



# AGENDA

Lincoln City Planning Commission  
Tuesday, February 20, 2024, 6:00 PM  
Council Chambers,  
801 SW Highway 101 - 3rd Floor, Lincoln City, OR 97367

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

**2. CONSENT AGENDA**

2.1. Planning Commission - Regular Meeting - Feb 6, 2024 6:00 PM

**3. PUBLIC HEARINGS/DELIBERATIONS**

1. None.

**4. DIRECTOR'S REPORT**

4.1. Planning Commission Attendance 2023

4.2. Commercial Space Inventory 2023

**5. COMMENTS BY PLANNING COMMISSIONERS**

**6. ADJOURN**

**7. COMMUNICATIONS**

A. Reports

*Individuals wishing to attend via Zoom must email [planning@lincolncity.org](mailto:planning@lincolncity.org) no later than noon on the meeting day. The email must include the person's name and the screen name the person intends to use for the meeting. Instructions will be emailed to the person requesting Zoom attendance. Persons attending via Zoom will need to leave the microphone muted and camera off.*

*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 request information in an alternate format or other assistance, please contact the City's ADA Coordinator, Kevin Mattias, at 541-996-1013 or [kmattias@lincolncity.org](mailto:kmattias@lincolncity.org). Visit the [ADA Accessibility | City of Lincoln City, OR](#) webpage to view how the City continues to remain in compliance with Title II of the Americans with Disabilities Act regarding City programs, services, processes, and facilities.*

*The Lincoln City Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.*

*Agendas and Agenda packet items for this meeting are available at [www.lincolncity.org](http://www.lincolncity.org) under "Government" then select "Public Meeting Agendas, Packets & Videos". This meeting is being streamed live at <https://www.lincolncity.org/government/media-streaming> and will be available there for viewing after this meeting concludes. This meeting will be televised live on Channel 4.*

*Individuals wishing to provide verbal testimony for a public hearing agenda item need to please sign the sign-in sheet for that item. Sign-in sheets are located on the table near the entrance door to the Council Chambers. Individuals who signed in on the sheet will be called to testify during the public testimony portion of the public hearing. When making your oral testimony, please speak clearly and directly into the microphone.*

**LINCOLN CITY PLANNING COMMISSION  
MINUTES  
February 6, 2024**

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

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Brian Bunnett	Commissioner	Present	
Jason Corso	Commissioner	Present	
Erick Albretsen	Commissioner	Present	
Mellissa Sumner	Commissioner	Absent	
Kim Blackerby	Commissioner	Present	

**2. NEW BUSINESS**

**A. Election of Chair and Vice Chair**

Director Townsend requested nominations for the office of Chair. Commissioner Brian Bunnett nominated Commissioner Kim Blackerby, citing a desire for experience through the transition to a new Planning Director and new City Attorney. Commissioner Corso seconded the motion, which was approved unanimously.

Chair Blackerby nominated Commissioner Bunnett for Vice Chair, seconded by Commissioner Corso, and approved unanimously by the entire Commission.

**3. CONSENT AGENDA**

**3.1.**

The Commissioners voted to approve the minutes of November 7, 2023.

<b>MOTION:</b>	<b>Planning Commission - Regular Meeting - Nov 7, 2023 6:00 PM</b>
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**4. PUBLIC HEARINGS/DELIBERATIONS**

**4.1. CUP 2023-02 Lincoln Palisades Ph VI**

Director Townsend announced that the applicant had contacted staff earlier in the day requesting a continuance for the Lincoln Palisades public hearing until March 5th.

Chair Blackerby opened the public hearing for CUP 2023-02 Lincoln Palisades Phase VI at 6:05 PM.

Commissioner Albretsen moved to approve the requested continuance until March 5<sup>th</sup> at 6:00 PM in Council Chambers. Responding to questions from the Commissioners, Director Townsend stated that public testimony would need to wait until after the applicant's presentation and the presentation of the staff report. Commissioners expressed their apologies to those members of the

community that were prepared to speak at the public hearing and encouraged them to return for the March hearing.

Commissioner Bunnett seconded the motion which was approved by all of the Commissioners.

Responding to a question from Commissioner Corso, Director Townsend stated that state law requires that the application review, approval, and appeals process be completed within 365 days of the date the application was deemed complete. Director Townsend clarified that written testimony provided prior to the hearing would be carried forward, and that additional materials will likely be submitted by the applicant. This may also require an update to the staff report. Any new materials will be available on line with the meeting packet.

Chair Blackerby welcomed the newest member of the Planning Commission, Erick Albretsen and asked him to introduce himself. Commissioner Albretsen has recently returned to Oregon from the Salt Lake City area. He is an experienced home designer and an eye care professional, and he is excited to participate in the work of the planning commission.

Chair Blackerby also took the time to thank former Planning Commission Chair Robert Vincent and Commissioner turned City Councilor Marci Baker for their service to the planning commission and the community.

## **5. COMMENTS FROM THE PUBLIC**

None.

## **6. DIRECTOR'S REPORT**

### **6.1. Planning Annual Report**

Director Townsend directed the Commissioner's attention to the Annual Report in the packet. In addition to the completion of the Comprehensive Plan, he noted the approval of a 10-unit tiny home development, one of the few privately developed projects to create housing that is more affordable. He also noted there were a significant number of zoning ordinance amendments processed in 2023.

Chair Blackerby reiterated the ongoing desire to receive periodic updates regarding projects that had been before the Commission, such as subdivisions, planned developments, and conditional use permits. Director Townsend provided an update regarding the Copeland Lumber project which is breaking ground.

Chair Blackerby asked if there had been any progress regarding the Planning Director position. Director Townsend stated that the position had not yet been posted.

Commissioner Bunnett expressed his interest in revisiting a joint meeting with the City Council, especially in relation to the development of Citywide goals and priorities. Chair Blackerby echoed this interest.

Commissioner Bunnett asked about the status of Commissioner Sumner, expressing his concern about the impact on the planning commission. Director Townsend stated that staff was aware of the issue, and that it was a topic of some concern. He expects some action in the near future.

## 7. PLANNING COMMISSIONER TRAINING

Director Townsend presented the training, defining legislative vs. quasi-judicial procedures and ex parte communication (information obtained outside of a formal public hearing). He emphasized the importance of disclosure of ex parte communication, including visiting the site, hearing from neighbors, or having special knowledge. It is important that these disclosures are made within the public hearing to allow for a challenge from the public or a rebuttal from the applicant, and to ensure that disclosures are included in the meeting record.

The second part of the training addressed how to apply the right approval criteria to the facts in order to form a decision on a land use application. Director Townsend noted that there must be substantial evidence in support of each element of the applicable criteria.

Responding to a question from Commissioner Albretsen, Director Townsend clarified that members of the Planning Commission could talk to staff in relation to land use cases. In addition, they are free to discuss topics that are general in nature and not specific to a land use case coming before the Commission.

Commissioner Corso requested that staff provide information regarding all of the preceding phases of Lincoln Palisades for the March 5th public hearing. Chair Blackerby requested that future PowerPoint presentations be provided as a hard copy to the planning commission. He also suggested having maps available at meetings.

## 8. COMMENTS BY PLANNING COMMISSIONERS

Commissioner Corso offered a suggestion to create a large display of the Statewide Planning goals and the goals from the Comprehensive Plan.

Chair Blackerby shared that the Planning Commission is also the Lincoln City Committee for Citizen Involvement (CCI), and reiterated the commission's ongoing interest in building this program beyond the minimum requirements for notification.

Chair Blackerby stated that he was interested in maintaining a more formal meeting structure moving forward. He also emphasized the importance of coming to meetings prepared, having read the materials, and ready to ask questions and deliberate.

## 9. ADJOURN

Chair Blackerby adjourned the meeting at 7:19 PM.

Respectfully submitted,

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Richard Townsend  
Planning Director

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Kim Blackerby  
Chair

## City of Lincoln City PLANNING COMMISSION COMMUNICATION

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### Planning Commissioner Rules/Responsibilities

Meeting Date: February 20, 2024  
 Department: Planning & Community Development  
 Staff Contact: Richard Townsend  
 Phone/Email: [rtownsend@lincolncity.org](mailto:rtownsend@lincolncity.org)  
 541-996-1228

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### ISSUE STATEMENT

Per Lincoln City Municipal Code (LCMC) 2.06.005 “Appointive bodies require uniform rules, policies and operating procedures to assure maximum productivity and fairness for members and the public”. An appointive body means any board, commission, or other such group appointed by the mayor or by the city council, including the Planning Commission. This agenda item is a review of some of those rules, especially as they relate to meetings and attendance, vacancies and removal.

### ACTION REQUESTED

Per Lincoln City code, attendance records for appointive bodies are to be reviewed annually, with a subsequent report sent to the city recorder advising of the need for appointment or reappointment. Staff request that the Planning Commission review the attached materials and discuss any recommended actions and/or additions to the report.

### AUTHORITY

Lincoln City Municipal Code (LCMC) 2.06 City Appointive Bodies (Attachment 1)  
 LCMC 2.08 Planning Commission (Attachment 2)

### BACKGROUND INFORMATION

Planning commission members are expected to attend all regularly scheduled meetings, either in person or virtually. Members unable to attend a meeting are required to notify either the Chair or the Planning Director a minimum of two hours prior to the meeting in order to be considered as an Excused Absence. Three or more unexcused absences in a six-month period automatically creates a vacancy on the appointive body.

The attendance report for regular meetings and work sessions for the 2023 calendar year is provided as Attachment 3.

### OPTIONS

Read and discuss the information attached. Provide input for the report to the City Recorder.

**SUGGESTED MOTION**

None.

**NEXT STEPS**

Staff will provide the annual planning commission attendance record to the City Recorder, along with any recommended action items or communication from the Planning Commission.

**ATTACHMENTS**

1. Lincoln City Planning Commission Attendance 2023
2. LCMC 2.06 City Appointive Bodies
3. LCMC 2.08 Planning Commission

**ATTACHMENT 1**

**Lincoln City Planning Commission  
ATTENDANCE 2023**

	JAN 17	FEB 7	FEB 21	MAR 7	MAR 21	APR 4	APR 18	MAY 2	MAY 16	JUN 6	JUN 20	JUL 18	AUG 1	AUG 15	SEPT 5	SEPT 19	OCT 3	OCT 17	NOV 7	NOV 21	DEC 5	DEC 19	
<b>Regular Meetings</b>																							
Baker	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Blackerby	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Bunnett	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Corso <sup>1</sup>	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Sumner	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Vincent	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Affuso <sup>2</sup>	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Glasgow <sup>3</sup>	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green

	JAN 19	FEB 7	FEB 28	MAR 2	MAR 9	MAR 23	APR 18	MAY 16	JUN 20	JUN 22	JUL 18	JUL 31	AUG 15	SEPT 21	SEPT 28
<b>Work Sessions</b>															
Baker	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Blackerby	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Bunnett	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Corso <sup>1</sup>	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Sumner	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Vincent	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Affuso <sup>2</sup>	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Glasgow <sup>3</sup>	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green

PRESENT  
 EXCUSED  
 ABSENT  
 CANCELLED BY STAFF  
 CANCELLED DUE TO LACK OF QUORUM

- 1. Appointed 9/11/2023
- 2. Resigned June 20, 2023
- 3. Appointed 6/26/2023; resigned 9/19/2023)

## Chapter 2.06 CITY APPOINTIVE BODIES

Sections:

- 2.06.005 Purpose and applicability.**
- 2.06.010 Created or established.**
- 2.06.015 Recruitment and appointment process.**
- 2.06.020 Terms, term limits.**
- 2.06.025 Quorum and effect of lack thereof.**
- 2.06.030 Meetings and attendance.**
- 2.06.035 Vacancies and removal.**
- 2.06.040 Public meetings and public records law.**
- 2.06.045 Hearings officer appointment.**
- 2.06.050 Election of officers, secretary and subcommittees.**
- 2.06.055 Role and time commitment of staff.**
- 2.06.060 Agendas, minutes, order of proceedings.**
- 2.06.065 Powers and duties.**
- 2.06.070 Rules for conduct of business.**
- 2.06.075 Appointive body members – Ethics and code of conduct.**
- 2.06.080 Deliberation.**
- 2.06.085 Council as final decision maker.**
- 2.06.090 Gifts.**
- 2.06.095 Budget, compensation and expenses.**
- 2.06.100 Reports to council.**

## **2.06.105 Lobbying and representing the city.**

### **2.06.005 Purpose and applicability.**

Appointive bodies require uniform rules, policies and operating procedures to assure maximum productivity and fairness for members and the public. Except where otherwise provided in this code or state law, the following policies and procedures govern all the city's appointive bodies. For purposes of this chapter, "appointive body" means any board, commission, committee, task force, advisory group, ad hoc committee, or any other such group appointed by the mayor or by the city council, however designated. Nothing herein removes the requirement for compliance with more specific regulations and guidelines set forth by state statute, administrative rule, ordinance, or resolution specific to the appointive body. These rules do not apply to filling a vacancy under Chapter VIII, Section 8.2 of the Lincoln City Charter. (Ord. 2017-05 § 1; Ord. 2000-02 § 1. Formerly 2.06.010)

### **2.06.010 Created or established.**

All regular boards, commissions and committees are codified in Chapters 2.08 through 2.70 LCMC. Ad hoc entities shall be formed by resolution of the council. (Ord. 2017-05 § 1)

### **2.06.015 Recruitment and appointment process.**

A. Recruitment. The city recorder shall regularly provide notice of vacancies on city appointive bodies by doing the following:

1. Email vacancy notices to council, and city officers and employees;
2. Email or fax vacancy notices to the "media group" (i.e., radio stations, newspapers);
3. Post vacancy notices on bulletin boards at City Hall and transmit vacancy notices for posting at Driftwood Library and Lincoln City Community Center;
4. Provide applications for pick up at information desk and administration offices;
5. Email vacancy notices to recognized neighborhood associations.

The city recorder may also, but is not required to, place ads in the local newspaper of record or place vacancy notices on the city website.

Positions shall be held open for applications initially for 30 days and if no applications are received, the application submission deadline shall be extended for an additional 30 days.

#### B. Application Process.

1. Applications shall be made on approved city forms and must be signed by the applicant (including appropriate consents to background investigation). All applications must be turned in to the city recorder in city administration and date-stamped. Incomplete applications shall not be processed. The form of application and consent documents must be approved by the city attorney.
2. The city recorder will review the application for completeness and notify applicants when the application will not be processed due to missing information. Applicants can supply missing information if the recruitment is still open.
3. The city recorder shall perform the following threshold review:
  - a. Verify required residency requirements, if any, with the county clerk;
  - b. Determine whether the applicant qualifies for the specific committee based upon any stated minimum criteria in the code;

The city recorder will notify applicants who do not meet residency or minimum qualifications; such decisions may be appealed to the city council pursuant to Chapter 1.26 LCMC.

4. The recorder shall also send the application materials to the HR director to conduct the background investigation and reference checks. After the checks are complete, the city recorder will scan the approved applications and forward them to the mayor and council for review. Applications frequently contain information protected from disclosure under Oregon law. Councilors are cautioned not to disclose application materials or supporting documents in the file.

#### C. Selection of Individual Interviewers or Interview Subcommittees.

1. Two councilors shall be appointed by the mayor at a regularly scheduled city council meeting to conduct interviews for open positions. Groups of two can be appointed for multiple openings.
2. Unless otherwise stated at the time of appointment, the interviewer appointments shall be for individual councilors to conduct interviews and provide council with individual recommendations (i.e., the councilors are not a part of an interview

subcommittee and shall not deliberate or discuss the applicants except when giving their individual reports to council).

3. Nothing herein prohibits the mayor and council from conducting interviews and making recommendations to council as an interview subcommittee (requiring public meeting notice).

4. Nothing herein prohibits council from electing to conduct interviews of all applicants at a regular or special city council meeting.

5. Notwithstanding the above, the planning commission and budget committee applicants shall be interviewed at a regular or special city council meeting.

#### D. Background Investigation and Reference Check.

1. The background check shall be conducted as soon as possible (generally takes one to two days). Generally, the investigations shall proceed as follows:

a. The human resources director shall contact the candidate and notify them that a background check will be completed using the paperwork (release) they signed in the application packet. The human resources director will provide the information to a qualified individual or company that completes background investigations. The human resources director will review the background information provided, considering the following:

- i. Type of conviction (misdemeanor/felony).
- ii. Number of convictions (e.g., is there a pattern?).
- iii. Type of crime (e.g., crimes such as, but not limited to, violent crimes).
- iv. How recently a conviction occurred (five years ago or less).
- v. What actions the candidate took following the conviction to prevent it from occurring again (e.g., anger management classes).

2. The human resources director will contact the applicant if a background check question arises and notify the applicant of any potential adverse decision. The human resources director shall provide the applicant with a copy of the report and ask any questions to assist in understanding whether the background should preclude service on a committee. The human resources director will make a pass/fail determination and notify the mayor and city council of the determination.

#### E. Interview and Evaluation Process.

1. A councilor conducting individual interviews may schedule their own interviews with applicants.
2. Subcommittees conducting interviews shall have interviews noticed and scheduled by the city recorder, or designee. Councilors jointly conducting individual interviews may request interviews be scheduled by staff, but such interviews shall be noticed.
3. Only interview subcommittee members may discuss the applications and deliberate on recommendations to council.
4. Individual councilors or the interview subcommittee members shall advise the city recorder or designee of their recommendations.
5. The HR director shall place the results of the background investigation and reference check investigations in the file for review by all councilors.
6. The city council shall interview budget committee and planning commission applicants at a regular or special council meeting. Interviews for the planning commission and budget committee shall be scheduled as soon as possible after the applicant has passed the city recorder's threshold review and the background check.

F. Appointment. At a regular or special meeting of the city council the question of appointment of one or more applicants for appointive bodies can be placed on the agenda for consideration. No applicant will be placed on the agenda until completion of the interview, background and reference check process. At the time the matter is considered the individual interviewers may give their recommendation, or, as applicable, an interview subcommittee member may give the recommendation of the subcommittee. The council may use the ballot nomination process to narrow the applicant field. Notwithstanding any other provision in the municipal code, all appointments shall be by motion, approved by majority vote of the governing body.

G. Reappointment. Requests for reappointment of appointive public officers (only for those who have previously completed the interview, reference and background check) may be processed using this abbreviated procedure. The council, by motion, may direct the city recorder to place appointive officers on the agenda for reappointment, subject only to an update of the background investigation (pursuant to a current release). Unless council by motion directs the use of the abbreviated procedure, all reappointments shall follow the procedure identified herein for original applicants. (Ord. 2022-14 § 1; Ord. 2021-20 § 1; Ord. 2017-05 § 1)

### **2.06.020 Terms, term limits.**

A. All successors to original members of a city appointive body shall have a three-year term, except as otherwise provided in the appointment order or this code. When multiple appointments are being made, or the appointment is the original appointment, the appointing authority may stagger terms in an original appointment order at one, two and three years, as necessary. Notwithstanding the three-year limitation, planning commissioners shall serve four-year terms.

B. Members may serve four terms on any single commission or board, after which time the mayor and council will give due consideration to other qualified candidates before making a reappointment. (Ord. 2017-05 § 1)

### **2.06.025 Quorum and effect of lack thereof.**

A. A quorum shall consist of the first whole number of members more than one-half of the total number of authorized members of the body including any vacant positions (e.g., seven-member body: one-half is 3.5; quorum is four). Nonvoting ex officio members, staff and liaisons do not count toward the quorum.

B. A quorum must consist of qualified members meeting the numeric minimum of this chapter; appointive body membership provisions (e.g., residency requirements) do not impact quorum calculations. Unless specifically stated otherwise in city code or state law (e.g., budget committee), only a simple majority of the quorum is necessary to adopt any motion or take action or recommendation.

C. Members need not be physically present at a meeting if another means of attendance (e.g., telephonic, internet, etc.) is provided and if public meetings law requirements are met (public can hear the remote participant).

D. If there is no quorum for a meeting, no official business shall be conducted and all matters advertised shall automatically be continued to the next regularly scheduled meeting.

E. If an appointive body, acting in an advisory capacity with respect to a city matter, fails to make a recommendation to the city council within 60 days of referral, the matter shall be forwarded to the council without a recommendation. (Ord. 2017-05 § 1; Ord. 2013-03 § 1. Formerly 2.06.030)

### **2.06.030 Meetings and attendance.**

Unless otherwise provided by law, the number of meetings related to business needs of a city appointive body may be set by the body. All members are expected to attend all regularly scheduled meetings, study sessions and special meetings when applicable. If a member will be absent from a meeting the member must notify the chair or the staff liaison at least two hours prior to the meeting. Unexcused absences can lead to the declaration of a vacancy (below). Attendance shall be reviewed by the appointive body annually (e.g., at first meeting in January) with a report sent to the city recorder advising of the need for appointment or reappointment, if necessary. (Ord. 2017-05 § 1)

### **2.06.035 Vacancies and removal.**

A. A vacancy is created on an appointive body and the position automatically deemed vacant and open for appointment before the expiration of the term if:

1. A member dies, resigns, or is removed from office;
2. A member ceases to possess any other qualification required for appointment to such office;
3. A member has three or more unexcused absences in a six-month period;
4. A member is convicted of a felony or adjudicated incompetent;
5. The appointment of the member is declared void by a court of law.

B. If a vacancy on an appointive body occurs, the council shall fill the vacancy by appointment for the unexpired term. Vacancies shall be filled in accordance with the process set forth for appointment of members pursuant to this chapter.

C. Notwithstanding the above, the city council, with or without cause, may by majority vote of the city council at a regular meeting, remove any member of an appointive body prior to the expiration of the term of the appointment. Written notice of removal to the affected member shall be provided. Removal shall be handled with respect and courtesy. If a member resigns or is removed, the mayor and council shall appoint a replacement for the remainder of the term. Notwithstanding the above procedure, removal of a planning commissioner shall be governed by the procedures in ORS 227.030. Hearings under ORS 227.030 are hereby delegated by the governing body to a hearings officer designated by the city council. (Ord. 2017-05 § 1)

### **2.06.040 Public meetings and public records law.**

All meetings of appointive bodies are subject to strict compliance with public meeting laws of the state of Oregon. Notice of meetings shall be sent to the media group, including a newspaper with general local circulation. Public notice may also be posted on the city's website. In the case of emergency or when a state of emergency has been declared, notice appropriate to the circumstances shall be provided and reasons justifying the lack of 36-hour notice shall be included in the minutes of such meeting. Agenda packets, materials and minutes must be retained in accordance with applicable public records law and retention schedule. (Ord. 2017-05 § 1)

### **2.06.045 Hearings officer appointment.**

When a quasi-judicial appeal has been filed and an appointive body lacks sufficient members to conduct business, or when an appointive body requests assistance from the city manager on a complicated matter, the city manager is authorized to designate a city hearings officer to conduct the hearing and prepare a recommended order for the manager's or appointive body's consideration in making the decision. In the alternative, the city hearings officer, in appropriate circumstances, may conduct the hearing and make the decision. Such hearing shall be conducted consistent with the Uniform Administrative Appeals Ordinance.

Notwithstanding this delegation, the city council may also by written order or resolution specify use of a hearings officer for individual appeals, or for classes of appeals in their sole discretion, with due consideration of budgeting. (Ord. 2018-11 § 1)

### **2.06.050 Election of officers, secretary and subcommittees.**

At its first meeting of the year the appointive body shall elect officers, including a chair and a vice chair who shall hold office at the pleasure of the body. Neither the chair nor vice-chair shall serve as an officer for more than two consecutive years. Without the need for an appointment, the head of the city department staffing the appointive body shall be the secretary and shall be responsible for keeping an accurate record of all proceedings. The department head may delegate such tasks to a staff liaison. The department head or staff liaison shall consult with the city recorder and city attorney regarding matters such as public meeting notice, minutes, and records retention. Subcommittees may be formed by an appointive body for the purpose of gathering information and forming a recommendation to be brought forward to the full appointive body; however, only the full body can make recommendations to the city council. Subcommittees must comply fully with the requirements of the Oregon Public Meetings Law. (Ord. 2017-05 § 1)

### **2.06.055 Role and time commitment of staff.**

At least one staff person shall be assigned to work with each regular appointive body. The city manager shall appoint a department head as staff liaison for each regular appointive body.

The

department head may delegate the staff liaison to a designee. Ad hoc entities are governed by the resolution creating them and do not have dedicated staff. The staff liaison provides professional guidance, continuity, and insight into city policy and attends all regular and special meetings and workshops. The staff liaison is not the employee of the appointive body or supervised by the body but supports the body as a whole. The staff liaison shall not do work at the request of individual members. Each staff liaison has a limited amount of time to devote to the appointive body. If additional staff time is needed the request should be made to the city manager. (Ord. 2017-05 § 1)

### **2.06.060 Agendas, minutes, order of proceedings.**

A. The staff liaison, after consultation with the appointive body chair, will be responsible for the agenda of all meetings of their respective appointive bodies. A member or staff liaison will be responsible for taking minutes. All meetings shall be noticed in accordance with the Oregon Public Meetings Law. Agendas, minutes and supporting packets will be posted on the city's website, when possible. Staff will email or mail documents to members upon request. Public review copies shall be available at the appropriate city department.

B. In the conduct of the business of the appointive body, the order of business shall be substantially as follows:

1. Roll call;
2. Pledge of allegiance;
3. Consent agenda;
4. Public hearings;
5. Appointive body deliberations;
6. Presentations;
7. Special order of business action items, if any;
8. Reports from city staff;
9. Comments by city appointive body members;

## 10. Adjournment.

Nothing in this section prohibits appointive bodies from holding public hearings or requesting public input on appointive body agenda items within the scope of their delegated authority. (Ord. 2018-11 § 2; Ord. 2017-05 § 1)

### **2.06.065 Powers and duties.**

A. The powers and duties of the respective appointive bodies are set forth in the Chapters 2.08 through 2.70 LCMC. Subject to approval of the public contracting officer, appointive bodies with quasi-judicial decision making authority are authorized to delegate, by majority vote, the conduct of the hearing and drafting of a recommended order to a qualified hearings officer. In addition, if the respective appointive body is without a quorum or otherwise unavailable to render a timely decision, the contracting officer is authorized to refer a quasi-judicial matter to a hearings officer for hearing and final decision or recommendation.

B. Appointive bodies cannot enter into contracts on behalf of the city. However, nothing herein prohibits staff from involving an appointive body in selection processes provided the appointive body makes only a recommendation on a contract award.

C. Appointive bodies are encouraged to review their powers and duties on an annual basis. After review of such powers and duties, appointive bodies should establish annual goals and action items that reflect the body's charge as stated in the specific code authorization for the body. Appointive bodies are expected to suggest, support, and advance council goals and are encouraged to look for ways within their own unique responsibilities to do so. (Ord. 2017-05 § 1)

### **2.06.070 Rules for conduct of business.**

All appointive bodies are authorized to adopt such rules of procedure as are necessary for the conduct of their business, such as the conduct of meetings, when not inconsistent with the Charter, the code, or Oregon law. These rules of procedure may be less formal than Robert's Rules of Order. In the event of conflicts that cannot be resolved less formally, Robert's Rules of Order may be used as the standard for meeting rules and procedures. Failure to strictly follow Robert's Rules of Order shall not be cause to void or otherwise disturb a decision or action. The body will strive to be clear in its proceedings. (Ord. 2017-05 § 1)

### **2.06.075 Appointive body members – Ethics and code of conduct.**

A. General Policy. The city of Lincoln City is committed to the highest ethical standards for its public officials, including appointive officers. To ensure public confidence, all members of appointive bodies (commissions, boards and the like) must be independent, impartial, responsible and not use their position for personal gain or to benefit or harm others. Members of appointive bodies shall operate in the general public interest serving the community as a whole and shall serve no special interests. Appointive officers shall not endorse in their official capacity any commercial product or enterprise. Except for authorized reimbursements, appointive body members shall not receive a salary or any payment for material or services provided to the appointive body. Notwithstanding the above, the city council may provide volunteers with certain fringe benefits (e.g., community center privileges) in accordance with adopted policy. Appointive body members should be familiar with the criminal codes, ethics and conflict of interest laws set forth in state statutes and city ordinances.

B. Respect for the Form of Government – Noninterference.

1. The City Charter establishes a council-manager form of government. Essentially, a professional manager is charged with the administration of city government. An appointive body member has no supervisory authority over city staff. An appointive body member shall not coerce or attempt to coerce the manager or any other city employee in carrying out their duties. An appointive body member shall not coerce or attempt to coerce the manager or any other city employee in making an appointment or promotion or in the removal or discipline of an officer or employee. An appointive body member shall not coerce or attempt to coerce the manager or any other city employee in purchasing equipment, services or supplies. A violation of this section may occasion the censure or removal from appointive office of the offending member, by the city council, or by a court of competent jurisdiction.

2. Appointive body members shall respect the separation between policymaking, which is a city council function, and administration, which is the city manager's function. While the city council may request recommendations from appointive bodies on policy, city administration is reserved to the city manager. The city manager is the administrative head of the city government and receives policy direction from the elected governing body – not from appointive bodies.

a. Guidelines for staff:

- i. Staff shall respect the roles and responsibilities of appointive body members.
- ii. All written informational material requested by individual members will be submitted by staff to the entire appointive body.

iii. Staff shall not attempt to influence individual members concerning city business.

b. Guidelines for appointive body members:

i. Work with the staff as a team with a spirit of mutual respect and support.

ii. Do not attempt to influence the city manager, department head, or city staff concerning personnel matters, purchasing issues, contracts, the selection of consultants, the processing of development applications, granting of licenses and permits, or any other matter under the direction of the city manager.

iii. Limit individual contacts with city officers and employees so as not to influence staff decisions or recommendations, interfere with staff work performance, undermine the authority of supervisors, or prevent the full appointive body from having the same benefit of information received.

iv. Respect roles and responsibilities of staff, refrain from appearing to take a supervisory role, such as expressing critical opinions in a public meeting or in correspondence including electronic mail messages.

C. Prohibited Political Activity. Appointive body members are included in the definition of “public employee” for purposes of ORS 260.432(2). ORS 260.432(2) provides:

(2) No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.

While on the job, during working hours, any comment or suggestion to fellow employees or the public to vote a certain way is prohibited, even if it does not interfere with the performance of duties of the employee or other employees. Politically related activities such as fundraising, soliciting volunteer help on political campaigns or disseminating partisan election material is prohibited while on the job during working hours.

D. Ethics.

1. Appointive body members shall be familiar with and observe the requirements of the state of Oregon Ethics Law (ORS 244.010 through 244.400) dealing with the use of public office for private financial gain.

2. Generally, conflicts of interest arise in situations in which an appointive body member in a quasi-judicial proceeding has a potential or actual financial (pecuniary) interest in

the matter before the appointive body. Under Oregon Government Ethics Law, a member shall publicly disclose a potential or actual conflict of interest and, in the case of an actual conflict of interest, must step down and not participate in the matter.

3. Although a determination of conflict of interest is a personal member decision, any member may seek the advice of the city attorney prior to disclosure of any potential or actual conflict of interest.

#### E. Member Responsibility for Public Records and Public Meetings.

1. Public Record Defined. A public record includes any document, book, paper, photograph, file, sound recording, machine readable electronic record, electronic communications, or other material, regardless of physical form or characteristics, made, received, filed or recorded in connection with the transaction of public business, whether or not confidential or restricted in use. For purposes of these rules, "electronic communications" means email, text messages or other forms of communications transmitted or received by technological means. "Electronic communications devices" means desktop or laptop computers, Blackberries, cellphones, notebooks, tablets, pads, or other similar devices capable of transmitting or receiving messages electronically.

2. Electronic Records. All communications on electronic communications devices have the same public records character as they would have had they been sent on paper. Any electronic communications that may be exempt from disclosure under Oregon Public Records Law should be clearly marked as confidential and exempt from disclosure. Electronic records in any way relating to the business of the city created on electronic communication devices not owned or provided by the city are subject to review and disclosure under Oregon Public Records Law. Electronic records, including emails sent and received on city systems, are the property of the city and public records. Members should assume that most correspondence about city business, even if contained on personal electronic communication devices, is a public record subject to disclosure. There is no protected right of privacy if the electronic record is a public record. Unless the city attorney determines a records exemption applies, on an individual case basis, members should assume no privacy right in these areas.

3. Retention. Public records created or received by appointive body members, including electronic communications, shall be retained in accordance with Oregon Public Records Law and the rules of the Secretary of State and State Archivist. To this end, members shall use only official city email addresses for the conduct of city business. If members inadvertently receive electronic communications concerning city business on personal electronic communication devices, members shall forward such public records to their official email addresses for retention. Members shall reply to such messages by

directing the sender to the official city email address. Similarly, all written public records should be in the possession of the city. Members shall annually turn into the city recorder any written and electronic records for retention. The city recorder shall establish a schedule for appointive bodies to turn in such public records and members shall comply with such schedule.

4. Public Meetings. Under the Public Meetings Law, any time a quorum of the appointive body meets to make a determination or gather information, a “public meeting” may be presumed to occur. Members shall therefore avoid inadvertent electronic meetings by limiting use of electronic communication. Email is best utilized for communications with staff. Serial meetings violate Public Meetings Law.

F. Fair and Equal Treatment.

1. Interest in Appointments. Canvassing of members of the council or mayor, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to the city service shall disqualify the candidate for appointment.

2. Use of Public Property. No appointive body member shall request or permit the use of city-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such member in the conduct of official business or as a specifically defined benefit.

3. Obligations to Citizens. No appointive body member shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen except as otherwise permitted by law or ordinance.

E. Gifts. No appointive body member shall solicit or accept gifts, favors, services, compensation, retainers or promises of future employment from a source with a legislative or administrative interest in the performance of his/her official duties or in anticipation of official action to be taken by the public official or by the city. For purposes of this provision, “gift” means something of economic value given to a public official, a candidate or a relative or member of the household of the public official. An appointive body member may not accept a gift from a source with a legislative or administrative interest in the member’s official duties if the gift has a value in excess of \$50.00 or smaller gifts from a single source with an aggregate value exceeding \$50.00 in the course of a calendar year. (See ORS 255.025.)

F. Other Applicable Law. The code of conduct is not intended to replace or supersede applicable federal or state laws, regulations, city ordinances or provisions of the Lincoln City Charter (Charter). In the event of any conflict between the ordinance codified in this section and rules adopted by appointive bodies, the provisions of the ordinance shall prevail.

## G. Violations.

1. Authority. If a member of an appointive body violates state law, city ordinances or the code of conduct applicable to governing bodies, the city council may take action to protect the integrity of the city and discipline the appointive body member with a public reprimand, censure, citation or removal from office.
2. Investigation. The council may investigate the actions of any appointive body member and may meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of local ordinance or state laws has occurred. Sufficient notice must be given to the appointive body member to afford them the opportunity to request an open hearing.
3. Due Process and Sanctions. Due process requirements of notice and the opportunity to be heard will be met with regard to any proceeding to reprimand, censure or remove a member. No matter discussed or disclosed in executive session may be discussed or disclosed in any reprimand, censure, or removal proceeding, except by approved motion of the city council and upon advice of the city attorney. Sanctions should be generally geared towards changing problem behavior rather than punitive in nature, and measured against the severity and frequency of the violation(s) and the impact on the city organization and/or council operations and effectiveness.
4. Citation. The city governing body, exclusively, may, by motion, initiate a violation citation against a member pursuant to Chapter 1.16 LCMC for violation of council rules. The general penalty provisions of LCMC 1.04.065 shall apply to any such violation. For continuing violations, each day the offense continues shall be a separate offense. (Ord. 2023-03 § 1; Ord. 2017-05 § 1)

### **2.06.080 Deliberation.**

It is the duty of the chair or presiding officer to ensure that each member has the opportunity to speak. Members speak only for themselves and shall be open, direct and candid. Members shall strive to deliberate to a decision and shall rely upon the chair to keep the discussion moving. (Ord. 2017-05 § 1)

### **2.06.085 Council as final decision maker.**

With the exception of certain delegated quasi-judicial actions, most appointive bodies do not make final decisions subject to appeal but rather make recommendations to, or act in an advisory capacity to, the city council. The city council is the final decision maker on all city

policies and the use of city property and resources. Proposals by appointive bodies for endorsement or sponsorship of events, activities or programs must receive approval by city council or such matters must be formally delegated to the appointive body or manager. (Ord. 2017-05 § 1)

### **2.06.090 Gifts.**

Subject to the acceptance of the city council, an appointive body may receive gifts, bequests or devises of property in the name of the city to carry out any of the purposes of the appointive body, which funds, if required by the terms of the gift, bequest or devise, shall be segregated from other funds for use with the approval of the city council. (Ord. 2017-05 § 1)

### **2.06.095 Budget, compensation and expenses.**

Public funds are generally set aside in departmental budgets for appointive body expenses. Should an appointive body require additional funds, requests should be submitted to the department through the staff liaison. Regular and ad hoc members of the appointive bodies shall receive no compensation for services rendered. Members must receive permission and instructions from the respective staff liaison in order to be reimbursed for training or conferences and associated travel expenses related to official business. Procedures and criteria for approval of expenditures are established by the responsible department head and finance department. (Ord. 2017-05 § 1)

### **2.06.100 Reports to council.**

Each appointive body shall report to the city council upon the request of the city council or city manager. Council expects quarterly reports, but there shall be no less than one report per fiscal year. Staff liaisons for appointive bodies shall submit copies of its minutes to the city recorder for review by council and shall prepare and submit such reports as from time to time may be requested by the city council. Unless otherwise expressly provided in the Lincoln City Municipal Code or Oregon Revised Statutes or Administrative Rules, all reports or recommendations of city appointive bodies shall be considered advisory in nature and shall not be binding on the city. (Ord. 2017-05 § 1)

### **2.06.105 Lobbying and representing the city.**

Members shall only represent the opinion or position of the appointive body if specifically authorized by the full membership at a duly advertised public meeting. Unless specifically

directed by the city council to state the city's official position on federal, state or county legislative matters, no lobbying before other elected bodies or entities will be undertaken by members of appointive bodies. An individual member is free to voice a position on any issue as long as it is made clear that the speaker is not speaking as a representative of the city of Lincoln City or as a member of an appointive body. Appointive body members are prohibited from engaging in political activity in accordance with ORS 260.432. (Ord. 2017-05 § 1)

## Chapter 2.08 PLANNING COMMISSION

Sections:

**2.08.010 Established.**

**2.08.015 Serving as the committee for citizen involvement.**

**2.08.020 Membership.**

**2.08.030 Appointment – Four-year term of office.**

**2.08.035 Qualifications.**

**2.08.040 –**

**2.08.070 *Repealed.***

**2.08.080 Powers and duties.**

**2.08.090 *Repealed.***

### **2.08.010 Established.**

There is reestablished a city planning commission for the city. (Ord. 2017-05 § 3; Ord. 78-41 § 1)

### **2.08.015 Serving as the committee for citizen involvement.**

After compliance with Goal 1 notice and explanation to the Department of Land Conservation and Development, the planning commission may act as the committee for citizen involvement (CCI). In the event the planning commission is selected to serve as the CCI, the commission shall act in accordance with council resolutions setting forth the citizen involvement program, as they may be amended. (Ord. 2017-05 § 3)

### **2.08.020 Membership.**

The commission shall consist of seven members who are not officials or employees of the city. (Ord. 2017-05 § 3; Ord. 78-41 § 2)

### **2.08.030 Appointment – Four-year term of office.**

A. Commission members shall be appointed by the city council. Planning commissioner terms shall commence on January 1st of the first year of each term. The term of office of a planning commissioner shall be four years, or until an incumbent's successor is appointed and qualified. However, the initial reappointments under this chapter of some members shall be for shorter terms in order to establish an approximately equal number of expiring terms every calendar year.

B. All vacancies in office will be filled following an open application process. The process will include public notice by the city of the vacancy and request for applications. Following receipt of applications the city council will invite each applicant to be interviewed at the next regular meeting of the city council. Members shall be appointed by the city council following the interviews. (Ord. 2017-05 § 3; Ord. 84-13 § 1; Ord. 78-41 § 3)

### **2.08.035 Qualifications.**

To be eligible for appointment to and continued service on the planning commission, a person at the time of appointment and throughout his or her term of service must be a qualified elector within the meaning of the state Constitution and reside in the city. Notwithstanding the provisions of this section, the city council may appoint two members to the commission who are qualified electors and reside in the urban growth boundary of the city, but do not reside in the city; provided, that the other five commission seats are filled by city residents. No more than two voting members of the commission may engage principally in the buying, selling, or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation, that engages principally in the buying, selling, or developing of real estate for profit. No more than two members shall be engaged in the same kind of occupation, business, trade, or profession. The members of the commission shall serve at the pleasure of the council. (Ord. 2017-05 § 3; Ord. 91-26 § 1)

### **2.08.040 Vacancies.**

*Repealed by Ord. 2017-05. (Ord. 91-26 § 2; Ord. 78-41 § 4)*

### **2.08.050 Presiding officers.**

*Repealed by Ord. 2017-05. (Ord. 78-41 § 5)*

## **2.08.060 Staff services.**

*Repealed by Ord. 2017-05. (Ord. 78-41 § 6)*

## **2.08.070 Meetings.**

*Repealed by Ord. 2017-05. (Ord. 78-41 § 7)*

## **2.08.080 Powers and duties.**

The commission shall have the powers and duties which are now or may hereafter be assigned to it by the city Charter, comprehensive plan, ordinance, resolution or order of the city, and general laws of the state. For reference, ORS 227.090 provides:

ORS 227.090 Powers and duties of Commission.

(1) Except as otherwise provided by the City Council, a City Planning Commission may:

(a) Recommend and make suggestions to the Council and to other public authorities concerning:

(A) The laying out, widening, extending and locating of public thoroughfares, parking of vehicles, relief of traffic congestion;

(B) Betterment of housing and sanitation conditions;

(C) Establishment of districts for limiting the use, height, area, bulk and other characteristics of buildings and structures related to land development;

(D) Protection and assurance of access to incident solar radiation; and

(E) Protection and assurance of access to wind for potential future electrical generation or mechanical application.

(b) Recommend to the Council and other public authorities plans for regulating the future growth, development and beautification of the City in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of public utilities and telecommunications utilities, including appropriate public incentives for overall energy conservation, and harbor, shipping and transportation facilities.

(c) Recommend to the Council and other public authorities plans for promotion, development and regulation of industrial and economic needs of the community in respect to industrial pursuits.

(d) Advertise the industrial advantages and opportunities of the City and availability of real estate within the City for industrial settlement.

(e) Encourage industrial settlement within the City.

(f) Make economic surveys of present and potential industrial needs of the City.

(g) Study needs of local industries with a view to strengthening and developing them and stabilizing employment conditions.

(h) Do and perform all other acts and things necessary or proper to carry out the provisions of ORS 227.010 to 227.170, 227.175 and 227.180.

(i) Study and propose such measures as are advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City and of the area within six miles thereof.

(Ord. 2017-05 § 3; Ord. 78-41 § 8)

## **2.08.090 Rules of procedure.**

*Repealed by Ord. 2017-05. (Ord. 78-41 § 9)*

City of Lincoln City  
**PLANNING COMMISSION COMMUNICATION**

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**Commercial Space Inventory**

Meeting Date: February 20, 2024  
Department: Planning & Community Development  
Staff Contact: Richard Townsend  
Phone/Email: [rtownsend@lincolncity.org](mailto:rtownsend@lincolncity.org)  
541-996-1228

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**ISSUE STATEMENT**

The Planning & Community Development Department conducted an inventory of available commercial space on an annual basis from 2000 through 2019, and recently completed an inventory for 2023.

**ACTION REQUESTED**

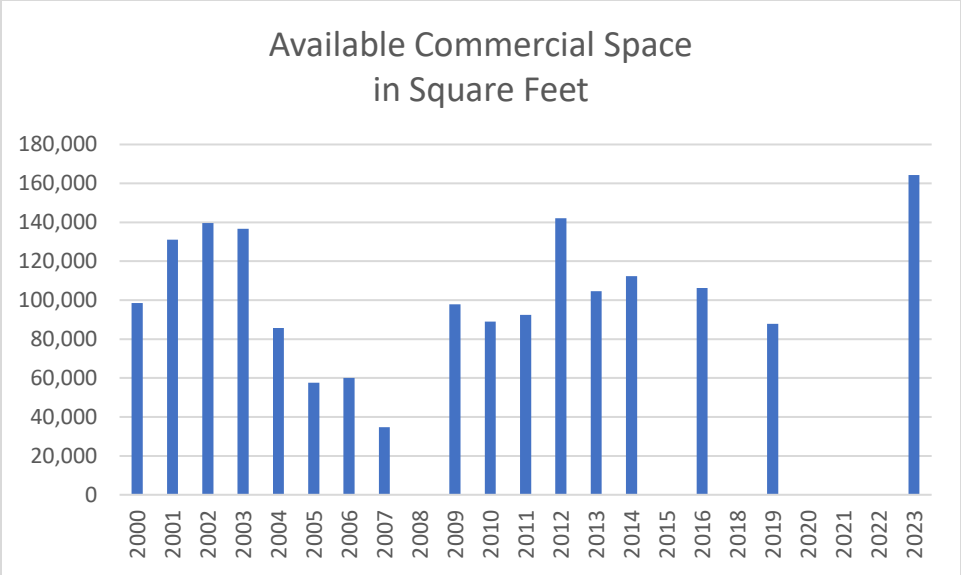
None. For information purposes only

**AUTHORITY**

Not applicable.

**BACKGROUND INFORMATION**

This year's inventory indicates approximately 164,266 square feet of commercial space is available for lease or purchase. This is the highest number we have recorded. One should note that this total includes 17,840 square feet presently occupied by Rite-Aid, but since the owners have listed it as available we have included it. The total does not include the former Bi-Mart space at Lighthouse Square, which currently is being remodeled for a food store and consequently is unavailable. As shown in the graph below, the amount of available commercial space has varied widely over the years we have been tracking it. Where the graph does not show a data bar for a year the department did not conduct an inventory.



**OPTIONS**

Read and discuss the information attached.

**SUGGESTED MOTION**

None.

**NEXT STEPS**

TBD

**ATTACHMENTS**

- 1. Commercial Space Inventory

## ATTACHMENT 1

Street Address	Tenants	Spaces	Vacant?	AVAILABLE	Sq Ft	Rent	Sale Price
<b>NE HWY 101</b>							
934 NE Hwy 101	Telephone Co/Century Link	2	1	NA	9,000		
1032 NE Hwy 101	Residential home	2	2	NA	1,128		
1338 NE Hwy 101	Former Charter Comm	1	1	1	2,800		\$ 575,000
1528 NE Hwy 101	Happy Hut	1	1	NA	600		
2016 NE Hwy 101	Commercial space	1	1	NA	950		
2140 NE Hwy 101	Vikki's Haircuts & Styles; vacant	2	1	1	850	\$ 1,800	
2166 NE Hwy 101	Former Beauty Salon	1	1	1	700	\$ 825	
2424 NE Hwy 101	Former Chevron Gas Station	1	1	1	1,710		\$ 2,000,000
2600 NE Hwy 101	Commercial spaces	5	2	2	1,700	NA	
<b>NW HWY 101</b>							
549 NW Hwy 101	Seven Gables	1	1	1	600		
1843/1845 NW Hwy 101	Jaime Lim property	2	2	NA	1,500		
2149 NW Hwy 101	Retail spaces (Azure Shores/Float)	2	2	2	1,200	\$ 1,400	
2219 NW Hwy 101	Vacant (finishing up building permit)	1	1	1	1,000		
2403 NW Hwy 101	Lower level office space	1	1	1	1,400	\$10/sf + NNN	
4151 N Hwy 101	Lighthouse Square (Old BiMart bldg)	6	4	4	48,547	NA	
4157 N Hwy 101	Lighthouse Square (McMenamins bldg)	9	1	1	1,115	NA	
<b>SE HWY 101</b>							
316 SE Hwy 101	Oldeline Lanes	1	1	9	9,248		
1550 SE Hwy 101	Vacant, derelict	1	1	9	2,016		
3854 SE Hwy 101	Vacant residence	1	1	NA			
4756 SE Hwy 101	Tavern (remodeling permit in)	1	1	1	1,612		
4794 SE Hwy 101	Vacant, for sale	1	1	1	2,200		\$ 375,000
4840-4850 SE Hwy 101	Commercial Spaces	5	1	NA			
<b>SW HWY 101</b>							
317 SW Hwy 101	Restaurant remodel	1	0	NA			
801 SW Hwy 101	City Hall, McKay's	4	1	NA			
1405 SW Hwy 101	NW Natural	1	0	NA	8,562		
2215 SW Hwy 101	Bob's Small Engine Repair	1	1	NA	1,852		\$ 470,000
3251 SW Hwy 101	Chocolate at the Beach	1	1	1	2,000		
4787 SW Hwy 101	Commercial Spaces	3	3	3	11,325		\$ 895,000
5111 SW Hwy 101	Commercial Space	1	1	1	6,702		\$ 599,000
6019 SW Hwy 101	Crab Shack (Vacant)	1	1	1	1,014		
6305 SW Hwy 101	Builders First	1	1	1	3,400		
<b>OTHER STREETS/NORTHWEST</b>							
1414, 1426 NW 15th St	Residence	1	1	NA			
1543 NW19th St	Pacific Wave (Ste A)	2	0	NA	7,405		\$ 750,000
4041 NW Logan Rd	RiteAid (in LC Plaza)	1	0	1	17,840	\$15/sf + NNN	
<b>OTHER STREETS/SOUTHEAST</b>							
1500 SE East Devils Lk Rd	Lincoln City Outlets	53	2	2	12,550	NA	
<b>OTHER STREETS/SOUTHWEST</b>							
914 SW 4th St	TND Fire Station	1	1	1	1,740		RFP
<b>TOTAL VACANT SQ FT</b>					164,266		