:

WAYNE PIPES

220 NW 2ND AVE,

PORTLAND, OR 97209

503.226.4211 X2496

WAYNE.PIPES@NWNATURAL.COM

APPLICANT REPRESENTATIVE / ARCHITECT FOR NW NATURAL:

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NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

CODE COMPLIANCE NARRATIVE

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209
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Applicant Representative /
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Arborist:

Teragan & Associates, Inc.

Contact: Todd Prager, AICP, RCA #597, ISA Board Certified
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NARRATIVE AND CODE CONFORMANCE

Site Activity Statement

The subject site is located on NE 36th Street in Lincoln City. The site is approximately 205,906 SF in size and carries the GC General Commercial zoning district.

Site Information	NW NATURAL LINCOLN CITY RESOURCE CENTER
Location	2815 NE 36 th Drive, Lincoln City, OR 97367
Tax Lots	21 and 22
Site Size	205,906 SF
Land Use	
Jurisdiction	City of Lincoln City
Base Zone	GC-General Commercial
Existing Use	NA
Tax Map	07-11-02-CA-00103-00
Pre-Application Conference	10/24/19
Case File	PR2019-16
Neighborhood Meeting	12/9/19

PROPOSAL SUMMARY

The scope includes a new 1 story 4,270 SF office building designed to seismic category IV. Including a new 7,408 SF vehicle storage & warehouse, designed to category II, with drive-thru shop bays and truck washing equipment (Landa) room. Both the office and vehicle storage & warehouse buildings will be constructed with pre-engineered metal building structures.

Site work scope includes various other site structures, a covered truck washing pad, a covered trash enclosure, emergency generator, telemetry lattice type tower, and staff and fleet parking spaces. Site structures (enclosed vehicle storage garages, covered pipe storage metal shed, covered spoil bin areas, fueling tank canopy) will be constructed with pre-engineered metal building structures.

Neighborhood Meeting

The applicant, NW Natural held a voluntary meeting with the neighboring property owners on 12/9/19 to review the proposed project design. 12 property owners attended the neighborhood meeting. The project was well received. See Exhibit G.

The project architect and acoustical engineer were also in attendance to address architectural questions and to discuss noise study findings. See Exhibit H.

Traffic Profile

The new building will have a total of 11 occupants generating a total of 32 trips per day. No additional vehicular trips to the site are anticipated. See Exhibit F, for Traffic Profile.

Development Review

The applicant is requesting approval to build a new NW Natural Resource Center building and associated site infrastructure with the provisions of the City of Lincoln City Development Code.

LCMC 17.32.020 lists the permitted uses and development standards for the General Commercial (GC) Zoning District. This project is a permitted use under conditional uses and complies with these development standards.

The development will be subject to standards outlined in Titles 12, 13, 15, and 17 of the Lincoln City Municipal Code (LCMC) as well as any other applicable city, state, or federal regulations including the Lincoln City Transportation System Plan and Lincoln City Public Works Design Standards. The development review application is subject to the Land Use Review procedure including Conditional Use Permit, Site Plan Review and Design Review.

The Land Use Review fee is (\$4,060) and is submitted with this application. Fees are based on Planning and Community Development Fee Schedule.

LCMC Title 17 Zoning Chapter 17.32 General Commercial (GC) Zone 17.32.040 Conditional uses permitted.

RESPONSE:

The site is located in the General Commercial (GC) zoning district. Section 17.32.040 lists examples of those uses which meet the intent of this zone on a conditional basis, subject to the provisions of Chapter 17.60. Public Utility, utility substation, motor vehicle repair facility, tire shops, and storage are some examples listed.

The applicant proposes to develop a new "immediate occupancy" single-story office and warehouse building of approximately 11,678 square feet. The project also proposes various other site structures, a covered truck washing equipment (Landa) room, a covered truck washing pad, a covered trash enclosure, emergency generator, telemetry tower, and staff and fleet parking spaces. Site structures (enclosed vehicle storage garages, covered pipe storage metal shed, covered spoil bin areas, fueling tank canopy) will be constructed with pre-engineered metal building structures.

The proposed utility facility is not specifically listed, but it is similar to the examples that are listed as conditional uses.

Therefore, the use is allowed if conditional use approval is obtained through the public hearing process and conditions of approval and applicable code standards are adhered to.

17.32.050 Yard Requirements.

RESPONSE: The eastern side of the site is contiguous to the R-1-7.5 zone and southern portion of the site is across the street from the R-1-7.5. Refer to the site plan for showing the required setbacks from the southern and eastern property lines.

-front property line: 10'-0" setback

-side property lines: 18'-6" setback (10ft + ½ ft per every vertical foot over 15'-0") (32 - 15=17; 17 divided by 2 = 8'-6" + 10'-0" = **18'-6"**)

Thus this criterion has been met.

17.32.060 Minimum lot width.

RESPONSE: Minimum lot width is not applicable to the project since the proposal does not contain any automobile service stations or new drive in establishments.

Thus, this criterion is not applicable.

17.32.070 Maximum building height

Maximum building height is 45 feet, as provided in LCMC 17.52.190 and 17.52.200.

RESPONSE: The proposed buildings meet the maximum building height. See Exhibit B, building exterior elevations for building heights.

Office Building Height:	26'-0"
Vehicle Storage Building /	
Warehouse Height:	28'-0"
Site Buildings Height:	32'-0" (Height Varies between 23'-6" to 32'-0")

Thus, this criterion has been met.

17.32.080 Maximum building size

No building or group of contiguous building shall exceed a footprint of 60,000 square feet.

RESPONSE: The proposed building or group of contiguous building do not exceed the maximum footprint of 60,000 square feet. The proposed building is less than 60,000 square feet. See Exhibit B, site plan.

Office building:	4,270 SF
Vehicle Storage Building & Warehouse:	7,408 SF
Enclosed Storage vehicle Garage:	1,530 SF
Covered Pipe Storage Shed:	3,568 SF
Covered Spoil Bin Area Shed:	3,438 SF

Thus, this criterion has been met.

17.32.090 Signs

Signs are permitted in accordance with the provisions of Chapter 17.72.

RESPONSE: The applicant does not propose to provide signage for the site.

Thus, this criterion is not applicable.

17.32.100 Parking

Off-site parking shall be provided in accordance with Chapter 17.56

RESPONSE: See Chapter 17.56 response.

Thus, this criterion has been met.

17.32.110 Other required conditions

A. Landscaping. Landscaping shall be provided in accordance with Section 17.52.100.

RESPONSE: The proposed site plan shows a total impervious area of 110,765 SF on the property. This includes a bioswale of 4,920 SF, landscape area inside fencing 2,015 SF, and landscape outside fencing 38,685 SF. The undeveloped open space is 65,145 SF. Percent of total lot area to be landscaped is 22.4%. A detailed landscape plan (Exhibit B) for the entire site showing compliance with all applicable portions of Sections 17.52.100, 17.52.220, and 17.52.240, and Chapter 17.74 is included with this package.

Thus, this criterion has been met.

B. Outdoor Storage Area. All outdoor storage shall be screened from ground-level view from adjacent properties and from public streets.

RESPONSE: The southern and western sides of the subject development will be obscured by the grade of the hill. All other sides will be obscured by 7' high chain link fence with black colored vertical slats.

Thus, this criterion has been met.

C. Outdoor Sale Display. Outdoor sales displays are allowed, but shall not be located in any yard, landscaped area, or off-street parking or loading area which is required by Title 17.

RESPONSE: The applicant does not propose any outdoor sale displays. See site plan for note.

Thus, this criterion is not applicable

D. Restrictions. No development shall occur in the GC zone unless all city service (sewer and water) are available to serve such development.

RESPONSE: See Exhibit B, Civil sheets C1.1 for preliminary utility plan showing how city sewer and water services will be provided to the development.

Thus, this criterion has been met.

E. All commercial or mixed-use buildings in the GC zone must conform to Chapter 17.74 LCMC, Commercial Design Standards.

RESPONSE: See the complete land use application and application attachments demonstrating how all the structures comply with Chapter 17.74.

Thus, this criterion has been met.

Chapter 17.52 Supplementary regulations and exceptions

17.52.060 Clear-vision area requirement.

A. Requirement to Provide Clear Vision. For public safety purposes, all properties shall have triangular clear-vision areas (aka clear-vision triangles) where streets (public or private) intersect with other streets, commercial alleys and commercial driveways. Clear-vision triangles shall also be provided for street intersections with commercial driveways as provided herein.

3. Alleys and Driveways in Commercial Zones. Property owners shall maintain a clear-vision triangle on each side of a commercial driveway. One side of the triangle shall be along the edge of the commercial driveway extending 10 feet from the point of intersection with the right-of-way line.

4. Notwithstanding the definitions set forth above, the minimum clear-vision area (clear-vision triangle) may be modified by the city engineer, with the concurrence of the planning director, upon written finding that more or less sight distance is necessary (i.e., due to traffic speeds or roadway alignment).

Figure 17.52.060-4: Clear-vision triangles for commercial driveways.

RESPONSE: Clear-vision clearance is provided at proposed driveway at 10 x 50 from the point of intersection. See Exhibit B, Civil plans and Landscape.

Thus, this criterion has been met.

17.52.080 Maintenance of minimum requirement

RESPONSE: Applicant has acknowledged criterion.

Thus, this criterion has been met.

17.52.090 Dual use of required open space.

RESPONSE: Applicant has acknowledged criterion.

Thus, this criterion has been met.

17.52.100 Landscaping

A. Purpose. Landscaping is important to the community for its aesthetic value and environmental benefits, such as controlling erosion and functioning as part of the natural hydrologic cycle

B. Applicability. Landscaping requirements in this section apply to:

1. Newly developed lots.

RESPONSE: See a detailed Landscape Plan and Architectural Site Plan (Exhibit B) for the entire site showing compliance with all applicable portions of Sections 17.52.100.

Thus, this criterion has been met.

2. Uses other than single-family homes and duplexes.

a. Landscape plan shall be submitted with the site plan and shall be drawn to scale and shall include the location of buildings, impervious surfaces, and pervious surfaces. Plans must indicate the location, species, and number of proposed plantings and how the landscaped area will be irrigated.

RESPONSE: A detailed landscape plan is included with this package showing buildings, impervious, and pervious surfaces. Demolition and proposed plans are attached showing trees acting as wind barriers, noise buffers and as a visual screen. See Exhibit B.

Thus, this criterion has been met.

b. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be located in the front and another in one of the side areas. In all developments, the areas between buildings on the lot must be landscaped.

RESPONSE: Applicant has acknowledged criterion. Landscape is located at all areas of the lot including in the front, side areas and between buildings. See Exhibit B, Landscape Plan and Architectural Site Plan for locations.

Thus, this criterion has been met.

c. Materials in the plan shall not be installed until the plan has been approved.

RESPONSE: Applicant has acknowledged criterion.

Thus, this criterion has been met.

D. Impervious Surface Limits. The following limits on impervious surface apply to all lots:

2. All Development Other Than Single-Family Dwellings and Duplexes. Impervious surface shall be limited in accordance with Chapter 17.56 LCMC, Off-Street Parking and Loading Regulations, and subsection (E) of this section, and the applicable zoning designation.

RESPONSE: In accordance with Chapter 17.56;

17.56.110.D. b. All Development Other Than Single-Family Dwellings and Duplexes. All parking spaces in excess of the minimum required amount shall be surfaced with pervious materials, as listed in subsection (D)(1)(b) of this section.

Total parking spaces required: 24 spaces

Total parking spaces proposed: 24 spaces

Parking spaces in excess of the minimum are not proposed thus no parking areas are surfaced with pervious materials.

Thus, this criterion does not apply.

E. Planted Area – Minimum Requirements. For the purposes of this chapter, a planted area is any area designed to accommodate live vegetation. It includes the non-living ground cover that is distributed amongst and between the plants for erosion control, soil fertility, and beautification.

2. All Development Other Than Single-Family Dwellings and Duplexes. Except as modified by other sections of the zoning ordinance, a minimum of 15 percent of the total lot area shall be landscaped with plants and groundcover, as described in this section.

RESPONSE: The proposed Site Plan shows a total impervious area of 110,765 SF on the property. This includes a bioswale of 4,920 SF, landscape area inside fencing 2,015 SF, and landscape outside fencing 38,685 SF. The undeveloped open space is 65,145 SF. Percent of total lot area to be landscaped is 22.4% (4,920 SF, 2,015 SF, 38,685 SF) which meets the 15% requirement.

Total lot coverage is 203,570 SF.

Thus, this criterion has been met.

F. Groundcover Required. All exposed ground, such as soils, clay, sand, etc., shall be landscaped with groundcover, either living or non-living, as described in the following:

1. Living Groundcover. Living groundcover must be evenly distributed throughout areas required by subsection (F)(1)(a) of this section.

a. Coverage of Living Groundcover.

RESPONSE: The applicant proposes to use living ground cover per Exhibit B (Landscape Plan). Landscaping along the site includes Red Alder, Strawberry Tree, Sitka Spruce, Shore Pine and various other shrubs and low-level planting. The irrigated plant beds include Point Reyes Creeper, Compact Oregon Grape, Western Sword Fern, and Evergreen Huckleberry.

2. Non-Living Groundcover. Depth of mulch shall be the minimum necessary (i.e., a two-to three-inch-thick layer) to ensure effective erosion control and to avoid leaching of excessive nutrients. Mulch between plantings shall consist of any of the following materials:

RESPONSE: The applicant proposes to use gravel as part of non-living groundcover around the tower. See Exhibit B, Landscape site plan.

17.52.120 Utilities

RESPONSE: All electrical, telephone and cable television services will be placed underground in accordance with city standards.

Thus, this criterion has been met.

17.52.170 Lighting

RESPONSE: All lights fixtures are proposed to have cut off shields to avoid glare, light pollution and light spillover onto residential properties. Proposed site light poles are under 20 feet high. The photometric plan shows that there will not be any light spillage onto adjacent properties. See Exhibit D.

Thus, this criterion has been met.

17.52.170 Trash receptacle enclosure

RESPONSE: The applicant proposes a trash enclosure that is separate from the main building and not visible to the neighboring properties or public right-away. The trash enclosure consists of an 8-foot high CMU wall that supports a steel canopy 4 feet above the wall. The trash enclosure is obscured from the adjacent property by 7' chain link fence with slats. See Exhibit B, site plan for location and exterior elevations.

Thus, this criterion has been met.

17.52.180 Screening of mechanical equipment

RESPONSE: Emergency generator and condensing units are located in between the office building and site enclosed storage vehicle garage on concrete pads. All mechanical equipment is screened with a combination of building facades, fencing, and tall vegetation. Away from public view.

Thus, this criterion has been met.

17.52.220 Tree protection and removal

A. Scope. This section applies to all trees within the city wherever located.

B. Purpose. This purpose statement provides a general philosophy to guide the specific enforcement and implementation of provisions and criteria in this section.

b. Multifamily Dwellings, Commercial or Industrial Sites, Undeveloped Sites, Trees More Than 100 Feet from Single-Family Dwellings and Duplexes or Two-Family Dwellings...

1. A tree removal permit may be issued only for:

vi. Development. Removal of tree(s) for the placement of structures and other improvements, in accordance with subsection (F)(9) of this section and provided: (A) The city has approved a site plan, subdivision, planned unit development or building permit; and (B) The city has approved a tree protection plan, if required by subsection (H) of this section.

RESPONSE: Based on an arborist report dated 11-15-19, the applicant proposes to remove 89 trees and retain 86. Most trees fall under the “dead” category that are being removed and are located at the east end property, which falls into the category of Undeveloped sites. See Exhibit B & E, for the tree inventory and site plan showing the removal and trees to remain.

Additionally, there are 63 trees out of the 89 proposed to be removed fall within 100 feet distance of the proposed buildings, which means only 26 trees need to be replaced. However, the applicant still proposes 89 new additional trees.

See Exhibits B and E. In addition to the exhibits, there is a Tree Removal Permit Application as part of the package, see Exhibit A.

Thus, this criterion has been met.

3. Review Process. If part of a project that requires subdivision review, site plan review, or a conditional use permit, the permit for tree removal shall be processed as part of development or conditional use permit review. Other tree removal applications shall be reviewed by the director of planning and community development, who may require an erosion control plan to determine conformance with Chapter 12.08 LCMC, Grading and Erosion Control, and rules issued by the public works department.

RESPONSE: Applicant has acknowledged criterion.

Thus, this criterion has been met.

G. Replacement of Trees Lawfully Removed.

1. Applicability. The standards of this section apply to trees removed with a permit required by subsection (F) of this section that are more than 100 feet from a building subject to site plan review, or conditional use approval, or that are removed to allow development of parking in excess of the amount of required parking, or that are removed for purposes other than compliance with a governmental requirement. If the tree being removed is dead, dying, diseased or dangerous to life or property, replacement is encouraged, but not required, unless the tree is a protected tree, in which case replacement is required.

2. Replacement Requirement. Removed trees six inches or more in diameter must be replaced on a one-for-one basis.

4. Tree Replacement Specifications – Species, Size and Location. When replacement of a tree or trees legally removed is required by subsection (G)(2) of this section, the number, species and size shall be governed by all of the following:

a. Species. The city prefers native trees, including conifers; however, the planning commission or director of planning and community development shall take into consideration site compatibility as well as the property owner's preference...

b. Size. The minimum diameter of a replacement tree shall be one and one-half inches.

c. Location. Trees shall be replaced according to a planting plan provided by the applicant and approved by the director of planning and community development, showing all preserved and replacement trees.

RESPONSE:

Trees proposed to be Removed: 89 (only 26 trees are outside the 100 feet distance from the proposed buildings)

Existing Trees to Remain: 86

New Trees Proposed: 89 (43 Red Alder, 2 Strawberry trees, 33 Sitka Spruce, 8 Shore Pine, & 3 Vine Maple)

Total trees on site: 175 trees

See the Arborist report for tree inventory, Landscape Plan and Site Plan for tree location, type, size, and species. See Exhibits B and E.

Thus, this criterion has been met.

5. Planting Site.

RESPONSE: Applicant has acknowledged criterion and plans to plant the trees only on the property from which the trees are removed.

Thus, this criterion has been met.

6. In-Lieu Payment

7. Responsibility to Replace Mitigation Trees.

8. Timing of Replacement.

RESPONSE: Applicant has acknowledged criterion.

Thus, this criterion has been met.

I. Tree Protection and Replacement Plan Required.

2. Elements of a Tree Protection Plan. The owner of lots or parcels specified in subsection (I)(1) of this section shall provide a tree protection plan for the planting, maintenance, removal and protection of trees, prepared by a certified arborist to meet the approval of the director of planning and community development and the city engineer

d. Arborist Report. The report, prepared by a certified arborist, shall describe all large trees and all protected trees on the site and any large or protected trees removed within the period of one year prior to application for a tree permit. The report shall include the following:

RESPONSE: See Exhibit E for tree protection plan/ arborist report for tree identifications, replacement plan, and tree protection program.

Thus, this criterion has been met.

3. Recording of Tree Protection Plan. The property owner shall record a deed restriction as a condition of approval of any development permit affected by this section to the effect that trees preserved and planted in accordance with an approved tree protection plan may be removed only with a permit and only for the reasons described in subsection (E) of this section, in which case the tree shall be replaced.

RESPONSE: Applicant has acknowledged criterion. See Exhibit E for arborist report.

Thus, this criterion has been met.

J. Protection Standards Related to Construction.

RESPONSE: Applicant has acknowledged criterion.

Thus, this criterion has been met.

17.52.240 Site Plan Review

RESPONSE: Applicant has acknowledged criterion. A Site Plan Review drawing package is included with this application to reference all required criterion.

Thus, this criterion has been met.

Chapter 17.56 Off-street Parking and Loading Regulations

17.56.020 Off-street parking plan.

RESPONSE: The proposed site plan includes design of vehicular activity patterns within the service yard. This proposal configures on-site circulation into a circular pattern consisting of one in/out driveway. The proposed open pattern allows greater maneuverability of fleet vehicles and improves traffic safety and circulation.

Note this site is not a public service center, thus there is no customer parking provided. Furthermore, the service yard of the proposed site plan is not open or accessible to customers or the public.

Thus, this criterion has been met.

17.56.030 Off-street loading.

Every hospital, hotel, commercial or industrial building hereafter erected or established having a gross floor area of 10,000 square feet or more shall provide and maintain at least one off-street loading space plus one additional off-street loading space for each additional 20,000 square feet of gross floor area. Any use requiring one-half or more of a loading space shall be deemed to require the full space. Each loading space shall be not less than 10 feet wide, 25 feet in length and 14 feet in height.

RESPONSE: A designated truck loading or unloading space is not necessary because the proposed use is a private utility use consisting of a service yard with ample circulation space for large fleet vehicles to maneuver and park.

Thus, this criterion has been met.

17.56.040 Off-street parking.

17.56.050 Number of spaces required.

Off-street parking spaces shall be provided and maintained as set forth in this section for all uses in all zoning districts. Such off-street parking spaces shall be provided at the time: A. A new building is hereafter erected.

F. Commercial

4. Office: 1 space per 400 sq. ft. of gross floor area plus 1 space for each employee

G. Industrial

2. Storage Warehouse: 1 space for each 5,000 sq. ft. for first 20,000 sq. ft. plus 1 additional space for each 50,000 sq. ft.

RESPONSE: Based on required parking spaces per the zoning code, the minimum off-street motor vehicular parking space required is 24 off-street parking spaces. The site plan proposes 24 staff parking spaces, meeting the minimum requirement.

The proposed plan shows a total of 24 parking spaces including fleet parking. See Exhibit B, Site Plan.

REQUIRED STAFF PARKING SPACES

OFFICE USE:

4,270 SF / 400 SF + 11 employees = 22 parking spaces
(+ 1 space for each employee)

STORAGE WAREHOUSE / VEHICLE STORAGE GARAGE USE:

((7,408 + 1,530)/5000 = 2) + 0 employees = 2 parking spaces

24 TOTAL STAFF PARKING SPACES ARE REQUIRED

Note, same employees counted in office will utilize the shop bays. The Shop Bays will be utilized to house 4 fleet vehicles to protect from the harsh marine environment.

Thus, this criterion has been met.

17.56.070 More than one use.

RESPONSE: The sum of the various uses has been included to determine the parking requirements. See 17.56.050.

Thus, this criterion has been met.

17.56.090 Location of parking facilities.

RESPONSE: Off-street required parking spaces are located on the same parcel.

Thus, this criterion has been met.

17.56.100 Parking – Front yard.

RESPONSE: Off-street required parking spaces and loading spaces are not located within the required front yard.

Thus, this criterion has been met.

17.56.110 Development and maintenance standards for off-street parking areas.

A. Access. Groups of more than two parking spaces shall:

1. Be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.

RESPONSE: See Exhibit B, Site Plan for off-street parking area access. The proposed development does not require backing movements or other maneuvering within a street or right-of-way.

B. Screening.

Fence, Sight-Obscuring. "Sight-obscuring fence" means a fence, consisting of wood, metal or masonry, or an evergreen hedge or other evergreen planting, arranged in such a way as to obstruct vision.

RESPONSE: See Site Plan for off-street parking area screening. The southern and western sides of the subject development will be obscured by the grade of the hill. All other sides will be obscured by 7' high chain link fence with black colored vertical slats. Additionally, existing mature trees will provide additional screening. See site plan and Landscape.

Thus, this criterion has been met.

C. Lighting.

RESPONSE: Proposed lighting used to illuminate the off-street parking areas is arranged to not project light rays directly upon any adjoining property in residential zones. See Exhibit B for off-street parking area lighting plan and type of light fixture proposed. See Exhibit D, for photometric analysis diagram.

Thus, this criterion has been met.

D. Surfacing, 1. 2.

RESPONSE: Impervious asphaltic or Portland cement surfacing material is proposed at areas used for standing and maneuvering of vehicles. Materials will be installed and maintained adequately for all-weather use, including proper drainage as to avoid flow of water across sidewalks and any property line.

All pervious surfaces are designed, installed, and maintained to ensure proper stormwater infiltration. See Civil drawings.

Thus, this criterion has been met.

3. Maximum Impervious Surface. b.

All Development Other Than Single-Family Dwellings and Duplexes. All parking spaces in excess of the minimum required amount shall be surfaced with pervious materials, as listed in subsection (D)(1)(b) of this section.

RESPONSE: Proposed parking spaces does not exceed the minimum required amount.

Thus, this criterion is not applicable.

E. Vision Clearance.

RESPONSE: Vision clearance is provided at proposed driveway. See Exhibit B, Civil plans.

Thus, this criterion has been met.

F. Curbing and Wheel Stops.

RESPONSE: Wheel stops or a concrete curb is provided at all parking spaces. See Exhibit B, Site plan.

Thus, this criterion has been met.

G. Marking.

RESPONSE: Permanent markings are provided at all proposed parking spaces.

Thus, this criterion has been met.

H. Landscaping.

RESPONSE: Proposed parking area is provided with the required percentage of landscaping. See Landscape plans.

Thus, this criterion has been met.

I. Compact Car Parking.

RESPONSE: Compact car parking is not proposed. See Exhibit B, Site plan.

Thus, this criterion is not applicable.

J. Accessible Parking.

RESPONSE: One accessible parking space (includes one van accessible space) is required per the building code based on 1-24 total parking spaces provided per OSSC – Table 1106.1. See Site Plan.

Thus, this criterion has been met.

K. Parking Layout and Design Criteria.

RESPONSE: All proposed parking spaces provided are 10 feet in width and 20 feet in length. See Site Plan.

17.56.120 Bicycle parking.

RESPONSE: One bicycle parking space per every 20 vehicle parking spaces are required for new uses. 24 proposed parking spaces = 2 required bicycle spaces (at least 2 feet x 6 feet in size are allocated). One bicycle rack (providing 2 bicycle spaces) has been provided with 5 feet in width unobstructed walkway connecting bicycle rack to the building entrance.

See Exhibit B, Site plan for location and dimensions.

Thus, this criterion has been met.

Chapter 17.60 Conditional Uses

RESPONSE: See attached conditional use permit application for Findings of Fact and drawing package.

Thus, this criterion has been met.

Chapter 17.72 Sign Regulation

RESPONSE: The applicant does not propose to provide any signage for the site.

Thus, this criterion is not applicable.

Chapter 17.74 Commercial Design Standards

17.74.010 Purpose and Intent

A. These commercial development design standards are intended to enhance and protect the city's quality of life and community image through clearly articulated commercial development design goals and policies and minimum design standards; to protect and promote the city's economic vitality through commercial design standards that encourage and reward high quality development while discouraging less attractive and less enduring alternatives; and to enhance and protect the security and health, safety, and welfare of the public. In addition, the standards are intended to serve as interim design standards for "pearl" areas until such a time that the city adopts specific standards for each pearl.

17.74.020 Applicability

A. This chapter applies to all commercial and mixed-use development in the General Commercial and Recreation Commercial zones for which site plan review is required, except where superseded by a specific plan district or overlay zone (e.g., Oceanlake and Taft) established for a similar purpose. Different standards apply depending on whether a property is within a designated "pearl" or "string" district.

C. The applicant has the burden of proof of demonstrating conformity with the standards and criteria of this chapter.

D. Where conflicts occur between the design standards and other municipal code regulations or other ordinances, the provisions of this chapter shall apply.

17.74.030 Administration of design standards and guidelines

RESPONSE: The site is in the GC zone and site plan review is required, so the commercial design standards are applicable. The site is neither “pearl” or “string”, so some of the standards do not apply like secondary entrances and pedestrian spaces.

See attached drawing package including detailed plans, elevations, and materials showing commercial design standards implementation and compliance with all applicable portions of the code.

- **Building Setback, Orientation, and Pedestrian Circulation**
- **Building Design**
- **Roof Form**
- **Window Transparency**
- **Primary Entrances**
- **Articulation, Horizontal Rhythms, and Accessibility**
- **Vertical Lines**
- **Materials and Color**
- **Pedestrian Shelters**
- **Mechanical Equipment**
- **Transportation and Streetscape Standards**
- **Landscaping**
- **Exterior Lighting**

17.74.040 Guiding principles – Pearls.

17.74.050 Guiding principles – Strings.

RESPONSE: Not applicable as the site or building is neither “Pearl” or “String”.

Thus, this criterion is not applicable.

17.74.060 Site design.

A. Intent.

B. Standards.

1. Building Setback, Orientation and Pedestrian Circulation

RESPONSE: Not applicable as the site or building is neither “Pearl” or “String”.

Thus, this criterion is not applicable.

17.74.070 Pedestrian circulation.

RESPONSE: Not applicable as the site and building is neither “Pearl” or “String”.

Thus, this criterion is not applicable.

17.74.080 Building design.

A. Intent. The building design standards reflect the following community values;

1. Eclectic coastal architecture.

2. Building orientation to streets to create a sense of enclosure and human scale.
3. Articulated building facades to break up large volumes and promote human scale.
4. Contextually appropriate materials, textures and colors.
5. Storefront character (windows, pedestrian shelter, furnishings, etc.).
6. Corner buildings that serve as focal points with vertical elements, furnishings and / or public art.

RESPONSE: Not applicable as the site and building is neither “Pearl” or “String”. Building facades are articulated to break large volumes and promote human scale. The building is clad with marine environment friendly materials, textures and earth tone colors. See Exhibit B, Exterior Elevations sheet.

Thus, this criterion is not applicable.

B. Standards.

1. Height.

- a. **Maximum Height.** Maximum height is established by the underlying zone.

RESPONSE:

The underlying GC zone carries a 45' height limitation. The Main Building is 28 feet high and the site buildings vary between 23 feet – 6 inches and 32 feet in height. See Exhibit B, Sheet A3 for elevation heights.

Thus, this criterion has been met.

2. Building Form:

- a. **Overall Design.** Architectural designs shall address all four sides of a building, for example by continuing architectural elements (e.g., articulation, materials, detailing, etc.) around building corners.
- b. **Stepped Rooflines.** Height should vary from building to building to avoid a homogenous appearance.
- c. **Roof Forms.** Roof designs shall confirm predominately to one of the following: flat with stepped parapet, gabled, or hipped.

RESPONSE:

The single-story building is articulated and accented with vertical flat smooth metal panels and large storefront windows at the prominent building elements. See Exhibit C for metal panel cutsheet.

The building form is L-shaped to offer a buffer between the neighboring residential properties across NE 36th Drive. The buildings are oriented parallel to NE 36th Drive to create a visual and noise buffer. In the effort to minimize visual and noise impacts to the neighboring residential properties the buildings are recessed into the hillside with the service yard situated farthest from the property frontage. Additionally, a tree line is maintained around the entire project perimeter which will provide additional screening to the neighbors. See Exhibit B.

The building colors, materials, large storefront windows, CMU base wall and smooth flat metal panels above are intricately detailed and are recurring elements featured at all

four building facades unifying the building architecture and the site in general. See Exhibit B.

Due to the heavy forested site, the architecture is modern and simple in form, consisting of a simple high / low split gable roofs to accommodate a ribbon of high clerestory windows to maximize daylighting opportunities into the office building and high bay vehicle storage and warehouse areas. The office building consists of tall windows to maximize window area, light and views into the building. The warehouse has a higher gable roof line to accommodate the storage of taller fleet vehicles. The site buildings are pre-engineered metal buildings with a concrete wall base to retain the earth, and a standing seam metal shed roof as allowed per the LCMC of this section as a secondary roof type. Thus, the buildings as a whole avoids a homogenous appearance.

The main building entrance provides a vestibule and a generous sidewalk and focal open office space allows for interaction opportunities among the users as does the galley area gathering space adjacent to the open office space. Catering to the hillside, tree views, and high storefront windows are proposed along the east side of the building.

The color scheme consists of deep forest green colored standing seam metal roof panels at the site buildings and a dark bronze colored standing seam metal roof panel system at the office building to blend in with the natural surroundings. Complimenting the color palette is a warm beige smooth metal panel wall system located above a tan split-face CMU base with integrated dark bronze storefront window frames including dark bronze colored gutters and fascia detailing.

Thus, this criterion has been met.

3. Window Transparency.

RESPONSE: Not applicable as the site and building is neither "Pearl" or "String".

Thus, this criterion is not applicable.

4. Building Orientation.

RESPONSE: Not applicable as the site and building is neither "Pearl" or "String".

Thus, this criterion is not applicable.

5 Primary Entrances. Buildings shall have clearly defined primary entrances that provide a weather protection shelter for a depth of not less than five feet (e.g., either by recess, overhang, canopy, portico and / or awning) extending from the building entry. See also, subsection (B) (14) if this section, Pedestrian Shelters.

RESPONSE:

The building's primary entrance is recessed over 5' and protected under the building overhang.

Thus, this criterion has been met.

- 6. Secondary Entrances.
- 7. Armature of the Block.
- 8. Building Mass (Strings and Pearls).

RESPONSE: Not applicable as the site and building is neither “Pearl” or “String”.

Thus, this criterion is not applicable.

- 9. Accessibility. Accessibility shall be provided consistent with applicable building codes. Where wheelchair ramps are required, the ramp design shall incorporate materials and detailing similar to the base of the building.

RESPONSE: The site and building are consistent with the applicable accessibility building codes. See Exhibit B.

Thus, this criterion has been met.

- 10. Openings.

a. Ground Floor Windows. Ground floor elevations shall conform to subsection (B)(3) of this section and should contain windows that are framed by piers or pilasters (sides); awnings, canopies or trim/hoods (tops); and kick plates or bulkheads (base). Decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features) is encouraged.

RESPONSE: The ground floor storefront windows are articulated with mullions and concrete window sills.

Thus, this criterion has been met.

- b. Upper Floor Windows.** Upper floor window orientation should be primarily vertical, or have a width that is no greater than the width of the ground floor windows.

RESPONSE:

The building does not contain an upper floor thus no upper floor windows are proposed. The building is provided with clerestory windows, the window orientation is primarily vertical and the applicant has aligned the clerestory windows with the ground floor windows as allowed.

Thus, this criterion has been met.

- c. Projecting Windows, Display Cases.**

RESPONSE:

The building does not contain projecting windows or display cases.

Thus, this criterion is not applicable.

d. Entrances. Ground level entrances shall be at least partly transparent. This standard may be met by providing a door with a window(s), a transom window above the door, or sidelights beside the door.

RESPONSE:

The ground floor main entry storefront door system is articulated with transparent doors and glazing to allow natural light to the inside and views to the outside. See Exhibit B, Exterior Elevations sheet.

Thus, this criterion has been met.

e. ATMs and Service Windows.

RESPONSE:

The building does not contain ATMs and service windows.

Thus, this criterion is not applicable.

f. Corner Entrances.

RESPONSE: Not applicable as the site and building is neither "Pearl" or "String".

Thus, this criterion is not applicable.

g. Remodels.

RESPONSE: Not applicable as the site and building is not a remodel.

Thus, this criterion is not applicable.

11. Horizontal Rhythms.

a. Horizontal Lines.

b. Ground Floor / Upper Floor Division.

c. Building Base.

RESPONSE: The building architecture draws cues from the existing surrounding buildings in the neighborhood while incorporating a variety of modern design elements. The building includes a horizontal CMU building base wall, and a horizontal clerestory window ribbon above featured at all four building facades unifying the building architecture. The single-story building features compelling horizontal elements - commanding building presence, drawing attention to the primary building entrance, and creating a prominent sense of entry for the occupants.

A generous horizontal roof overhang provides additional visual articulation along the façade, protection from the elements, and adds an overall sense of enclosure for the users. See Exhibit B, Exterior Elevations sheet.

Thus, this criterion has been met.

12. Vertical Lines.

RESPONSE: The single-story building features vertical elements such as smooth metal wall panels with vertical seams and storefront window frames with a vertical mullion design to further enhance the buildings' verticality. See Exhibit B.

Thus, this criterion has been met.

13. Materials and Color.

RESPONSE: The design of the building is consistent with the character and image of the surrounding area by recalling materials and detailing that is prevalent in this area and on the nearby existing commercial buildings. The proposed building draws from the exterior material color palette used in the existing surrounding residential homes and the site's natural surroundings. The building utilizes a CMU wall base on all four sides of the building, a smooth flat metal panel system above and standing seam metal roofs. Corrugated metal siding is not proposed as it is not allowed as a primary cladding material. Materials were chosen for durability and to withstand the harsh marine environment.

A modernist interpretation of architectural design incorporating tan CMU wall base, warm beige smooth metal panel wall system, dark bronze storefront window frames, concrete window sills, dark bronze roof fascia and gutters is carried throughout the building's "front façade". The color scheme consists of simple earth tones to blend in well with the surrounding trees.

The colors, materials, large windows and metal siding are intricately detailed and are recurring elements featured throughout the building facades unifying the building architecture and the site in general. See Exhibit B, Exterior Elevations sheet.

Thus, this criterion has been met.

14. Pedestrian Shelters.

RESPONSE: Not applicable as the site and building does not abut a sidewalk, plaza, pedestrian access way or outdoor seating area.

Thus, this criterion is not applicable.

15. Mechanical Equipment.

a. Screening.

b. Rooftops.

c. Ground-Mounted Units.

RESPONSE: The emergency generator and condensing units are ground mounted to concrete pads, located in between the buildings and screened from view from all streets and neighboring properties. There are no proposed rooftop equipment units. See Exhibit B. Site Plan sheet.

The 80 feet high Telemetry lattice type tower assembly is proposed to be pre-finished in a non-reflective forest green color to blend in with the surrounding area trees and landscape to make the tower as visually unobtrusive as possible. The tower is located towards the rear side of the property screened with sight-obscuring rows of trees and

vegetation. In addition, the antenna will be painted to match the tower and all cables and wiring are to be hidden from view and if possible painted to match the tower color in the effort to further minimize the visual impact. See Exhibit B, Site Plan and Bird's Eye Views sheets for location and height.

Thus, this criterion has been met.

17.74.090 Transportation and streetscape standards

1. Transportation Plan Conformity. New development shall conform to the policies, standards, specifications and design details (e.g. street sections) contained in the city's transportation system plan (TSP) and the standards in LCMC 17.74.060. When streetscape improvements are required of new development, such improvements shall conform to the TSP.

RESPONSE:

The applicant acknowledges the transportation and streetscape standards.

Standards in LCMC 17.74.060 are not applicable as the site or building is neither "Pearl" or "String".

17.74.110 Parking

The off-street parking standards are the same as provided in Chapter 17.56 LCMC, except that credit toward minimum parking standards shall be granted for on-street parking spaces abutting the development. Shared parking between uses is allowed, in conformance with LCMC 17.56.060. (Ord. 2011-12 § 1; Ord. 2007-10 § 5)

RESPONSE: See Chapter 17.56 response. The applicant does not propose on-street parking nor is it required.

17.74.120 Landscaping.

3. Minimum Landscape Standards.

a. All off-street parking and vehicular use areas (including driveways and loading docks) shall have perimeter landscaping of not less than four feet in depth, and interior landscaping covering at least 10 percent of the entire vehicular use area.

b. Each separate landscape area shall be a minimum of 24 square feet with a minimum dimension of at least four feet and, on parking lot islands and in park strips along a street, shall contain at least one tree. All remaining land in the landscape area shall be covered by a combination of shrubs, ground cover plants or other city-approved nonvegetative ground cover.

RESPONSE: See Exhibit B, Landscape plan.

c. All required buffer strips, screens, and other required landscape areas shall be planted at a density to ensure the intended buffering or screening intent is met; in no case shall a landscape area have less than one tree per 200 square feet of surface or less than one shrub per 50 square feet of area.

d. Required trees and shrubs shall be non-invasive species that are known to thrive in the northern Oregon coastal environment.

RESPONSE: Applicant has acknowledged criterion. Landscape plan is included with this application to reference all required criterion (Exhibit B).

e. The following guidelines apply:

- i. Vegetation native to the Pacific Northwest coast is encouraged;
- ii. Turf and grass is discouraged, except in residential developments;
- iii. Species should be those contained in the Lincoln City Tree Planting Guide and List of Recommended Species, or species recommended by a licensed nurseryman as being suitable for the local climate, as approved by the planning director.

RESPONSE: Applicant has acknowledged criterion. Does propose any turf or grass. Landscape plan is included with this application to reference all required criterion (Exhibit B).

h. Irrigation systems shall be provided for all planted areas for a period of at least two years, or until it is demonstrated that new plants have become naturalized.

RESPONSE: All new landscape areas shall be watered with an automatic irrigation system. See Landscape site plan (Exhibit B).

i. Shrubs shall be at least three-gallon size when planted.

j. If hedges are planted for screening, plants shall be at least of an initial size so that the required screening will be achieved within two years.

k. Trees shall be planted so that encroachment below eight feet into a public right-of-way can be prevented without long-term detriment to the subject tree.

l. Landscaping shall preserve an adequate line of sight around vehicle accesses.

m. All landscaping materials shall be in vigorous and healthy growing condition and shall be installed according to common planting procedures, with consideration given to soil condition. The property owner is responsible for maintaining and replacing, as necessary, all approved landscape plants on his property and those within abutting rights-of-way (e.g., street trees).

RESPONSE: Applicant has acknowledged criterion. Landscape plan is included with this application to reference all required criterion (Exhibit B).

17.74.130 Exterior Lighting

B. Standards. Outdoor light fixtures shall not be installed without site plan review approval. Where a light fixture is required as part of a larger project, the lighting package shall be reviewed under the following guidelines and standards.

d. Maximum initial luminance of outdoor sales areas, storage areas and service station canopies and similar areas shall not exceed 20 foot-candles, except as otherwise approved by the planning director.

e. Maximum initial luminance of parking lots shall not exceed four foot-candles, except as otherwise approved by the planning director.

2. Impacts of Lighting. The visual impacts of site and architectural lighting, such as overspray of lights onto adjacent residential properties and lights shining into the night sky, shall be avoided.

a. Light poles shall not exceed a height of 20 feet.

b. Only shielded lights are permitted. Shielding should be integral to the light fixture and direct light downward. Exception: Up-lighting of official flags may be allowed; provided, that the luminance level is minimized.

c. Lighting associated with service areas, parking lots and parking structures, as well as streetlights, shall be shielded or provide cut-offs to avoid glare, light pollution (night sky) and light spillover onto residential properties. Luminance at the property line, or no more than five feet over the property line, shall be zero.

f. Up-lighting is prohibited.

RESPONSE: Proposed site plan proposes light poles no more than 20 feet high. All lights will be shielded. None of the luminance exceed the four-foot candles limit at parking area. The photometric plan shows that there will not be any light spillage onto adjacent properties. No up-light will be used. See Exhibit B & D.

Conclusion

The above narrative and the attached exhibits set forth evidence meeting all applicable standards and requirements set forth in City of Lincoln City Development code standards. Approval of the application will allow the Applicant to construct a well-designed NW Natural Resource Center. The Applicant therefore respectfully requests approval of the subject applications.

NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT A - APPLICATIONS

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209

☎ 503.221.1121 📠 503.221.2077

OFFICE USE ONLY Date Filed: _____ Amount/Fee: _____ Receipt No: _____ Received By: _____ 30 Days: _____ Deemed Incomplete: _____ Deemed Complete: _____ 120 Day Deadline: _____	 LAND USE APPLICATION	OFFICE USE ONLY Stamp Date Received _____ File No: _____
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APPLICATION TYPE

☐ ANNEXATION	☐ LOT LINE ADJUSTMENT	☒ SITE PLAN REVIEW
☐ APPEAL OF PLANNING COMMISSION DECISION	☐ MINOR PARTITION	☐ SUBDIVISION
☐ APPEAL OF PLANNING DEPARTMENT DECISION	☐ NATURAL RESOURCE DEVELOPMENT REVIEW	☐ URBAN GROWTH BOUNDARY AMENDMENT
☐ COMPREHENSIVE PLAN & ZONING MAP AMENDMENT	☐ NATURAL RESOURCE DEVELOPMENT VARIANCE	☐ VACATION
☐ COMPREHENSIVE PLAN &/OR ZONING ORDINANCE TEXT AMENDMENT	☐ PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN	☐ VARIANCE
☒ CONDITIONAL USE PERMIT	☐ PLANNED UNIT DEVELOPMENT FINAL MASTER PLAN	☐ OTHER DESIGN REVIEW _____

NAME OF APPLICANT: Mary Fierros Bower

MAILING ADDRESS: 720 NW Davis Street, Suite 300

CITY: Portland **STATE:** OR **ZIP:** 97209

DAYTIME PHONE: 503.256.1572 **Signature:** 

EMAIL (OPTIONAL): Mfierrosbower@lrsarchitects.com

OWNER OF RECORD (if other than applicant)

NAME: Wayne Pipes

MAILING ADDRESS: 220 NW Second Avenue

CITY: Portland **STATE:** OR **ZIP:** 97209

DAYTIME PHONE: 503.226.4211 x2496 **Signature:** 

EMAIL (OPTIONAL): Wayne.Pipes@nwnatural.com

APPLICANT AND/OR OWNER'S INTEREST IN PROPERTY SUBJECT TO REQUEST:

☐ AGENT, ☐ FEE OWNER, ☐ CONTRACT PURCHASER, ☐ OPTION HOLDER, ☐ LESSEE, ☐ OTHER

PROJECT LOCATION: _____

PROJECT ADDRESS: 2815 NE 36th Drive, Lincoln City, OR 97367

ASSESSOR'S MAP NO.: 07-11-02-CA-00103-00 **TAX LOT(S):** 21 and 22

AREA: 4.72 Acres (acres) **SQ. FT.:** 203,570 sf **ZONING:** GC-General Commercial

SITE PLAN REVIEW EVIDENCE TO SUPPORT OF FINDINGS OF FACT



PROJECT DESCRIPTION

Describe the project including the type of use, number of dwellings, square footage of existing and proposed buildings, etc. Attach sheets if necessary.

The site is located in the General Commercial (GC) zoning district. The applicant proposes to develop

a new single-story office and vehicle storage/warehouse approximately 11,678 SF. The project also

proposes various other site structures, a covered truck washing equipment (Landa) room, a covered truck washing pad, a covered trash enclosure, emergency generator, telemetry tower, and staff and fleet parking.

Site structures (enclosed vehicle storage garages, covered pipe storage metal shed, covered spoil bin

areas, fueling tank canopy) will be constructed with pre-engineered metal building structures.

See attached Exhibits for more information.

APPLICANT'S VERIFICATION

I (We) hereby declare under penalty of perjury under the laws of the State of Oregon that the information in this application and its attachments is true, complete, and correct.

SIGNATURES

Mary Fierros Bower Applicant Wayne Pipes Property Owner Property Owner	 12/19/19 Date 12/19/19 Date Date
---	--

SITE PLAN REVIEW APPLICATION CHECKLIST

To submit a complete Site Plan Review Application, the following items must be provided:

APPLICATION ITEMS

- ✓ Application Form, signed by the applicant and property owner
- ✓ Fees according to Fee Schedule. Filing fees are not refundable.
- ___ Any environmental assessments or reports required by LCMC Chapters 17.46 or 17.47.
- ✓ Any architectural, civil or traffic engineering, or other information which can assist staff in making a determination that the development will comply with the provisions of LCMC 17.52.240 (B).
- ___ A "rough proportionality" report as described in LCMC 17.52.230 (B).
Note: This report is only required if an applicant intends to assert that it cannot legally be required, as a condition of site plan approval, to provide easements and improvements at the level otherwise required by LCMC 17.52.230.

SITE PLAN (See note below if project involves expansion of existing building, storage areas, or parking lot.)

- ✓ 20 copies of the site plan shall be provided for site plan review officials. 3 copies of the plan shall be drawn to scale on a sheet(s) with a minimum size of 18" x 24", folded to a maximum size of 8½" x 14". A **further 17 copies also to scale** shall be provided on a sheet(s) with a maximum size of 11" x 17". The site plan must provide the following information:

Property Lines & Easements

- ✓ Exterior and interior lot lines and dimensions; north arrow
- ✓ Map and tax lot number(s)
- ✓ Location and dimensions of existing and required utility, drainage, access and sidewalk easements
- ✓ General location of proposed private utility easements

Update: To save on paper, please submit 3 full-size copies (full set of plans) - plus one 11x17 set - plus a PDF of a full set of plans.

Streets & Sidewalks

- ✓ Location of adjacent streets as well as name, width, and distances of lot lines from centerlines
- ✓ Location of required sidewalk, curb, gutter and pavement improvements

Parking & Loading

- ✓ Parking layout showing location of each stall and number of stalls; dimensions of typical stalls, back-up areas, drive aisles, driveway approaches, curb cuts, pedestrian accesses, utility vehicle accesses, and accessible parking spaces.
- ___ Location and dimensions of loading facilities
- ✓ Location and type of exterior lighting standards and devices

Uses & Structures

- ✓ Locations of proposed buildings and structures
- ✓ Locations of existing buildings and structures, including identification of buildings and structures proposed to be removed
- ✓ Proposed and existing uses of buildings and structures
- ✓ Preliminary building elevations with building heights at mid-points and all corners
- ✓ Dimensions of yards and spaces between buildings
- ✓ Location, height, and composition of existing and proposed walls and fences

Utilities

- ✓ Location of existing and proposed water and sewer lines and facilities.
- ✓ Location of refuse areas with the heights and type of screening materials

Grading & Drainage

- ✓ Proposed grading (excavations and fills), including existing and proposed contours
- ✓ Existing and proposed stormwater detention, treatment, and drainage features and facilities

Landscaping

- ✓ Location and dimensions of areas of required landscaping and areas of existing vegetation proposed to be retained
- ✓ Percentage of total lot area to be landscaped
- ✓ Plan will include specific plants to be used with the emphasis on native vegetation.

Environmental Resources or Hazards

- ___ Location of any riparian vegetation, significant wildlife habitat and major marshes, exceptional aesthetic resources and related natural vegetation, historic and archeological sites, natural hazards, and beach and dunes that are subject to Chapters 17.46, 17.47 or 17.48. **Note:** This information is only required if environmental assessments or reports are required for the project by Chapters 17.46, 17.47 or 17.48.

Expansion of Existing Buildings, Storage Areas, or Parking Lots

- ___ If the project involves an expansion of an existing building, outdoor storage area, or parking lot, the site plan needs to indicate the relationship of the proposed expansion to the existing development. **The site plan does not need to include other data listed above except as necessary to permit findings that the expanded development will comply with the provisions of LCMC 17.52.240.**

Guide to Site Plan Review

Purpose

The purpose of Site Plan Review is to establish a coordinated permit process to insure that new development is in compliance with the requirements of the *Zoning Ordinance*. Approval of a site plan is a permit to develop the site in accordance with the site plan and any conditions of site plan approval without further review of the site plan for compliance with the *Zoning Ordinance*.

However, issuance of a Site Plan Review permit does not excuse a developer from obtaining any other permits or approvals required by the *Zoning Ordinance*, *Municipal Code*, or any other local, state, or federal law applicable to the proposed development. Examples of other city approvals that may be required include sign, tree cutting, grading, sedimentation prevention, erosion control, conditional use, planned unit development, and land division permits.

When is Site Plan Review Needed?

Site Plan Review is generally required before issuance of any building permit and before development of any outdoor storage area or parking lot. The following projects are exempt from Site Plan Review:

- ❑ Single family and duplex dwellings.
- ❑ Development involving only modifications to the interior of a structure.
- ❑ Development meeting all of the following criteria:
 - a. The development involves either no expansion of an existing building or expansion of an existing building by 800 square feet or less; and
 - b. The development does not affect on-site traffic circulation patterns; and
 - c. The development adds less than 3 additional parking spaces.

Application Procedures

A completed application form along with the necessary attachments and fees are required to file your application for Site Plan Review. A checklist of the required items is attached to the application form.

Is Application Complete?

Within 30 days after the initial filing of your application, the staff determines if your application is complete. If it is complete, the 120-day clock* starts and the staff continues with review. If it is incomplete, the staff notifies you of the missing items. Upon submittal of any missing items, the application can be deemed complete, and review of your application continues.

Notice to Property Owners

After your application is deemed complete, a date and time for the site plan review meeting is established. The Planning and Community Development Department notifies property owners within 250 feet of the site and neighborhood associations that your application has been received. This notice is mailed 20 days prior to the site plan review meeting. Information on your application is also mailed to affected city departments, public and private agencies and other affected organizations. Written comments may be submitted to the City prior to the site plan review meeting.

Site Plan Meeting

Typically a Site Plan Review meeting will be held with you to review the draft conditions of approval. Attendees at the meeting may include staff from planning, public works, police, parks & recreation, and other affected agencies (e.g., ODOT, North Lincoln Fire & Rescue, Lincoln County, Devils Lake Water Improvement District, Pacific Power, NW Natural, etc.).

Decision on Project

In order to approve your project, the Planning & Community Development Director must determine that the project complies with the *Zoning Ordinance* and that "[t]he arrangement of all buildings and structures, access points, parking and loading facilities, landscaping, lighting, walls, and fences, and stormwater detention, treatment, and drainage features and facilities, will avoid traffic congestion and will provide for pedestrian and vehicular safety and welfare." The Director may also establish conditions for your project in order to meet the above criteria, or deny the project.

Notice of Decision

After the staff makes a decision on the project, the staff publishes a notice in the newspaper and notifies you, all property owners within 250 feet of the site, and neighborhood associations.

Appeals

A decision on a Site Plan Review may be appealed by filing a Notice of Appeal at the Planning and Community Development Department within 12 days of the mailing of the decision. A public hearing will be held by the Planning Commission on the appeal.

Estimated Time Requirements

The processing of Site Plan Review is designed to be expedient. The staff decision is generally issued within one week after the date of the site plan review meeting. The key is to submit a complete and accurate application. No building permits, however, can be obtained until after the 12-day appeal period.

For Further Information

If you have questions regarding the Site Plan Review requirements or need a site plan application, contact the Planning and Community Development Department. Staff is available to assist you between the hours of 8:00 a.m. to 5:00 p.m.

* The "120-day clock" is a requirement of ORS 227.178 which states that cities must take final action on a limited land use decision (such as Site Plan Review) within 120 days after the application is deemed complete.

Note: This informational pamphlet does not supplant Section 17.52.240 of the *Lincoln City Zoning Ordinance*. See Section 17.52.240 for further details on the Site Plan Review requirements.

CONDITIONAL USE PERMIT EVIDENCE TO SUPPORT OF FINDINGS OF FACT

Directions: Please provide factual and supportive evidence that your application meets the Findings of Fact listed below. It is the applicant's responsibility to demonstrate that the conditional use permit will comply with these Findings of Fact. Additional sheets may be attached if necessary.

1. The proposal is in compliance with the Comprehensive Plan.

The site is located in the General Commercial (GC) zoning district. Section 17.32.040 lists examples of those uses which meet the intent of this zone on a conditional basis, subject to the provisions of Chapter 17.60 Public utility, utility substation, motor vehicle repair facility, tire shops, aggregate sales and storage are some of the examples listed.

2. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by the Zoning Ordinance.

The overall site is 4.7 acres, NW Natural plans to develop 3.2 acres of the site for their proposed Resource Center use. The 3.2 acres are adequate in size and shape to accommodate said use and all yards, spaces, wall and fences, parking, landscaping and other features required by the Zoning Ordinance.

3. The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.

The site for the proposed Resource Center use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use. See attached Exhibit B, site plan and Exhibit F, traffic profile.

4. The proposed use will have minimal adverse impact upon adjoining properties and the improvements thereon. In making this determination, the Planning Commission shall consider, but not be limited to, the proposed location of the improvements on the site, vehicular egress/ingress and internal circulation, pedestrian access, setbacks, height and bulk of buildings, walls, and fences, landscaping, screening, exterior lighting and signing.

The proposed site will have a minimal adverse impact upon adjoining properties and the improvements thereon. See attached Narrative and Exhibits per proposed project design and zoning criteria compliance.

5. In areas designated as requiring preservation of historic, scenic or cultural attributes, proposed structures will be of a design complimentary to the surrounding area.

The applicant proposes to keep 65,145 SF of undeveloped open space. See attached Exhibit B, cover sheet site summary. The proposed building facades are articulated to break large volumes and promote human scale. The building is clad with marine environment friendly materials, textures and earth tone colors. See Exhibit B, Exterior Elevations.

APPLICANT'S VERIFICATION

I (We) hereby declare under penalty of perjury under the laws of the State of Oregon that the information in this application and its attachments is true, complete, and correct.

SIGNATURES

Mary Fierros Bower

Applicant



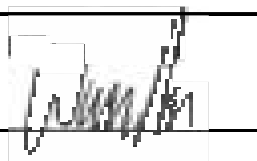
12/19/19

Date

Property Owner

Wayne Pipes

Property Owner



Date

12/19/19

Date

CONDITIONAL USE PERMIT APPLICATION CHECKLIST

To submit a complete Conditional Use Permit Application, the following items must be provided:

APPLICATION ITEMS

- ✓ Application Form, signed by the applicant and property owner.
- ✓ Evidence in Support of Requisite Findings of Fact Form, signed by the applicant.
- ✓ Fees according to Fee Schedule. Filing fees are not refundable.
- ✓ Any architectural, civil or traffic engineering, or other information which can assist staff in making a determination that the development will comply with the provisions of LCMC 17.52.240 (if site plan review is required).
- A "rough proportionality" report as described in LCMC 17.52.230 (B). **Note:** This report is only required if an applicant intends to assert that it cannot legally be required, as a condition of site plan approval, to provide easements and improvements at the level otherwise required by LCMC 17.52.230.

SITE PLAN (See note below if project involves expansion of existing building, storage areas, or parking lot.)

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Streets & Sidewalks

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- ✓ Parking layout showing location of each stall and number of stalls; dimensions of typical stalls, back-up areas, drive aisles, driveway approaches, curb cuts, pedestrian accesses, utility vehicle accesses, and accessible parking spaces.
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Grading & Drainage

- ✓ Proposed grading (excavations and fills), including existing and proposed contours
- ✓ Existing and proposed stormwater detention, treatment, and drainage features and facilities

Landscaping

- ✓ Location and dimensions of areas of required landscaping and areas of existing vegetation proposed to be retained
- ✓ Percentage of total lot area to be landscaped

Environmental Resources or Hazards

- Location of any riparian vegetation, significant wildlife habitat and major marshes, exceptional aesthetic resources and related natural vegetation, historic and archeological sites, natural hazards, and beaches and dunes that are subject to LCMC Chapters 17.46 or 17.47. **Note:** This information is only required if environmental assessments or reports are required for the project by Chapters 17.46 or 17.47.

Expansion of Existing Buildings, Storage Areas, or Parking Lots

- If the project involves an expansion of an existing building, outdoor storage area, or parking lot, the site plan needs to indicate the relationship of the proposed expansion to the existing development. **The site plan does not need to include other data listed above except as necessary to permit findings that the expanded development will comply with the provisions of Chapter 17.60.**

 CITY OF LINCOLN PLANNING AND COMMUNITY DEVELOPMENT PERMITTING	
PROPERTY ADDRESS: 2815 NE 36th Drive, Lincoln City, OR 97367	EXPIRATION DATE:
PROPERTY OWNER: VINCE GEE JR. AND PATTY	ADDRESS: Target & Highway 101
OWNER ADDRESS: 2815 NE 36th Drive, Lincoln City, OR 97367	PERMIT ADDRESS: 2815 NE 36th Drive, Lincoln City, OR 97367
OWNER PHONE: 503-738-1148	PERMIT PHONE: 503-738-1148
SITE PLAN MUST BE SUBMITTED WITH PERMIT APPLICATION. SITE PLAN MUST SHOW THE SPECIFIC REMOVAL PROPOSED including: Number of trees to be removed, location of trees to be removed.	
Per Lincoln County, Oregon Code 17.05.020 as amended, this application is for a permit to remove trees having a diameter of six (6) inches or greater diameter or for species trees with a diameter that exceeds the average diameter of all species of the tree measured at a diameter more than six inches above the surrounding grade or measured six inches from the point where the species diameter begins to curve, whichever produces the larger measurement. If a tree has been removed and only the stump remains, diameter shall be measured as the diameter of the top of the stump.	
OWNER SIGNATURE 	DATE 12/15/14
CONDITIONS: 1. Owner shall be responsible at the expiration of which time this permit 24 hours have expired. 2. Proper earth measures must be in place per Lincoln City standards.	
SPECIAL CONDITIONS: 	
Planning and Community Development Director Approval	DATE
Public Works Director Approval	DATE

Revised 09/09/09

NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT B - DRAWING SET

DECEMBER 20, 2019

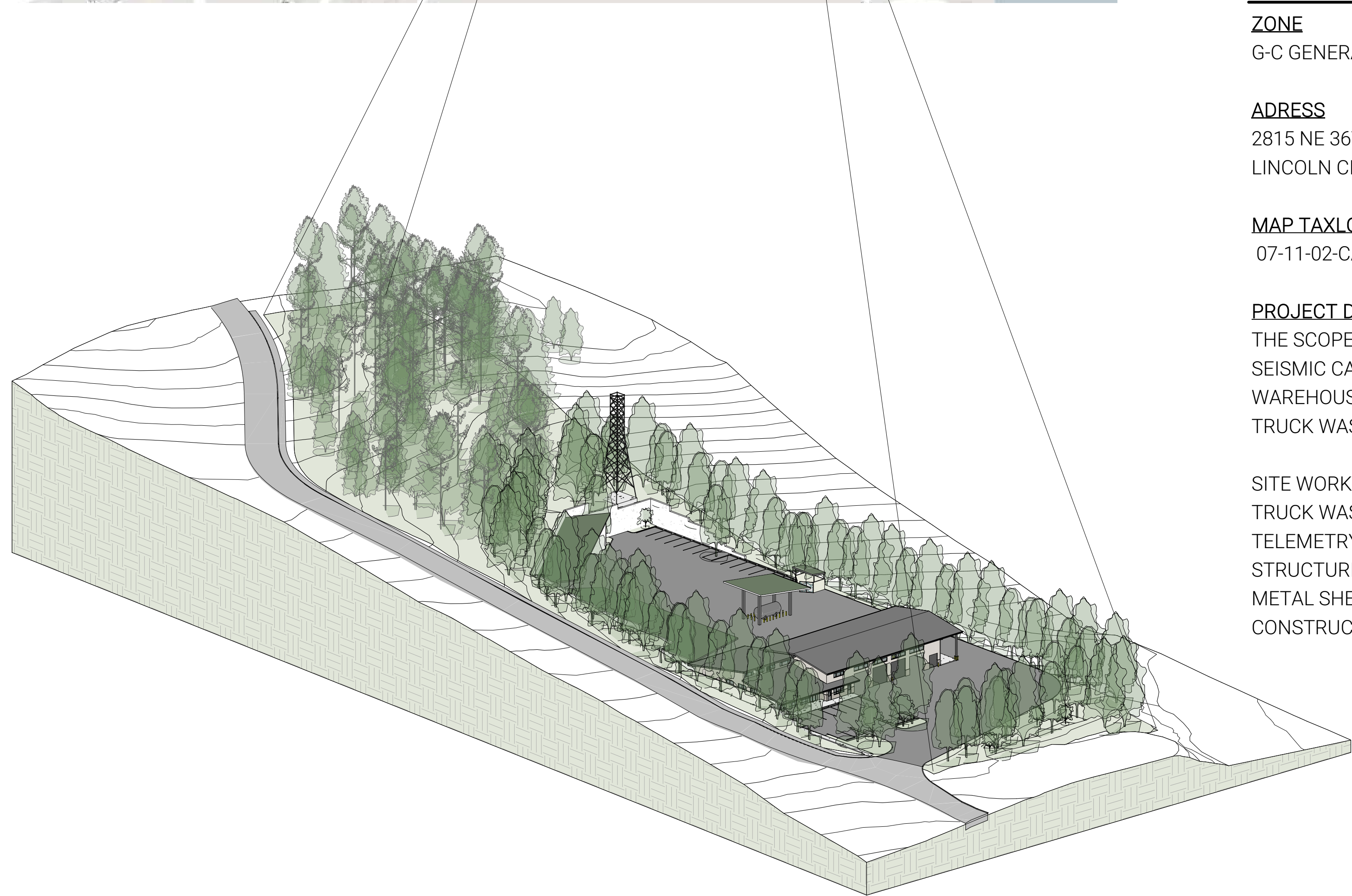


720 NW Davis Suite 300 Portland, Oregon 97209
☎ 503.221.1121 📠 503.221.2077

NWN LINCOLN CITY RESOURCE CENTER

2815 NE 36th DRIVE, LINCOLN CITY, OR 97367

LUR SET - DECEMBER 19, 2019



DRAWING INDEX

CS COVER SHEET

LANDSCAPE

L1 SITE PLAN
L2 LANDSCAPE PLAN
L3 TREE REMOVAL PLAN

CIVIL

C1.0 EXISTING CONDITIONS
C1.1 UTILITY PLAN
C1.2 GRADING PLAN
C1.3 LIGHTING PLAN

ARCHITECTURE

A1 EXISTING SITE PLAN
A2 PROPOSED SITE PLAN
A3 OFFICE & WAREHOUSE - FLOOR PLAN
A4 OFFICE & WAREHOUSE - ELEVATIONS
A5 OVERALL SITE - ELEVATIONS & MODEL VIEW
A6 OVERALL SITE - ELEVATIONS

PROJECT OVERVIEW

ZONE

G-C GENERAL COMMERCIAL

ADRESS

2815 NE 36TH DR,
LINCOLN CITY, OR, 97367

MAP TAXLOT

07-11-02-CA-00103-00

PROJECT DESCRIPTION

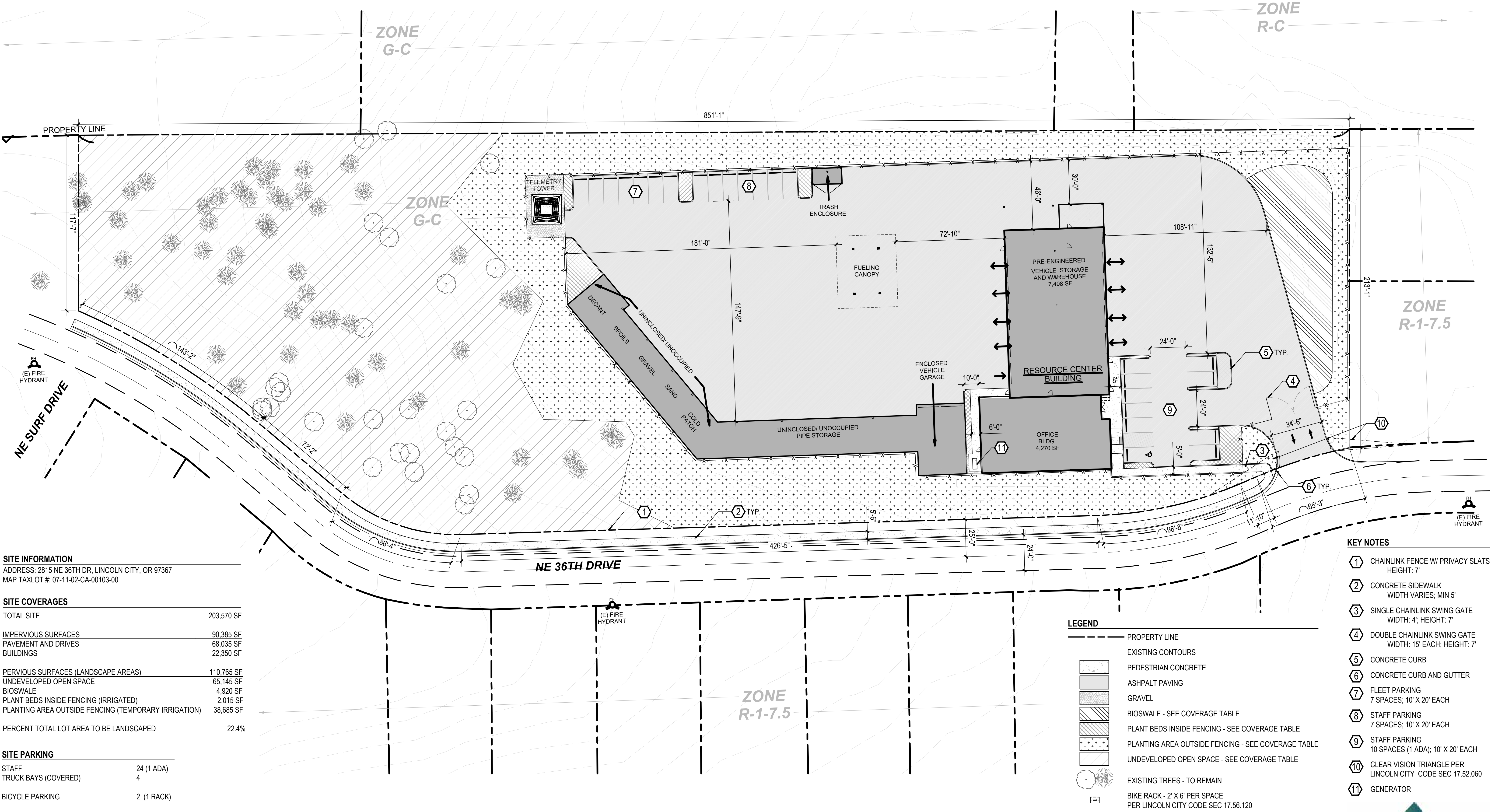
THE SCOPE INCLUDES A NEW 1 STORY 4,270 SF OFFICE BUILDING DESIGNED TO SEISMIC CATEGORY IV. INCLUDING A NEW 7,408 SF VEHICLE STORAGE & WAREHOUSE, DESIGNED TO CATEGORY II, WITH DRIVE-THRU SHOP BAYS AND TRUCK WASHING EQUIPMENT (LANDA) ROOM.

SITE WORK SCOPE INCLUDES VARIOUS OTHER SITE STRUCTURES, A COVERED TRUCK WASHING PAD, A COVERED TRASH ENCLOSURE, EMERGENCY GENERATOR, TELEMETRY LATTICE TYPE TOWER, AND STAFF AND FLEET PARKING SPACES. SITE STRUCTURES (ENCLOSED VEHICLE STORAGE GARAGES, COVERED PIPE STORAGE METAL SHED, COVERED SPOIL BIN AREAS, FUELING TANK CANOPY) WILL BE CONSTRUCTED WITH PRE-ENGINEERED METAL BUILDING STRUCTURES.

SITE SUMMARY

LOT COVERAGE	TOTALS
SITE	203,570 SF
TOTAL IMPERVIOUS SURFACES	90,385 SF
PAVEMENT & DRIVES	(68,035 SF)
BUILDINGS	22,350 SF
OFFICE	(4,270 SF)
VEHICLE STORAGE & WAREHOUSE	
METER STORAGE	586 SF
DRIVE-THRU VEH. BAYS	4,902 SF
TRUCK WASH EQUIP. ROOM	360 SF
STOREROOM	+ 1,560 SF
	= (7,408 SF)
PIPE STORAGE	(3,568 SF)
SPOILS SHED	(3,438 SF)
TRASH ENCLOSURE	(336 SF)
FUELING CANOPY	(1,800 SF)
ENCLOSED VEHICLE STORAGE GARAGE	(1,530 SF)
PERVIOUS SURFACES	110,765 SF
BIOSWALE	4,920 SF
LANDSCAPE AREA INSIDE FENCING	2,015 SF
LANDSCAPE OUTSIDE FENCING	+ 38,685 SF
TOTAL AREA TO BE LANDSCAPED	= (45,620 SF (22.4% OF LOT))
UNDEVELOPED OPEN SPACE	(65,145 SF)
PARKING	
BICYCLE PARKING (1 RACK = 2 SPACES)	2
VAN ADA VEHICLE SPACE (10' X 20')	1
STAFF VEHICLE SPACES (10' X 20')	
OFFICE	
(4270/400 = 11) + 11 employees	22
WAREHOUSE & VEHICLE STOR.	
((7,408 + 1,530)/5000 = 2) + 0 employees	+ 2
	= 24

SITE PLAN



SITE INFORMATION
ADDRESS: 2815 NE 36TH DR, LINCOLN CITY, OR 97367
MAP TAXLOT #: 07-11-02-CA-00103-00

SITE COVERAGES	
TOTAL SITE	203,570 SF
IMPERVIOUS SURFACES	90,385 SF
PAVEMENT AND DRIVES	68,035 SF
BUILDINGS	22,350 SF
PERVIOUS SURFACES (LANDSCAPE AREAS)	110,765 SF
UNDEVELOPED OPEN SPACE	65,145 SF
BIOSWALE	4,920 SF
PLANT BEDS INSIDE FENCING (IRRIGATED)	2,015 SF
PLANTING AREA OUTSIDE FENCING (TEMPORARY IRRIGATION)	38,685 SF
PERCENT TOTAL LOT AREA TO BE LANDSCAPED	22.4%

SITE PARKING	
STAFF	24 (1 ADA)
TRUCK BAYS (COVERED)	4
BICYCLE PARKING	2 (1 RACK)

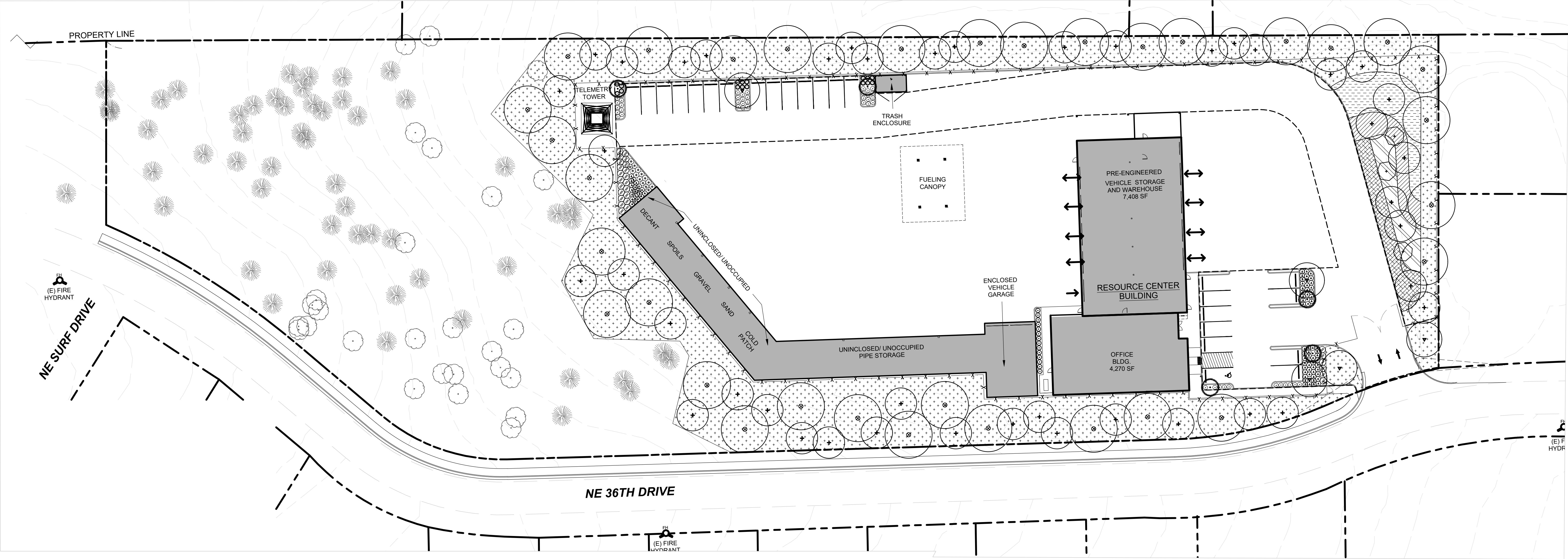
SCALE: 1" = 30'-0"

LRS 219138 | NWN Lincoln City Resource Center
ARCHITECTS 12/16/19

NOT FOR CONSTRUCTION



LANDSCAPE PLAN



PLANTING SCHEDULE						
TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	REMARKS
	37	ALNUS RUBRA	RED ALDER	1" CAL; B&B	AS SHOWN	
	5	ARBUTUS UNEDO	STRAWBERRY TREE	1" CAL; B&B	AS SHOWN	
	33	PICEA SITCHENSIS	SITKA SPRUCE	1" CAL; B&B	AS SHOWN	
	5	PINUS CONTORTA VAR. CONTORTA	SHORE PINE	1" CAL; B&B	AS SHOWN	
SHRUBS / GCVRs	QTY	BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	REMARKS
	45	ARCTOSTAPHYLOS UVA-URSI 'EMERALD CARPET'	EMERALD CARPET MANZANITA	1 GAL CONT.	AS SHOWN	
	115	CEANOTHUS GLORIOSUS	POINT REYES CREEPER	1 GAL CONT.	AS SHOWN	
	76	GAULTHERIA SHALLON	SALAL	1 GAL CONT.	AS SHOWN	
	57	MAHONIA AQUIFOLIUM 'COMPACTA'	COMPACT OREGON GRAPE	1 GAL CONT.	AS SHOWN	
	14	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL CONT.	AS SHOWN	
	46	VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	1 GAL CONT.	AS SHOWN	

PLANTING AREA OUTSIDE FENCING PER LINCOLN CITY CODE SEC 17.52.100E						
GCVRs	QTY	BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	REMARKS
		FRAGARIA CHILOENSIS	WILD STRAWBERRY	1 GAL CONT	EVENLY SPACED	
	3,174	@ CATEGORY 1 SLOPE AREAS				
	10,372	@ CATEGORY 2 SLOPE AREAS				
	53,422	@ CATEGORY 3 SLOPE AREAS				
STORMWATER PLANTINGS						
TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	REMARKS
	3	ACER CIRCINATUM	VINE MAPLE	1" CAL: B&B	AS SHOWN	MULTI-STEMMED
	6	ALNUS RUBRA	RED ALDER	1" CAL: B&B	AS SHOWN	
SHRUBS / GCVRs	QTY	BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	REMARKS
	603	DESCHAMPSIA CESPITOSA	TUFTED HAIR GRASS	1 GAL CONT	18" o.c.	
	521	JUNCUS PATENS	SPREADING RUSH	1 GAL CONT	18" o.c.	
	225	MAHONIA AQUIFOLIUM 'COMPACTA'	COMPACT OREGON GRAPE	1 GAL CONT	36" o.c.	
	127	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL CONT	36" o.c.	

LANDSCAPE COVERAGES

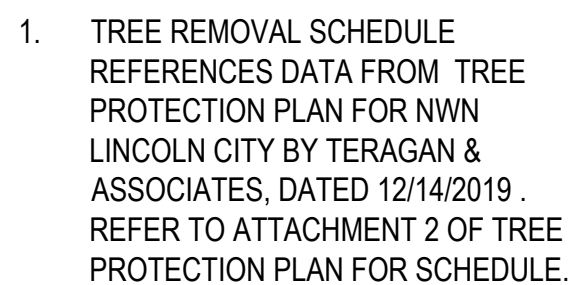
VEHICULAR USE AREA	28,757 SF
INTERIOR LANDSCAPE AREA	
(PLANT BEDS WITHIN VEHICULAR USE AREA)	2,000 SF
PERCENT COVERAGE OF VEHICULAR USE AREA	7.0%

LEGEND

- PROPERTY LINE
- EXISTING CONTOURS
- VEHICULAR USE AREA - SEE COVERAGE TABLE
- EXISTING TREES - TO REMAIN

- PLANTING NOTES**
- PER LINCOLN CITY MUNICIPAL CODE 17.74.120-3, AREAS WITH PRESERVED TREES ARE COUNTED TOWARD THE REQUIRED PARKING LOT LANDSCAPING. ACCOUNTING FOR THE PRESERVATION OF EXISTING MATURE TREES ON SITE WOULD AUGMENT THE OFF-STREET PARKING LANDSCAPING TO MEET THE CODE REQUIREMENT.
 - ALL NEW LANDSCAPE AREAS SHALL BE WATERED WITH AN AUTOMATIC IRRIGATION SYSTEM.

SCALE: 1" = 30'-0"



ARCHITECTS 12/16/19

NW Natural®

CONDITIONAL USE PERMIT
IN THE
SW 1/4 SEC. 2, T7S, R11W, W.M.
LINCOLN CITY, OREGON

EXISTING CONDITIONS
C-1.0

EXISTING TREE LIST

TREE #	SPECIES	DIA	CRZ (rad)	SAVED	REMOVED
501	Sitka Spruce	12"	12'		X
502	Red Alder	21"	21'		X
503	Sitka Spruce	26"	26'		X
504	Sitka Spruce	33"	33'		X
505	Sitka Spruce	25"	25'		X
506	Sitka Spruce	29"	29'		X
507	Sitka Spruce	14"	14'		X
508	Sitka Spruce	45"	45'		X
509	Sitka Spruce	18"	18'		X
511	Red Alder	8"	8'		X
512	Red Alder	8"	8'		X
513	Red Alder	8"	8'		X
514	Sitka Spruce	35"	35'		X
515	Sitka Spruce	33"	33'		X
516	Sitka Spruce	22"	22'		X
518	Sitka Spruce	22"	22'		X
520	Sitka Spruce	39"	39'		X
521	Sitka Spruce	39"	39'		X
522	Sitka Spruce	34"	34'		X
523	Sitka Spruce	32"	32'		X
524	Sitka Spruce	12"	12'		X
525	Sitka Spruce	40", 9"	41"		X
526	Sitka Spruce	24", 15"	28'		X
527	Sitka Spruce	33"	33'		X
528	Sitka Spruce	28"	28'		X
529	Sitka Spruce	22"	22'		X
530	Sitka Spruce	20"	20'		X
531	Sitka Spruce	34"	34'		X
532	Sitka Spruce	13"	13'		X

EXISTING TREE LIST

TREE #	SPECIES	DIA	CRZ (rad)	SAVED	REMOVED
533	Sitka Spruce	18"	18'		X
534	Sitka Spruce	35"	35'		X
535	Sitka Spruce	38"	38'		X
536	Sitka Spruce	42"	42'		X
537	Sitka Spruce	33"	33'		X
538	Sitka Spruce	23"	23'		X
539	Sitka Spruce	30"	30'		X
540	Sitka Spruce	12"	12'		X
541	Sitka Spruce	25"	25'		X
542	Sitka Spruce	32"	32'		X
543	Sitka Spruce	24"	24'		X
544	Sitka Spruce	60"	60'		X
545	Red Alder	27"	27'		X
546	Red Alder	18"	18'		X
547	Red Alder	28"	28'		X
548	Sitka Spruce	35"	35'		X
549	Sitka Spruce	38"	38'		X
550	Sitka Spruce	32", 39"	43'		X
551	Sitka Spruce	14"	14'		X
552	Sitka Spruce	15"	15'		X
553	Sitka Spruce	41"	41'		X
554	Sitka Spruce	42"	42'		X
555	Sitka Spruce	33"	33'		X
556	Sitka Spruce	15"	15'		X
557	Sitka Spruce	36", 20", 19"	41'		X
560	Sitka Spruce	24"	24'		X
561	Sitka Spruce	19"	19'		X
562	Sitka Spruce	47"	47'		X
563	Sitka Spruce	37"	37'		X

EXISTING TREE LIST

TREE #	SPECIES	DIA	CRZ (rad)	SAVED	REMOVED
564	Sitka Spruce	15"	15'		X
565	Sitka Spruce	79"	79'		X
566	Sitka Spruce	20"	20'		X
567	Sitka Spruce	49"	49'		X
568	Sitka Spruce	19"	19'		X
569	Sitka Spruce	51"	51'		X
570	Sitka Spruce	49"	49'		X
571	Sitka Spruce	20"	20'		X
572	Sitka Spruce	55"	55'		X
574	Sitka Spruce	46"	46'		X
580	Sitka Spruce	61"	61'		X
581	Sitka Spruce	58"	58'		X
582	Sitka Spruce	60"	60'		X
584	Sitka Spruce	45"	45'		X
585	Sitka Spruce	54"	54'		X
586	Sitka Spruce	50"	50'		X
587	Red Alder	23"	23'		X
588	Red Alder	19"	19'		X
589	Sitka Spruce	57"	57'		X
590	Red Alder	21"	21'		X
591	Sitka Spruce	64"	64'		X
592	Red Alder	38"	38'		X
593	Sitka Spruce	37"	37'		X
594	Sitka Spruce	40"	40'		X
595	Sitka Spruce	48"	48'		X
596	Red Alder	24"	24'		X
597	Sitka Spruce	49"	49'		X
598	Sitka Spruce	37"	37'		X
599	Sitka Spruce	25"	25'		X

EXISTING TREE LIST

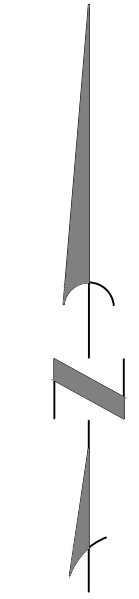
TREE #	SPECIES	DIA	CRZ (rad)	SAVED	REMOVED
600	Sitka Spruce	34"	34'		X
601	Sitka Spruce	75"	75'		X
602	Sitka Spruce	49"	49'		X
603	Sitka Spruce	44"	44'		X
604	Sitka Spruce	52"	52'		X
606	Sitka Spruce	41"	41'		X
607	Sitka Spruce	54"	54'		X
608	Sitka Spruce	71"	71'		X
609	Sitka Spruce	55"	55'		X
610	Red Alder	14", 10"	28'		X
611	Red Alder	11"	11'		X
612	Red Alder	12", 10"	15'		X
613	Red Alder	11"	11'		X
614	Red Alder	15"	15'		X
617	Red Alder	13", 11", 6"	18'		X
618	Red Alder	14", 13"	19'		X
619	Red Alder	14"	14'		X
620	Red Alder	13"	13'		X
621	Red Alder	16"	16'		X
622	Red Alder	16"	16'		X
622.1	Red Alder	16"	16'		X
623	Red Alder	27"	27'		X
624	Red Alder	19"	19'		X
627	Red Alder	12"	12'		X
629	Sitka Spruce	40"	40'		X
630	Sitka Spruce	51"	51'		X
631	Sitka Spruce	27"	27'		X
632	Sitka Spruce	41"	41'		X
634	Sitka Spruce	14"	14'		X

EXISTING TREE LIST

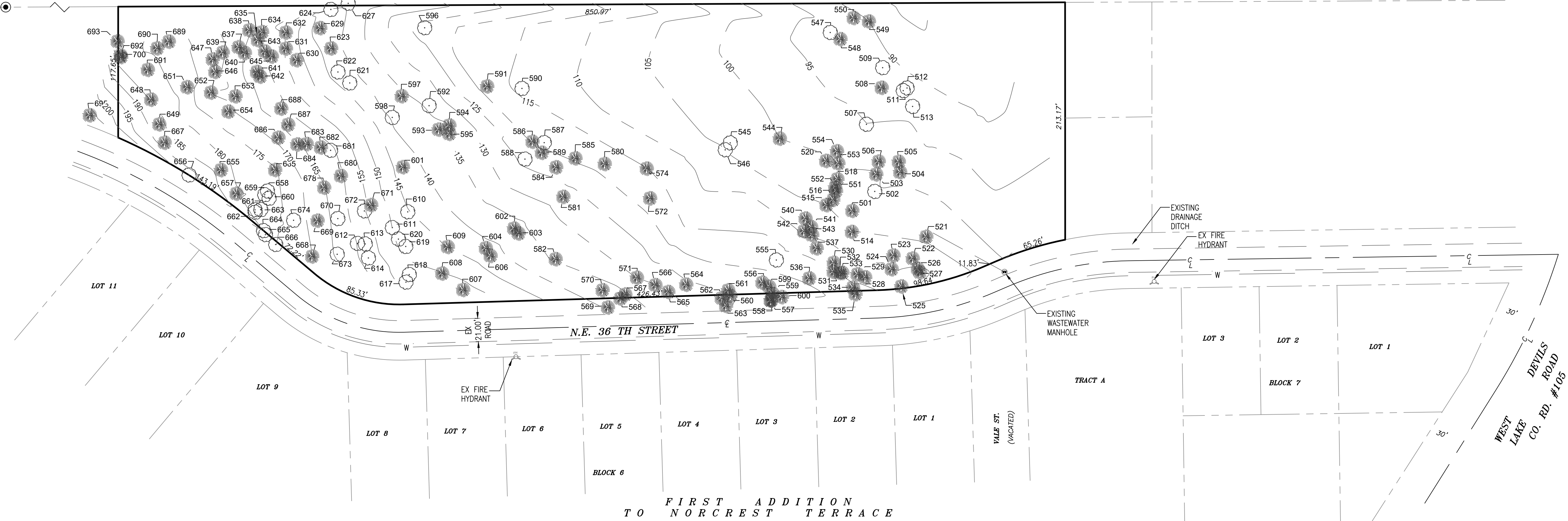
TREE #	SPECIES	DIA	CRZ (rad)	SAVED	REMOVED
635	Sitka Spruce	41"	41'		X
636	Sitka Spruce	28"	28'		X
637	Sitka Spruce	25"	25'		X
638	Sitka Spruce	44"	44'		X
639	Sitka Spruce	30"	30'		X
640	Sitka Spruce	20"	20'		X
641	Sitka Spruce	27"	27'		X
642	Sitka Spruce	39"	39'		X
643	Sitka Spruce	21"	21'		X
644	Sitka Spruce	16"	16'		X
645	Sitka Spruce	28"	28'		X
646	Sitka Spruce	37"	37'		X
647	Sitka Spruce	17"	17'		X
648	Sitka Spruce	46"	46'		X
649	Sitka Spruce	48"	48'		X
651	Sitka Spruce	40"	40'		X
652	Sitka Spruce	41"	41'		X
653	Sitka Spruce	51"	51'		X
654	Sitka Spruce	50"	50'		X
655	Sitka Spruce	58"	58'		X
656	Red Alder	28"	28'		X
657	Sitka Spruce	40"	40'		X
658	Red Alder	13"	13'		X
659	Red Alder	10"	10'		X
660	Red Alder	15"	15'		X
661	Red Alder	13"	13'		X
662	Red Alder	12"	12'		X
663	Red Alder	18"	18'		X
664	Red Alder	19"	19'		X

EXISTING TREE LIST

TREE #	SPECIES	DIA	CRZ (rad)	SAVED	REMOVED
665	Red Alder	10"	10'		X
666	Red Alder	15"	15'		X
667	Sitka Spruce	56"	56'		X
667.1	Red Alder	20"	20'		X
668	Sitka Spruce	64"	64'		X
669	Grand Fir	38"	38'		X
670	Red Alder	12"	12'		X
671	Sitka Spruce	49"	49'		X
672	Grand Fir	42"	42'		X
673	Red Alder	16"	16'		X
674	Red Alder	16"	16'		X
675	Red Alder	18"	18'		X
676	Red Alder	18"	18'		X
677	Red Alder	12"	12'		X
678	Sitka Spruce	34"	34'		X
679	Sitka Spruce	55"	55'		X
681	Red Alder	24"	24'		X
682	Sitka Spruce	52"	52'		X
683	Sitka Spruce	41"	41'		X
684	Grand Fir	23"	23'		X
685	Sitka Spruce	30"	30'		X
686	Sitka Spruce	46"	46'		X
687	Sitka Spruce	19"	19'		X
688	Sitka Spruce	36"	36'		X
689	Sitka Spruce	48"	48'		X
690	Sitka Spruce	36"	36'		X
691	Sitka Spruce	66"	66'		X
692	Sitka Spruce	46"	46'		X
693	Sitka Spruce	38"	38'		X
695	Sitka Spruce	54"	54'		X



SCALE: 1"=50'



Existing Conditions

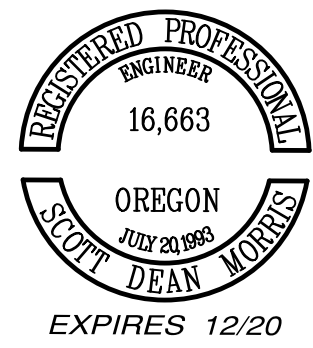
SCALE: 1" = 50'

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Olson & Morris
DBA of
A & O Engineering LLC

380 Q ST. SUITE 200
SPRINGFIELD, OR. 97477
PHONE: (541) 302-9790
scott@aoengineering.biz

Civil Engineering
Land Surveying
& Site Planning



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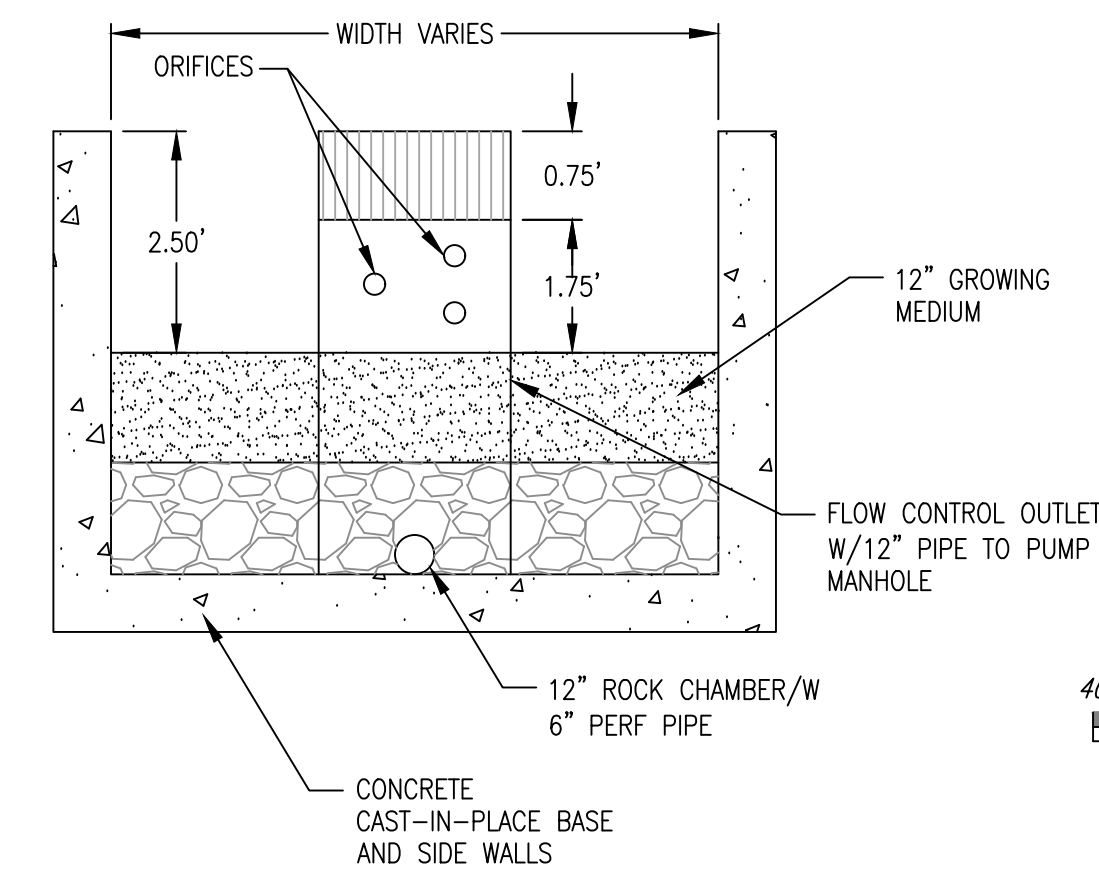


UTILITY PLAN

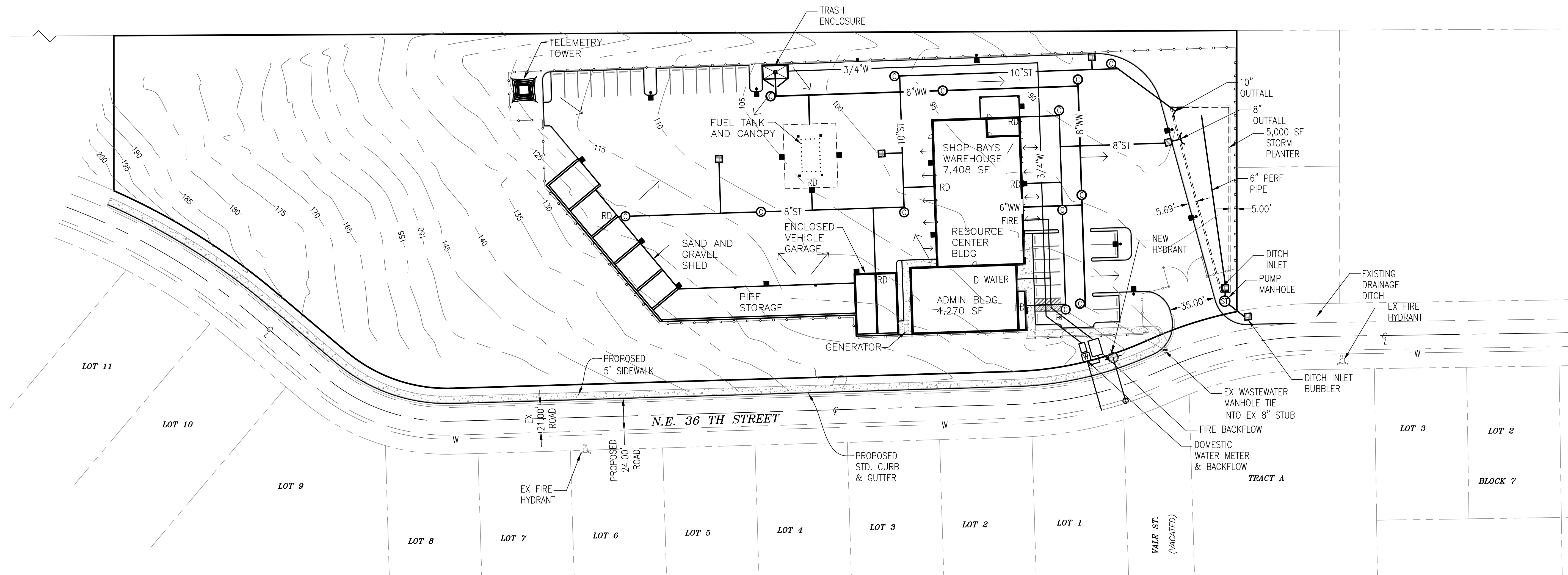
C-1.1

UTILITY NOTES

1. STORM DRAINAGE SYSTEM IS PRELIMINARY. FINAL DESIGN TO BE DETERMINED DURING BUILDING PERMIT PROCESS.
2. WASTEWATER SYSTEM TO TIE INTO EXISTING STUB FROM WASTEWATER MANHOLE IN NE 36TH DRIVE. IF ELEVATION OF STUB ALLOWS. POTHOLING TO BE COMPLETED AT START OF CONSTRUCTION TO DETERMINE EXACT DEPTH OF EXISTING WASTEWATER STUB.
3. FINAL GRADING WILL BE COMPLETED DURING BUILDING PERMIT AND INCORPORATE RECOMMENDATIONS FROM GEOTECHNICAL REPORT BEING PREPARED BY EARTH ENGINEERS INC.
4. ALL TREES ARE LOCATED AS FIELD TIED. ARBORIST TO PREPARE TREE PRESERVATION PLAN.
5. BOUNDARY IS PRELIMINARY. RECORD OF SURVEY TO BE COMPLETED BY A LICENSED SURVEYOR TO ESTABLISH FINAL BOUNDARY OF PROPERTY.
6. FINAL DESIGN OF HALF STREET IMPROVEMENT OF NE 36TH DRIVE TO BE COMPLETED DURING PUBLIC IMPROVEMENT PERMIT PROCESS.
7. STORMWATER FACILITY DESIGNED TO PROVIDE WATER QUALITY TREATMENT PER LINCOLN CITY PUBLIC WORKS DESIGN STANDARDS.
8. STORMWATER FACILITY DESIGNED TO DETAIN POST-CONSTRUCTION FLOWS AT OR BELOW PRE-DEVELOPMENT RATES BY USE OF A FLOW CONTROL OUTLET TO BE DESIGNED DURING BUILDING PERMIT PROCESS.
9. STORMWATER FACILITY TO BE PLANTED PER LINCOLN CITY PUBLIC WORKS DESIGN STANDARDS. TO PROVIDE REQUIRED TREATMENT.



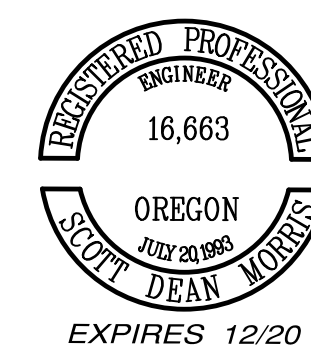
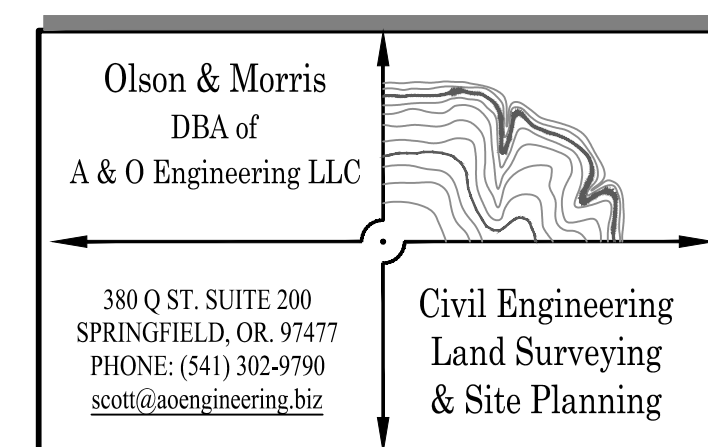
STORM PLANTER DETAIL
NTS



Proposed Utility Plan

SCALE: 1" = 40'

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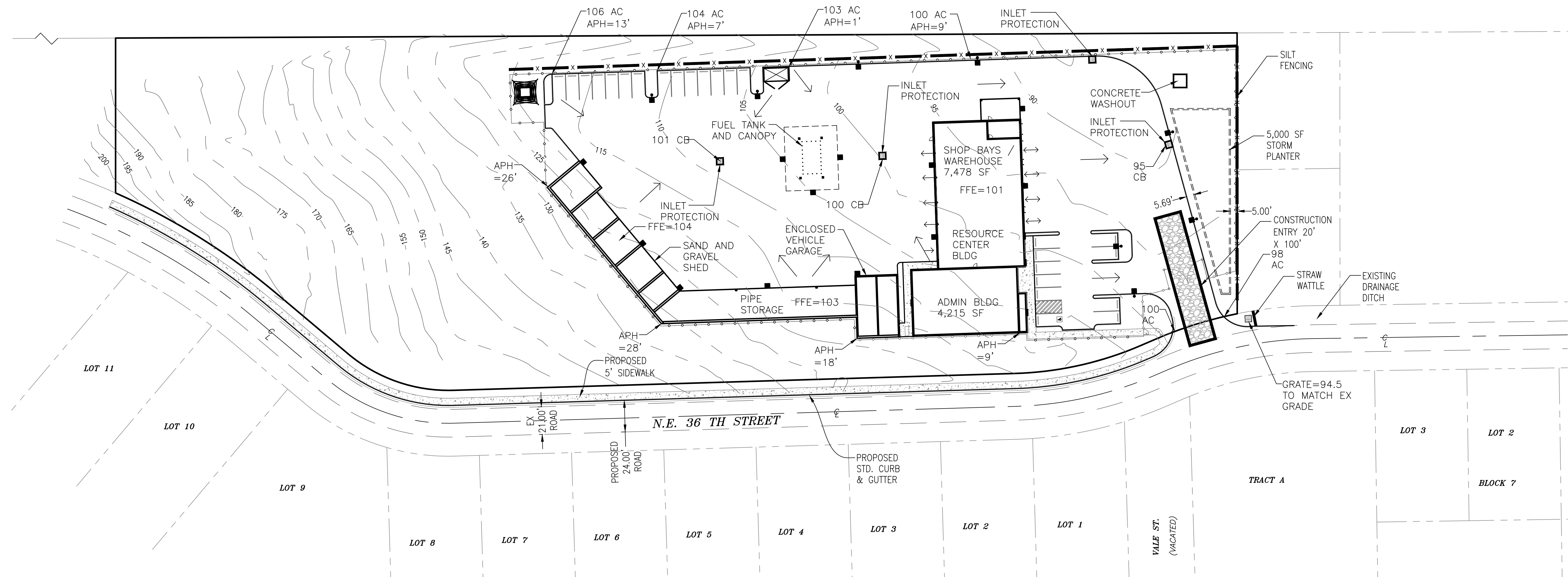
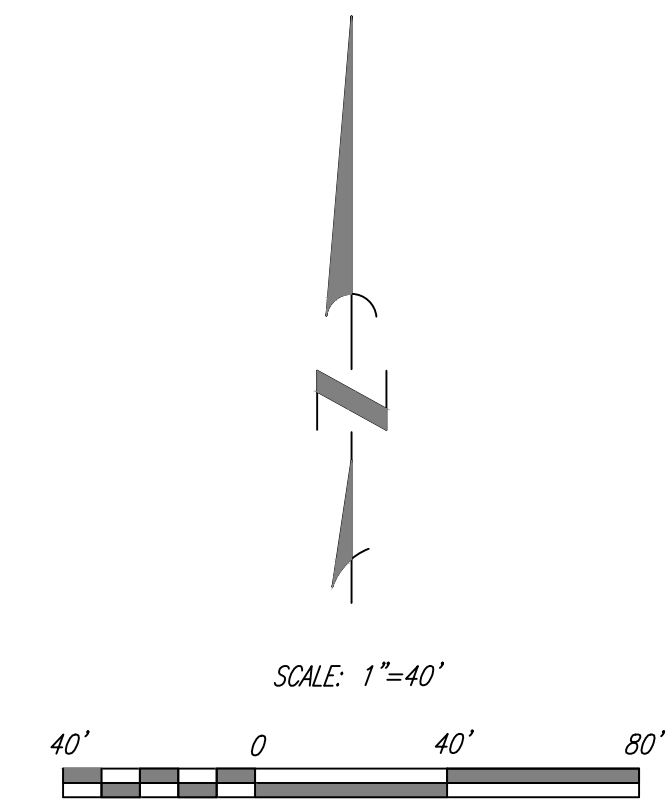
GRADING/EROSION CONTROL PLAN C-1.2

EROSION CONTROL NOTES

1. DEQ 1200-CN PERMIT WILL BE REQUIRED PRIOR TO CONSTRUCTION.
2. DETAILED EROSION CONTROL PLANS AND DETAILS TO BE PROVIDED DURING BUILDING PERMIT PROCESS.
3. EROSION CONTROL BMP'S ARE PRELIMINARY AND BASED ON CURRENT DESIGN. ADDITIONAL OR MODIFIED BMP'S MAY BE NECESSARY AFTER FINAL SITE LAYOUT IS DETERMINED.

GRADING NOTES

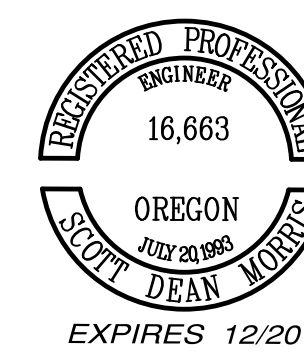
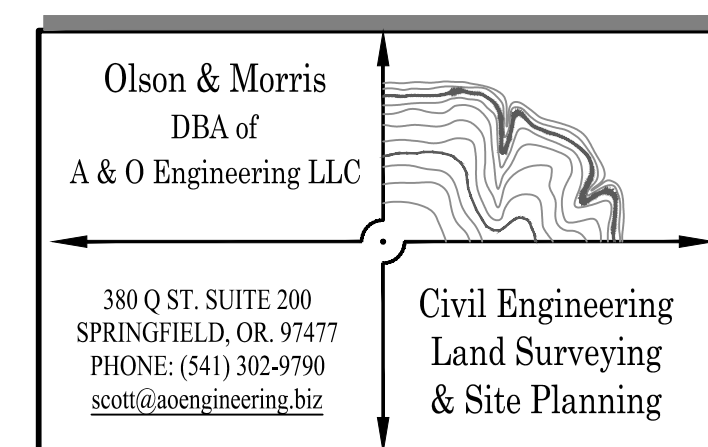
1. ALL GRADES ON THIS SHEET ARE PRELIMINARY AND CONCEPTUAL IN NATURE. FINAL GRADING TO BE PERFORMED DURING BUILDING PERMIT PROCESS.
2. ALL RETAINING WALL HEIGHTS ARE PRELIMINARY. WALL DESIGN TO BE COMPLETED DURING BUILDING PERMIT PROCESS BY GEOTECHNICAL OR STRUCTURAL ENGINEER.
3. ELEVATIONS SHOWN ARE BASED ON AN ASSUMED DATUM BY OLSON AND MORRIS.
4. PROPOSED ROAD IMPROVEMENT TO FOLLOW EXISTING ROAD GRADING.
5. ALL ADA WALKWAYS, RAMPS AND PARKING SPACES ARE PROPOSED TO MATCH CURRENT ADA REGULATIONS. FINISHED GRADING TO BE DESIGNED DURING BUILDING PERMIT PROCESS.
6. CONTOURS SHOWN CHARACTERIZE THE EXISTING ELEVATIONS ON-SITE. PROPOSED GRADES ARE CALLED OUT AS SPOT GRADES ON-SITE.
7. APPROXIMATE WALL HEIGHTS ARE CALLED OUT AS APH.



Proposed Grading Plan

SCALE: 1" = 40'

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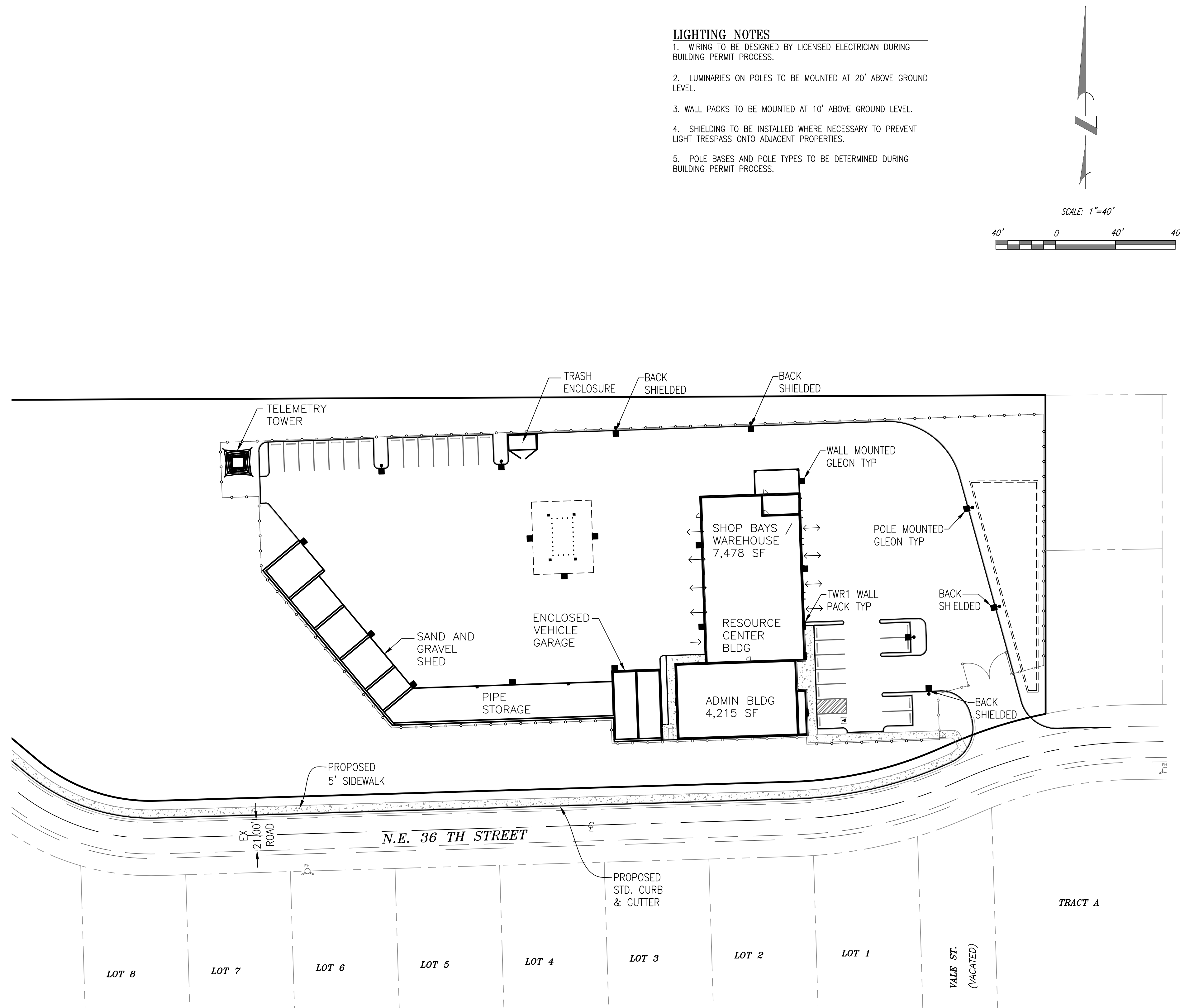
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Proposed lighting Plan

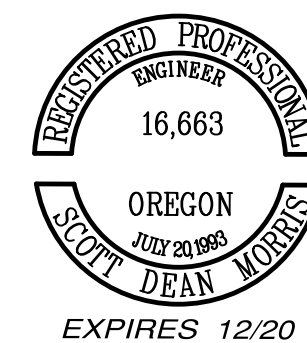
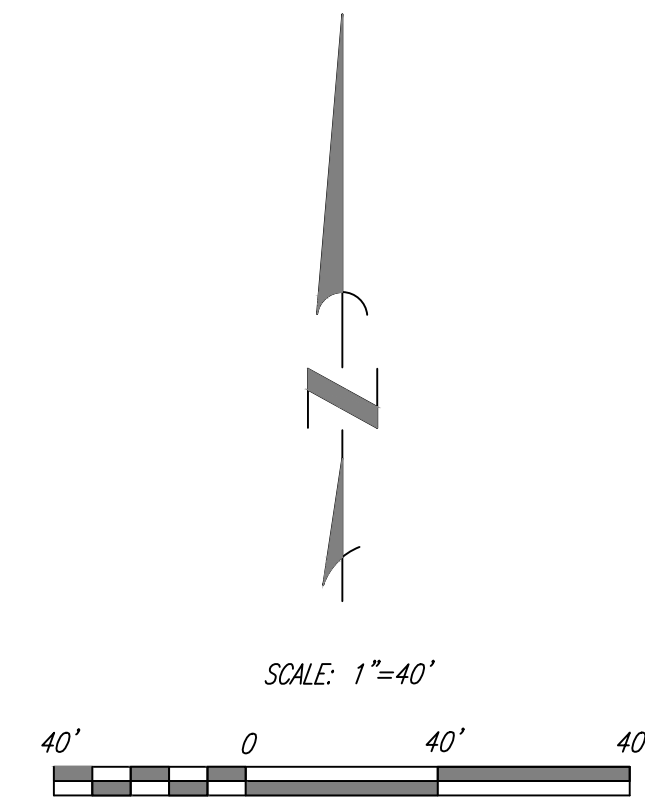
SCALE: 1" = 40'

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1. WIRING TO BE DESIGNED BY LICENSED ELECTRICIAN DURING BUILDING PERMIT PROCESS.

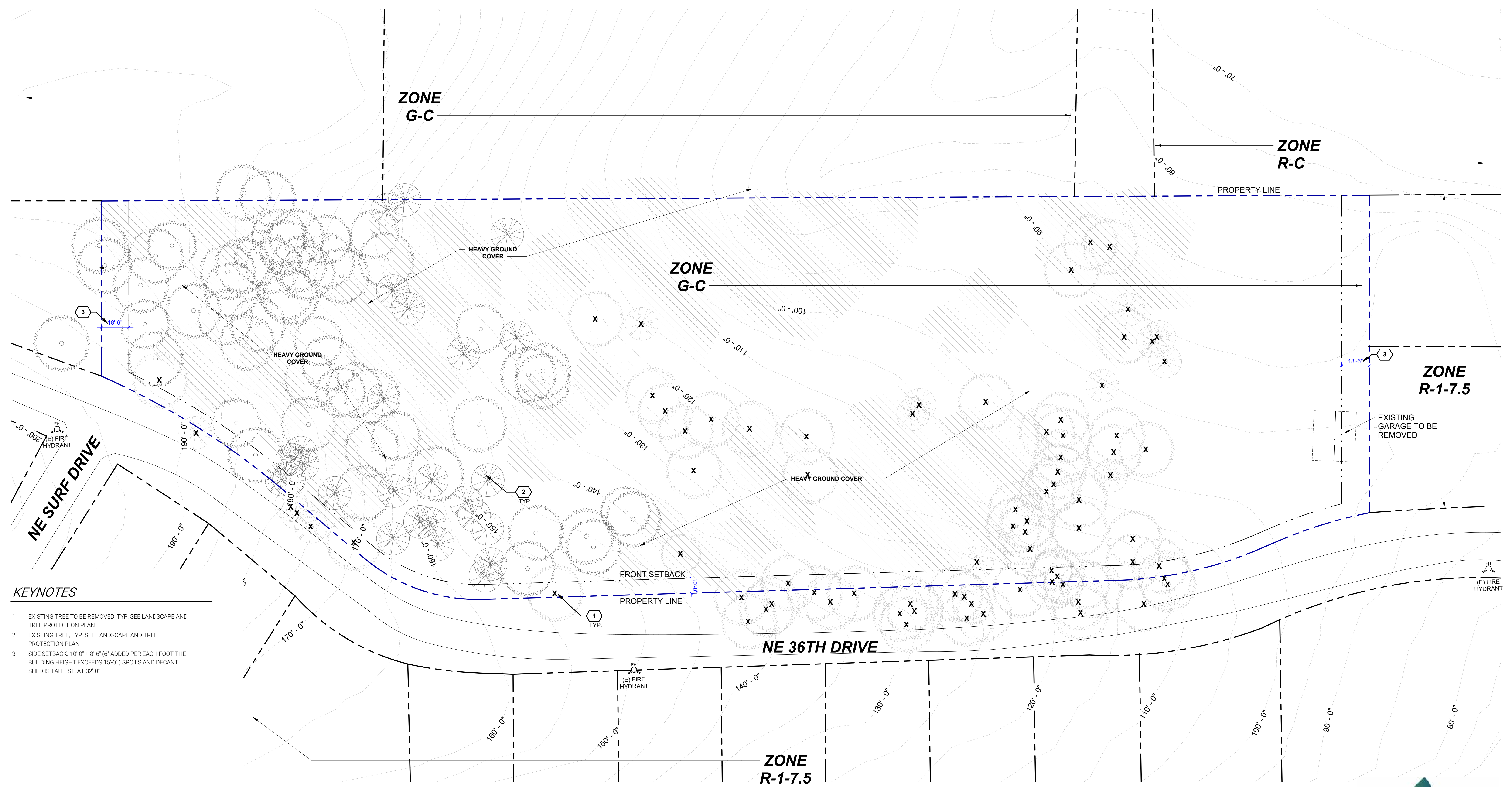
2. LUMINARIES ON POLES TO BE MOUNTED AT 20' ABOVE GROUND LEVEL.
3. WALL PACKS TO BE MOUNTED AT 10' ABOVE GROUND LEVEL.
4. SHIELDING TO BE INSTALLED WHERE NECESSARY TO PREVENT LIGHT TRESPASS ONTO ADJACENT PROPERTIES.
5. POLE BASES AND POLE TYPES TO BE DETERMINED DURING BUILDING PERMIT PROCESS.



NOT FOR CONSTRUCTION



EXISTING SITE PLAN



KEYNOTES

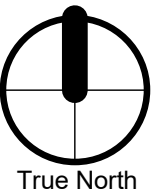
- 1 EXISTING TREE TO BE REMOVED, TYP. SEE LANDSCAPE AND TREE PROTECTION PLAN
- 2 EXISTING TREE, TYP. SEE LANDSCAPE AND TREE PROTECTION PLAN
- 3 SIDE SETBACK. 10'-0" + 8'-6" (6' ADDED PER EACH FOOT THE BUILDING HEIGHT EXCEEDS 15'-0"). SPOILS AND DECANT SHED IS TALLEST, AT 32'-0".

EXISTING SITE PLAN

SCALE: 1" = 30'-0"



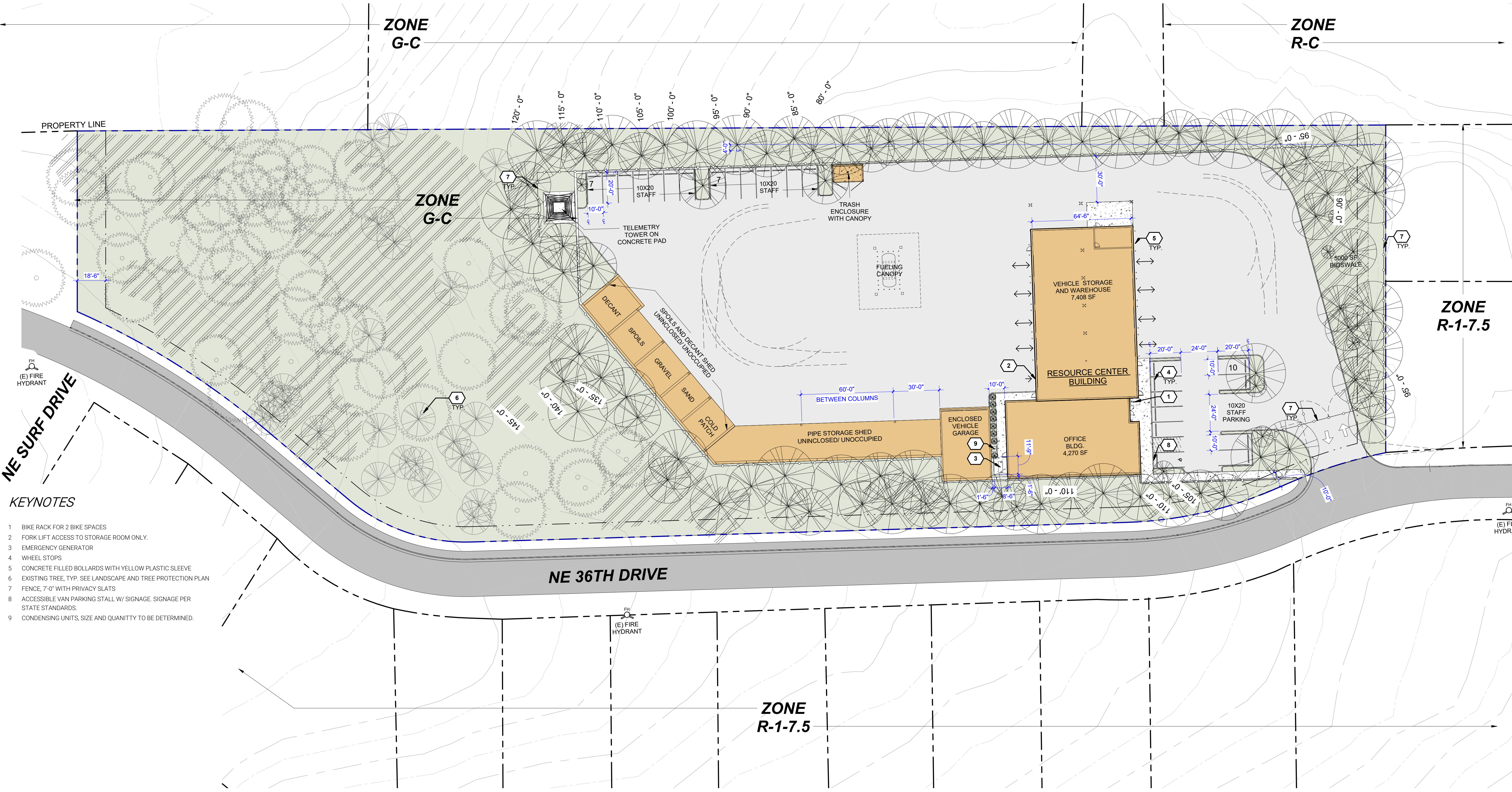
219138 | NWN Lincoln City Resource Center
12/19/2019



NW Natural®

PROPOSED SITE PLAN

A2



- KEYNOTES**
- 1 BIKE RACK FOR 2 BIKE SPACES
 - 2 FORK LIFT ACCESS TO STORAGE ROOM ONLY.
 - 3 EMERGENCY GENERATOR
 - 4 WHEEL STOPS
 - 5 CONCRETE FILLED BOLLARDS WITH YELLOW PLASTIC SLEEVE
 - 6 EXISTING TREE, TYP. SEE LANDSCAPE AND TREE PROTECTION PLAN
 - 7 FENCE, 7'-0" WITH PRIVACY SLATS
 - 8 ACCESSIBLE VAN PARKING STALL W/ SIGNAGE. SIGNAGE PER STATE STANDARDS.
 - 9 CONDENSING UNITS, SIZE AND QUANTITY TO BE DETERMINED.

Proposed Site Plan

SCALE: 1" = 30'-0"

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ARCHITECTS 12/19/19

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OFFICE & WAREHOUSE - FLOOR PLAN

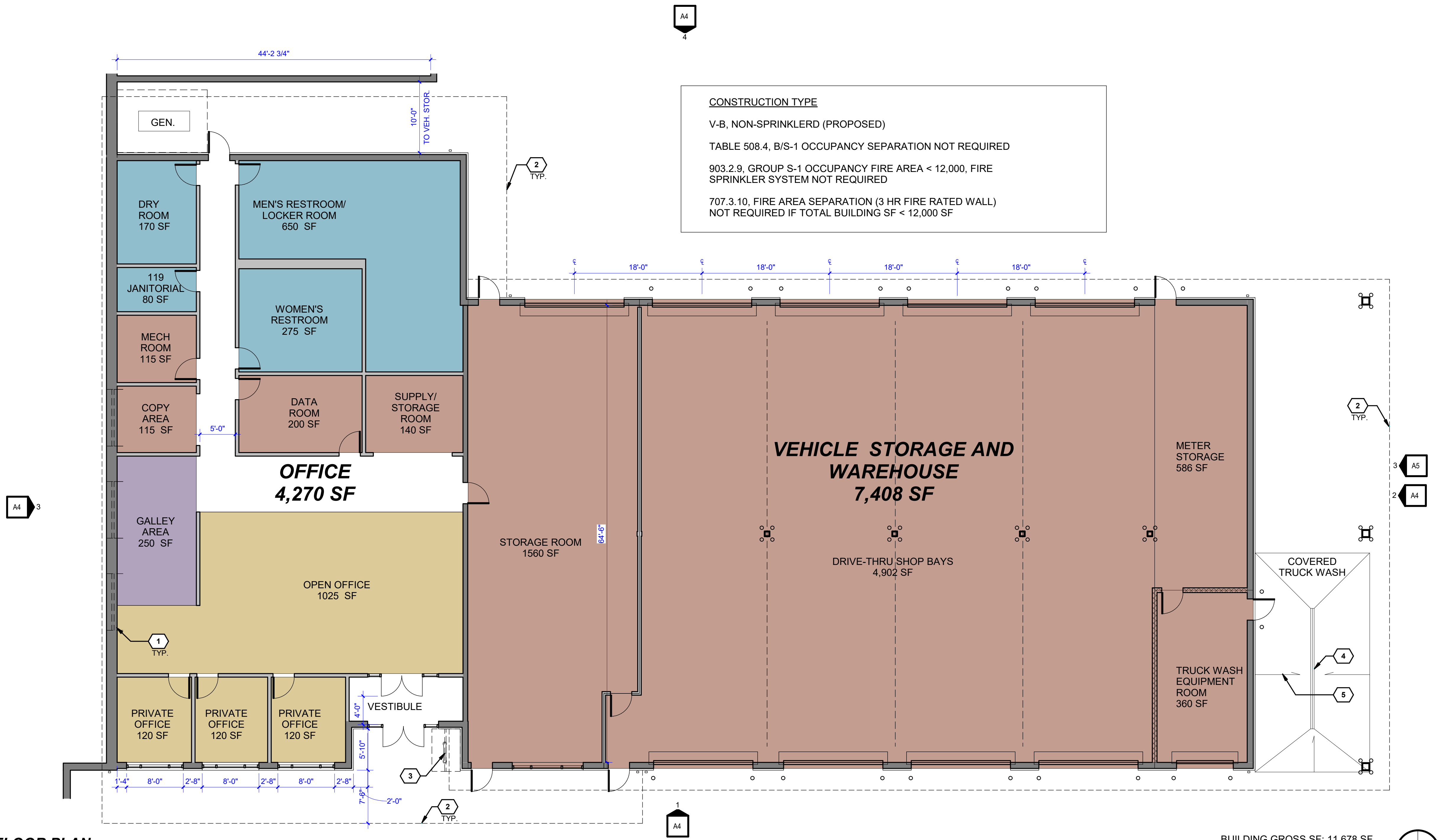
A3

KEYNOTES

- 1 LINE OF WINDOW ABOVE
- 2 LINE OF ROOF ABOVE, TYP.
- 3 BIKE RACK FOR 2 BIKE SPACES
- 4 TRENCH DRAIN
- 5 SLOPE CONCRETE FLOOR TO DRAIN

LEGEND

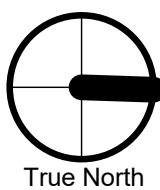
- EXTERIOR WALL
- INTERIOR DIVIDING WALL
- RESTROOM/ FACILITY SPACES
- SUPPORT SPACES
- WELLNESS SPACES
- OFFICE/ WORK SPACES



LEVEL 1 FLOOR PLAN

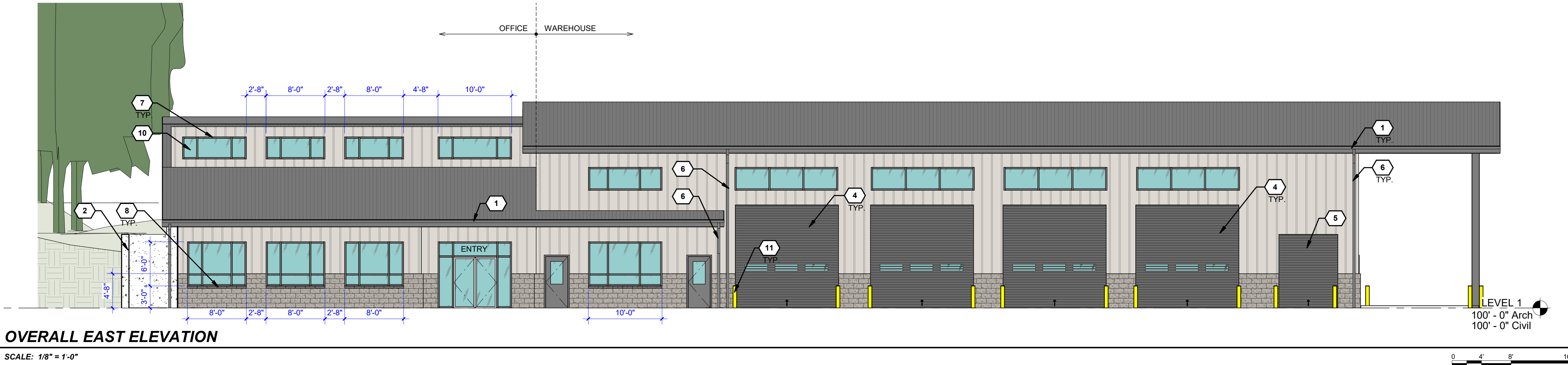
SCALE: 1/8" = 1'-0"

BUILDING GROSS SF: 11,678 SF



OFFICE & WAREHOUSE - ELEVATIONS

A4

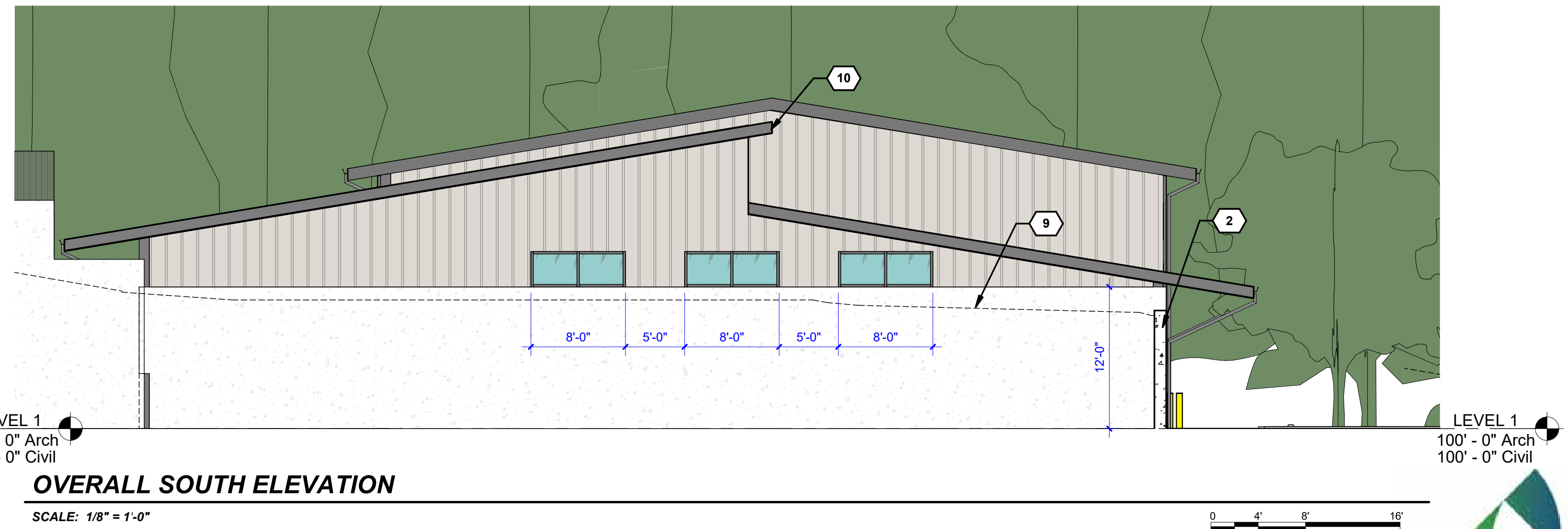
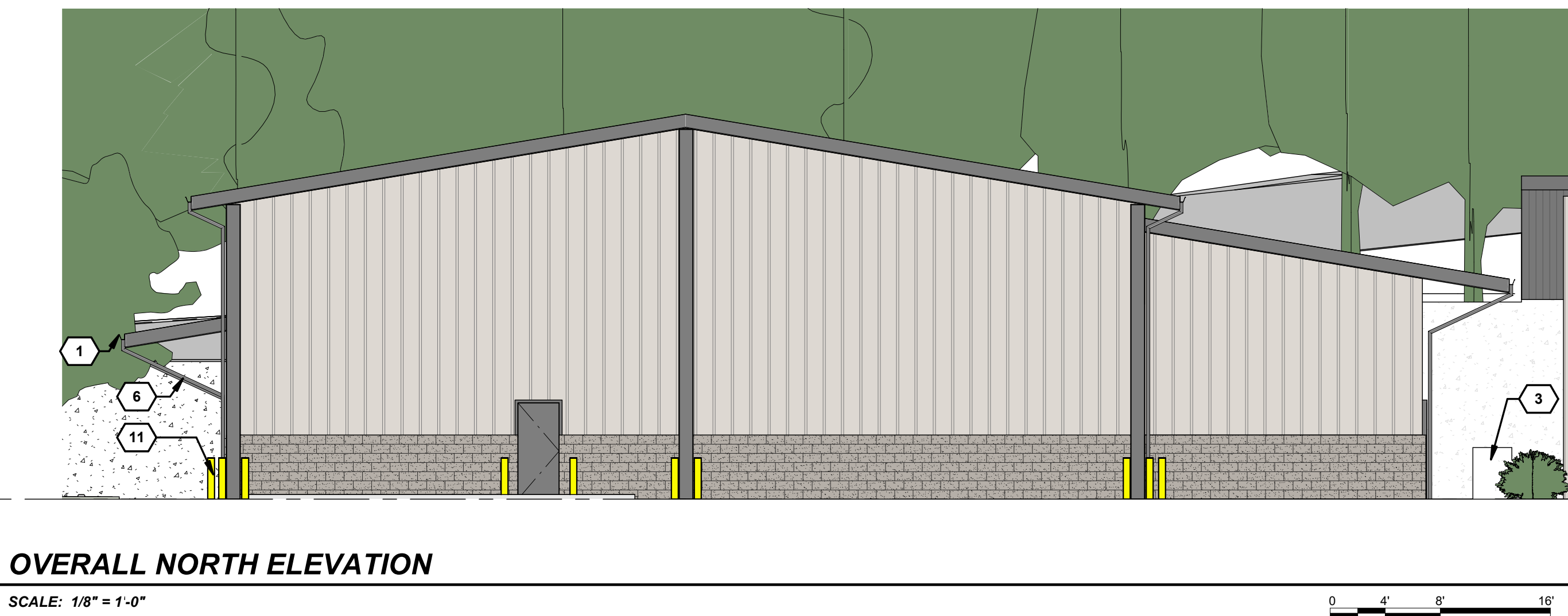
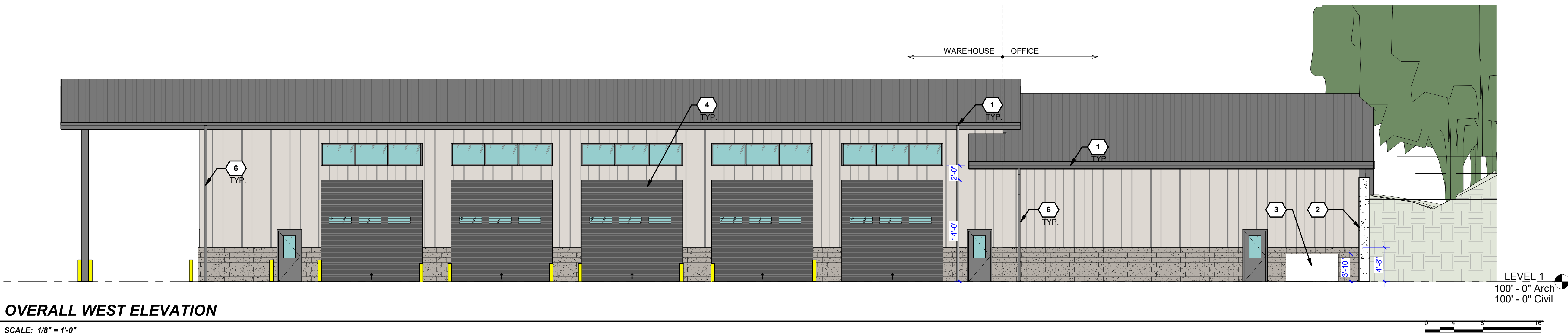


KEYNOTES

- 1 CONTINUOUS GUTTER ON FASCIA BOARD, DARK BRONZE FINISH, TYP.
- 2 CONCRETE RETAINING WALL
- 3 EMERGENCY GENERATOR
- 4 OVERHEAD COILING DOOR, 14' X 14', PAINTED.
- 5 OVERHEAD COILING DOOR AT TRUCK WASH ROOM, 8' X 10', PAINTED.
- 6 DOWNSPOUT, DARK BRONZE, TYP.
- 7 STOREFRONT WINDOW FRAMES, DARK BRONZE
- 8 CONCRETE WINDOW SILL
- 9 FINISHED GRADE, SEE CIVIL
- 10 SPLIT GABLE ROOF WITH CLERESTORY FOR DAYLIGHTING INTERIOR
- 11 CONCRETE FILLED BOLLARDS WITH YELLOW PLASTIC SLEEVE

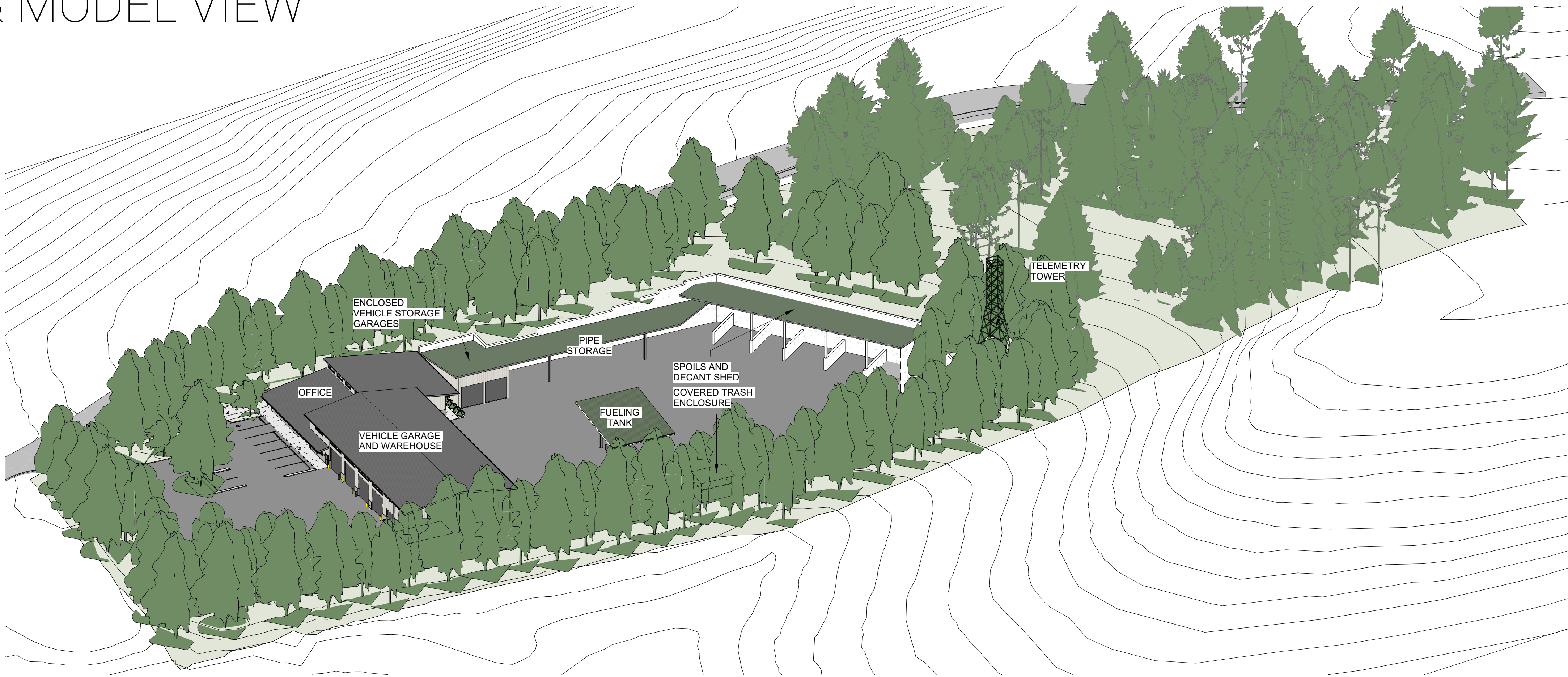
LEGEND

- SMOOTH, FLAT METAL PANEL SYSTEM, PRE-FINISHED, WARM BEIGE.
- SPLIT FACE CONCRETE MASONRY BLOCK, TAN
- GLAZING, STOREFRONT WINDOW FRAMES, DARK BRONZE
- STANDING SEAM METAL ROOFING, DARK BRONZE
- SMOOTH CONCRETE RETAINING WALL

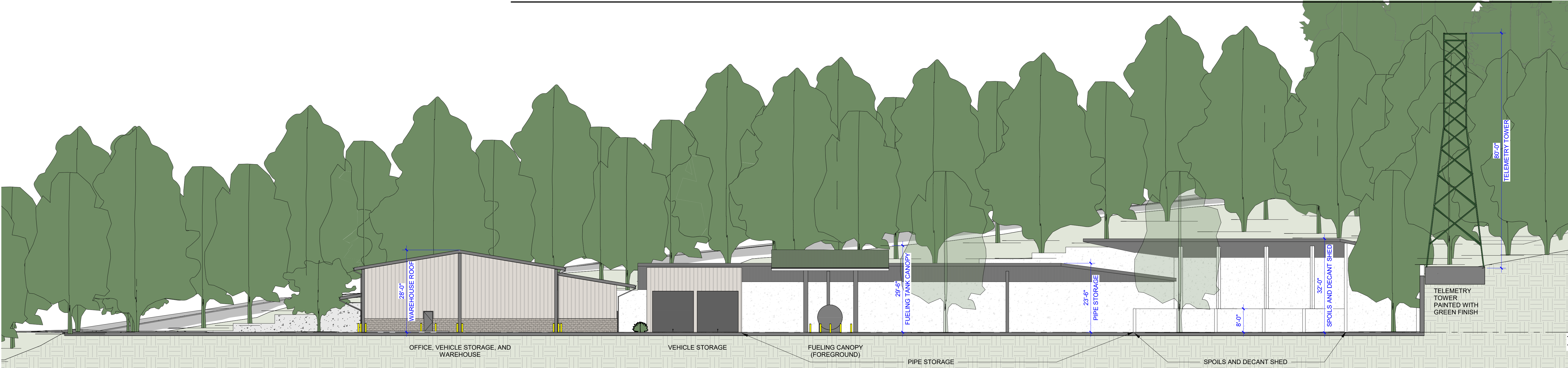


OVERALL SITE - ELEVATIONS & MODEL VIEW

A5



NE BIRD'S EYE



LEVEL 1
100' - 0" Arch
100' - 0" Civil

OVERALL NORTH ELEVATION Copy 1

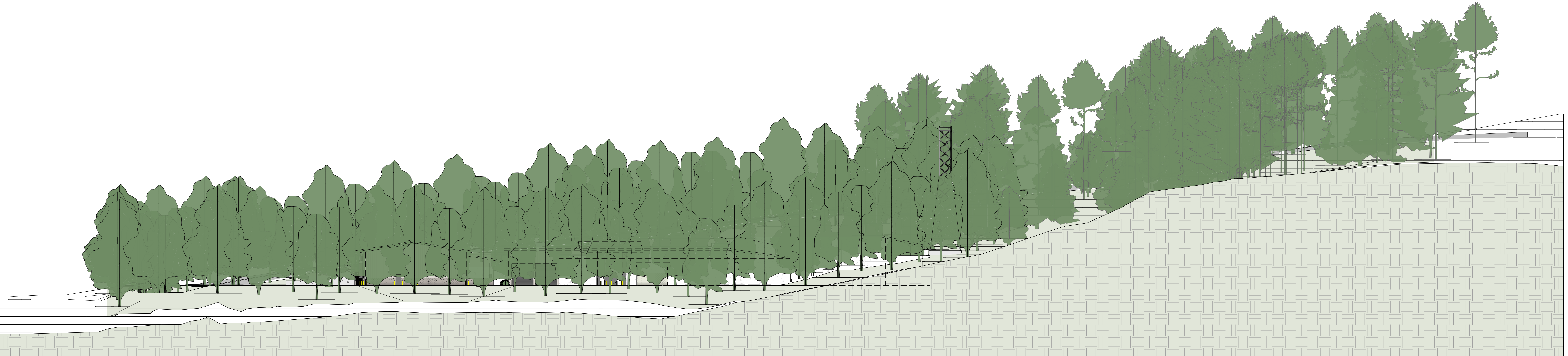
SCALE: 1/16" = 1'-0"

OVERALL SITE - ELEVATIONS

A6



SOUTH SITE ELEVATION - FROM 36TH STREET



NORTH SITE ELEVATION - FROM NORTH PROPERTY

Scale:

NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT C - METAL PANEL CUTSHEET

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209
☎ 503.221.1121 📠 503.221.2077

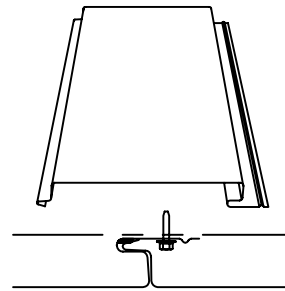
Description

IW Series offers six interesting configurations: IW-10A, IW-11A, IW-12A, IW-13A, IW-14A and IW-15. All IW panels share a common lock-joint design which makes them interchangeable on a project. The lock also permits the placement of concealed fasteners, and minimizes moisture intrusion.

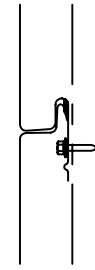
All IW Series wall panels can be installed in a variety of rainscreen applications to form a complete wall system. Systems may vary from an uninsulated screen wall to MetalWrap™ Series, an insulated composite backup panel system with Advanced Thermal and Moisture Protection (ATMP®). Contact your local CENTRIA sales person for more information regarding the performance of CENTRIA's rainscreens.

Notes

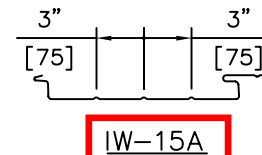
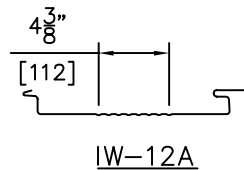
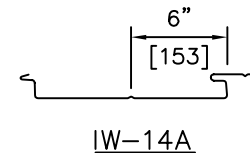
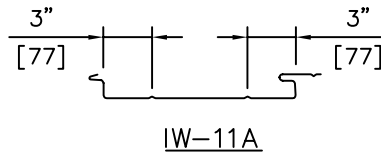
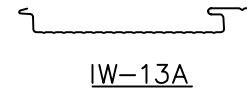
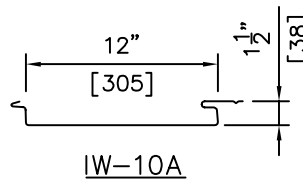
- For information on special applications, contact your local CENTRIA Sales Representative.
- All IW panels may be used on walls & soffits but not on roofs.
- Panel length tolerance is $\pm 1/4"$ [6mm].
- For protective coatings - see CENTRIA color chart.
- Oil canning within mill tolerances will not be cause for rejection.
- Panels must be ordered as "horizontal" when used in a horizontal application.
- Horizontal Panels must be erected from top to bottom.
- Maximum panel length for Zinc is 10' [3.048m].
- IW-10A, IW-11A, IW-12A, IW-13A, IW-14A and IW-15A must be installed in a vertical orientation if a zinc substrate is selected.



VERTICAL
JOINT DETAIL



HORIZONTAL
JOINT DETAIL



Panel Availability

	GALVANIZED ¹ (G90)	STAINLESS STEEL ¹ (304)	ALUMINUM ¹ (3003-H14)	ZINC ¹ (PRE-WEATHERED)
PANEL THICKNESS	1 1/2" [38mm]	1 1/2" [38mm]	1 1/2" [38mm]	1 1/2" [38mm]
PANEL COVERAGE	12" [305mm]	12" [305mm]	12" [305mm]	12" [305mm]
SIDE LAP	Interlocking	Interlocking	Interlocking	Interlocking
END LAPS	(see standard detail) Shop notched and swaged 2" [51mm] for 22 [.76mm] and 20 [.91mm] gages only. ^{4,5,6} Flash or extrusion for all gages	Flash or extrusion for all thicknesses ^{5,6}	(see standard detail) Shop notched and swaged 2" [51mm] for 0.040" [1.02mm] only. ^{4,5,6} Flash or extrusion for all other thicknesses	Flash or extrusion for all thicknesses ^{5,6}
GAGES (STANDARD)	20 [.91mm], 22 [.76mm]	20 [.91mm], 22 [.76mm]	.040" [1.02mm], .050" [1.27mm]	1mm [.039"]
GAGES (OPTIONAL)	18 [1.19mm] ³	N/A	N/A	Contact CENTRIA
STANDARD LENGTH	5 [1.524m] - 30 ft. [9.144m]	5 [1.524m] - 30 ft. [9.144m]	5 [1.524m] - 20 ft. [6.096m]	5 [1.524m] - 10 ft. [3.048m]
STANDARD TEXTURE	Smooth	Smooth	Smooth	Smooth - Directional
OPTIONAL TEXTURE	Embossed ² (20 [.91mm] - 22 [.76mm] gage only)	Embossed ²	N/A	N/A
FINISHES	See CENTRIA Color Chart	#4 Brushed	See CENTRIA Color Chart	Jarden Zinc Color Chart

1. Alternate base material, panel lengths and gages may also be available. Contact CENTRIA.

2. Embossing is non-directional.

3. IW-12A and IW-13A are not available in 18 gage or stainless steel of any gage.

4. Shop swaged ends are not available for IW-12A, IW-14A, IW-15A.

5. Shop swaged ends are not available for 18 gage steel, .050 aluminum, any thickness Stainless Steel or Zinc panels.

6. MicroLine Extrusions can be used with horizontally installed panels only.

CENTRIA Rainscreen Products

IW Series Concealed Fastener Panel

Create exciting texture and visual interest with 12 unique IW Series rainscreen panel profiles. Choose from twelve interchangeable profiles featuring flush, ribbed, striated and stepped designs—and a wide choice of embossed and smooth finishes.

- Concealed fasteners create a crisp, clean aesthetic.
- Common-lock joint design allows for interesting aesthetic effects.
- Panels may be installed both vertically and horizontally.
- Panels are 12 inches wide and up to 30 feet long.



IW-10A



IW-11A



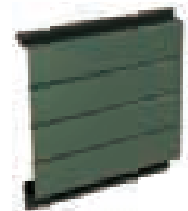
IW-12A



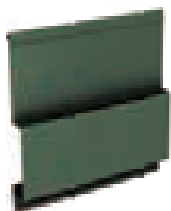
IW-13A



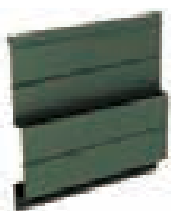
IW-14A



IW-15A



IW-20A



IW-21A



IW-30A



IW-31A



IW-40A



IW-41A

For information about all of CENTRIA's cladding options, visit CENTRIA.com/products/rainscreens.



NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT D - PHOTOMETRIC ANALYSIS

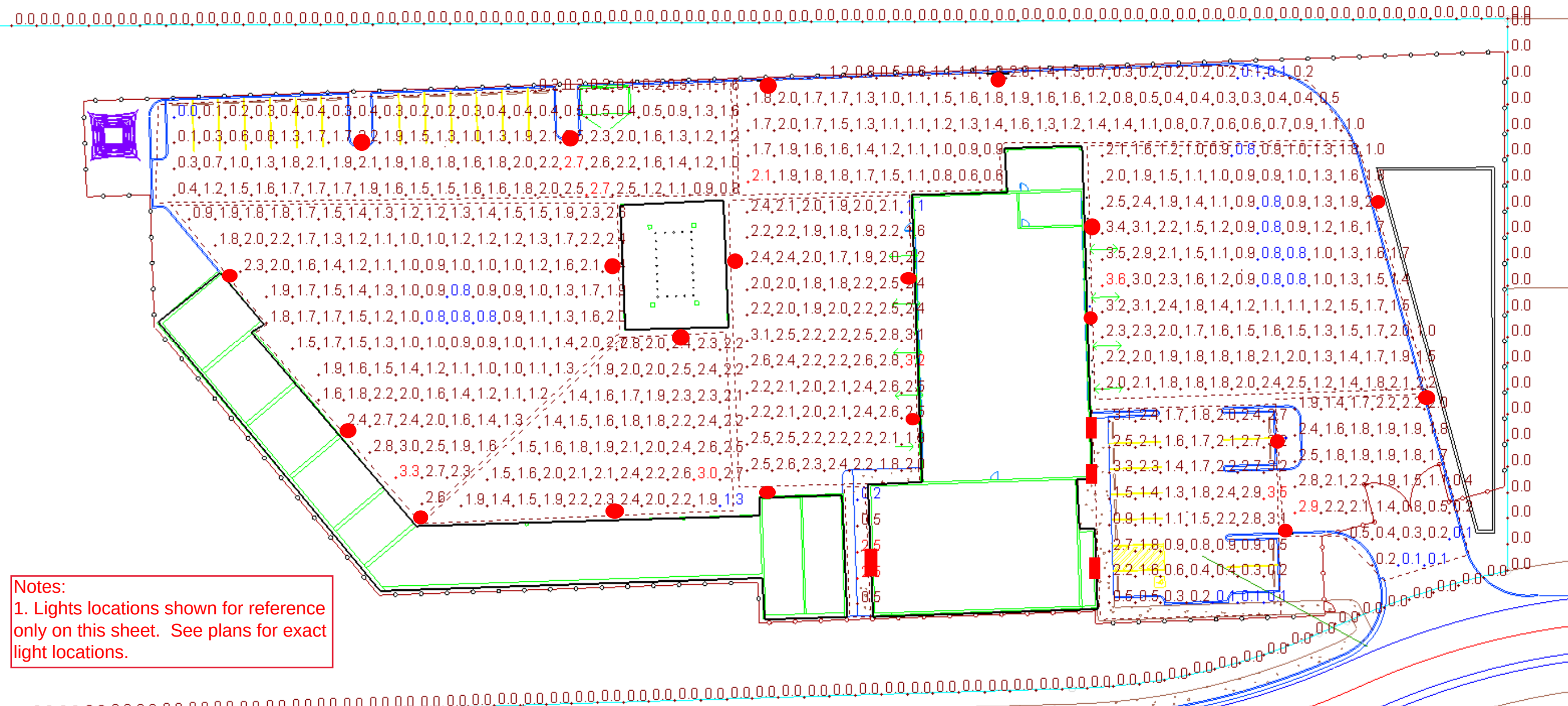
DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209
☎ 503.221.1121 📠 503.221.2077



NW Natural Lincoln City Photometric Analysis



Notes:
1. Lights locations shown for reference only on this sheet. See plans for exact light locations.

Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp
	A	20	EATON - McGRAW-EDISON (FORMER COOPER LIGHTING)	GLEON-AF-01-LED-E1-SL4	GALLEON AREA AND ROADWAY LUMINAIRE (1) 70 CRI	LED	16	GLEON-AF-01-LED-E1-SL4.ies	379
	B	4	Lithonia Lighting	TWR1 LED 1 50K MVOLT	2100lm TWR1 LED WALLPACK	LED	10	TWR1_LED_1_50K_MVOLT.ies	211

Statistics

Description	Symbol	Avg	Max	Min	Max / Min	Avg / Min
East Pull-Through	+	1.6 fc	3.6 fc	0.8 fc	4.5:1	2.0:1
Entrance	+	1.5 fc	2.9 fc	0.1 fc	29.0:1	15.0:1
Front Parking Lot	+	1.6 fc	3.5 fc	0.1 fc	35.0:1	16.0:1
North Drive Area	+	1.1 fc	2.1 fc	0.1 fc	21.0:1	11.0:1
North Parking Area	+	1.2 fc	2.7 fc	0.0 fc	N/A	N/A
Pipe Storage Area	+	2.0 fc	3.0 fc	1.3 fc	2.3:1	1.5:1
PL East	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A
PL North	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A
PL South	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A
Spoils Area	+	1.5 fc	3.3 fc	0.8 fc	4.1:1	1.9:1
Walkway Corridor	+	1.2 fc	2.5 fc	0.2 fc	12.5:1	6.0:1
West Pull-Through Area	+	2.2 fc	3.2 fc	1.1 fc	2.9:1	2.0:1

Designer

A&O Engineering

Date

12/17/2019

Scale

Not to Scale

Drawing No.

Summary

NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT F - TRAFFIC PROFILE

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209

☎ 503.221.1121 📠 503.221.2077

TRAFFIC PROFILE

NWN City of Lincoln City Resource Center

SPECIALTY TRADE CONTRACTOR - NO VISITORS

PROPOSED RESOURCE CENTER

5 WORKERS X 4 TRIPS / DAY = 20 TRIPS

6 WORKERS X 2 TRIPS / DAY = 12 TRIPS

TOTAL = 32 TRIPS / DAY

NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT E - ARBORIST REPORT

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209
☎ 503.221.1121 📠 503.221.2077



MEMORANDUM

DATE: December 14, 2019

TO: Skye Woodhouse (LRS Architects)

FROM: Todd Prager, RCA #597, ISA Board Certified Master Arborist

RE: Tree Protection and Removal Plan for NWN Lincoln City

Summary

This memorandum provides a tree assessment, removal, and protection recommendations for the trees at the proposed NWN Lincoln City Resource Center development.

Background

The NWN Lincoln City Resource Center development is proposed to be constructed on N.E. 36th Avenue Street in Lincoln City, Oregon. The proposed site plan with existing tree locations is provided in Attachment 1.

The assignment requested of our firm for this project was as follows:

1. Provide an assessment of the existing trees;
2. Provide recommendations for tree removal and retention based on the proposed site improvements; and
3. Provide protection recommendations for the trees to be retained.

Tree Assessment

On December 6, 2019, I completed my assessment of the existing trees. The complete inventory data is provided in the tree inventory spreadsheet in Attachment 2. The data provided for each tree includes the tree number, species (common and scientific names), trunk diameter (DBH), tree health condition, tree structural condition, pertinent comments, and treatment (remove or retain). The tree numbers in the tree inventory in Attachment 2 correspond to the tree numbers on the site plan in Attachment.

The trees at the site form a contiguous stand with almost complete canopy coverage over the property. The site is dominated by mature Sitka spruce (*Picea sitchensis*), the largest of which are may be over 100 years old and over 100 feet tall.

Proposed Tree Removal

A typical minimum root protection zone allows encroachments up to a radius around a tree of .5 feet per inch of DBH as long as no more than 25 percent of the overall root zone area (estimated at one foot radius per inch of DBH) is impacted. Figure 1 illustrates this concept.

Based on the proposed construction, 89 trees are proposal for removal and 86 trees are proposed for retention. Most of the proposed tree removals will occur on the eastern half of the property with the trees to be retained clustered towards the western half. Also, there will be a retaining wall along the south property line for right of way improvements to N.E. 36th Street that will require the removal of trees in close proximity to the wall. All trees proposed for removal shall be identified by a method obvious to a site inspector, such as tagging, painting, or flagging, in addition to clear identification on construction documents.

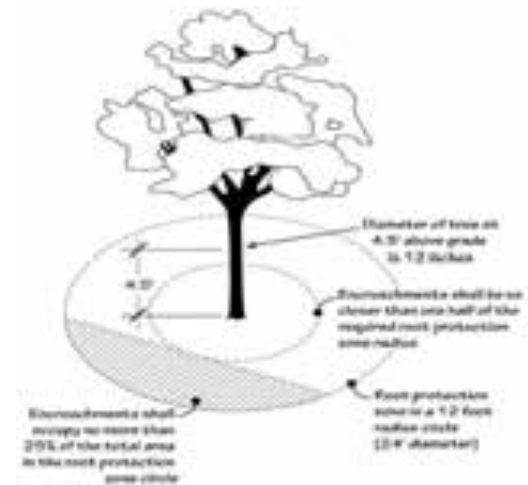


Figure 1: Typical root protection zone

The tree replacement plan for the 89 trees to be removed with be prepared by the landscape architecture firm on the project team in coordination with me.

Protection recommendations for the trees to be retained are provided in the next section of this report.

Tree Protection Recommendations

The following recommendations apply to the trees to be retained:

- **Protection Fencing:** Establish tree protection fencing in the locations shown in Attachment 1. The purpose of the fencing is to prevent encroachments within a radius around a tree of .5 feet per inch of DBH and allow no more than 25 percent of the overall root zone area (estimated at one foot radius per inch of DBH) to be impacted.
- **Directional Felling:** Fell the trees to be removed away from the trees to be retained so they do not contact or otherwise damage the trunks or branches of the trees to be retained. No vehicles or heavy equipment should be permitted within the tree protection zone during tree removal operations.
- **Stump Removal:** The stumps of trees to be removed from within the tree protection zone shall be flush cut and retained in place or carefully surface ground to protect the soil and root systems of the trees to be retained.
- **Retaining Wall Construction:** Encroachments within .5 feet per inch of DBH will be required to construct the retaining wall adjacent to trees 608,

655, and 657. These trees are important to try and retain because of the wind protection they provide for adjacent trees and/or for wildlife habitat. The project arborist shall be onsite to oversee excavation for the wall construction so that the root systems of the trees can be adequately protected, or roots can be properly pruned as needed with sharp pruning tools.

- **Protect Crowns of Trees:** The crowns of the trees may extend beyond the tree protection fencing. Care will need to be taken to not contact or otherwise damage the crowns of the trees during construction activities. If pruning is required, it shall be the minimum amount needed to achieve the required clearance in accordance with ANSI A300 pruning standards.
- **Sediment Fencing:** Sediment fencing shall be installed outside the protection zones of the trees to be retained to minimize root disturbances. If erosion control is required inside the protection zones, straw wattles shall be used on the soil surface.
- **Periodic Risk Assessments:** The trees to be retained that were part of a larger grove will be at an inherently increased risk of failure after adjacent tree removal. These trees should be monitored periodically and after storm events by the project arborist following site clearing to determine if any pose unreasonable risks.

The following additional tree protection standards apply according to the City of Lincoln City code:

- All trees required to be protected must be clearly labeled as such.
- The property owner shall give notice to the city a minimum of two business days (at least 48 hours) in advance of any grading or clearing of the site.
- The property owner shall permit the city to enter the site at any time to review compliance with the tree protection plan and tree removal permit.
- No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, or construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the director of planning and community development or the planning commission based upon the recommendation of an arborist.
- No person shall attach any device or wire to any tree unless needed for tree labeling or protection.
- Protective Barrier.
 - Before development, land clearing, excavation, filling, or any land alteration for which a tree removal permit is required, the developer shall delineate clearly the exterior property lines of the project.
 - The developer shall erect and maintain barriers adequate to prevent incursion of machinery within drip lines of trees the tree protection plan identifies to be preserved in and within drip lines of trees on adjoining properties.
 - Barriers must be sufficiently substantial to withstand nearby construction activities, and the most appropriate and protective barrier

shall be utilized. Plastic tape or similar forms of markers do not constitute barriers. For street rights-of-way and utility easements, however, barriers may consist of stakes set a maximum of 50 feet apart along the outside perimeters of areas to be cleared and connected with ribbon, plastic tape, rope, or similar material used for demarcation.

- Selection and installation of demarcations and barriers must be approved by the director of planning and community development or the city engineer prior to commencement of grading or tree removal. Protective barriers shall remain in place until the city authorizes their removal or issues a final certificate of occupancy, whichever occurs first.

Attachment 3 includes additional recommendations to adequately protect the trees during construction.

Conclusion

Eighty-nine (89) trees are proposal for removal for construction and 86 trees are proposed for retention. The trees to be retained will be adequately protected by adhering to the recommendations in this report.

Please contact me if you have questions, concerns, or need any additional information.

Sincerely,



Todd Prager

*ASCA Registered Consulting Arborist #597
ISA Board Certified Master Arborist, WE-6723B
ISA Qualified Tree Risk Assessor
AICP, American Planning Association*

Attachment 1:	Site Plan with Existing Tree Locations
Attachment 2	Tree Inventory
Attachment 3:	Additional Tree Protection Recommendations
Attachment 4:	Assumptions and Limiting Conditions

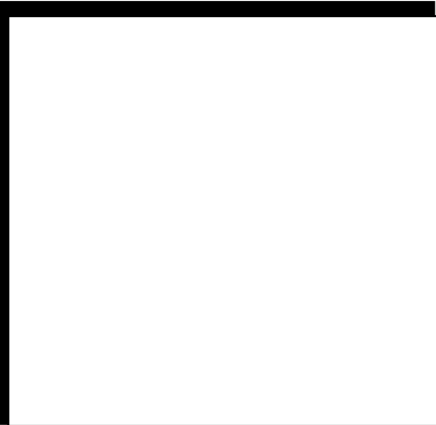
EXISTING TREE LIST					
TREE #	SPECIES	DIA	CRZ	SAVED	REMOVED
629		40"			
630		53"			
631		27"			
632		42"			
634		14"			
635		39"			
637		24"			
638		28"			
639		30"			
640		18"			
641		30"			
642		34"			
643		19"			
645		29"			
646		35"			
647		17"			
648		44"			
649		43"			
651		35"			
652		41"			
653		60"			
654		60"			
655		70"			
656		34"			
657		47"			
658		12"			
659		12"			
660		18"			
661		14"			
662		12"			
663		24"			
664		27"			
665		13"			
666		18"			
667		64"			
668		52"			
669		33"			
670		12"			
671		50"			
672		39"			
673		17"			
674		14"			
678		31"			
680		36"			
681		24"			
682		48"			
683		45"			
684		21"			
685		31"			
686		40"			
687		18"			
688		36"			
689		48"			
690		41"			
691		60"			
692		46"			
693		38"			
695		48"			
700		38"			

A north arrow pointing upwards, with the letter 'N' in the center. Below the arrow is a graphic scale bar with markings for 50' and 100'.

Olson & Morris
DBA of
A & O Engineering LLC

**Civil Engineering
Land Surveying
& Site Planning**

380 O ST. SUITE 200
SPRINGFIELD, OR 97477
PHONE: (541) 302-9790
SCOT@AOENGINEERING.OZ



DATE: 11-15-19
PROJECT No: 5196
SCALE: HORIZ $1"=50'$
VERT.
DRAWN BY: KRC
DESIGNED BY: SDM
REVIEWED BY: SDM

REVISIONS:

1 OF 1

Attachment 2

TREE NO.	COMMON NAME	SCIENTIFIC NAME	DBH ¹	CONDITION ²	STRUCTURE	CRZ (RADIUS) ³	COMMENTS	TREATMENT
501	Sitka spruce	<i>Picea sitchensis</i>	12	good	fair	12	overtopped by adjacent trees	remove
502	red alder	<i>Alnus rubra</i>	21	fair	fair	21	one sided, history of branch failure	remove
503	Sitka spruce	<i>Picea sitchensis</i>	26	good	fair	26	one sided, marginal trunk taper	remove
504	Sitka spruce	<i>Picea sitchensis</i>	33	fair	fair	33	one sided, moderately thin crown, fill at base of trunk	remove
505	Sitka spruce	<i>Picea sitchensis</i>	25	poor	poor	25	thin crown, fill at base of trunk	remove
506	Sitka spruce	<i>Picea sitchensis</i>	29	good	fair	29	one sided	remove
507	Sitka spruce	<i>Picea sitchensis</i>	14	very poor	very poor	14	dead	remove
508	Sitka spruce	<i>Picea sitchensis</i>	45	very poor	very poor	45	dead	remove
509	Sitka spruce	<i>Picea sitchensis</i>	18	very poor	very poor	18	dead	remove
511	red alder	<i>Alnus rubra</i>	8	fair	fair	8	fill at base of trunk	remove
512	red alder	<i>Alnus rubra</i>	8	fair	fair	8	fill at base of trunk	remove
513	red alder	<i>Alnus rubra</i>	8	fair	fair	8	wounds and fill at base of trunk	remove
514	Sitka spruce	<i>Picea sitchensis</i>	35	good	fair	35	40% live crown ratio (lcr)	remove
515	Sitka spruce	<i>Picea sitchensis</i>	33	good	fair	33	one sided	remove
516	Sitka spruce	<i>Picea sitchensis</i>	22	good	fair	22	poor trunk taper	remove
518	Sitka spruce	<i>Picea sitchensis</i>	22	fair	poor	22	poor trunk taper	remove
520	Sitka spruce	<i>Picea sitchensis</i>	39	good	fair	39	one sided	remove
521	Sitka spruce	<i>Picea sitchensis</i>	39	good	good	39		remove
522	Sitka spruce	<i>Picea sitchensis</i>	34	fair	fair	34	one sided, extensive ivy	remove
523	Sitka spruce	<i>Picea sitchensis</i>	32	poor	fair	32	thin crown	remove
524	Sitka spruce	<i>Picea sitchensis</i>	12	fair	fair	12	overtopped by adjacent trees	remove
525	Sitka spruce	<i>Picea sitchensis</i>	40,9	good	fair	41	one sided, 9" root sucker	remove
526	Sitka spruce	<i>Picea sitchensis</i>	24,15	good	fair	28	one sided, codominant at ground level with included bark	remove
527	Sitka spruce	<i>Picea sitchensis</i>	33	good	fair	33	one sided	remove
528	Sitka spruce	<i>Picea sitchensis</i>	28	good	fair	28	marginal trunk taper	remove
529	Sitka spruce	<i>Picea sitchensis</i>	22	fair	poor	22	one sided, poor trunk taper	remove
530	Sitka spruce	<i>Picea sitchensis</i>	20	fair	poor	20	poor trunk taper	remove
531	Sitka spruce	<i>Picea sitchensis</i>	34	good	fair	34	one sided, marginal trunk taper	remove
532	Sitka spruce	<i>Picea sitchensis</i>	13	very poor	very poor	13	dead	remove
533	Sitka spruce	<i>Picea sitchensis</i>	18	good	poor	18	one sided, poor trunk taper	remove
534	Sitka spruce	<i>Picea sitchensis</i>	35	good	fair	35	one sided	remove
535	Sitka spruce	<i>Picea sitchensis</i>	38	good	fair	38	one sided	remove

Attachment 2

TREE NO.	COMMON NAME	SCIENTIFIC NAME	DBH ¹	CONDITION ²	STRUCTURE	CRZ (RADIUS) ³	COMMENTS	TREATMENT
536	Sitka spruce	<i>Picea sitchensis</i>	42	good	fair	42	one sided, failed codominant stem at 10'	remove
537	Sitka spruce	<i>Picea sitchensis</i>	33	good	poor	33	previously lost top with new tops at 20'	remove
538	Sitka spruce	<i>Picea sitchensis</i>	23	fair	poor	23	one sided, poor trunk taper, added to site map in approximate location by arborist	remove
539	Sitka spruce	<i>Picea sitchensis</i>	30	good	fair	30	one sided, added to site map in approximate location by arborist	remove
540	Sitka spruce	<i>Picea sitchensis</i>	12	very poor	very poor	12	dead	remove
541	Sitka spruce	<i>Picea sitchensis</i>	25	good	fair	25	one sided, marginal trunk taper	remove
542	Sitka spruce	<i>Picea sitchensis</i>	32	good	fair	32	one sided, marginal trunk taper	remove
543	Sitka spruce	<i>Picea sitchensis</i>	24	fair	poor	24	one sided, poor trunk taper	remove
544	Sitka spruce	<i>Picea sitchensis</i>	60	good	good	60		remove
545	red alder	<i>Alnus rubra</i>	27	fair	fair	27	codominant at 6' with included bark, history of branch failure	remove
546	red alder	<i>Alnus rubra</i>	18	fair	fair	18	one sided, history of branch failure	remove
547	red alder	<i>Alnus rubra</i>	28	very poor	very poor	28	dead	remove
548	Sitka spruce	<i>Picea sitchensis</i>	35	very poor	very poor	35	dead	remove
549	Sitka spruce	<i>Picea sitchensis</i>	38	fair	fair	38	extensive ivy, one sided	remove
550	Sitka spruce	<i>Picea sitchensis</i>	32,29	fair	fair	43	codominant at ground level with included bark, moderately one sided	remove
551	Sitka spruce	<i>Picea sitchensis</i>	14	good	poor	14	one sided, poor trunk taper	remove
552	Sitka spruce	<i>Picea sitchensis</i>	53	good	poor	53	codominant at 3', poor trunk taper	remove
553	Sitka spruce	<i>Picea sitchensis</i>	41	fair	fair	41	one sided, moderately thin crown	remove
554	Sitka spruce	<i>Picea sitchensis</i>	42	fair	fair	42	one sided, moderately thin crown	remove
555	Sitka spruce	<i>Picea sitchensis</i>	33	good	fair	33	one sided	remove
556	Sitka spruce	<i>Picea sitchensis</i>	15	good	poor	15	poor trunk taper	remove
557	Sitka spruce	<i>Picea sitchensis</i>	36,20, 19	fair	fair	41	multiple leaders at ground level, <i>P. pini</i> on 9" stem	remove
558	n/a	n/a	n/a	n/a	n/a	n/a	same as tree 557	n/a
559	n/a	n/a	n/a	n/a	n/a	n/a	same as tree 557	n/a
560	Sitka spruce	<i>Picea sitchensis</i>	24	good	fair	24	one sided	remove
561	Sitka spruce	<i>Picea sitchensis</i>	19	fair	poor	19	poor trunk taper, dead top	remove
562	Sitka spruce	<i>Picea sitchensis</i>	47	good	fair	47	one sided, pressing against tree 563	remove

Attachment 2

TREE NO.	COMMON NAME	SCIENTIFIC NAME	DBH ¹	CONDITION ²	STRUCTURE	CRZ (RADIUS) ³	COMMENTS	TREATMENT
563	Sitka spruce	<i>Picea sitchensis</i>	37	good	fair	37	one sided, pressing against tree 562	remove
564	Sitka spruce	<i>Picea sitchensis</i>	15	fair	fair	15	overtopped by adjacent trees, one sided	remove
565	Sitka spruce	<i>Picea sitchensis</i>	79	good	good	79		remove
566	Sitka spruce	<i>Picea sitchensis</i>	20	good	fair	20	one sided, marginal trunk taper	remove
567	Sitka spruce	<i>Picea sitchensis</i>	49	good	fair	49	one sided	remove
568	Sitka spruce	<i>Picea sitchensis</i>	19	poor	poor	19	suppressed, poor trunk taper	remove
569	Sitka spruce	<i>Picea sitchensis</i>	51	good	fair	51	one sided	remove
570	Sitka spruce	<i>Picea sitchensis</i>	49	good	poor	49	previously lost top with new tops at 25'	remove
571	Sitka spruce	<i>Picea sitchensis</i>	20	fair	poor	20	one sided, overtopped by adjacent trees, poor trunk taper	remove
572	Sitka spruce	<i>Picea sitchensis</i>	55	good	fair	55	extensive ivy	remove
574	Sitka spruce	<i>Picea sitchensis</i>	46	good	fair	46	one sided, multiple leaders	remove
580	Sitka spruce	<i>Picea sitchensis</i>	61	good	good	61		remove
581	Sitka spruce	<i>Picea sitchensis</i>	58	good	fair	58	moderately one sided, codominant at 40'	remove
582	Sitka spruce	<i>Picea sitchensis</i>	60	good	good	60		remove
584	Sitka spruce	<i>Picea sitchensis</i>	45	good	fair	45	one sided	remove
585	Sitka spruce	<i>Picea sitchensis</i>	54	good	fair	54	one sided	remove
586	Sitka spruce	<i>Picea sitchensis</i>	50	good	fair	50	one sided, extensive ivy, history of branch failure	remove
587	red alder	<i>Alnus rubra</i>	23	fair	poor	23	one sided, overtopped by adjacent trees	remove
588	red alder	<i>Alnus rubra</i>	19	fair	fair	19	one sided, history of branch failure	remove
589	Sitka spruce	<i>Picea sitchensis</i>	57	good	fair	57	one sided	remove
590	red alder	<i>Alnus rubra</i>	21	fair	fair	21	one sided	remove
591	Sitka spruce	<i>Picea sitchensis</i>	64	good	fair	64	codominant at 30', extensive ivy	remove
592	red alder	<i>Alnus rubra</i>	38	fair	fair	38	one sided, marginal trunk taper	retain
593	Sitka spruce	<i>Picea sitchensis</i>	37	fair	fair	37	one sided, marginal trunk taper	retain
594	Sitka spruce	<i>Picea sitchensis</i>	40	good	fair	40	one sided, codominant with included bark	retain
595	Sitka spruce	<i>Picea sitchensis</i>	48	good	fair	48	one sided	retain
596	red alder	<i>Alnus rubra</i>	24	fair	fair	24	history of branch failure	retain
597	Sitka spruce	<i>Picea sitchensis</i>	49	good	fair	49	one sided, codominant at 15' with included bark	retain

Attachment 2

TREE NO.	COMMON NAME	SCIENTIFIC NAME	DBH ¹	CONDITION ²	STRUCTURE	CRZ (RADIUS) ³	COMMENTS	TREATMENT
598	Sitka spruce	<i>Picea sitchensis</i>	37	good	fair	37	moderately one sided, extensive ivy	retain
599	Sitka spruce	<i>Picea sitchensis</i>	25	fair	poor	25	codominant at 6' with included bark, poor trunk taper	remove
600	Sitka spruce	<i>Picea sitchensis</i>	34	good	fair	34	one sided	remove
601	Sitka spruce	<i>Picea sitchensis</i>	75	good	fair	75	codominant at 30'	retain
602	Sitka spruce	<i>Picea sitchensis</i>	49	good	fair	49	one sided, extensive ivy	retain
603	Sitka spruce	<i>Picea sitchensis</i>	44	good	fair	44	one sided	retain
604	Sitka spruce	<i>Picea sitchensis</i>	52	good	fair	52	codominant at 10' with included bark	retain
606	Sitka spruce	<i>Picea sitchensis</i>	41	good	fair	41	one sided	retain
607	Sitka spruce	<i>Picea sitchensis</i>	54	good	fair	54	codominant at 25', moderately one sided, good union	remove
608	Sitka spruce	<i>Picea sitchensis</i>	71	good	good	71		retain
609	Sitka spruce	<i>Picea sitchensis</i>	55	good	fair	55	one sided, extensive ivy	retain
610	red alder	<i>Alnus rubra</i>	14,10	fair	poor	17	codominant at ground level, poor trunk taper	retain
611	red alder	<i>Alnus rubra</i>	11	fair	poor	11	poor trunk taper	retain
612	red alder	<i>Alnus rubra</i>	12,10	fair	poor	15	codominant at 2', poor trunk taper	retain
613	red alder	<i>Alnus rubra</i>	11	poor	poor	11	codominant at 1', failed codominant leader	retain
614	red alder	<i>Alnus rubra</i>	15	poor	poor	15	codominant at 2', failed codominant leader	retain
617	red alder	<i>Alnus rubra</i>	13,11, 6	fair	fair	18	one sided, multiple leaders at 1'	retain
618	red alder	<i>Alnus rubra</i>	14,13	fair	fair	19	one sided, codominant at 1' with included bark, wrong tag in field	retain
619	red alder	<i>Alnus rubra</i>	14	fair	poor	14	poor trunk taper	retain
620	red alder	<i>Alnus rubra</i>	13	fair	poor	13	poor trunk taper	retain
621	red alder	<i>Alnus rubra</i>	16	fair	poor	16	poor trunk taper, bowed trunk	retain
622	red alder	<i>Alnus rubra</i>	13	fair	poor	13	poor trunk taper	retain
622.1	red alder	<i>Alnus rubra</i>	16	fair	fair	16	marginal trunk taper, added to site map in approximate location by arborist	retain
623	red alder	<i>Alnus rubra</i>	27	fair	fair	27	bowed trunk	retain
624	red alder	<i>Alnus rubra</i>	19	fair	fair	19	marginal trunk taper	retain
627	red alder	<i>Alnus rubra</i>	12	fair	poor	12	poor trunk taper, size estimated because offsite	retain

Attachment 2

TREE NO.	COMMON NAME	SCIENTIFIC NAME	DBH ¹	CONDITION ²	STRUCTURE	CRZ (RADIUS) ³	COMMENTS	TREATMENT
629	Sitka spruce	<i>Picea sitchensis</i>	40	good	fair	40	one sided	retain
630	Sitka spruce	<i>Picea sitchensis</i>	51	good	fair	51	one sided, codominant at 35' with included bark	retain
631	Sitka spruce	<i>Picea sitchensis</i>	27	fair	poor	27	33% live crown ratio, extensive ivy, poor trunk taper	retain
632	Sitka spruce	<i>Picea sitchensis</i>	41	good	fair	41	40% lcr, extensive ivy	retain
634	Sitka spruce	<i>Picea sitchensis</i>	14	poor	poor	14	overtopped by adjacent trees, extensive ivy	retain
635	Sitka spruce	<i>Picea sitchensis</i>	41	good	fair	41	one sided, extensive ivy	retain
636	Sitka spruce	<i>Picea sitchensis</i>	28	good	fair	28	one sided, extensive ivy, added to site map in approximate location by arborist	retain
637	Sitka spruce	<i>Picea sitchensis</i>	25	poor	poor	25	suppressed, extensive ivy	retain
638	Sitka spruce	<i>Picea sitchensis</i>	44	good	fair	44	one sided	retain
639	Sitka spruce	<i>Picea sitchensis</i>	30	fair	poor	30	25% lcr, extensive ivy	retain
640	Sitka spruce	<i>Picea sitchensis</i>	20	poor	poor	20	25% lcr, extensive ivy	retain
641	Sitka spruce	<i>Picea sitchensis</i>	27	fair	poor	27	33% lcr, extensive ivy	retain
642	Sitka spruce	<i>Picea sitchensis</i>	39	good	fair	39	one sided, extensive ivy	retain
643	Sitka spruce	<i>Picea sitchensis</i>	21	poor	poor	21	suppressed, extensive ivy	retain
644	Sitka spruce	<i>Picea sitchensis</i>	16	very poor	very poor	16	dead, added to site map in approximate location by arborist	retain
645	Sitka spruce	<i>Picea sitchensis</i>	28	fair	poor	28	25% lcr, extensive ivy	retain
646	Sitka spruce	<i>Picea sitchensis</i>	37	good	fair	37	40% lcr	retain
647	Sitka spruce	<i>Picea sitchensis</i>	17	fair	fair	17	one sided, overtopped by adjacent trees	retain
648	Sitka spruce	<i>Picea sitchensis</i>	46	good	fair	46	one sided, labeled 694 too	retain
649	Sitka spruce	<i>Picea sitchensis</i>	48	good	fair	48	one sided	retain
651	Sitka spruce	<i>Picea sitchensis</i>	40	fair	fair	40	40% lcr, extensive ivy	retain
652	Sitka spruce	<i>Picea sitchensis</i>	41	good	fair	41	one sided, extensive ivy	retain
653	Sitka spruce	<i>Picea sitchensis</i>	51	good	fair	51	one sided	retain
654	Sitka spruce	<i>Picea sitchensis</i>	50	good	fair	50	extensive ivy	retain
655	Sitka spruce	<i>Picea sitchensis</i>	58	good	good	58		retain
656	red alder	<i>Alnus rubra</i>	28	good	fair	28	codominant at 4' with included bark, one sided, bowed trunk	remove
657	Sitka spruce	<i>Picea sitchensis</i>	40	fair	poor	40	lost top at 30'	retain
658	red alder	<i>Alnus rubra</i>	13	fair	poor	13	poor trunk taper	retain
659	red alder	<i>Alnus rubra</i>	10	fair	poor	10	poor trunk taper	retain

Attachment 2

TREE NO.	COMMON NAME	SCIENTIFIC NAME	DBH ¹	CONDITION ²	STRUCTURE	CRZ (RADIUS) ³	COMMENTS	TREATMENT
660	red alder	<i>Alnus rubra</i>	15	fair	poor	15	poor trunk taper	retain
661	red alder	<i>Alnus rubra</i>	13	fair	poor	13	poor trunk taper	retain
662	red alder	<i>Alnus rubra</i>	12	fair	poor	12	poor trunk taper	retain
663	red alder	<i>Alnus rubra</i>	18	fair	poor	18	codominant at 3', poor trunk taper	retain
664	red alder	<i>Alnus rubra</i>	19	good	fair	19	one sided	remove
665	red alder	<i>Alnus rubra</i>	10	fair	poor	10	overtopped by adjacent trees, poor trunk taper	remove
666	red alder	<i>Alnus rubra</i>	15	fair	fair	15	one sided, marginal trunk taper	remove
667	Sitka spruce	<i>Picea sitchensis</i>	56	fair	poor	56	labeled tree 690	remove
667.1	red alder	<i>Alnus rubra</i>	20	fair	poor	20	poor trunk taper, labeled 667, added to site map in approximate location by arborist	retain
668	Sitka spruce	<i>Picea sitchensis</i>	64	good	fair	64	codominant at 10' with included bark	remove
669	grand fir	<i>Abies grandis</i>	38	good	good	38		retain
670	red alder	<i>Alnus rubra</i>	12	poor	poor	12	suppressed, poor trunk taper	retain
671	Sitka spruce	<i>Picea sitchensis</i>	49	good	fair	49	one sided, extensive ivy	retain
672	grand fir	<i>Abies grandis</i>	42	good	fair	42	one sided	retain
673	red alder	<i>Alnus rubra</i>	16	fair	poor	16	poor trunk taper	retain
674	red alder	<i>Alnus rubra</i>	16	fair	poor	16	poor trunk taper, not plotted	retain
675	red alder	<i>Alnus rubra</i>	18	good	fair	18	one sided, added to site map in approximate location by arborist	retain
676	red alder	<i>Alnus rubra</i>	18	good	fair	18	one sided, added to site map in approximate location by arborist	remove
677	red alder	<i>Alnus rubra</i>	12	fair	poor	12	poor trunk taper, bowed trunk, added to site map in approximate location by arborist	retain
678	Sitka spruce	<i>Picea sitchensis</i>	34	good	fair	34	marginal trunk taper, extensive ivy	retain
679	Sitka spruce	<i>Picea sitchensis</i>	55	good	fair	55	moderately one sided, added to site map in approximate location by arborist	retain
680	n/a	n/a	n/a	n/a	n/a	n/a	not located	n/a
681	red alder	<i>Alnus rubra</i>	24	fair	poor	24	codominant stem failed	retain
682	Sitka spruce	<i>Picea sitchensis</i>	52	good	fair	52	one sided, codominant at 60'	retain
683	Sitka spruce	<i>Picea sitchensis</i>	41	good	fair	41	one sided, marginal trunk taper	retain
684	grand fir	<i>Abies grandis</i>	23	fair	poor	23	overtopped by adjacent trees, poor trunk taper	retain

Attachment 2

TREE NO.	COMMON NAME	SCIENTIFIC NAME	DBH ¹	CONDITION ²	STRUCTURE	CRZ (RADIUS) ³	COMMENTS	TREATMENT
685	Sitka spruce	<i>Picea sitchensis</i>	30	good	fair	30	one sided	retain
686	Sitka spruce	<i>Picea sitchensis</i>	46	good	fair	46	moderately one sided, extensive ivy	retain
687	Sitka spruce	<i>Picea sitchensis</i>	19	fair	fair	19	moderately one sided, extensive ivy	retain
688	Sitka spruce	<i>Picea sitchensis</i>	36	good	fair	36	moderately one sided	retain
689	Sitka spruce	<i>Picea sitchensis</i>	48	good	fair	48	one sided	retain
690	Sitka spruce	<i>Picea sitchensis</i>	36	good	fair	36	one sided, marginal trunk taper	retain
691	Sitka spruce	<i>Picea sitchensis</i>	66	good	fair	66	codominant at 60' with included bark	retain
692	Sitka spruce	<i>Picea sitchensis</i>	46	good	fair	46	one sided, same as tree 700	retain
693	Sitka spruce	<i>Picea sitchensis</i>	38	good	fair	38	one sided, size estimated because property line	retain
695	Sitka spruce	<i>Picea sitchensis</i>	54	good	fair	54	codominant at 8' with included bark, size estimated because offsite	retain
700	n/a	n/a	n/a	n/a	n/a	n/a	same as tree 692	n/a

¹DBH is the trunk diameter in inches measured per International Society of Arboriculture (ISA) standards. DBH of offsite trees is estimated.

²Condition and Structure ratings range from very poor, poor, fair, to good.

³CRZ radius is the recommended construction setback from the trunk of the tree for adequate tree protection. Up to 25% encroachment into the CRZ may be permitted if approved by the project arborist.

Attachment 3 Tree Protection Recommendations

Before Construction Begins

1. Notify all contractors of tree protection procedures. For successful tree protection on a construction site, all contractors must know and understand the goals of tree protection.
 - a. Hold a tree protection meeting with all contractors to explain the goals of tree protection.
 - c. Have all contractors sign memoranda of understanding regarding the goals of tree protection. The memoranda should include a penalty for violating the tree protection plan. The penalty should equal the resulting fines issued by the local jurisdiction plus the appraised value of the tree(s) within the violated tree protection zone per the current Trunk Formula Method as outlined in the current edition of the ***Guide for Plant Appraisal*** by the Council of Tree & Landscape Appraisers. The penalty should be paid to the owner of the property.
2. Fencing
 - a. Trees to remain on site should be protected by installation of tree protection fencing as shown in Attachment 1.
 - b. The fencing should be put in place before the ground is cleared in order to protect the trees and the soil around the trees from disturbances.
 - c. Fencing should be established by the project arborist based on the needs of the trees to be protected and to facilitate construction.
 - d. Fencing should remain in the position that is established by the project arborist and not be moved without approval from the project arborist until final project approval.
3. Signage
 - a. All tree protection fencing should have signage as follows so that all contractors understand the purpose of the fencing:

TREE PROTECTION ZONE

**DO NOT REMOVE OR ADJUST THE LOCATION OF THIS
TREE PROTECTION FENCING**

UNAUTHORIZED ENCROACHMENT MAY RESULT IN FINES

Please contact the project arborist if alterations to the location of the tree protection fencing are necessary.

Todd Prager, Project Arborist, Teragan & Associates, 971-295-4835

- b. Signage should be placed every 75-feet or less.

During Construction

1. Protection Guidelines Within the Tree Protection Zones:
 - a. No new buildings; grade change or cut and fill, during or after construction; new impervious surfaces; or utility or drainage field placement should be allowed within the tree protection zones.
 - b. No traffic should be allowed within the tree protection zones. This includes but is not limited to vehicle, heavy equipment, or even repeated foot traffic.
 - c. No storage of materials including but not limiting to soil, construction material, or waste from the site should be permitted within the tree protection zones. Waste includes but is not limited to concrete wash out, gasoline, diesel, paint, cleaner, thinners, etc.
 - d. Construction trailers should not to be parked/placed within the tree protection zones.
 - e. No vehicles should be allowed to park within the tree protection zones.
 - f. No other activities should be allowed that will cause soil compaction within the tree protection zones.
2. The trees should be protected from any cutting, skinning or breaking of branches, trunks or woody roots.
3. The project arborist should be notified prior to the cutting of woody roots from trees that are to be retained to evaluate and oversee the proper cutting of roots with sharp cutting tools. Cut roots should be immediately covered with soil or mulch to prevent them from drying out.
4. Trees that have woody roots cut should be provided supplemental water during the summer months.
5. Any necessary passage of utilities through the tree protection zones should be by means of tunneling under woody roots by hand digging or boring with oversight by the project arborist.
6. Any deviation from the recommendations in this section should receive prior approval from the project arborist.

After Construction

1. Carefully landscape the areas within the tree protection zones. Do not allow trenching for irrigation or other utilities within the tree protection zones.
2. Carefully plant new plants within the tree protection zones. Avoid cutting the woody roots of trees that are retained.
3. Do not install permanent irrigation within the tree protection zones unless it is drip irrigation to support a specific planting or the irrigation is approved by the project arborist.
4. Provide adequate drainage within the tree protection zones and do not alter soil hydrology significantly from existing conditions for the trees to be retained.
5. Provide for the ongoing inspection and treatment of insect and disease populations that are capable of damaging the retained trees and plants.
6. The retained trees may need to be fertilized if recommended by the project arborist.
7. Any deviation from the recommendations in this section should receive prior approval from the project arborist.

Attachment 4

Assumptions and Limiting Conditions

1. Any legal description provided to the consultant is assumed to be correct. The information provided by LRS Architects and other members of the project team was the basis of the information provided in this report.
2. It is assumed that this property is not in violation of any codes, statutes, ordinances, or other governmental regulations.
3. The consultant is not responsible for information gathered from others involved in various activities pertaining to this project. Care has been taken to obtain information from reliable sources.
4. Loss or alteration of any part of this delivered report invalidates the entire report.
5. Drawings and information contained in this report may not be to scale and are intended to be used as display points of reference only.
6. The consultant's role is only to make recommendations. Inaction on the part of those receiving the report is not the responsibility of the consultant.
7. The purpose of this report is to:
 - Provide an assessment of the existing trees;
 - Provide recommendations for tree removal and retention based on the proposed site improvements; and
 - Provide protection recommendations for the trees to be retained.

NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT G - NEIGHBORHOOD MTG

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209

☎ 503.221.1121 📠 503.221.2077

PROJECT NAME: NWN LINCOLN CHM DATE: 12/9/19 = 5pm-7pm

NEIGHBORHOOD MEETINGS

SIGN-IN SHEET

<u>NAME</u>	<u>EMAIL / PHONE (OPTIONAL)</u>
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NWN LINCOLN CITY – NEIGHBORHOOD MEETING PHOTOS

12/09/19, 5PM



NW NATURAL LINCOLN CITY RESOURCE CENTER

2815 NE 36TH DRIVE,
LINCOLN CITY, OR 97367

EXHIBIT H - ACOUSTICAL REPORT

DECEMBER 20, 2019



720 NW Davis Suite 300 Portland, Oregon 97209

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**Northwest Natural Resource Center, Lincoln City, OR
Site Acoustical Analysis**

**Submitted By: Tobin Cooley, P.E.
December 3, 2019**

Summary

Noise from typical operations at the Northwest Natural Resource Center in Lincoln City, Oregon was measured during actual operations on a typical work day. The sound levels were used to predict sound levels to the adjacent residential receivers at the new site.

- The natural earth barrier created on the new site and the buildings reduce a significant amount of sound to the closest receivers.
- The short-term nature of the sound is another key factor, as the primary sound source is vehicles moving in and out of the facility at the beginning and end of the work day.
- The sound from the site is comparable to typical roadway traffic noise levels.
- It is possible during a few seconds during a work day the vehicles leaving or returning could be slight above the Code maximum at the closest 2 residences to the East. The sound level would be the same as a vehicle passing on the roadway, however.
- During the day the sound levels on the site are minimal, and of very short duration.

The following report and analysis describe the expected noise from the Northwest Natural Site.

Background

Sound waves in air are created by varying pressure levels above and below that of the ambient pressure. Because the range of sound pressure levels significant to people is very large, it is convenient to express them on a logarithmic scale, in units of decibels (dB).

Noise is most often measured as an A-weighted sound level in units of decibels, symbolized as dBA. The A-weighting is a specific weighting filter in a sound level meter that corresponds approximately to the varying sensitivity of human hearing at the measured frequencies. Examples of noise levels typical of the urban environment include:

<i>Source</i>	<i>dBA</i>
Impact hammer on concrete at 25 feet	90
Outdoor amplified music at 50 feet	80
Noisy Urban Area	80
Freeway at a distance of 100 feet	70
Suburban Commercial Area	65
Social gathering in a small room	60
Normal conversation at 5 feet	50
Quiet Urban Area (average)	55
Quiet suburban neighborhood (average)	40
Rural background noise (no activity)	30

In free field conditions, i.e. far from any reflective surfaces, the sound pressure level from a noise source is expected to be reduced by 6 dB for every doubling of distance; this assumes that the distances are large enough that the noise source is seen as a point source from the receiver positions. Free field conditions typically do not exist in many practical situations, and environmental factors must also be taken into account when considering outdoor sound

propagation, particularly over relatively long distances, which alter the actual distance sound reduction.

Some important measures used in this analysis are as follows:

- Equivalent-Continuous Sound Level, L_{eq} : A continuous (constant) level of sound in dBA over a given time period that has the same energy as a varying sound over the same time period. Typically this period is 1 hour, but any period of time can be used as long as it is noted.
- Maximum sound Level, L_{max} : the measured sound level in dBA which is the loudest during a 1-second period during a measurement.
- Exceedance Levels, L_{xx} : The measured sound level in dBA that is met or exceeded for a percentage of the measurement time, where the percentage of the measurement time is indicated by “xx.” For example, if the L_{25} value of a measurement period is stated as 55 dBA, the sound level during the measurement was at least 55 dBA for 25 % of the time; this would be 15 minutes in the case of a one-hour measurement period.

Site Noise Criteria

The subject site is in Lincoln City, Oregon, and is zoned commercial. The adjacencies of interest in this study are the single-family residences to the North, and the Trailer Parks to the East and South.

Lincoln City Municipal Code, Chapter 9.10 has been used as the basis for criteria used in the sound level analysis. Chapter 9.10 specifies maximum permitted noise levels at the receiving property, indicates exemptions to the maximum permitted noise levels, and discusses enforcement of the noise regulations.

The following are excerpts from Chapter 9.10, Section 9.10.030 of the Municipal Code applicable to the subject site:

9.10.030 Prohibitions.

A. No person may produce or permit to be produced, with a sound-producing source, sound that:

1. When measured at or within the boundary of property on which a noise-sensitive unit which is not the source of the sound is located:

- a. Exceeds 50 dBA at any time between 9:00 p.m. and 7:00 a.m. the following day, or
- b. Exceeds 60 dBA at any time between 7:00 a.m. and 9:00 p.m. the same day;

2. Is plainly audible at any time between 7:00 a.m. and 9:00 p.m. the same day at a distance of at least 100 feet from the source of the sound;

3. Is plainly audible at any time between 9:00 p.m. and 7:00 a.m. the following day:

- a. Within a noise-sensitive unit that is not the source of the sound, or
- b. On a public right-of-way at a distance of at least 50 feet from the source of the sound.

[...]

"Plainly audible sound" means unambiguously communicated sound that is:

- 1. Spoken speech;
- 2. Music; or
- 3. Mechanical or electronic noise.

Since the Northwest natural site business hours are between 7:00 AM and 9:00 PM (daytime), this means the applicable maximum sound level is 60 dBA at the nearest neighboring property line.

Sound Level Measurements

The operational activities on the current NWN site were measured during a typical workday on November 24, 2019. We set up a continuous measurement on the site at the property line location closest to the neighboring residences, and also measured the loudest portion of the day with handheld sound measurements. Ambient sound at the proposed site was also measured during the same time period to establish a baseline.

The sound levels on the current site are caused by vehicular traffic during specific time periods during the day. The vehicles include:

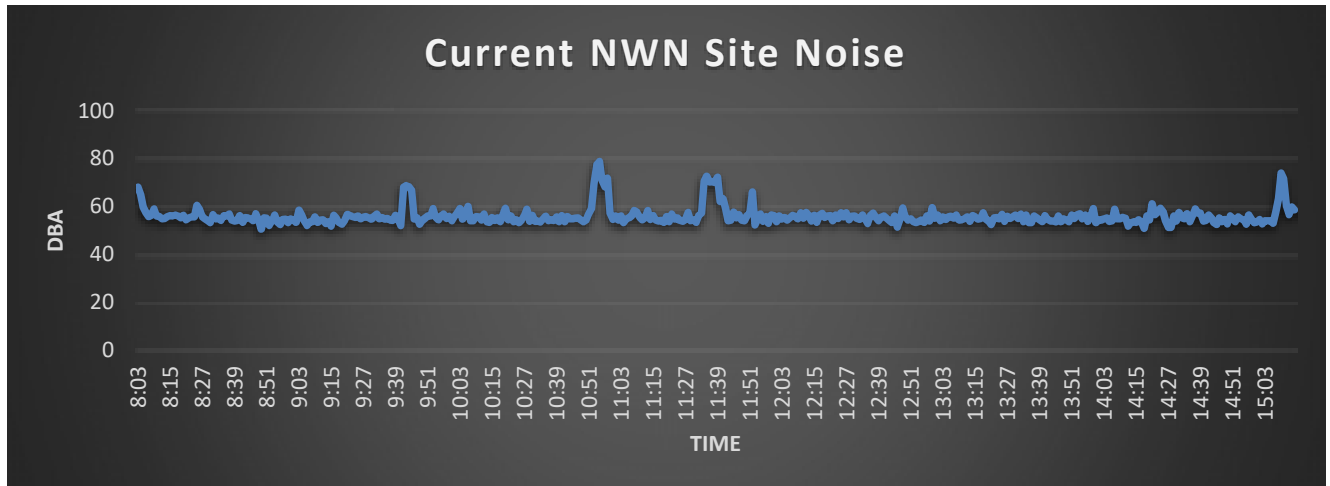
- Two diesel dump trucks with trailers
- Two pickup trucks
- Two vans

The activity of these vehicles is limited to very short periods of time as follows:

- Between 7:15 AM and 7:30 AM (typically 7:30) vehicles leave the property
- Between 3:00 PM and 4:00 (typically 3:30) PM vehicles return to the property

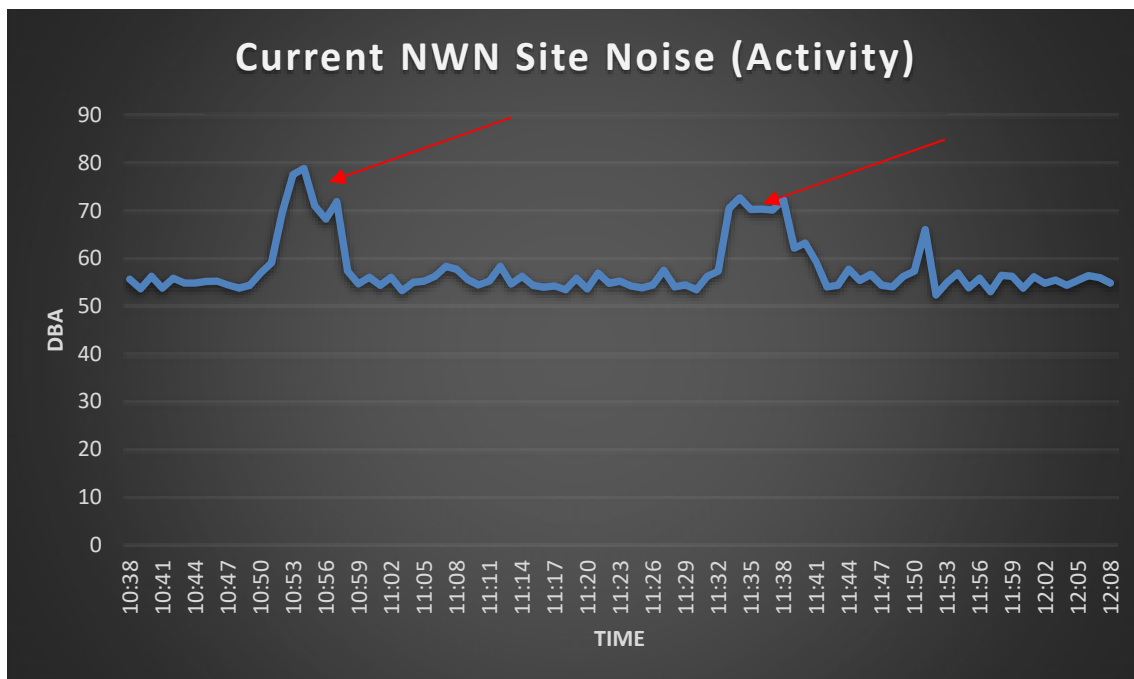
- Occasional vehicle return to the site, and movement on the site during the day for repairs or loading.

Below is the overall graph of sound levels on the current during the work day:



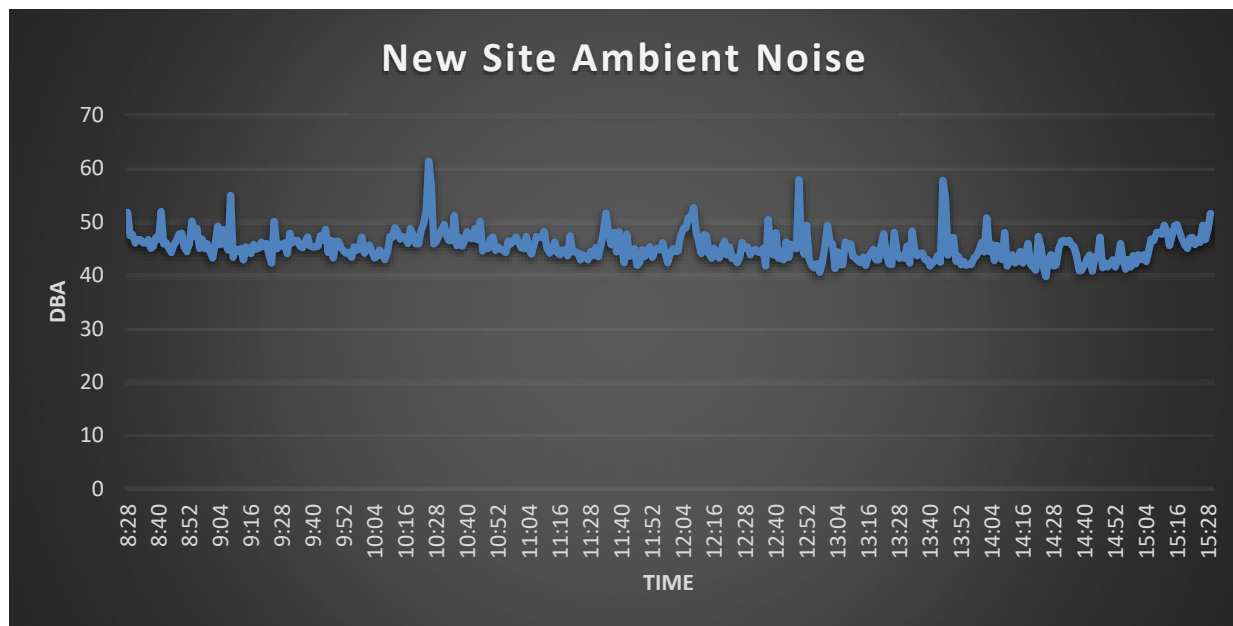
Note we arrived just after the vehicles left the site, but captured the sound levels upon return at 3:00.

The sound levels are dominated by the traffic from the adjacent highway, but show spikes in sound during the day when vehicles returned for brief periods. A smaller time slice showing the activity during the day indicates elevated sound levels for approximately 10 minutes during each.



Noise at the New Site

The current existing ambient site noise is shown below over a similar time period on the same day:



Note the existing sound levels during the day are occasionally near or above the Code maximum of 60 dBA. We confirmed with handheld measurements the source of the above Code noise is vehicular traffic along 36th Drive.

Sound Level Analysis

The site design has beneficial natural and constructed sound barriers as shown in the 3D perspective below, including the large earth berm/cut and the building itself. These reduce sound levels significantly to the North and West:



Based on the sound levels received on site for actual operations, using the worst-case short-term time periods (10-15 min), we calculated sound levels at the closest neighboring properties. Predicted noise levels from the NWN vehicular activities noted above are predicted to the residential properties to the North, West and South of the site. These locations are shown in Figure 1 below.

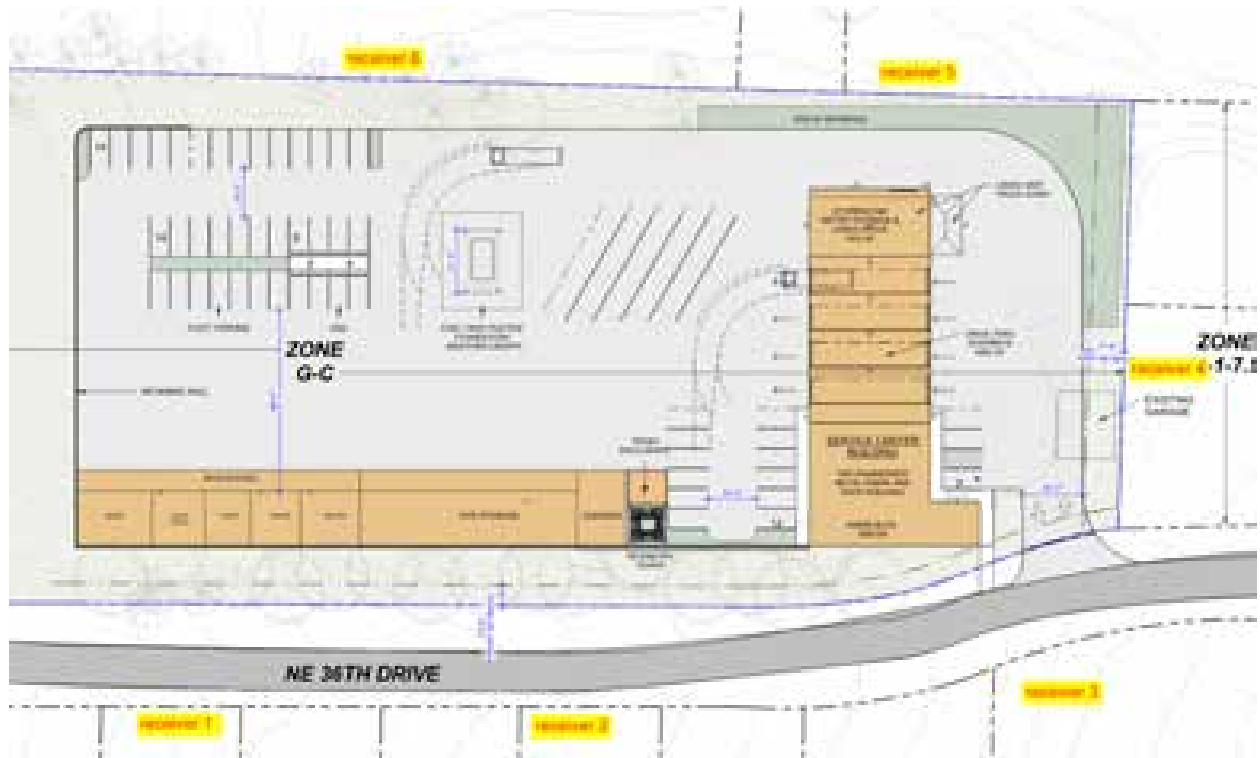


Figure 1: Receiver locations -- adjacent residential properties

Predicted Noise Levels

The combined predicted noise levels due to vehicle travel and idling are given in Table 1. This combined predicted level assumes the worst-case scenario for each of the noise sources as described above, and includes the vehicle traveling from parking to the 36th Drive entry/exit. Since the sound travels from the parked vehicle location to the street, we have used the average sound level at each receiver location from the complete travel path.

Receiver Location	Predicted dBA Lmax	Maximum dBA allowed by Code	Ambient Average dBA Sound Level at Receivers
1	42	60	56 dBA
2	45	60	56 dBA
3	57	60	56 dBA
4	62	60	56 dBA
5	52	60	56 dBA
6	51	60	56 dBA

Table 1: maximum short-term sound levels at residential receivers

Comments:

1. Sound levels are calculated to be below the Code maximum for all locations, with one exception.
2. The residences directly adjacent on the East side (Receiver #4) may experience noise slightly above Code for a few seconds as the vehicles exit or enter. This noise level would be the same as the same or less than a similar vehicle passing on the adjacent roadway, however.
3. The sound levels on the NWN site occur for a short period of time, during the morning and afternoon, typically 10 minutes. This includes time to start the vehicle and move to the exit or return to the site and park the vehicle. The rest of the day, very little noise occurs as the employees are off site.
4. As described above, an effective earth and building barrier reduces sound to the North residential areas, which is included in the calculations. When the vehicles are entering 36th Drive, there is no barrier, so no reduction.
5. Distances to the closest receivers on the South side are sufficient that the sound is reduced below Code maximum levels.
6. Vehicle maintenance may be conducted inside the vehicle bays. The sound levels are predicted to be well below the maximum sound levels based on typical maintenance activities with the bay doors closed.

Summary

Noise from typical operations at the Northwest Natural Resource Center generally will not exceed maximum permissible noise as defined by the Lincoln City Municipal Code. One potential exception is a few seconds of vehicle sound passing by the residential lot at the driveway on the East side.

If there are any questions, or if we can provide further information, please do not hesitate to call.

Sincerely,
LISTEN ACOUSTICS



Tobin Cooley, P.E.
President

Exp 12/31/19