

# Spring Lake Water Pump Station

Conditional Use Permit (CUP 2025-01)

&

Development Review Narrative (DEV REV 2025-01)

LCMC Compliance for: LCMC 17.77.060, LCMC 17.52, & LCMC 17.56

Prepared by:

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Public Works Capital Project Number: 23004



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## I. Project Description:

The Spring Lake Water Pump station project proposes construction of a new pump house building, single stall unisex accessible restroom, and reconstruction of the existing gravel parking lot at the Spring Lake Open Space trail access. This pump station will replace the 1 million gallon Surf reservoir, which is aging with limited capacity. Work includes: Removal of ~9 trees within development's footprint, development of a roughly 900 square foot pump house & restroom building, new pump & public water infrastructure, underground power improvements to serve the building, accessibility and parking lot improvements to the existing site, roadway improvements along the sites NE Port frontage, and miscellaneous other improvements.

## II. Existing Conditions:

The NE Surf Reservoir currently provides water pressure to the NE Surf pressure zone; This includes the high elevation areas between NE West Devils Lake Road, NE 22<sup>nd</sup> Street, and Highway 101 – This is shown in the narrative Appendix 'A'. The current Surf reservoir was constructed in 1973. While operable, in order to provide adequate water pressure to the zone only the top few feet of the reservoir can actually be used. This is functional currently, but leaves the majority of the zone, largely undeveloped, without water capacity for further development.

The proposed site for construction is a 6.39 acre parcel and zoned Open Space (OS). This is part of the larger 24.53 acres that makes up the city owned Spring Lake Open Space. The site is currently developed with a small gravel parking lot, and a combination of concrete path and walking trails. The site is bordered to the north and east with more of the Spring Lake Open Space, and to the west and south by city right-of-way, with residential lots beyond. The fronting NE 14<sup>th</sup> right-of-way was recently improved with a 10' wide multi-use trail connecting into the on-site trail system. The NE Port roadway is currently gravel and minimally improved.

## III. Code Compliance:

[LCMC Code Compliance Narrative Index:](#)

[17.77.060: Conditional Use Permit](#)

[17.43: Open Space \(OS\) Zone](#)

[17.52: Supplementary Regulations & Exceptions](#)

[17.55: Landscaping Standards](#)

[17.56: Off-Street Parking & Loading](#)

[17.74: Design Standards](#)



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[LCMC 17.77.060 Conditional use permit.](#)

A. Purpose. In all zones, conditional uses listed in that zone may be permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, or the special characteristics of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of this title and their effect on surrounding properties.

B. Procedure. Conditional use permit requests are subject to the Type III procedure, as described in LCMC [17.76.050](#).

**The application is being submitted as a Type III procedure and will additional be taken through the Development Review process in accordance with [17.77.070](#)**

C. Submittal Requirements.

1. Type III application submittal requirements are set forth in LCMC [17.76.050](#). Specific submittal requirements are provided on application forms and checklists as authorized in LCMC [17.76.110](#).

2. At a minimum, an application for a conditional use shall include the following:

- a. An application form signed by the applicant and every current property owner of record as shown on the most current recorded deed;
- b. Full payment of the application fee, based on the fee schedule in effect on the date of submittal;
- c. Existing conditions plan;
- d. Site plan;
- e. Landscape plan;
- f. Building elevations (for new construction);
- g. Phasing plan (if phasing is proposed);
- h. Traffic impact study pursuant to LCMC [17.52.300](#); and
- i. Narrative addressing compliance with each approval criterion and applicable standard.

**The application includes all the information listed in LCMC 17.77.060[C]. A TIS is not required.**



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D. Approval Criteria. 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;

**The project is in compliance with Lincoln City's Comprehensive plan goals as follows:**  
**Citizen Involvement** – Citizen involvement will be solicited as a part of the conditional use and development review process.

**Housing** – The pump station project would increase water supply capacity within a largely undeveloped area. This will support future housing development.

**Transportation** – The support of housing & development within the area will additionally support the development of transportation facilities and interconnectivity within the area through development improvements.

**Public Facilities** - Lincoln City's Comprehensive plan references the Water & Sewer Master Plan. The pump station upgrade project is in line with the objectives of Lincoln City's water master plan.

The project also proposes enhanced and improved parks facilities for public use.

**Parked, Recreation, & Open Space** – The project will provide bathroom facilities, improved parking, improved pedestrian facilities, and ADA accessible access to the Spring Lake Open Space. This will improve the use and experience for the public.

**Economic Development** – The new pump station additionally provides improved water service to schools, business, recreation facilities, and undeveloped Professional Campus (PC) lots within the area, all of which provides opportunity for economic development.

**Natural, Scenic, and Historic Resources** – The proposed development will enhance access & public use of the Spring Lake open space area. The small impacts to the natural resource will be mitigated by site improvements to reduce erosion, as well as water quality facilities to further address run-off.

**Coastal Resources** – The proposed development preserves coastal forests to the largest degree possible. The disturbance needed will be additionally mitigated by water quality facilities to preserve the adjacent Spring Lake Open Space. No other coastal resources are present within the area.

**Community Resiliency** – The proposed pump station will provide back-up generator power for emergencies & power outages. This will meet community resilience goals by continuing to provide water supply during emergency situations.

**Land Use Planning** – This proposed improvement falls within the city's adopted uses for the zone, and will additionally help support future development within the adopted comprehensive plan map. This is most notable for the high density RM zones within the service area.



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2. The site for the proposed use is adequate in size and shape to accommodate the use and all required setbacks, common spaces, retaining walls, parking and loading areas, landscaping, and other features required by this title;
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;
4. The proposed use will have minimal adverse impact upon adjoining properties and the improvements thereon. In making this determination, the review authority 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 mass of buildings, retaining walls, fences, landscaping, screening, exterior lighting, and signage;
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 application meets the approval criteria outlined in subsection [D] as follows:**

- 1. The site is of adequate size for the proposed expansion.**
- 2. The proposed use will generate little to no additional traffic, with the exception of required pump station maintenance.**
- 3. The existing roadway will be fully improved as part of the development to handle existing & additional traffic.**
- 4. The proposed uses are allowed conditional uses within the OS zone & will have minimal adverse impact on neighboring properties.**
- 5. The area is not identified for historic preservation.**

E. Conditions of Approval. Pursuant to LCMC [17.76.120](#), the planning commission may impose, in addition to regulations and standards expressly specified in this title, other conditions found necessary to protect the best interests of the surrounding properties or neighborhood, or the city as a whole. These conditions may include, but not be limited to, the following:

1. Increasing required lot size, setbacks, common open spaces, or screening and buffering areas;
2. Requiring fences, screening walls, landscaping, or screening/buffering where necessary to reduce noise and glare from the use and maintain the property in a character in keeping with the surrounding area;
3. Requiring landscaping and maintenance thereof;
4. Increasing street widths and/or controlling the location and number of vehicular access points to the property for ingress/egress;



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5. Requiring means of pedestrian/bicycle pathways to serve the property;
6. Increasing the number of off-street parking and loading spaces required; surfacing and proper drainage of parking area;
7. Limiting size, location, and number of signs;
8. Limiting the location, coverage, or height of buildings because of obstruction to view and reduction of light and air to adjacent properties;
9. Limiting or prohibiting openings in sides of buildings or structures;
10. Enclosure of outdoor storage areas and limitation of outside displays and/or storage of merchandise;
11. Requiring maintenance of grounds;
12. Regulation of noise, vibration, odors, etc.;
13. Regulation of time for certain activities;
14. Establishing a time period within which the proposed use shall be developed;
15. The requirement of a bond for removal of such use within a specified period of time;
16. Increase the size, type, or capacity of any or all utility services, facilities, or appurtenances;
17. Requirements under which any future enlargement or alteration of the use shall be reviewed by the review authority and new conditions imposed;
18. Requirements for providing the city a performance bond with a contractual agreement to assure its share of the development of streets, curbs, gutters, sidewalks, water, sanitary sewers, storm sewers, or other necessary and essential public improvements to city standards; and/or
19. Any such other conditions that will make possible the development of the city in an orderly and efficient manner and conformity with the intent and purposes set forth in this title and the comprehensive plan.

**The application meets the intent of subsection [E] as follows:**

- 1. The proposed building meets setback requirements of the Open Space zone**
- 2. The building will be screened from 3 sides, north, east, and south. Additional landscape screen may be provided, if required, within the parking lot landscape buffer.**
- 3. The site is extensively landscaped; New landscaping to restore the disturbed and continued maintenance will be provided by the city.**



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4. The proposed development utilizes the existing roadway access. The NE Port roadway will be fully improved as part of the development.
5. The existing site has extension pedestrian access. Further pedestrian access and interconnectivity is being provided across the entire site as part of the development
6. No off-street parking is required for the proposed use. The existing number of standard & ADA parking spaces are being preserved in the new site plan.
7. No signs are proposed.
8. Only a single story building is proposed, with minimal site footprint.
9. The building is proposed as a utility building, with only the required roll-up and man door openings on the front or side of the building.
10. There are no proposed outdoor storage areas.
11. Regular maintenance of grounds is currently and will continue to be provided by Lincoln City Parks and Recreation.
12. All noise & equipment installed on-site will be interior, and dampened by the type of building construction, CMU. Generator discharge is planned to be directed into existing wooded area for additional sound dampening.
13. Park access will remain dusk to dawn. Regular pump station maintenance shall take place within working hours. Emergency maintenance shall be completed as needed.
- 14 & 15. The proposed development is funded by state grant, and will be proposed within the 2025-2026 Lincoln City Fiscal year.
- 16 & 17. Water & power utility capacity will be increased to serve the development & surrounding neighborhood.
18. All improvements required under typical site development (17.52.230) will be completed on NE Port Dr.



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## LCMC 17.43 – OPEN SPACE (OS) ZONE

### *17.43.010 Purpose.*

The primary purposes of the open space zone are to preserve open space for future generations, maintain water quality in lakes and streams, provide educational opportunities, protect significant and sensitive natural resource areas and enhance the city's scenic beauty. The open space zone is intended to ensure that designated lands remain in their natural state, including reclaimed areas, by protecting such areas from development and preserving open space. The secondary purpose includes uses such as passive recreational activities such as nature walks and educational activities.

Areas designated within the open space zone include lands having valuable wildlife habitat, exceptional aesthetic or flood control value, wetlands, riparian areas and areas with significant environmental constraints. Protecting sensitive natural areas is important for maintaining water quality and aquatic habitat, preserving wildlife habitat and sensitive plant communities, and providing flood control. (Ord. 2002-03 § 3; Ord. 84-2 § 3.096(1))

### *17.43.020 Permitted uses.*

The following uses are permitted in the open space (OS) zone:

- A. Passive recreational activities such as hiking, biking on designated trails, birdwatching, picnicking, nature walks and other similar uses.
- B. Development and maintenance of trails, including pedestrian footbridges, in accordance with standards set forth in the parks master plan with a maximum width of eight feet.
- C. Educational activities and ecological research projects only if the director finds the use to be in accordance with the primary purposes of the open space zone.
- D. Natural resource restoration and enhancement projects.
- E. Interpretive displays.
- F. Removal of timber, rocks or other materials in established public use areas for purposes of public safety.
- G. Such other uses as the director determines to be in accordance with the primary purpose of the open space zone. (Ord. 2022-25 §§ 37, 38; Ord. 2002-03 § 3; Ord. 84-2 § 3.096(2))

### *17.43.030 Conditional uses.*

The following uses may be permitted in the open space (OS) zone subject to a receipt of a conditional use permit, and subject to the provisions of Chapter [17.60](#) LCMC and the primary purpose of the open space zone:

- A. Public facilities limited to a nature center and single-stall, unisexed, handicapped accessible restrooms.



B. Public driveways and parking areas for uses permitted in this zone.

C. Public utilities and drainage facilities.

D. Docks, subject to the provisions of LCMC [17.44.040](#). (Ord. 2019-23 § 7; Ord. 2002-03 § 3; Ord. 84-2 § 3.096(3))

**The proposed Spring Lake Pump Station provides public utilities, public driveway and parking areas, and a single-stall, unisex, handicapped accessible restroom. These are permitted conditional uses in accordance with 17.43.030[A], [B], and [C]**

*17.43.040 Development standards.*

A. Setback Requirements. Setback requirements will be those set forth in LCMC [17.16.070](#) unless the director determines that imposing said setback requirements will negatively impact the resource value.

B. Height. Maximum building height is 18 feet.

C. Vegetation Removal. Native vegetation may not be removed except for the area occupied by permitted uses or required for clear vision per LCMC [17.52.060](#). (Ord. 2022-25 § 39; Ord. 2020-10 § 15; Ord. 2002-03 § 3; Ord. 84-2 § 3.096(4))

**The proposed building will be setback more than the minimum 5' setback specified in 17.16.070**

**The proposed building will be less than 18 feet in height, as outlined in the preliminary building elevations.**

**Native vegetation is only being proposed for removal within the immediate footprint of the above noted conditional uses and the required grading to complete construction.**

*17.43.050 Other requirements.*

A. Off-street parking and loading shall be provided in accordance with Chapter [17.56](#) LCMC.

B. Signs. No signs shall be permitted except for government signs. (Ord. 2020-13 § 20; Ord. 2019-14 § 7; Ord. 2002-03 § 3; Ord. 84-2 § 3.096(5))

**Off street parking and loading is being provided in accordance with 17.56, as outlined below. The number of spaces is intended to match the number provided by the existing parking lot. No signs shall be provided except to restore the public parking, trail, and interpretive signage planned by Lincoln City's wayfinding project.**



## LCMC 17.52 – SUPPLEMENTARY REGULATIONS AND EXCEPTIONS

### *17.52.010 Accessory uses – General provisions.*

Accessory uses shall comply with all requirements for the principal use except where specifically modified by this title, and shall comply with the following limitations:

A. *Repealed by Ord. 2010-04.*

B. A greenhouse or hothouse may be maintained accessory to a dwelling, provided the activity does not exceed that which requires a license under ORS Chapter [571](#), Nurseries and Nurserymen.

C. A guest house may be maintained accessory to a dwelling, provided there are no portable, temporary, or permanent cooking facilities in the guest house.

D. *Repealed by Ord. 2010-04.*

E. A home occupation shall not occupy more than one-quarter of the ground floor area of the dwelling. The residential character of the building shall be maintained and the activity shall not have the outward appearance of a business nor detract from the residential character of the neighborhood. There shall be no outside display or storage of merchandise, materials, signs or equipment on the premises. Noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the home occupation shall not be detectable beyond the limits of the property. (Ord. 2020-15 § 6; Ord. 2010-04 §§ 1, 2; Ord. 84-2 § 4.010)

**The above requirement does not apply.**

### *17.52.030 Access requirement.*

Every lot shall abut a street, other than an alley, for at least 25 feet. (Ord. 84-2 § 4.030)

**This requirement is met.**

### *17.52.050 Storage in front setback area.*

Boats, RVs, trailers and house trailers shall not be stored in a required front setback area. (Ord. 2020-15 § 8; Ord. 84-2 § 4.050)

**This requirement is met.**

### *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. Clear-vision areas at local intersections shall meet the requirements in this section, which are meant to be adequate to



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allow drivers and pedestrians who are stopped or approaching with caution to see intersecting traffic in time to avoid collisions. Clear-vision areas at intersections with Highway 101 must meet with Oregon Department of Transportation approval and comply with the requirements of this section.

B. Definition of a Clear-Vision Triangle. This section defines a clear-vision triangle differently for (1) controlled intersections, where at least one street has a stop sign or traffic control light; (2) for uncontrolled intersections; and (3) in commercial zones, for alleys and driveways. The definitions for clear-vision triangles at the intersections of two streets use "Point A," which is the point of intersection of the lot lines (the property corner), or in the case of a curved lot line, the intersection of the tangents of the endpoints of the curve (Figure 17.52.060-1).

C. Clear-Vision Requirements. Clear-vision triangles shall be free of obstructions (including but not limited to plantings, fencing, or other temporary or permanent obstruction) from two-and-one-half feet to eight feet above the grade of the street, except for obstructions specified in subsection (D) of this section.

D. Exceptions. The following obstructions to clear vision may be within the clear-vision areas required by this section, unless the obstruction is identified by the city engineer and planning director as creating an unacceptable hazard:

1. Trees existing in the location prior to May 28, 2014, if limbed to at least eight feet. Trees in the clear-vision area may not be replaced.
2. Topographical features (e.g., inclines, retaining walls) existing as of May 28, 2014, or, for newer development, as determined by the city engineer and planning director as necessary or unavoidable.
3. Principal buildings, accessory buildings, and structures existing as of April 24, 2014. Notwithstanding the above, a legally nonconforming principal building is not subject to removal based on the hazard exception.
4. Fences Existing as of May 28, 2014. New fences that are at least 75 percent open (e.g., wire or chain link) may be within clear-vision triangles.
5. Existing driveways and existing required parking spaces may be in the clear-vision area. New required parking spaces shall be outside the clear-vision triangle. New driveways should be outside the clear-vision areas. New garages to be accessed by driveways that cross over clear-vision areas must be set back at least 20 feet from the clear-vision area.
6. Utilities existing as of May 28, 2014.
7. Public traffic signs. (Ord. 2014-05 § 1; Ord. 84-2 § 4.060)

**The clear-vision triangle area has been shown on the preliminary plan set and will be preserved as described in 17.52.060.**



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*17.52.080 Maintenance of minimum requirements.*

No lot area, minimum setback area, open space, or off-street parking or loading area existing on or after the effective date of the ordinance codified in this title shall be reduced below the minimum required for it by this title. (Ord. 2020-15 § 9; Ord. 84-2 § 4.080)

**Acknowledged**

*17.52.100 Landscaping.*

Repealed by Ord. 2022-15. (Ord. 2015-10 §§ 5, 6; Ord. 2010-06 § 10)

*17.52.120 Utilities.*

A. In the single-family residential (R-1) zone, and the multiple-unit residential (R-M) zone, when city services are not available or when only partial services are available, the minimum parcel size shall be five acres; except, however, any existing lots of record less than five acres in area which do not front on a public sewer line but which will be connected to a public water line may be developed with a single-family dwelling utilizing an approved subsurface sewerage disposal system, provided a deferred improvement agreement is executed and recorded by the owner of record consenting to the establishment of a local improvement district to participate in future public sewer system extensions and connections.

B. In all zones, all electrical, telephone and cable television utility service installations or connections made as part of new construction of a building or structure shall be placed underground in accordance with city standards. (Ord. 2020-15 § 11; Ord. 95-15 § 11; Ord. 91-1 § 1; Ord. 84-2 § 4.120)

**All utility service to the new development will be underground.**

*17.52.150 Exterior lighting.*

Artificial exterior lighting shall not be designed to shine or create glares in any residential zone or residential use, adjacent dwelling unit or in a public right-of-way.

A. Light poles must not exceed a height of 20 feet.

B. All lighting must be shielded to avoid glare, light pollution (night sky), and light spillover onto residential properties. Shielding must be integral to the light fixture and direct light downward.

C. Luminance at the property line, or no more than five feet over the property line, must be zero.

D. Maximum initial luminance of outdoor sales displays, outdoor storage areas, service station canopies, and similar areas must not exceed 20 foot-candles.

E. Maximum initial luminance of parking lots must not exceed four foot-candles.



F. Up-lighting is prohibited. The maximum illumination limits for wall washing are one foot-candle for dark colored surfaces and one-half foot-candle for light colored surfaces.

G. Pedestrian ways and building entrances not otherwise illuminated by building-mounted lights or streetlights must provide between one and two foot-candles of light from bollards, step lights, or other low-profile fixtures that are appropriate for walkways and plazas.

H. The manufacturer's data or measurement must demonstrate conformance with this section. Cut sheets, a photometric plan analysis, and an exterior lighting plan showing the locations, types, sizes, and heights of all exterior lighting fixtures shall be included with the applicable application submittal.

**Exterior lighting shall only be provided as required outside of pedestrian entrances in accordance with Oregon Building Code requirements. All lighting shall be LED lighting and comply with the luminance & down-lighting requirements outlined in LCMC 17.52.150[A] through [H]**

*17.52.160 Required setbacks – Exceptions.*

A. Architectural Features. Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, flues, awnings, and bay windows not more than four feet wide or high may project up to 18 inches into a required setback area.

**The above requirement is met.**

B. Accessory Structures. A required side or rear setback may be reduced to three feet for an accessory structure, provided the structure is detached from other structures by five feet or more and does not exceed a height of one story nor an area of 200 square feet.

**The above requirement does not apply.**

C. Fences. Fences, which may be located within required setback areas up to the property line, may not exceed three and one-half feet from the grade of the street centerline in the required front setback area, and shall not exceed six feet in other setback areas nor conflict with requirements of a clear vision area as provided in LCMC [17.52.060](#) or the clear vision areas of adjacent private driveways.

**The above requirement is met.**

D. Retaining Walls. Retaining walls may be constructed in required setback areas, subject to the following limitations:

1. One or more retaining walls, none of which individually exceeds four feet in height, may be used, provided each successive wall is set back or stepped from the next lowest wall at least one foot for each one foot of height for that wall;



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2. Within side and rear building setbacks that are not adjacent to a street or right-of-way, the height of a retaining wall exposed toward the interior of the property may be allowed that is up to eight feet in height. Those exposed toward the exterior of the property shall be limited as in subsection (D)(1) of this section.

**The above requirement does not apply.**

E. Disabled Access Facilities. Disabled access facilities may be constructed in required setback areas as additions to existing buildings if exclusive of railings they do not exceed the height of the building's ground floor and do not conflict with the clear vision requirements of LCMC [17.52.060](#). For purposes of this section disabled access facilities include ramps, sidewalks, curbing and entrances constructed for the purpose of making a building accessible to a disabled person. Disabled access facilities must be constructed in accordance with any applicable requirements of the building code in effect at the time of their construction. Disabled access facilities constructed as additions to a nonconforming structure shall not be considered an alteration or extension of the nonconforming structure.

**The above requirement is met.**

F. Bridges. Unenclosed and uncovered pedestrian or vehicular bridges for access to a dwelling may be constructed in a required setback area. Such bridges may not have a slope up from the adjacent roadway exceeding the maximum allowed for driveways.

**The above requirement does not apply.**

G. Porches, Decks, and Stairs. Unenclosed and uncovered porches, decks, and stairs may be constructed in a required setback area, provided no part of the porch, deck, or stairs is more than 30 inches above the ground or otherwise requires a building permit. (Ord. 2020-15 § 12; Ord. 2016-08 § 1; Ord. 2010-04 § 4)

**The above requirement does not apply.**

*17.52.170 Solid waste, garbage, trash, recycling, and composting receptacle storage areas.*

All solid waste, garbage, trash, recycling, and composting receptacles shall be located within a building or within an enclosure that is at least 20 feet or more from any pedestrian space which screens the receptacle from the view of neighboring property, pedestrian space, or from right-of-way, except those receptacles associated with a detached single-unit dwelling, attached single-unit dwelling, duplex, or manufactured dwelling. (Ord. 2020-13 § 26; Ord. 84-2 § 4.170)

**No solid waste or garbage storage areas are proposed.**

*17.52.180 Placement and screening of mechanical equipment.*

A. Any heating, air conditioning, or other mechanical equipment installed on or near a building to be used to serve the building or a function performed therein, and any propane tanks, shall be screened from the ground level view from adjacent properties, pedestrian spaces, and from public right-of-way, and shall not be located within 20 feet of pedestrian space.



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B. Rooftop mechanical units shall not be visible from any public right-of-way and shall not exceed the allowable building height.

C. Ground-mounted mechanical units shall be limited to the sides or rears of buildings and screened from view from adjacent properties and from public right-of-way.

D. Standpipes, meters, vaults, and similar equipment shall not be placed on a front elevation when other alternative locations exist. (Ord. 2020-13 § 27; Ord. 98-11 § 4; Ord. 84-2 § 4.180)

**Screening shall be provided, from the right of way and pedestrian spaces for mechanical equipment building on the east facing side of the building by the substantial buffer of existing landscaping. Screening parallel to the south wall of the building shall be provided by additional landscaping as needed. Landscape screening shall be provided in accordance with [LCMC 17.55.080, Living Landscaping as Screening](#).**

*17.52.190 Building height limitations.*

A. No structure used for human habitation that exceeds 45 feet in height shall be permitted in any zone unless consent is first approved by the voters of the city at a regular or special election. For the purpose of this section, "height" means the average vertical distance from the grade at the center of all walls of the building to the highest point of the roof, excluding those excepted in LCMC [17.52.200](#).

B. No structure that exceeds 35 feet in height shall be permitted in a residential zone within 500 feet of any shoreline without prior approval as a Type III procedure.

C. No structures used for human occupancy shall be permitted to exceed the building height limitations of the zones in which they are located. To ensure that this standard is met the following rules apply:

1. Building permit applications must include elevations of all exterior walls of the proposed structure showing:

- a. The line of the approved grade in the plane of the wall; and
- b. The highest part of the structure.

2. The grade may not rely on retaining walls, riprap, other artificial restraints, or berming to increase elevation at the point of height measurement.

3. For the purposes of this subsection, "approved grade" means:

- a. The existing grade, meaning one of the following:
  - i. The ground level before any human disturbance as shown by survey or other reliable evidence; or



ii. The ground level shown on the city's 2009 LIDAR data (which is available from the planning and community development department); or

iii. If the proposed building site has existing structures or other disturbances to the land that existed lawfully prior to October 1, 2010, the ground level established when the structure or disturbance was created (which may be determined by any of the above means); or

iv. If there has been grading on the proposed building site, without a grading permit, the planning and community development director, in consultation with the city engineer, will determine the existing grade.

b. The grade shown on a grading plan approved as a part of one of the following:

i. A final master plan for a planned unit development under LCMC [17.77.120](#); or

ii. A partition or subdivision under Chapter [16.08](#) LCMC; or

iii. A development review under LCMC [17.77.070](#); or

iv. A conditional use permit under LCMC [17.77.060](#); or

v. A grading plan under Chapter [12.08](#) LCMC; or

vi. A building permit for a structure not subject to any of approvals in subsections (C)(3)(b)(i) through (v) of this section. (Ord. 2020-15 § 13; Ord. 2010-04 § 5; Ord. 84-2 § 4.190)

**The noted building height will be less than 18' above finished grade in accordance with 17.43.040. Finished grade is proposed to meet the existing concrete pathway elevation of 114.50 ft, filling to level the building footprint to the NE corner. The above requirements are met.**

*17.52.200 Building height limitations – General exception.*

Projections such as chimneys, spires, domes, elevator shaft housing, towers, aerials, flagpoles, and other similar objects not used for human occupancy are not subject to the building height restrictions of this title. (Ord. 2010-04 § 6; Ord. 84-2 § 4.200)

**The above requirements are met.**

*[17.52.220 Tree protection and removal. \(Code section hyperlinked for brevity\)](#)*

**A tree removal permit shall be submitted with permit application per 17.52.220[F][1][b][vi].**

**Permit conditions and requirements under subsection [F][2] through [F][8] shall be adhered to.**

**All removal shall take place in accordance with subsection [F][9]**



**No removal of trees shall occur >100' from the proposed building development.**

**A topographic survey, including survey of trees >6" DBH, has been submitted with development application material. The plan notes existing trees, proposed removal, and preservation, location, size, and species of protected trees as required within subsection [I]**

**Trees for removal are clearly marked on the plans & shall be identified on-site prior to construction with tree protection fencing.**

*17.52.230 Public infrastructure improvement requirements. (Code section hyperlinked for brevity)*

**The submitted site plan shows all features identified in LCMC 17.52.230 subsection [A][1].**

**The project will include half street improvements (sidewalk, curb, & paved roadway) from NE 14<sup>th</sup> to the project location.**

**Drainage improvements are being made on-site and within the right-of-way to provide required water quality facilities and improve drainage conveyance into the city storm system.**

**Water & sewer services will be expanded to serve the site. Additional connections are being completed to connect the proposed infrastructure upgrades to the existing system.**

**Underground power utilities are being extended to serve the development per the submitted plans. Existing overhead power facilities are not adequate, 3 phase power will be expanded to serve the site. All extension from existing facilities on NE 14<sup>th</sup> will be underground.**

*17.52.250 Standards for manufactured homes.*

**The development is not a manufactured home; the subsequent code section does not apply**

*17.52.260 Standards for attached single-family dwellings development.*

**The development is not a single-family dwelling; the subsequent code section does not apply**

*17.52.300 Traffic impact study (TIS) requirements.*

A. Purpose. The purpose of traffic impact study (TIS) requirements is to implement Sections 660-012-0045(2)(b) and (e) of the Oregon Transportation Planning Rule that require the city to adopt standards and a process to protect the future operations of roadways and transit corridors. This section establishes when a land use application requires a TIS and the city's criteria for approval. This section establishes the TIS as a basis for requiring improvements to minimize impacts to transportation facilities and ensure adequate facilities for both motorized and nonmotorized modes of transportation, access, and circulation. The city will coordinate its traffic impact study requirements with ODOT, so that an applicant need complete only one such study to comply with the requirements of both agencies.

B. Applicability. A TIS shall accompany a land use application at the request of the city engineer, if the proposal involves one or more of the following:

1. An amendment to the Lincoln City comprehensive plan or zoning map;



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2. A new direct property approach road to US 101;
3. Likely generation of 50 or more p.m. peak-hour trips on US 101, or 100 or more p.m. peak-hour trips on the local transportation system, according to the Institute of Transportation Engineers (ITE) Trip Generation Manual;
4. If use on any street or direct property approach road intersecting with US 101 increases by 10 vehicles or more per day that exceed 20,000 pounds gross vehicle weight;
5. An existing or proposed access driveway that does not meet minimum spacing or sight distance requirements, or a driveway located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard; or
6. A change in internal traffic patterns that may cause safety problems, such as back-up onto the highway or traffic crashes in the approach area.

**The triggers for a TIS are not met; the subsequent code sections do not apply.**



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## LCMC 17.56 – OFF-STREET PARKING AND LOADING

### *17.56.010 Applicability.*

The standards of this chapter shall apply to:

- A. All Type II and Type III procedures;
- B. New construction. (Ord. 2022-25 § 56; Ord. 2020-13 § 24)

**Off-Street Parking and Loading standards are being met to the extent applicable.**

### *17.56.020 General standards.*

A. The provision and maintenance of off-street parking, bicycle parking, and loading spaces and associated improvements is a continuing obligation of the property owner. The subsequent use of the property shall be conditional upon the unqualified continuance and availability of the amount of off-street parking, bicycle parking, and loading spaces required by this chapter.

B. Any requirement resulting in less than a whole number shall be rounded up to the nearest whole number for the required number of spaces. (Example: 0.75 equals one space; 1.25 equals two spaces; 1.50 equals two spaces; 1.75 equals two spaces.)

C. Areas needed to meet the off-street parking and loading requirements shall not be transformed or changed to another type of use, or transferred to meet the parking requirements of another building or use, until the parking required for the original user of said parking or loading area is provided at another allowable location.

1. Required parking areas shall be available for the parking of operable passenger vehicles of residents, customers, patrons, and employees only.
2. Required parking and loading spaces and areas may not be used for the parking or storage of equipment, storage of goods or merchandise, displays of goods or merchandise, or any other use other than fulfilling the off-street parking or loading space requirements.

D. Portions of off-street parking areas may be redeveloped for transit-related uses, such as transit shelters or park-and-ride lots, to the extent the off-street parking area continues to meet applicable standards and subject to approval through the applicable procedural review. (Ord. 2020-13 § 24)

**The above requirements will be met.**

### *17.56.030 Number of off-street parking spaces required.*

A. The number of off-street parking spaces required shall be as set forth in Table 17.56.030-1.

B. Exceptions to the Number of Off-Street Parking Spaces Required. One or more exceptions may apply to a development.



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1. There are no off-street parking requirements for commercial uses, commercial buildings, or the commercial portion of mixed use buildings located within the boundaries of any of the pearls (Wecoma, Oceanlake, DeLake, Taft, Nelscott, Cutler City), said boundaries as identified on the city's adopted zoning map.

2. The number of off-street parking spaces may be reduced by 10 percent of the off-street parking requirement for every five bicycle parking spaces provided over and above the standard requirement for bicycle parking spaces. The number of off-street parking spaces may be reduced by 20 percent of the off-street parking requirement for every 10 bicycle parking spaces provided over and above the standard requirement for bicycle parking spaces.

3. The number of off-street parking spaces may be reduced by 10 percent of the off-street parking requirement by preserving at least two mature and healthy trees. The number of off-street parking spaces may be reduced by 20 percent of the off-street parking requirement by preserving at least four mature and healthy trees. To receive this credit, a licensed Oregon arborist must certify the trees to be preserved are healthy, and the grading plan must show enough protection and lack of disturbance around the roots (again, as certified by a licensed Oregon arborist) that the trees will be protected and preserved throughout construction and thereafter.

4. Projects that are providing affordable housing as defined in Chapter [17.08](#) LCMC may reduce the parking requirement by up to 20 percent.

C. Uses Not Listed in Table 17.56.030-1. Uses not specifically listed in Table 17.56.030-1 shall furnish off-street parking as required by the director. In determining the off-street parking requirements for unlisted uses, the director shall use Table 17.56.030-1 as a general guide, and shall determine the minimum number of off-street parking spaces required to avoid undue interference with the use of the public right-of-way. (Ord. 2022-25 § 57; Ord. 2022-10 § 6; Ord. 2020-13 § 24)

**The existing park use is not listed in Table 17.56.030-1. The redeveloped parking lot provides the same number of parking spaces as the existing lot, 5 standard spaces & 1 ADA, with improved circulation & surfacing.**

#### *17.56.040 Number of off-street loading spaces required.*

A. Every building hereafter erected or established, for a use other than residential, 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.

B. Each loading space shall be not less than 10 feet wide by 25 feet in length and 14 feet in height. (Ord. 2020-13 § 24)

**The section does not apply.**



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*17.56.050 Joint use of off-street parking and loading spaces.*

A. Off-street parking and loading requirements may be satisfied by the same parking or loading space used jointly to the extent that it can be shown by the owners or operators of the uses, structures, sites, or developments that their operations and parking needs do not overlap in point of time.

B. If the uses, structures, sites, or developments are under separate ownership, the right to joint use of off-street parking or loading spaces must be evidenced by a deed, lease, contract, or other appropriate written document establishing the terms of the joint use, and submitted to the department. (Ord. 2020-13 § 24)

**The section does not apply.**

*17.56.060 More than one use in a building or on a development.*

A. Where more than one use is included within any building or structure, or on any single parcel, lot or development, the off-street parking and loading requirements shall be the sum total of the requirements of the various uses.

B. In instances where the operations of the different uses are such that the hours of operation or uses complement each other insofar as the off-street parking or loading demand is concerned, a reduction in these requirements may be authorized as part of the applicable procedural review. (Ord. 2020-13 § 24)

**The section does not apply.**

*17.56.080 Development standards for off-street parking and loading for all uses other than detached single-unit dwellings, attached single-unit dwellings, and duplexes.*

A. Location.

1. Off-street parking and loading spaces shall be located on the same lot or parcel as the use or on a separate lot or parcel not farther than 1,000 feet from the building or use they are intended to serve, measured in a straight line from nearest property corner to nearest property corner.

a. The burden of arranging for such off-premises parking or loading rests upon the person who has the responsibility of providing off-street parking and loading.

b. Proof of such off-premises parking arrangements shall be provided. Acceptable forms of proof include deeds, leases, or contracts for such arrangement.

2. Area or spaces in a public right-of-way or an alley shall not be eligible as fulfilling any part of the off-street parking or loading space requirements.

3. Off-street parking and loading spaces shall be located above, beneath, to the rear, or to the side of buildings.



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4. Off-street parking and loading spaces must be at least four feet from public right-of-way, and the space between the public right-of-way and the parking and loading spaces must be landscaped according to the standards in Chapter [17.55](#) LCMC.

5. In no case shall any parking area or parking or loading space be located between the front of the building and the front property line.

6. In no case shall any parking area or parking or loading space be located between the front of the building and the front property line.

7. Parking and loading spaces must be located such that there are no backing movements or other maneuvering within public right-of-way. Backing movements or other maneuvering within alleys or private streets is allowed, however.

**Off-street parking is separated from the right-of-way with the required 4' landscaping buffer.**

**The building is proposed as either a CMU or tilt-up concrete building, standard for water pump stations. Additionally, the parking lot is a public lot for access to the Open Space trail network, intended to draw the public's attention to the available space. With this in mind, the intent of placing a building between the right-of-way and parking lot does not have the same aesthetic appeal. Instead, the building is being proposed as tucked into the forest & natural vegetation further interior to the site. If desired, the 4' landscaping buffer may be additionally planted with taller, site obscuring plants to achieve this visual buffer from the roadway.**

**No backing or maneuvering movement is proposed within the right-of-way**

#### B. Surfacing.

1. Parking spaces, parking areas, and driveways shall have permanent, dust-free surfaces and shall be constructed to support use by solid waste vehicles and firefighting apparatus.

2. Surfaces shall consist of one or more of the following materials:

a. Concrete or asphalt;

b. Block pavers of concrete, stone, brick, or similar material. This surface is considered impervious unless, through consultation with the city engineer, the spacing and installation are determined to be sufficient to count as an allowable pervious surface;

c. Pervious concrete or asphalt; or

d. Other materials, as approved by the city engineer.

**The parking lot will be surfaced with concrete for ADA and asphalt for standard parking spaces.**



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C. *Repealed by Ord. 2022-25.*

D. Installation and Maintenance.

1. Materials shall be installed and maintained adequately for all-weather use, including proper drainage so as to avoid flow of water across sidewalks and any property line.
2. All pervious surfaces shall be designed, installed, and maintained to ensure proper storm water infiltration.

**Parking lot run-off will be collected and run through the noted water quality facilities.**

E. *Repealed by Ord. 2022-38.*

F. Curbing and Wheel Stops.

1. Parking spaces shall be contained by a curb or wheel stop so placed to prevent a vehicle from extending into an adjacent property, public right-of-way, private street, sidewalk, or landscaping area.
2. Curbing shall be a minimum of four inches in height and width.
3. Wheel stops shall be a minimum of four inches in height and width, and six feet in length; shall be firmly attached to the ground, and so constructed as to withstand normal wear.
4. Parking spaces having curbing or wheel stops may be reduced in length by two feet, allowing for overhang of the vehicle parked in that space, provided the curbing or wheel stops are placed two feet back from the front of the parking space.

**Curbing will be provided between at each parking space and the landscape buffer.**

G. Marking. All off-street parking and loading spaces shall be permanently and clearly marked, and such marking shall be replaced regularly, so as to remain clearly visible at all times.

**Striping shall be completed as noted in the plans & maintained by Lincoln City**

H. Landscaping.

1. Surface parking lots must have perimeter buffer strip landscaping of not less than four feet in depth (see Figure 17.56.080-1) landscaped in accordance with Chapter [17.55](#) LCMC.

**The landscape buffer has been provided on the attached plans.**

I. *Repealed by Ord. 2022-25.*



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#### J. Lighting of Parking Areas.

1. If provided, light poles in parking areas shall not exceed a height of 20 feet.
2. Any provided lighting in parking areas shall be shielded or provided with cut-offs to avoid glare, light pollution (night sky) and light spillover onto residentially used properties.
3. Maximum initial luminance of lighting provided in parking areas shall not exceed four foot-candles, with zero foot-candles at property lines.

**Lighting throughout the parking lot is not planned in order to maintain the natural environment of the Spring Lake Open Space. Exterior building lighting will be installed as necessary to meet building code requirements but will provide less than four foot candles as well as cut-off shielding to avoid illumination beyond the property boundary and/or up-lighting.**

K. Accessible Parking. Parking areas shall meet all applicable accessible parking requirements of federal, state, and local codes.

**The project proposes restoring an existing, non-compliant ADA parking space with a new, fully compliant ADA parking space & access route.**

#### L. Parking Area Layout and Dimensions.

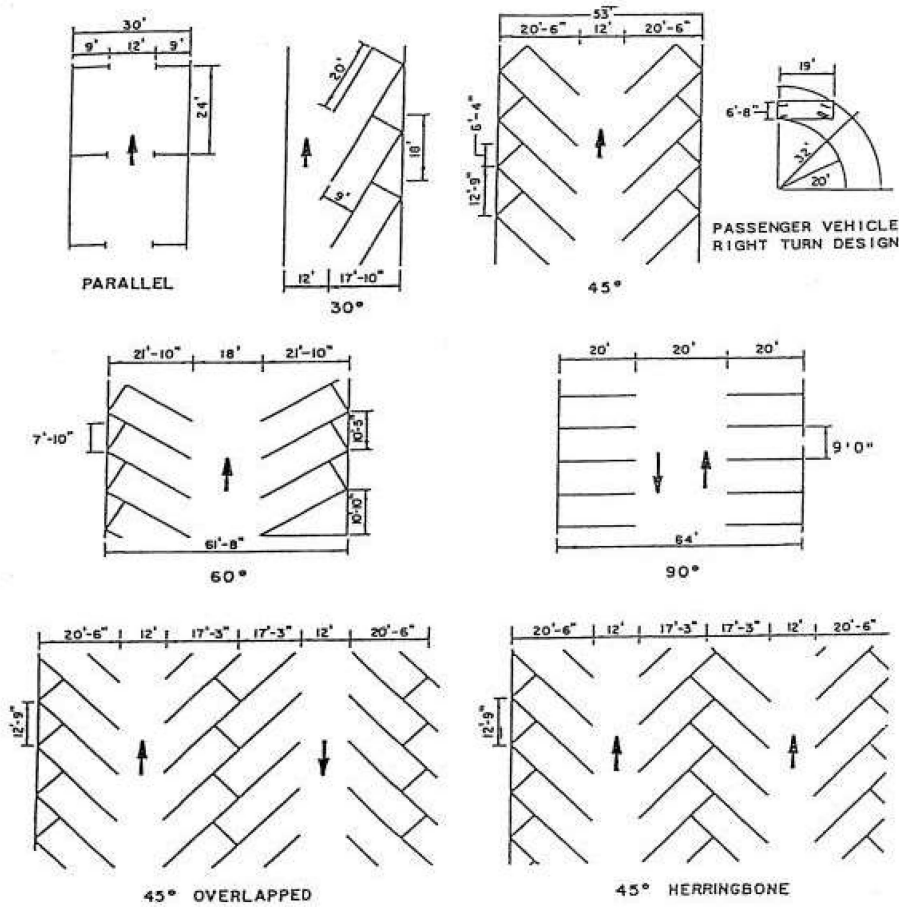
1. A minimum of 50 percent of the required number of parking spaces must be designed as standard sized spaces with a minimum space width of nine feet and length of 20 feet.
2. No more than 50 percent of the required number of parking spaces may be designed as compact sized spaces with a minimum space width of eight feet and length of 16 feet.
3. A clear pedestrian circulation route from parking stalls to the primary building entrance, or a pedestrian area immediately adjacent to the primary building entrance, must be provided.



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4. Parking areas shall be designed as follows:



**All spaces shall be standard size, 9'x20'**

**An accessible pedestrian route is provided from the ADA space to the building and trail network.**

**Parking spaces adhere to the 90-degree angle.**

M. Parking Rows.

1. Surface parking lots containing more than 20 parking spaces must have rows of not more than 12 continuous parking spaces and shall include one planting island between every 12 parking stalls.

a. Islands must be at least five feet wide, with a minimum area of 190 square feet in a double-loaded parking row or 95 square feet in a single-loaded parking row.

b. Islands must be provided with protective curbing to prevent vehicles driving directly into the island.



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c. Islands count towards the interior parking lot landscaping requirement of subsection (H)(1) of this section.

d. Islands must be landscaped pursuant to the provisions of Chapter [17.55](#) LCMC.

2. The perimeter of parking lots or the outer parking aisles must contain at least a four-foot-wide landscaping/drainage swale or landscape buffer (see Figure 17.56.080-1) landscaped pursuant to the provisions of Chapter [17.55](#) LCMC. The perimeter landscaping buffer counts towards the interior parking lot landscaping requirement of subsection (H)(1) of this section.

**Figure 17.56.080-1**



N. RV, Motorhome, and Bus Parking. Commercial or mixed-use developments (wholly residential developments do not have this requirement) with 50 or more required off-street parking spaces shall provide the following minimum number of off-street parking spaces sized and designated for the parking of RVs, motorhomes, and buses:

Number Required	Total Parking Spaces
1	50 – 75
2	76 – 100
3	101 – 200

One RV, motorhome, bus space for each additional 100 spaces or a fraction thereof.

Each RV/motorhome/bus space shall be not less than 10 feet wide and 30 feet long.



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O. Structured Parking. Where structured parking is provided in a stand-alone structure that does not contain any uses other than parking, the structure must be set back from public right-of-way a minimum of 10 feet. The 10-foot setback area shall be landscaped subject to the provisions of Chapter [17.55](#) LCMC. (Ord. 2022-38 §§ 18, 19, 20; Ord. 2022-25 §§ 58, 59; Ord. 2020-13 § 24)

**The parking lot does not contain more than 20 parking spaces.**

**A 4-foot landscape buffer is being provided around the parking lot perimeter.**

**No RV parking is required.**

**Structured parking does not apply**

*17.56.090 Bicycle parking.*

A. Number of Bicycle Parking Spaces Required. One bicycle parking space, as defined in subsection (D) of this section, is required for every 20 vehicle parking spaces required in LCMC [17.56.030](#).

B. Access. An unobstructed walkway of at least five feet in width shall connect each bicycle parking area to the primary entrance or the pedestrian area in front of the primary entrance.

C. Location. All bicycle parking areas shall be within a well-lighted area within 100 feet of, or clearly visible from, the primary building entrance or public right-of-way. Where necessary, a sign shall direct users to the bicycle parking area.

D. Dimensions. Each bicycle parking space shall be at least two feet by six feet with a vertical clearance of six feet.

E. Security. Bicycle parking facilities shall be either a lockable enclosure for storing bicycles or a stationary object (i.e., a rack) to which bicyclists can lock their bicycles. (Ord. 2020-13 § 24)

**Bicycle parking will be added and provided on-site to further expand public park access as noted on the site plan.**



## LCMC 17.55 – LANDSCAPING STANDARDS

### *17.55.010 Purpose.*

The goals of landscaping are to increase aesthetic value; provide environmental benefits, such as controlling erosion and functioning as part of the natural hydrologic cycle; provide an attractive natural balance to built areas; reduce runoff; screen or buffer uses; and to frame or complement views. The purpose of this chapter is to provide for the design, selection, installation, and maintenance of landscaping that will satisfy the aforementioned goals. This chapter also seeks to provide for selection of plant materials that will provide long-term growth, a balance of year-round coverage and greenery, and a variety of species for a healthier, drought-tolerant, disease-resistant plant inventory. (Ord. 2020-13 § 25)

**The Spring Lake Pump Station project works to preserve existing, mature landscaping around the site to the greatest degree possible, restore groundcover where necessary to stabilize proposed slopes, landscape drainage areas to provide water quality for site drainage, and meet the parking lot design standards noted above.**

### *17.55.020 Applicability.*

The standards of this chapter shall apply to:

- A. All Type II and Type III procedures.
- B. New construction.

**A Type III application is being submitted for conditional use of the proposed project.**

### *17.55.030 Landscaping requirements for detached single-unit dwellings, attached single-unit dwellings, manufactured dwellings, and duplexes.*

**The development is not a single family or duplex development. – None of the below sections apply and have been omitted.**

### *17.55.040 Landscaping requirements for all development other than detached single-unit dwellings, attached single-unit dwellings, manufactured dwellings, and duplexes.*

A. Landscaping is required on all portions of the site not covered by buildings, structures, or impervious surfaces.

**Extensive landscaping is present across all portions of the site not covered by building, structures or impervious surfaces. Restoration will additionally meet landscaping requirements for any area disturbed as part of construction.**

B. Existing plants and trees that are healthy and noninvasive count towards the tree and shrub requirement below, provided they will be protected during development adequately enough to ensure future preservation.



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1. At a minimum, the site shall contain the following spaced and/or grouped according to best planting practices and aesthetics:

- a. One tree per 100 feet of total lot perimeter; and
- b. One shrub per 30 feet of total lot perimeter; and
- c. The remainder of the site that is not covered by buildings, structures, or impervious surfaces shall be covered with living or nonliving ground cover as outlined in subsection (C) of this section and LCMC [17.55.050](#).

2. If islands are required in parking areas, each island must contain at least one tree, sized appropriately for the area of the island. The remainder of the island must be covered with shrubs and/or living or nonliving ground cover, subject to the standards set out in subsection (C) of this section and LCMC [17.55.050](#). Islands count towards the parking landscaping requirement.

**The extensive tree present and to be preserved within the Open Space zone will substantially exceed the perimeter planting requirements. Islands are not required within the parking lot.**

#### C. Ground Cover and Mulch.

1. Ground cover used as mulch between plantings shall be placed at a minimum two- to three-inch-thick layer to ensure effective erosion control and to avoid leaching of excessive nutrients.
2. Acceptable mulch materials are straw, well-aged compost and leaves, wood mulch or bark dust, or wood nuggets that are a minimum diameter of one inch. Mulching with manure that has not been composted or aged is prohibited.
3. Nonliving ground cover materials such as noncompacted pea gravel, river rock, pumice, stones, boulders, bark dust, cedar chips, or similar, are acceptable nonliving ground cover.
4. Standards for living ground cover are those set out in LCMC [17.55.050](#). (Ord. 2022-25 § 54; Ord. 2020-13 § 25)

**All area not covered by building, or impervious area is noted for seeding to cover bare soils. Any miscellaneous area not seeding will be covered with a landscaping material noted above.**

#### *17.55.050 Selection, preparation, and installation for all landscaping.*

##### A. Selection of Materials.

1. Noxious vegetation as defined in LCMC [8.12.010](#) or by the Oregon Department of Agriculture is prohibited. Noxious weeds as defined in LCMC [8.10.020](#) are prohibited.



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2. All selections must be healthy and disease-free at the time of planting.

3. Sizes of Plantings.

a. Deciduous trees must be a minimum of one-half caliper inches at the time of planting.

b. Conifer trees must be a minimum of four feet in height at the time of planting.

c. Ground cover plants must be at least four-inch pot size.

d. Shrubs must be at least one-gallon size at the time of planting.

e. Plantings at their mature height shall not be higher than five feet if they would block the view of any shoreline of the Pacific Ocean, Siletz Bay or Devils Lake.

f. All plantings must be one, or a combination of, the following: native to the Pacific Northwest; selected from the City of Lincoln City Guide to Landscape Selections; or suitable for the site conditions as certified by a written and signed statement from a landscape architect licensed in the state of Oregon, a licensed landscape contractor, or a landscape nursery person.

B. Preparation.

1. The entire site must be cleared of noxious vegetation as defined in LCMC [8.12.010](#) and by the Oregon Department of Agriculture, as well as noxious weeds as defined in LCMC [8.10.020](#), prior to installation of landscaping.

2. The entire site must be cleared of weeds, as well as dead, dying, or diseased vegetation prior to installation of landscaping.

C. Installation.

1. Plant materials must be installed to current nursery industry standards.

2. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.

3. All landscaping shall be installed prior to final inspection by the department or:

a. Agreement to Delay Installation. If all landscaping has not been satisfactorily completed prior to the final inspection by the department and the director determines that a delay in completion of the landscaping is appropriate because there has not been a reasonable amount of time for the completion of the landscaping or for other reasons, then the director may require, as a condition of use of the site, a landscaping agreement signed by the owner, in a form satisfactory to the director. A landscaping agreement shall:



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i. Identify all landscaping to be completed and establish a time period, not to exceed 120 days, within which the owner shall complete the landscaping;

ii. If the identified landscaping is not completed within the established time period, then this shall be considered a Class B violation with a fine of up to \$1,000 per day for each day the identified landscaping remains incomplete. (Ord. 2022-25 § 55; Ord. 2020-13 § 25)

**The majority of landscaping requirements are met by preservation of existing, native landscaping.**

**No invasive or noxious species noted for installation**

**All plants provided as landscape restoration will meet the minimum sizing requirements subsection [A][3]**

**Landscape restoration will be installed prior to project completion and final inspection.**

#### *17.55.060 Irrigation and maintenance.*

A. Irrigation. The intent is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. 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.

**All required landscaping is mature, native vegetation. Irrigation will not be required, but may be provided at the request of Lincoln City Parks & Recreation.**

B. Continuous maintenance of property includes, but is not limited to, weeding, pruning, removing and eradicating invasive and noxious plants, removing diseased or dead vegetation and replacing with healthy specimens, and removing litter, trash, and debris. Failure to maintain property in accordance with this chapter shall be considered a Class B violation. (Ord. 2020-13 § 25)

**Requirements are met by regular site maintenance by city crews, which shall continue and include the proposed improvements**

#### *17.55.070 Clear-vision requirements.*

Landscaping shall be in conformance with the clear-vision area requirements set out in LCMC [17.52.060](#). (Ord. 2020-13 § 25)

**No new landscaping impacts the clear vision triangle as defined within LCMC 17.52.060**

#### *17.55.080 Living landscaping as screening.*

A. When screening is required, the applicant may choose to use vegetation as the screening method. If so, the following standards must be met:

1. Screening shall be in the form of a hedge.



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2. The hedge shall consist of evergreen shrubs and shall be native to the Pacific Northwest and suitable for the site conditions as certified by a nursery person or a landscape architect licensed in the state of Oregon or selected from the City of Lincoln City Guide to Landscape Selections.

3. Selected shrubs must have a mature height of at least six feet.

4. Shrubs must be of sufficient size and number to provide solid sight obstruction, at a minimum of six feet in height, at the time of planting. (Ord. 2020-13 § 25)

**Screening is provided as applicable by preservation of existing landscaping along the north, east, and southern boundaries. Screening from the pedestrian pathway along the south side of the building will be provided by landscaping, a minimum of 6' mature height, as noted in the site plan.**



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## LCMC 17.74 – Design Standards

### *17.74.010 Intent.*

The intent of these regulations is to:

- A. Enhance and protect the city’s quality of life and community image through clearly articulated site and building design standards;
- B. Protect and promote the city’s economic vitality by encouraging and rewarding high-quality development;
- C. Establish a clear relationship between streets, pedestrian spaces, and buildings; and
- D. Enhance and protect the security and health, safety, and welfare of the public. (Ord. 2020-10 § 14)

### *17.74.020 Applicability.*

A. Zoning Districts. The provisions of this chapter apply to the multiple-unit residential (R-M), recreation commercial (RC), general commercial (GC), Nelscott plan district (NP), Taft Village core (TVC), and Oceanlake plan district (OP) zones as follows:

1. Article I, General Provisions.
2. Article II, Design Regulations for Mixed Uses and Uses Other Than Residential.
3. Article III, Design Regulations for Multi-Unit Structures and Developments.

B. Conflicting Regulations. Where conflicts occur between this chapter and other municipal code regulations or ordinances, the strictest requirement shall apply.

C. The provisions of this chapter apply to the development of undeveloped sites, the redevelopment of previously developed sites, and/or new construction of any building or structure. (Ord. 2020-10 § 14)

**The subject site is zoned Open Space (OS). In accordance with 17.74.020 the design standards are not applicable.**



#### IV. Conclusion

The existing reservoir that serves the NE Surf water pressure zone has limited capacity and is a barrier for further development in the area. The proposed Spring Lake Pump Station is a necessary infrastructure improvement to replace this inadequate water supply and provide service for the undeveloped properties in the area. The project additionally proposes to improve the existing parking lot, add a single stall, handicap accessible unisex bathroom, improve the adjacent NE Port right-of-way, and expand public utilities to serve the development. Public utilities, parking areas, and single stall restrooms are all conditional uses within the Open Space zone where this development is proposed.

Per the above narrative, the proposed development meets the applicable code sections while additionally enhancing and improving public access and use of the city's existing parks system.

## APPENDICES

### Appendix A

NE Surf Water Pressure Zone Overview



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