



AGENDA

Lincoln City Planning Commission
Tuesday, July 18, 2023, 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 - Apr 18, 2023 6:00 PM

2.2. Planning Commission - Workshop - Apr 18, 2023 6:30 PM

2.3. Planning Commission - Workshop - Jun 22, 2023 5:00 PM

2.4. FR 2023-06 for CPA ZC 2023-05

3. PUBLIC HEARINGS/DELIBERATIONS

3.1. ZOA 2023-03 Miscellaneous Items

3.2. Nelscott Urban Renewal (Tax Increment Finance) Area

3.3. Fernwood Second Amendment

4. DIRECTOR'S REPORT

5. COMMENTS BY PLANNING COMMISSIONERS/CIC

6. ADJOURN

Individuals wishing to attend via Zoom must email 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. 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.

All information for this meeting is available at www.lincolncity.org under "Government" then select "Public Meeting, Agendas, Packets & Video". This meeting will be televised live on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour.

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.

**LINCOLN CITY PLANNING COMMISSION
MINUTES
April 18, 2023**

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

Attendee Name	Title	Status	Arrived
Brian Bunnett	Commissioner	Present	
Mellissa Sumner	Commissioner	Excused	
Marci Baker	Commissioner	Present	
Robert Vincent	Chair	Present	
Kim Blackerby	Commissioner	Present	
Charlsy Affuso	Commissioner	Present	

2. CONSENT AGENDA

Commissioner Kim Blackerby noted that he had provided minor edits to staff for both sets of minutes. Ms. Riner concurred that the changes would be made.

MOTION:	Approve the items on the consent agenda consisting of minutes from the March 21, 2023 Planning Commission meeting and the March 23, 2023 Planning Commission work session
MOVER:	Bunnett
SECONDER:	Vincent
AYES:	Bunnett, Baker, Vincent, Blackerby
ABSTAIN:	Affuso
EXCUSED:	Sumner
RESULT:	Passed

3. PUBLIC HEARINGS/DELIBERATIONS

3.1. CPA ZC 2023-05 (continued from March 21, 2023)

Chair Robert Vincent opened the public hearing for CPA ZC 2023-05 and read the required statements. Director Anne Marie Skinner provided the applicable substantive criteria and reviewed the updated staff report. Based on an additional review of the natural resource assessment and testimony provided at the March 21st public hearing, staff recommended that the property be changed to Open Space zoning, instead of Park.

Responding to a question from Commissioner Blackerby, Director Skinner stated that the Economic Development Director also concurred with the zone change to Open Space.

No one from the audience chose to speak.

Commissioner Charlsy Affuso moved to close the public hearing, seconded by Commissioner Blackerby and approved by the Commission.

Commissioner Marci Baker moved to recommend approval to City Council of CPA ZC 2023-05 from R-1-7.5 to Open Space, seconded by Commissioner Blackerby. The motion passed unanimously.

MOTION:	Recommend approval of CPA ZC 2023-05 for a zone change from R1-7.5 to Open Space
MOVER:	Baker
SECONDER:	Blackerby
AYES:	Bunnett, Baker, Vincent, Blackerby, Affuso
EXCUSED:	Sumner
RESULT:	Passed

4. **DIRECTOR'S REPORT**

Director Skinner provided an update regarding the Overlook Subdivision. The existing home on the site is undergoing improvements. The subject property approved for a recent Natural Resource Variance by the Planning Commission earlier in 2023 was the subject of a Pre-Application Conference, signaling that the project is moving forward.

Responding to a question from Commissioner Bunnett regarding the Overlook Subdivision, Director Skinner stated that the location was in the Roads End area. Commissioner Blackerby added that the site is just past the sharp turn on Logan Road just past Safeway.

5. **COMMENTS BY PLANNING COMMISSIONERS/CITIZEN INVOLVEMENT COMMITTEE**

There were no comments by Planning Commissioners. Director Skinner stated that the next regular meeting of the Planning Commission was scheduled for Tuesday, May 16th. Currently there is one agenda item, a zoning ordinance amendment which will require a public hearing. A work session is scheduled to follow the regular meeting at 6:30 pm.

6. **ADJOURN**

Respectfully submitted,

Anne Marie Skinner
Planning Director

Robert Vincent
Chair

**LINCOLN CITY PLANNING COMMISSION WORK SESSION
MINUTES
April 18, 2023**

I. CALL TO ORDER, ROLL CALL

Commissioner Bunnett shared a recent newspaper article that cited a housing update provided by Director Skinner and Director Robertson to the Lincoln City City Council. Director Skinner stated that she would provide additional details to the Planning Commission for the May meeting.

Attendee Name	Title	Status	Arrived
Brian Bunnett	Commissioner	Present	
Mellissa Sumner	Commissioner	Excused	
Marci Baker	Commissioner	Present	
Robert Vincent	Chair	Present	
Kim Blackerby	Commissioner	Present	
Charlsy Affuso	Commissioner	Present	

II. DISCUSSION ITEMS

2.1. Economy and Urbanization component

Director Skinner read the first draft of the introductory paragraphs and the goal for the chapter on economic development and urbanization, and opened up the discussion.

Commissioner Baker stated that there was community feedback relating to the desire for more opportunities for local youth to find employment nearby, and for families to be able to remain in Lincoln City. She wondered if there could be an objective to incorporate youth and local entrepreneurship. She also suggested adding a reference to the Small Business Development Center and the Bay Area Merchants Association (BAMA) to policy/objective #2.

Commissioner Blackerby suggested adding entrepreneurship opportunities accessible to local youth within policy/objective #1.

Director Robertson suggested adding a new policy/objective to foster living wage job growth and making it policy/objective #1.

Commissioner Baker added that it will be important to reflect the need for a variety of job types, including entry-level and part-time work, in addition to family wage jobs. She supported adding sample objective #8 which states: "Develop partnerships to foster a culture of creativity and entrepreneurship to encourage the establishment and growth of commerce and industry."

Director Robertson made a suggestion to revise policy/objective #4 to incorporate city and urban renewal agency references.

Commissioner Blackerby asked a question about whether there is a current trend in the state towards expanding urban growth boundaries. Director Skinner stated that there is a current discussion about amending the process cities need to follow to expand their urban growth

boundaries, as it is presently a complex and burdensome work effort. Commissioner Affuso added that the governor has considered a potential emergency action to expand urban growth boundaries to more effectively address the ongoing housing crisis. Director Robertson stated that city staff have discussed this issue and agree that expanding the Lincoln City urban growth boundary to accommodate housing is not necessary at the current time.

Commissioner Bunnett questioned whether the policy/objective relating to housing is appropriate in the chapter on economic development. Director Skinner stated that the issue of housing is important enough that it merits repetition within other chapters. Ms. Riner suggested reworking the text to emphasize the economic development benefit that housing provides. Commissioner Affuso added that we can't add good jobs if we don't have places for people like nurses and teachers to live. Commissioner Blackerby stated that having some repetition of core issues makes sense.

Commissioner Baker suggested adding sample objective #10, which states: "Foster a culture of creativity by working with partners to support the local workforce in obtaining technical and employability skills, recruiting out-of-area talent and supporting the needs of an innovative workforce."

Commissioner Bunnett provided a handout that summarized his comments for three of the chapters, including economic development and urbanization. He stated that he felt the goal as written was weak, suggested replacing the term "consider" with a stronger verb, and eliminating "to" at the beginning of all the goals. He also wanted to add a policy/objective to address the issue of community appearance, which was supported by the rest of the commission. Commissioner Baker suggested making it more of an objective to incentivize the improvement of private property through programs or events, reflecting community values.

Director Robertson suggested edits to clarify the relationship of the urban renewal agency to the city, or to remove the reference to the urban renewal agency.

Commissioner Baker requested clarification and/or changes to the first sentence of the introduction. Director Robertson supported the identification of retirees as an important component of our local economy.

2.2. Coastal Resources component

Director Skinner introduced the second draft of the coastal resources chapter, which covers the statewide goals for estuarine resources, coastal shorelands, beaches and dunes, and ocean resources.

Responding to a question from Commissioner Bunnett, Commissioner Baker provided a general description of "foredune" as the edge of the highest tide and the beginning of beach vegetation.

The commissioners reviewed the two goal statement options provided, and developed a hybrid goal that states: "Conserve, protect, where appropriate develop and where appropriate restore the significant coastal resources of our community, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water dependent uses, economic resources, recreation, and aesthetics."

Commissioner Blackerby suggested adding a reference to the biosphere and marine reserve to the first paragraph of the introduction, and removing the reference to open dune sand in the last paragraph. The last sentence of that paragraph would stay. He also supported the five suggested additions to the policies/objectives with minor edits he presented via a copy of his notes.

Commissioner Baker questioned policy/objective #6 regarding breaching of foredunes. Director Skinner stated that since that area is already restricted from development that the entire statement could be eliminated. Ms. Baker also suggested adding a reference to D River within policy/objective #3, and adding a climate change objective. Director Skinner agreed that this chapter should include a climate component since the ocean resources are the most vulnerable to rising sea level and other impacts. Commissioner Blackerby cited a previous objective that had been moved, but that could be retained in the coastal resources chapter.

Commissioner Baker supported the addition of a policy/objective regarding beach safety, such as the fifth bullet under “possible additions.” Commissioner Blackerby suggested emphasizing increased education and information in support of beach safety.

2.3. Natural Resources component

Commissioner Blackerby suggested adding a reference to the biosphere reserve to the introduction, and removing the term “permanent residents” from the description of Taft Pioneer Cemetery.

Commissioner Baker supported stronger language for the goal, to emphasize a more proactive and aspirational approach to natural resource protection. Director Skinner suggested replacing “considers” with “protects, conserves and preserves.” To make it somewhat stronger, the commissioners suggested adding the term “proactive” to the goal.

Commissioner Bunnett provided an edit to the second paragraph of the introduction, to say “as well as,” and replacing “consider” with “investigate” to the first policy/objective within the energy category.

Commissioner Bunnett also wanted to add a specific objective to address the proliferation of litter, especially in those areas where people first enter the city. Commissioner Affuso asked whether the comprehensive plan is the appropriate place to address illegal behaviors. Commissioners Blackerby and Baker supported a more community-wide emphasis towards waste reduction and stewardship through partnerships with businesses, volunteers, and the community. The other commissioners concurred, and Director Skinner agreed to add a new policy/objective. She also asked the commissioners if policy/objective #3 around enforcing property maintenance codes should revisit the current complaint-based approach. All of the commissioners present supported a more proactive approach to code enforcement.

Commissioner Baker asked about the discussion in the previous work session about watershed protection. Director Skinner reported that this work will be incorporated into the water management plans which are included by reference in the comprehensive plan (natural resources policy/objective #2).

Commissioner Baker also suggested revisions that would strengthen natural resources policy/objective #5, using the words prevent, protect, and/or preserve instead of minimize and

avoid. She also suggested adding a reference to vehicles and equipment within energy policy/objective #1, and to go beyond investigation to implementation.

Commissioner Blackerby suggested broadening Natural Resource policy/objective #1 to include all drainageways within the city, and adding runoff.

Director Robertson suggested changing the order of the policies/objectives to follow the title of the chapter, starting with natural resources, followed by energy, scenic, and then historic resources. This was supported by the commissioners.

2.4. Citizen Involvement draft

Director Skinner provided an overview of the third draft of the citizen involvement chapter, again clarifying the differences between the citizen involvement chapter within the comprehensive plan and the subsequent development of the citizen involvement plan, which is specifically described within policy/objective #2.

Commissioner Baker asked whether the comments which have been deleted from the comprehensive plan are being tracked and catalogued for use by the commissioners in that next phase. She added that she had listened to the audio of the previous work session, although it was extremely difficult to follow the discussion due to poor audio and lack of video. Director Skinner stated that all of the commissioners comments were being retained for future development of the citizen involvement program.

Commissioner Baker suggested that text from the second paragraph of the introduction be moved to policy/objective #2 to identify more specific outcomes of the community involvement program.

Commissioner Baker expressed her concern that the term “educate” was in any way controversial, and asked if the commission fully agreed with removing the term. Commissioner Blackerby also wanted to expand the goal from simply informing the public, but also by providing opportunities to learn. Ms. Riner acknowledged that she had a bias against using the term in planning documents because it is often perceived negatively and patronizing coming from public agencies. Ms. Baker shared the definition for educate, which means to enhance the mental, moral, and social capabilities, which goes beyond informing and engaging. She suggested the goal incorporate the message to facilitate understanding. She also supported using “engage” instead of “involve” throughout.

Commissioner Baker requested that policy/objective #2 address the importance of creating a written community involvement plan, such as by setting a deadline or identifying it as a high priority. She also wanted to include a statement to expand current practices to provide more than the minimum legally required notification to stakeholders.

Based on comments from Commissioner Baker, Director Skinner suggested moving policy/objective #4 relating to project-specific public involvement to the list of items to be included in the future community involvement plan. Commissioner Baker stressed the need to provide a high level of specificity and clarity due to the confusion and misunderstandings over the past several months such as those relating to the identity and purpose of the committee for citizen involvement. Commissioner Blackerby agreed, and asked if the city council had identified citizen involvement as one of their goals. Directors Skinner and Robertson stated that the council

winnowed down a larger list and citizen involvement did not make the last iteration, although a final report has not been provided. Commissioners Baker and Blackerby agreed to removing objective #4.

Commissioner Baker described her intention around the idea of organizational culture and the need for improved feedback mechanisms, especially from existing and past citizen volunteers. Since this is not directly related to land use planning, but to the overall management practices of the city, Director Skinner was not supportive of incorporating this language into the comprehensive plan. Commissioner Baker also supported improving data collection methods around community ideas and priorities on an ongoing basis. Director Robertson and Ms. Riner shared a few ideas of how this might be accomplished on a community-wide basis, with a subcomponent relating to land use. Commissioner Baker added this would be an important tool for the committee for citizen involvement for the next comprehensive plan update. Director Skinner suggested it be added to the background information for development of the citizen involvement plan.

Commissioner Blackerby stated that he felt that the chapter had come a long way since the initial draft, and that the commission was well prepared to move into developing the community engagement plan.

III. ADJOURN

Chair Vincent adjourned the meeting at 9:10 PM.

Respectfully submitted,

Anne Marie Skinner
Planning Director

Robert Vincent
Chair

**LINCOLN CITY PLANNING COMMISSION WORK SESSION
MINUTES
June 22, 2023**

I. CALL TO ORDER, ROLL CALL

Attendee Name	Title	Status	Arrived
Brian Bunnnett	Commissioner	Present	
Melissa Sumner	Commissioner	Excused	
Marci Baker	Commissioner	Present	
Robert Vincent	Chair	Present	
Kim Blackerby	Commissioner	Remote	

II. DISCUSSION ITEMS

2.1. 2043 Comprehensive Plan Update Components

Chair Robert Vincent called the meeting to order at 5:07 pm.

Assistant Planner Andrea Riner conducted roll. Commissioners Blackerby, Bunnnett, Baker, and Vincent were present.

Director Skinner: For the record, Commissioner Sumner has an excused absence, and Commissioner Affuso resigned effective June 20th.

Commissioner Blackerby: I have my volume completely up and I can't hear.

Andrea Riner: We will have to speak more clearly and loudly.

Director Skinner: The agenda originally began with a discussion of the first draft for Parks, Recreation, and Open Space to accommodate participation by Jeanne Sprague Parks & Recreation Director, but she is unable to attend. So let's go ahead and start with the two fourth drafts, followed by third, second, and first drafts. I think that Natural, Scenic, and Historic Resources would be first.

Commissioner Blackerby: I'm sorry, could you repeat which one we're doing first?

Director Skinner: Natural, Scenic, and Historic Resources, the fourth draft.

Chair Vincent: Actually, my agenda shows that Citizen Involvement would be first.

Director Skinner: We can do Citizen Involvement. It doesn't matter. Citizen Involvement, Kim, Citizen Involvement.

Commissioner Blackerby: I can only see Brian and Anne Marie, and the back of Andrea's head. And there's Marci.

Director Skinner: It's impossible. This is the room we have our Director's Meeting in and a lot of the Directors are on Zoom, and it's impossible to get everyone on camera.

Commissioner Blackerby: I just didn't know all who was there.

[Andrea attempted to move the camera to include more of the Commissioners.]

Commissioner Baker: For the record, our Chair was asked to move and he wasn't interested.

Commissioner Blackerby: I can see most of you. I just can't see Anne Marie.

Director Skinner: So let's start with the 4th draft of Citizen Involvement. Are there any final comments, or is this done?

Andrea Riner: There are comments from Commissioner Baker in her packet that I distributed. It's just one page, front and back, if I'm right.

Director Skinner: Alright, Commissioner Baker do you want to start going over those and I'll make the changes as you talk?

Commissioner Baker: In the first paragraph I added the word “only” that is in our current Comp Plan so that it reads “The effectiveness of government can only be measured by the extent to which it truly meets the needs of all citizens”.

Director Skinner: Okay

Commissioner Baker: And in the last sentence of the introduction I added “and citizens” after “elected leaders”, to make that sentence read “A great citizen involvement program gives participants assurance that they will be heard and gives elected leaders and citizens confidence that land-use decisions will be balanced and positioned for the public good.”

Director Skinner: Okay. Next?

Commissioner Baker: In the goal I just added the word “easily” in front of “accessible” so that it reads “ensure learning and engagement activities are easily accessible, equitable, and inclusive”. And in policy/objective #2, instead of saying “by ensuring” I started a new sentence with “Ensure the following are effectively implemented and evaluated on an annual basis”. And then...

Director Skinner: Okay. Hang on. If we’re going to make them separate then I’m going to bullet point them because I don’t want more numbers. Alright, so...and you changed them. “Create opportunities for widespread public involvement.”

Commissioner Baker: If there were no comments wanted I would suggest we don’t put it out for us to provide any more feedback.

Director Skinner: I didn’t say that.

Commissioner Baker: Because that response was very discouraging to me to provide feedback, when there is an exasperated sigh. I’m not comfortable with that.

Director Skinner: Well the exasperated sigh, you are ... if there was an exasperated sigh it had nothing to do with you. So, you’re imagining things. “Create opportunities for widespread...”

Andrea Riner: Is this all new text here if it’s in green? It’s not moved from somewhere else?

Director Skinner: “effective two way communication with the public...”

Andrea Riner: Wait a minute.

Commissioner Baker: There’s too much feedback, I don’t want to try and go through this all night.

Andrea Riner: We just started.

Commissioner Baker: I’m imagining things.

Director Skinner: I was not exasperated. I have no idea where that came from. What do you want me to say?

Chair Vincent: If she doesn’t want to be here, she doesn’t want to be here.

Commissioner Baker: I had to find someone to unlock the door for me tonight to come in. Our chair was asked, based on public feedback, to move to be on camera and he refused.

Chair Vincent: I never heard anything from the public.

Commissioner Baker: And as soon as we start going through my feedback I’m already feeling like it’s unwanted so I am going to leave.

Director Skinner: Well, that is absolutely untrue.

Commissioner Baker: I’m going to be authentic to what I feel is right and I don’t feel this process has been, in any way. I’ll save my words for when I’m not upset.

Commissioner Baker left the meeting, so there was no quorum effectively ending the meeting.

III. ADJOURN

Respectfully submitted,

Anne Marie Skinner
Planning Director

Robert Vincent
Chair

Planning Commission Communication

FR 2023-06 for CPA ZC 2023-05

Meeting Date:	July 18, 2023	Primary Staff Contact:	AnneMarie Skinner
Department:	Planning Commission	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

Attachments:

FR 2023-06 (PDF)

**LINCOLN CITY
PLANNING COMMISSION**

IN THE MATTER OF

CPA ZC 2023-05 Amendment to) Final Recommendation
Comprehensive Plan Map from R-) No. 2023-06
7.5/RRMS to Open Space and Zone)
Change from R-1-7.5 to Open Space

NATURE OF THE APPLICATION

CPA ZC 2023-05 amends the Lincoln City Comprehensive Plan Map and the Lincoln City Zoning Map by changing map designation and zoning classification of the site identified as Tax Map 06-11-36-BD-00500-00. The map designation will change from Medium Density Residential District (R-7.5)/RRMS to Open Space (OS) Zone. The zoning classification will change from Single Unit Residential (R-1-7.5) Zone to Open Space (OS) Zone.

FINAL RECOMMENDATION

Based on the evidence presented at the public hearing on March 21, 2023, and April 18, 2023, including the staff report and the findings (attached hereto as Exhibit A), the Planning Commission recommends that the City Council approve the comprehensive plan map amendment and zone change of Assessor’s Map 06-11-36-BD-00500-00 from the Medium Density Residential District/RRMS and R-1-7.5 zone to Open Space and Open Space (OS) zone.

APPROVED THIS 16th DAY OF APRIL, 2023.

Robert I. Vincent
Planning Commission Chair

ATTEST:

Anne Marie Skinner
Planning & Community Development Director

Exhibit A Findings

ANALYSIS

A. Lincoln City Comprehensive Plan

1. Land Use Planning Goal

“To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.”

The City Council established a land use policy framework and implementing ordinance through adoption of a comprehensive plan and zoning ordinance, respectively. The Land Conservation and Development Commission acknowledged the City of Lincoln City’s Comprehensive Plan and implementing land development regulations, including LCMC Title 17 Zoning, as complying with the Oregon Statewide Planning Goals. Review of the proposed amendment in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions, including the provisions of LCMC Chapter 17.77, establishes conformance with this goal.

The Comprehensive Plan Land Use Planning element identifies zoning as the most common method of land use regulation and control. The plan states:

“Essentially, zoning is a means of ensuring that the land uses of an area are properly situated in relation to one another. It provides adequate amounts of space for each type of development.”

The proposed map amendment and zone change would designate the site with the OS zone to align with its use as significant wetland and significant riparian area, and adjacent to other significant wetland and significant riparian area. Staff finds the proposal is consistent with Goal 1.

2. Citizen Involvement Goal

“Develop a Citizen Involvement Program which ensures the continued participation of citizens in the land use planning process.”

The Comprehensive Plan’s Citizen Involvement Program goal is to “develop a Citizen Involvement Program which ensures the continued participation of citizens in the land use planning process.” The city has developed a Citizen Involvement Program through Resolution 94-33. The public hearing process for the proposed map amendment and zone change included mailed and published notice to the public and property owners, and review of the proposal by the Planning Commission and the City Council, consistent with the Comprehensive Plan.

Among the policies under the city’s Citizen Involvement Program goal is one that states: “Lincoln City shall assure that a reasonable effort is made to encourage the opportunity for citizens to attend public meetings.” The Planning Commission and City Council meetings are publicized widely with hearing notices mailed to property owners in the affected area, published in *The News Guard*, and posted on the city’s website. The city holds public hearings in the evening to encourage public attendance. Moreover, for those unable to attend in person, the

meetings are available to attend remotely via Zoom, televised live, streamed live over the internet, and rebroadcast on cable television. Video of meetings and the packet materials are also available on the city's website for review, free of charge. These aforementioned items in their totality constitute a more than reasonable effort to encourage citizens to attend public meetings and meet Goal 2.

3. Public Services and Utilities Goal

“To plan and develop a timely, orderly, and efficient arrangement of public facility and services which compliment [sic] the area and serve as a framework for urban and rural development.”

No development is allowed in the open space zone. Public facilities are not necessary for the site to remain in use as an undeveloped tract in the open space zone. This goal is not applicable.

4. Urbanization Goal

“To promote an orderly and efficient transition of land uses from rural to urban.”

The area affected by the proposed map amendment and zone change is within the urban growth boundary and the city limits, thereby already establishing the site as urban. The proposed amendment and zone change will not move the site out of the urban growth boundary or out of city limits back to rural. The proposal is consistent with this goal.

5. Natural Hazard Goal

“The City shall control development in hazardous areas to protect life and property from natural disasters and hazards.”

The city's maps show the site does not contain any natural hazards. Goal 5 is not applicable.

6. Housing Goal

“To provide for the housing needs of all citizens.”

The site is largely significant wetland and significant riparian area. Significant wetland and significant riparian areas are precluded from development. Goal 6 is not applicable.

7. Economy Goal

“To support the tourist industry and achieve a degree of diversity in the community which will allow a balanced economy that will, in turn, support an adequate level of services for all members of the area.”

The Comprehensive Plan states that the city's primary industry is tourism and concludes that tourism will continue to function as the city's basic industry. The site is open to the public and tourists for viewing the significant wetland and the vegetation and habitat contained therein. Staff finds this goal is either not applicable to the request or is met.

8. Aesthetic Goal

“To develop a livable and pleasing city which enhances man’s activities while protecting the exceptional aesthetic quality of the area.”

The site does not contain any aesthetic resources, but it is significant wetland and significant riparian area. The proposal will align the zone with the use. This will preserve the area in its natural state with the native vegetation, wetland, and habitat, all of which serve to preserve the aesthetic quality of the area. The request is consistent with the Aesthetic Goal.

9. Transportation Goal

“To provide a safe, convenient and rapid transportation network to facilitate the movement of goods and people.”

The site is largely significant wetland and significant riparian area. Along with the no-development buffer areas, the site is mainly undevelopable. The site is accessible to pedestrians through unimproved Clancy Road. This goal is satisfied or not applicable.

10. Energy Goal

“To conserve energy.”

The site will remain undeveloped as significant wetland and significant riparian area in the open space zone. No energy will be expended in development or use. The goal, therefore, is satisfied or not applicable.

11. Overall Environmental Goal

“To achieve a balance between the need to provide housing and services and the need to protect and enhance the natural environment of the city.”

The entire site will be preserved as a natural resource in the open space zone. This goal is satisfied.

12. Shoreland, Beaches, Dunes, Estuary, and Ocean Resources Goal

“To conserve, protect, and enhance the coastal resources of the city.”

The site does not contain any shoreland, beaches, dunes, estuaries, or ocean resources and is more than a mile from the Pacific Ocean. Rezoning of the site will not have any impact on the city’s coastal resources; therefore, the proposed request is consistent with this goal or this goal is not applicable.

B. Statewide Planning Goals

Goal 1 – “Citizen Involvement” “To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.”

The application for amending the comprehensive plan map and changing the zoning was available at no cost on the city’s website and also available for public review and purchase at the

counter. Staff was available to explain the proposal and technical information. The city published hearing notices in the local newspaper in accordance with notice requirements and mailed notices to impacted property owners. The findings concerning the Comprehensive Plan Citizen Involvement are incorporated herein by this reference. Staff made its report on the land use proposals available on the city's website in advance of the meeting. The request is consistent with Goal 1.

Goal 2 – “Land Use Planning” “To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.”

The City Council adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearings and has reviewed them on a periodic cycle to take into account changing public policies and circumstances. Citizens and affected governmental units had opportunities for review and comment during preparation, review, and revision of the plan and implementing ordinances. Review of this proposed rezoning in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions establishes conformance with this goal.

Goal 3 – “Agricultural Lands” “To preserve and maintain agricultural lands.”

The area affected by the proposed rezoning is within the city's urban growth boundary. The area is currently designated and zoned for urban development and will remain as such, any rezoning notwithstanding. The rezoning will not affect agricultural lands; therefore, Goal 3 is not applicable.

Goal 4 – “Forest Lands” “To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.”

The area affected by the proposed rezoning is within the city's urban growth boundary and currently zoned for urban development. The affected area does not contain any designated forest lands; therefore, Goal 4 is not applicable.

Goal 5 – “Open Spaces, Scenic and Historic Areas and Natural Resources” “To protect natural resources and conserve scenic and historic areas and open spaces.”

The proposal will preserve the site as open space, which will also protect the natural resources on the site and conserve the scenic area on the site. The proposal is consistent with Goal 5.

Goal 6 – “Air, Water and Land Resources Quality” “To maintain and improve the quality of the air, water and land resources of the state.”

The proposal will preserve the site as a natural resource in the open space zone, thus preventing development that would harm the air, water, or land resources quality. The proposed request is consistent with Goal 6.

Goal 7 – “Areas Subject to Natural Disasters and Hazards” “To protect people and property from natural hazards.”

The city's maps show the site does not contain any natural disaster and hazards areas. The proposal is consistent with Goal 7.

Goal 8 – “Recreational Needs” “To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities, including destination resorts.”

The site will be preserved as an undeveloped open space area for the viewing pleasure of residents and visitors as passive recreation. The proposal is consistent with Goal 8.

Goal 9 – “Economic Development” “To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.”

The area affected by the proposed rezoning is within the city’s urban growth boundary and proposed for use as open space. The Comprehensive Plan states that the city’s primary industry is tourism and concludes that tourism will continue to function as the city’s basic industry. A preserved open space that is open to the public is a feature utilized by residents and an added amenity for tourists to increase visitors to this area of town. Staff finds this goal is either not applicable to the request or is met. The proposed rezoning is consistent with Goal 9.

Goal 10 – “Housing” “To provide for the housing needs of citizens of the state.”

The site is significant wetland and significant riparian area. Significant wetland and significant riparian area are precluded from development. Goal 10 is not applicable.

Goal 11 – “Public Facilities and Services” “To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.”

The site is significant wetland and significant riparian area and will remain undeveloped as a natural park in the open space zone. Utilities and services are not necessary for the open space zone. The request is consistent with Goal 11, or Goal 11 is not applicable.

Goal 12 – “Transportation” “To provide and encourage a safe, convenient and economic transportation system.”

The site is significant wetland and significant riparian area and will remain undeveloped. Residents and visitors can access the site via unimproved Clancy Road. The request is consistent with Goal 12.

Goal 13 – “Energy Conservation” “To conserve energy.”

The site will remain undeveloped as open space. No energy will be expended in development or use. The site is within walking distance of businesses, residential uses, and hotels and motels, which decreases the use of automobiles to utilize the park and thereby conserves energy. The goal, therefore, is satisfied or not applicable.

Goal 14 – “Urbanization” “To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.”

The area affected by the proposed map amendment and zone change is within the urban growth boundary and the city limits thereby already establishing it as urban. The proposed amendment and zone change will not change the already-existing urban designation by removing it from city limits or the urban growth boundary, nor will it prevent more urban development of the surrounding area. The proposed amendment and zone change are consistent with Goal 14.

Goal 15 – “Willamette Greenway” “To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.”

The site is not located within the Willamette River Greenway, nor in proximity to the Willamette River Greenway and thus the proposed amendment and zone change will have no impact to the Willamette Greenway. Accordingly, Goal 15 is not applicable.

Goal 16 – “Estuarine Resources” “To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon’s estuaries.”

The proposal does not affect any areas adjacent to the Siletz Bay estuary; therefore, Goal 16 is not applicable.

Goal 17 – “Coastal Shorelands” “To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon’s coastal shorelands.”

The city’s coastal shorelands are not impacted by the proposed request since the site does not contain any coastal shorelands, nor is the site in proximity to any coastal shorelands. The findings concerning the city’s Shoreland, Beaches, Dunes, Estuary and Ocean Resources goal are incorporated herein by this reference. Goal 17 is met or not applicable.

Goal 18 – “Beaches and Dunes” “To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.”

The proposed rezoning does not affect any areas located within a beach or active dune area. The findings concerning the city’s Shoreland, Beaches, Dunes, Estuary and Ocean Resources goal are incorporated herein by this reference. Goal 18 is met or not applicable.

Goal 19 – “Ocean Resources” “To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.”

Since the area of the proposed amendment and zone change is on the dry land area of the city, the proposal will not affect the near shore, ocean, and continental shelf. The findings concerning the

city's Shoreland, Beaches, Dunes, Estuary and Ocean Resources goal are incorporated herein by this reference. Goal 19 is met or not applicable.

Planning Commission Communication

ZOA 2023-03 Miscellaneous Items

Meeting Date:	July 18, 2023	Primary Staff Contact:	AnneMarie Skinner
Department:	Planning Commission	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

Question:

Should the Planning Commission hold the public hearing for the zoning ordinance amendment?

Staff Recommendation:

Staff recommends the Planning Commission hold the public hearing, close the public hearing and the record, and make a recommendation to City Council.

Authority:

17.76.060.G. Public Hearing Procedure. The planning commission shall conduct the public hearing on Type IV applications in accordance with the procedures set forth in LCMC [17.76.160](#). In addition to the public hearing held by the planning commission, the city council shall also conduct a public hearing on Type IV applications.

17.76.060.H. Recommendation Authority.

1. Following receipt of testimony and deliberation at the public hearing held before the planning commission, the planning commission shall provide a recommendation to the City council for all Type IV applications. The planning commission shall recommend that the city council approve or deny the proposed amendments, with or without changes. The planning commission's recommendation shall be issued as a final recommendation, and shall include findings supporting the recommendation, based on public testimony and the application's success or failure to satisfy the applicable criteria.

2. Decision Authority. Upon receiving the planning commission's final recommendation, the city council shall hold a public hearing on the Type IV application.

Background:

The proposed zoning ordinance amendment consists of four items. The first change is the result of a motion from City Council for staff to provide a recommendation on

fencing consistency throughout the R1 zone. Staff provides two options for the Planning Commission's consideration for the first change. Option #1 is no changes to Chapter 17.17, with the recommendation to add the R1RE fencing requirements to Chapter 17.52 with the rest of the city's fencing requirements. Option #2 is to remove the R1RE fencing requirements from Chapter 17.17, which by default would then make R1RE consistent with the rest of the city for fencing requirements. The second change corrects an omission in a previous ordinance amendment to 17.28.020. Detached single-unit dwellings and duplexes are allowed if developed under the standards set forth within the R1-5 zone. The development standards language was inadvertently omitted when the language changed from single-family to single-unit dwellings. The third change removes a duplication. Single-unit dwellings and duplexes as an allowed use in the GC are listed twice. The fourth change corrects the approval criteria for a design standard adjustment by removing the "all" to be consistent with the "or" already in place. Only one criterion needs to be met, not both. The "all" was inadvertently added when the approval criteria were moved from Chapter 17.74 to Chapter 17.77.

Potential Motions:

First - Move to close the public hearing and the record.

Then -

Option #1 Move to recommend that City Council approve the zoning ordinance amendment with Option #1.

Or

Option #2 Move to recommend that City Council approve the zoning ordinance amendment with Option #2.

Attachments:

Ordinance 2023-XX for ZOA 2023-03 (DOCX)

Option #2 (RTF)

Comments Annette Giudo_June 2023 (PDF)

Comments Janet Knipe (PDF)

Comments Patti Kroen (PDF)

ORDINANCE NO. 2023---

AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.28 (RECREATION COMMERCIAL (RC) ZONE), SECTION 17.28.020 (USES PERMITTED), PARAGRAPH E; CHAPTER 17.32 (GENERAL COMMERCIAL (GC) ZONE), SECTION 17.32.020 (USES PERMITTED), PARAGRAPH N; CHAPTER 17.52 (SUPPLEMENTARY REGULATIONS), SECTION 17.52.160 (REQUIRED SETBACKS – EXCEPTIONS), PARAGRAPH C; AND CHAPTER 17.77 (APPLICATIONS), SECTION 17.77.010 ADJUSTMENT – DESIGN STANDARD; PARAGRAPH C.

Annotated to show deletions and additions to the code sections being modified. Deletions are **~~lined through~~** and additions are **bold underlined**.

The City Council finds:

- A. The amendments to the Lincoln City Municipal Code are in conformance with the Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached Exhibit "A"; and
B. The amendments are in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements; and
C. The City duly notified the Oregon Department of Land Conservation and Development pursuant to ORS 197.610, of its consideration of the proposed amendment(s) on March 29, 2023; City staff determined that the amendment does not remove uses from any zone and accordingly did not require a city-wide mailing under ORS 227.186(4); and
D. The Planning Commission, on July 18, 2023, held a public hearing and considered the amendments contained within this ordinance. On July 18, 2023, the Planning Commission voted to transmit the amendments to the City Council; and
E. The City Council conducted the public hearing on September 11, 2023, closed the hearing, closed the record, and deliberated on the proposed amendments on September 11,2023; and
F. All persons were given an opportunity to provide written and/or oral testimony on the proposed ordinance amendments.

THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 17.28 (Recreation Commercial (RC) Zone, Section 17.28.020 (uses permitted), Paragraph E, is hereby amended to read as follows:

1 E. Detached single-unit dwellings and duplexes, **if developed under the**
2 **standards set forth within the R1-5 zone;**

3
4 **SECTION 2.** Chapter 17.32 (*General Commercial (GC) Zone, Section 17.32.020 (Uses permitted)*),
5 *Paragraph N*, is hereby amended to read as follows:

6
7 **~~N. Single-unit dwellings and duplexes;~~**

8
9 **SECTION 3.** Chapter 17.52 (*Supplementary Regulations*), *Section 17.52.160. Paragraph C*, is
10 hereby amended to read as follows:

11
12 C. Fences. Fences **in any zone except the R1RE zone**, within required setback
13 areas up to and on the property line, may not exceed seven feet in height nor
14 conflict with requirements of a clear vision area as provided in LCMC 17.52.060 or
15 the clear vision areas of adjacent private driveways.

16
17 **1. Fences in the R1RE zone may not exceed three and one-half feet in**
18 **height in a required front setback area or required street side**
19 **setback area, or more than six feet in height in any other required**
20 **setback area. Fences in the R1RE zone may not conflict with the**
21 **requirements of a clear vision area as provided in LCMC 17.52.060**
22 **or the clear vision areas of adjacent private driveways.**

23
24 **SECTION 4.** Chapter 17.77 (*Applications*), *Section 17.77.010. (Adjustment- design standard)*
25 *Paragraph C. (Approval Criteria)*, is hereby amended to read as follows:

26
27 To approve a design standard adjustment, the review authority shall make
28 additional findings of fact, based on evidence provided by the applicant, that **one**
29 **all** of the following **criterion is criteria are** satisfied:

30
31
32 **SECTION 5. Findings Adopted.** The findings contained in the Whereas Clauses of this
33 ordinance, together with the Findings set forth in Exhibit A, as well as the competent substantial
34 evidence in the whole record of this legislative proceeding are incorporated into this section by
35 reference as if fully set forth herein, and are adopted in support of this legislative action.

36
37 **SECTION 6. Severability.** The sections, subsections, paragraphs and clauses of this ordinance
38 are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the
39 validity of the remaining sections, subsections, paragraphs and clauses.

40
41 **SECTION 7. Ordinance Effective Date.** Pursuant to Chapter IX, Section 9.3, this ordinance
42 takes effect 30 days after the date of its adoption.

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

8
 9 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section
 10 9.2 of the City of Lincoln City Charter on the ___ day of _____, 2023 (First Reading) and on
 11 the ___ day of _____, 2023 (Second Reading).

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PASSED AND ADOPTED by the City Council of the City of Lincoln City this _____ day of
 _____, 2023.

 SUSAN WAHLKE, MAYOR

ATTEST:

 JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

 RICHARD APPICELLO, CITY ATTORNEY

OPTION #2

Chapter 17.17 SINGLE-UNIT RESIDENTIAL, ROADS END (R-1-RE) ZONE

17.17.050 Restrictions.

~~C. Fencing may not exceed three and one half feet in height in a required front setback area or required street side setback area, or more than six feet in any other required setback area;~~

Chapter 17.28 RECREATION COMMERCIAL (RC) ZONE

17.28.020 Uses permitted.

E. Detached single-unit dwellings and duplexes, if developed under the standards set forth within the R1-5 zone;

Chapter 17.32 GENERAL COMMERCIAL (GC) ZONE

17.32.020 Uses permitted.

~~N. Single-unit dwellings and duplexes;~~

Chapter 17.77 APPLICATIONS

17.77.010 Adjustment – design standard

C. Approval Criteria. To approve a design standard adjustment, the review authority shall make additional findings of fact, based on evidence provided by the applicant, that **one** ~~all~~ of the following **criterion is** ~~criteria are~~ satisfied:

From: [Annette](#)
To: [Anne Marie Skinner](#); [Andrea Riner](#)
Cc: [Annette](#); [Annette Guido](#)
Subject: Proposed amendment to Zoning Code ZOA 2023-03
Date: Tuesday, June 20, 2023 8:40:45 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Anne Marie,

Please forward my additional comments to the Planning Commission re: proposed ZOA 2023-03 amendments. Also include the email in public comments.

Dear Commissioners:

Please see my previous comments in this email string on proposed amendments to the zoning code.

The City Council directed the Planning staff on 4-10-23 to initiate a review of Municipal Code [17.17](#) to include such things as different fence requirements and make recommendations as to whether or not to modify to more closely match other R1 zones. You will be discussing that topic on 6-20-23.

There are several points to keep in mind:

<!--[if !supportLists]-->1. <!--[endif]-->When the R1RE zone was created in 2017 (see earlier in email re: that history and significant collaborative effort) the topic of fences was addressed. The R-1-RE code was written to match the R1-5 code at the time: that is, height limits of 3.5' in the street setback, 6' on other sides.

<!--[if !supportLists]-->2. <!--[endif]-->The City code was changed over time resulting in a single code for all zones in 17.52.160c: 7' within the required setbacks. I understand this occurred during a process to pull together references to fences sprinkled throughout the zoning code but have no information about how the revised height was arrived at.

<!--[if !supportLists]-->3. <!--[endif]-->Zoning codes are not meant to be static. In the past, the zoning code provided guidance about changes to the codes in that "The zoning ordinance ... may be amended ... **whenever the public necessity and convenience and general welfare requires such an amendment...**". Unless there is guidance to the contrary, one would expect that there should be some specified value in changing zoning codes, and that it should be more than mere conformity. There should be some clear benefit to making the amendment under consideration.

I respectfully request that:

1. You consider what the net value is of any change to the Zoning codes.
2. You consider not making a change of [17.17.050](#)—ie, leave that provision re: fence heights intact.
3. If a change is needed, that consideration be given to bringing the R1 codes into conformity with the previous R1-5 code and the current R-1-RE code.

Finally, I also request that some specific guidance re: underlying principles that the Planning Commission and City Council must consider when modifying the existing zoning code be articulated more fully in the Comprehensive Plan update. Change is inevitable but we should acknowledge and communicate principles underlying such choices.

Respectfully,

Annette Guido

Begin forwarded message:

From: Anne Marie Skinner <askinner@lincolncity.org>
Subject: RE: Proposed edits/amendments on 5-16-23 agenda
Date: May 15, 2023 at 8:05:27 AM PDT
To: Annette Guido

Annette,

Thank you for your comments. I forwarded them to the Planning Commissioners and they will be included in the record.

Thank you,
Anne Marie



Anne Marie Skinner

DIRECTOR

City of Lincoln City | Planning & Community Development
 801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
 P: 541.996.1228
 E: askinner@LincolnCity.org | W: LincolnCity.org

Please be advised: Pursuant to case law, Lincoln City Planners are not your planners and owe you no special or heightened duty. It is recommended that you hire your own land use professional to advise you. Ultimately, the burden is on you and your consultant to ascertain from the municipal code what is required. Reliance on erroneous information from a local government employee does not relieve a party from complying with statutory or local code requirements.

From: Annette Guido

Sent: Saturday, May 13, 2023 4:27 PM

To: Anne Marie Skinner <askinner@lincolncity.org>

Cc: Annette Guido

Subject: Proposed edits/amendments on 5-16-23 agenda

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Anne Marie,

Please forward my comments to the Planning Commission and include in your formal records.

I am writing to express concern re: two proposed amendments to Chapter 17 of the Lincoln City Municipal code found on page 11 of the agenda packet for your 5-16-23 meeting.

The first proposed edit/amendment is as follows:

“Chapter 17.17 SINGLE-UNIT RESIDENTIAL, ROADS END (R-1-RE) ZONE

17.17.050 Restrictions.

C. ~~Fencing may not exceed three and one-half feet in height in a required front setback area or required street side setback area, or more than six feet in any other required setback area;~~

The removal of limits on fencing as currently found in the code will have a significant impact in the Roads End neighborhood.

As you may recall, a significant amount of effort by the City and the neighborhood went into the development of the R-1-RE zone less than 6 years ago. The R-1-RE zone was established when the Lincoln City Council adopted Ordinance No. 2017-17 in October 2017 (effective November 23, 2017). The restrictions re: fence height were meant to support the specific natural and open residential feel of the neighborhood.

The Lincoln City Municipal Code (LCMC 17.88.010 Procedure) had stated “The

zoning ordinance ... may be amended ... whenever the public necessity and convenience and general welfare requires such an amendment...". Although LCMC 17.88.010 Procedure has been removed and replaced by Chapter 17.76 Procedures, which does not explicitly instruct the Planning Commission in the criteria under which they should consider such a request, I hope the Planning Commission recognizes the unique nature of the Roads End neighborhood and the significant good faith effort and collaboration between the City and the neighborhood that informed the original stated intent of the R-1-RE creation, and that the Commission will deny this specific text amendment request.

The second recommended edit/amendment is as follows:

~~Chapter 17.55 LANDSCAPING STANDARDS~~

~~17.55.050.a.3.E. Plantings at their mature height shall not be higher than five feet if they will block the view of any shoreline of the Pacific Ocean, Siletz Bay or Devils Lake.~~

This amendment would apply more broadly and would adversely impact many more residents in Lincoln City. I understand that views are a contentious and complicated area. For that reason I suggest that careful thought and solicitation of citizen input be actively pursued and considered.

Sincerely,

Annette Guido

From: [Janet Knipe](#)
To: [Anne Marie Skinner](#); [Robert L. Vincent](#); [Mellissa Sumner](#); [Marcella Baker](#); [Charlsy Affuso](#); [Kim Blackerby](#); [Brian Bunnett](#)
Subject: ZOA 2023 - 03 -- June 20 Public Hearing
Date: Monday, June 19, 2023 8:14:08 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

TO: Anne Marie Skinner, Director, Planning and Community Development Department; Members of the Planning Commission: Chair Vincent, Affuso, Baker, Blackerby, Bunnett, Sumner.

FR: Janet Knipe, Lincoln City

RE: ZOA 2023-03 Miscellaneous Edits / Section 1

On April 10, 2023, the City Council passed a motion to: “Ask the Planning staff to initiate a review of Chapter 17.17, R1-RE section, including such things as the different fence requirements therein and make recommendations to the Planning Commission and Council as to whether or not to modify or conform such standards to more closely match other R-1 zones.”

In my opinion, the key words in this motion are “whether or not to modify or conform”. This was not a directive from the Council to change the language, but to initiate a review. My questions for the Planning Commission are: why, for what purpose, and whom does it serve to make this change? Is it simply to make zoning consistent, without regard for its intended purpose? How does this change serve the zone, or neighborhood, for which the original zoning was carefully designed. Does it meet the neighborhood’s needs in any way that is better than the current zoning?

In 2017, the city embarked in a long and collaborative process with members of the public to craft the R1-RE zone that reflects its use, geographic features, and history and it was adopted by the City Council. Fence requirements were a part of these negotiations. Fence heights not exceeding 3.5 feet in a required front set-back area and no more than 6 feet in any other required setback reflect the rural nature and openness of this area and its vistas and have served the neighborhood well.

I do not support the zoning ordinance amendment #1 as written and encourage the Planning Commission to maintain the current language for R1-RE zone. I believe that it is actually the more appropriate language for all residential zones. We are a city with a distinctive character that should be preserved. If there must be a change for the sake of consistency and conformity, it would be far better to change the language in the R-1 zone to match that of the R-1-RE zone. Having a height restriction of 7 feet on fencing in any residential zone will not enhance the natural beauty and aesthetics of any neighborhood in this beautiful city.

Thank you for your consideration.

--

Janet Knipe

Planning Commissioners;

With regard to ZOA 2023-03, I see no staff report, explanation, summary, justification, or motivation for this suggested significant change to the Roads End zoning in today's packet. How is the Planning Commission to make an informed decision on this item without any information or staff report? I can only assume this idea to strike language from the zoning code is a reaction to someone filing a complaint about a fence. I understand enforcement is complaint driven in Lincoln City but it appears land use policy is also subject to a complaint-driven approach. Was the fence in question built to code or is it out of compliance? If out of compliance, why is this issue dealt with by changing the code and not by citing the owner and requiring the fence be brought into code? If this restriction is stricken as proposed, there will be no height limit for fences which is at odds with the intent of the code when it was developed in concert with the city and interested public.

Many of the commissioners may not have been residents of Lincoln City at the time of the Roads End annexation. Part of the negotiations included the ability of the Roads End neighborhood to help develop the zoning ordinances that would be imposed by the city. Many hours were invested by the public and the city to develop the RE-1 zoning ordinances for Roads End after annexation. Roads End was then and continues to be a unique part of Lincoln City where the view sheds that draw so many tourists to this town have been respected, considered, and should continue to be protected. The streets are angled to help afford some view to every lot as you move east from Logan Road. If you drive through the neighborhood, you will see that the lots are not characterized by fences that block the neighbor's view or impact wildlife movement through the area. This language was included in the ordinance to continue that respect for view sheds and help preserve the feel of the neighborhood. Language in zoning ordinances should be respected and not subject to arbitrary elimination based on a single complaint.

This proposed revision appears to be an effort to arbitrarily change the zoning in Roads End to avoid enforcing the law. Grouping significant changes to zoning together for consideration and ultimate decision-making with no staff report or justification for such changes is confusing and lazy. In this proposal we find a change to the fence requirements, single family housing, and vegetation changes. "Cleaning up" language to avoid duplications is one thing – wholesale changes to an ordinance such as this proposes, nested in with other unrelated issues, are not acceptable.

I urge all commissioners to vote no on this unnecessary and dangerous proposal.

Sincerely, Patti Kroen

Planning Commission Communication

Nelscott Urban Renewal (Tax Increment Finance) Area

Meeting Date: July 18, 2023 Primary Staff Contact: AnneMarie Skinner
Department: Planning Commission E-Mail: ASkinner@lincolncity.org
Secondary Dept: Secondary Contacts: Alison Robertson
Approval: Estimated Time:

See the attached memo from Director Robertson, as well as the attached plan and report.

Attachments:

6_PC Staff Report 05192023_SL_AR (DOCX)
1_Nelscott Plan with legal 06 29 2023 (PDF)
2_Nelscott Report 06 13 2023.docx (PDF)
Proposed Nelscott URA 07.18.2023 PC (PDF)

TO: Annie Marie Skinner – Director, Planning and Community Development and the City of Lincoln City Planning Commission

FROM: Alison Robertson & Scott Vanden Bos, Elaine Howard Consulting, LLC

DATE: July 18, 2023

SUBJECT: Nelscott Urban Renewal (Tax Increment Finance) Plan

I. PURPOSE

The Lincoln City Planning Commission is being asked to make a recommendation to the City Council regarding the Council's consideration and adoption of the proposed Nelscott Urban Renewal (Tax Increment Finance) Plan (Plan). The Plan is designed for the Nelscott Urban Renewal Area (Area), an area of 323.00 acres. The reason for urban renewal is to provide a financing mechanism to fund improvements including the following categories Transportation, Economic Development/Land Acquisition to support job growth and housing, Emergency Preparedness, Resiliency and Mitigation, Parks, Trails, Open Spaces, Public Works/Utilities, Community Connections/Appearance, and Administration.

The focus of the Planning Commission's review is the conformance of the Plan with the Lincoln City Comprehensive Plan. This action does not require a public hearing, and the Planning Commission is not being asked to approve the Plan, but rather make a recommendation to the Lincoln City City Council on the conformance to the Lincoln City Comprehensive Plan issue. There are no explicit review criteria for a Planning Commission for the review of an urban renewal plan. The Oregon Revised Statute (ORS) ORS 457.089(1) states that "An urban renewal plan and accompanying report shall be forwarded to the planning commission of the municipality for recommendations, prior to presenting the plan to the governing body of the municipality for approval under ORS 457.095". The generally accepted practice is for the Planning Commission to provide input on the relationship of the Plan to the Local Goals and Objectives (Section IV of the Plan), and particularly to its conformance to the City of Lincoln City Comprehensive Plan.

II. BACKGROUND

The Lincoln City City Council (City Council) has used urban renewal as an economic development tool since the adoption of the Year 2000 Development (Urban Renewal) Plan (Year 2000 Plan) in 1988. The Year 2000 Plan terminated taking division of taxes in fiscal year 2020/2021. As part of planning for the tools to be used to help facilitate development and provide infrastructure to the city, the City Council directed staff to complete tax increment feasibility studies for both the Roads Ends/Villages at Cascade Head Area and the Nelscott Area. Those studies were completed in 2019 and were presented to the City Council. After review of the findings of the feasibility studies, the City Council directed staff to prepare a tax increment plan for the Roads Ends/Villages at Cascade Head Area and to begin planning for a potential future tax increment area in Nelscott.

The Nelscott Urban Renewal (Tax Increment Finance) Plan (Plan) for the Nelscott Urban Renewal (Tax Increment Finance) Area (Area) was developed for the City Council with cooperative input from the community-based Advisory Committee (AC) that was formed for this

purpose. The AC consisted of eleven members including representatives from City Council, Agency and Lincoln City Planning Commission (Planning Commission), representatives from major taxing districts and community members. The AC met formally five times to review and discuss the project boundary, list of projects to be pursued in the Area, project financials and to review the draft Plan.

The Plan has included input from community engagement at two public forums, an online survey, public meetings, and in public hearing before the Lincoln City Urban Renewal Agency. The process continues with presentations, review, and/or public hearing at meetings of the Planning Commission, City Council and a public briefing with the Lincoln County Board of Commissioners.

This Plan contains properties that are in unincorporated Lincoln County and therefore the County Commission will also need to approve the Plan. The Plan also included communication with the overlapping taxing districts through individual meetings with taxing districts as requested and consult and confer letters to update impacted districts on project progress and financial implications to each taxing district.

A significant project to be completed in the Area that involves future community outreach is Community Visioning. Through the Community Visioning process projects will be further defined and prioritized as funds are accrued if the Plan is adopted.

For the Nelscott Urban Renewal Area to be formed, the Lincoln County Commission must also approve the Plan as it includes property in unincorporated Lincoln County.

III. PUBLIC NOTICE

At 6:00 PM on Tuesday, July 18, 2023 the Lincoln City Planning Commission will review the proposed Nelscott Urban Renewal (Tax Increment Finance) Plan including its relationship to the Comprehensive Plan, and make a recommendation to the Lincoln City City Council. Documents may be found on the City of Lincoln City website or by contacting

Alison Robertson, Urban Renewal & Economic Development Director at 541.996.1207
arobertson@lincolncity.org

IV. MAXIMUM INDEBTEDNESS

The proposed maximum indebtedness, the limit on the amount of funds that may be spent on administration, projects and programs in the Area is \$129,000,000. The maximum indebtedness does not include interest paid on any borrowing by the urban renewal agency. There is a proposed financing plan in the Report that shows that the Plan is financially feasible. It is understood that the Agency may make changes to the financing plan as needs and opportunities arise, typically during the annual budgeting process.

The Plan would be administered by the Lincoln City Urban Renewal Agency (Agency). Major changes to the Plan, if necessary, must be approved by the Agency and City Council as detailed in Section IV of the Plan.

V. RELATIONSHIP TO LOCAL OBJECTIVES

The Plan relates to local planning and development objectives contained within the *City of Lincoln City Comprehensive Plan*, *City of Lincoln City Economic Opportunities Analysis and Housing Needs Analysis*, the *Nelscott Gap Neighborhood Plan*, the *2016 Parks & Recreation System Plan*, and the *Lincoln City Municipal Code, Title 17 Zoning and the Lincoln County Comprehensive Plan*. Section XIII of the Plan describes the purpose and intent of these plans, the particular goals and policies within each planning document to which the proposed Plan relates, and an explanation of how the Plan relates to these goals and policies. The numbering of the goals, policies, and implementation strategies will reflect the numbering that occurs in the original document. Italicized text is text that *has* been taken directly from an original planning document. The Comprehensive Plan designations are shown in Figure 2. The proposed land uses conform to Figure 2, the comprehensive plan designations and the maximum densities and building requirements can be found in Section XIII of the Plan.

This is not a comprehensive list of all parts of the Lincoln City Comprehensive Plan that are supported by this Plan. This list includes the major Goals and Policies from the comprehensive plans that are in conformance with the urban renewal Plan; however, there may be other Goals and Policies that are not listed but are still in conformance with this Plan.

PLANNING COMMISSION RECOMMENDATION AND VOTE

Staff recommends that the Planning Commission:

1. Review and discuss the proposed Nelscott Urban Renewal (Tax Increment Finance) Plan
2. Find that the Nelscott Urban Renewal (Tax Increment Finance) Plan conforms to the Lincoln City Comprehensive Plan, and optionally recommend the Plan's adoption to the Lincoln City City Council.

Recommendation/Suggested Motion(s):

"I move that the Lincoln City Planning Commission finds, based upon the information provided in the staff report and the provided attachments, that the Nelscott Urban Renewal Plan conforms with the Lincoln City Comprehensive Plan

Optional additional language:

and further recommend that the Lincoln City City Council adopt the proposed Nelscott Urban Renewal Plan."

Attachments:

1. Nelscott Urban Renewal (Tax Increment Finance) Plan
2. Report on the Nelscott Urban Renewal (Tax Increment Finance) Plan

Nelscott Urban Renewal (Tax Increment Finance) Plan

Adopted by the City of Lincoln City

DATE

Ordinance No. ____



If Amendments are made to the Plan, the Resolution or Ordinance Number and date will be listed here. The amendment will be incorporated into the Plan and noted through a footnote.

Date	Res or Ordinance No.	Purpose of Change

LIST OF PARTICIPANTS

Mayor

Susan Wahlke

City Council

Mitch Parsons, Ward 1
Dennis "Riley" Hoagland, Ward 2
Sydney Kasner, Ward 2
Judy R. Casper, Ward 3
Rick Mark, Ward 3

Planning Commission

Kim Blackerby
Robert Vincent, Chair
Marcella Baker
Melissa Sumner
Charlsy Affuso
Brian Bunnnett

Urban Renewal Agency

Rick Mark, Chair
Mitch Parsons, Vice Chair
Susan Wahlke
Sydney Kasner
Judy R. Casper
Dennis "Riley" Hoagland

City Manager

Daphnee Legarza

Economic Development and Urban Renewal Director

Alison Robertson

Economic Development Project Manager

Seth Lenaerts

Executive Administrative Assistant

Liz Frances

Finance Director

Debbie Bridges

Public Works Director & City Engineer

Stephanie Reid

Parks And Recreation Director

Jeanne Sprague

Planning and Community Development Director

Anne Marie Skinner

Urban Renewal Advisory Committee

Susan Wahlke – Mayor, City of Lincoln City
Pamela Barlow-Lind – Tribal Planner,
Confederated Tribes of Siletz Indians
Debbie Bridges – Finance Director, City of
Lincoln City
Daphnee Legarza – City Manager, City of
Lincoln City
Chief Rob Dahlman – Fire Chief, North Lincoln
Fire & Rescue District #1
Rick Mark – UR Agency Chair, City of Lincoln
City
Tim Johnson, County Administrator, Lincoln
County
Robert Vincent – Chair, Lincoln City Planning
Commission
Lisa Spence-Bunnnett – Community Member
Barbe Jenkins-Gibson – Community Member
Shawnn Kehr – Community Member

Tax Increment Plan Consulting Team

Elaine Howard Consulting, LLC

Elaine Howard
Scott Vanden Bos

Tiberius Solutions, LLC

Nick Popenuk
Ali Danko
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I. DEFINITIONS

“Agency” means the Lincoln City Urban Renewal Agency, also called Agency. The Agency is responsible for administration of this Nelscott Urban Renewal (Tax Increment Finance) Plan and other urban renewal/TIF plans previously adopted in the City of Lincoln City.

“Annual report” is the ORS 457.460 requirement for the production of an urban renewal annual report that is distributed to the taxing districts.

“Area” or “urban renewal area” or “TIF Area” means the tax increment finance area established for this Plan pursuant to ORS 457, including the properties and rights-of-way located therein.

“Blight” is defined in ORS 457.010(1)(a-i) and identified in the ordinance adopting an urban renewal plan.

“Board of Commissioners” means the Lincoln County Board of Commissioners.

“City” means the City of Lincoln City, Oregon.

“City Council” or “Council” means the Lincoln City City Council.

“Comprehensive Plan” means the City of Lincoln City Comprehensive Plan and its implementing ordinances, policies, and standards.

“County” means Lincoln County, Oregon.

“Fiscal year” means the year commencing on July 1 and closing on June 30.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within a TIF area at the time of adoption. The county assessor certifies the assessed value after the adoption of a TIF area plan.

“Increment” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in an urban renewal area, or portion thereof, over the assessed value specified in the certified statement from the assessor (frozen base).

“Maximum indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness. The maximum indebtedness for this Plan is \$129,000,000.

“Municipality” means any county or any city in the state of Oregon.

“Nelscott Urban Renewal (TIF) Area” means the urban renewal area/tax increment finance area established under authority in ORS 457 as shown in Exhibit A and defined in the attached legal description.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal.

“Planning Commission” means the Lincoln City Planning Commission.

“Project(s)” or “TIF Project(s)” means any work or undertaking carried out under the TIF Plan.

“Report Accompanying TIF Plan” or “Report” means the official report that accompanies the Nelscott TIF Plan pursuant to ORS 457.085(3).

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470.

“Tax increment finance area” or “urban renewal area” or “TIF area” means a blighted area included in a TIF plan.

“Tax increment finance area plan” or “urban renewal plan” or “TIF plan” means a plan, as it exists or is changed or modified from time to time, for one or more TIF areas, as provided in ORS 457.

“Tax increment finance area project(s)” or “urban renewal project(s)” or “TIF area project(s)” means any work or undertaking carried out under ORS 457.170 and ORS 457.180 in a TIF area.

“Tax increment finance area report” or “urban renewal report” or “report” means the official report that accompanies the TIF plan pursuant to ORS 457.085(3).

“Tax increment finance” or “tax increment financing” or “TIF” means the funds that are associated with the division of taxes accomplished through the adoption of a TIF plan.

“Tax increment revenues” means the funds allocated by the assessor to renewal TIF area due to increases in assessed value over the frozen base within the area.

“UGB” means urban growth boundary.

“Urban Renewal” means the statutory authority provided in ORS 457. In this Plan it is synonymous with TIF.

II. INTRODUCTION

A. Background

The Lincoln City City Council (City Council) has used urban renewal as an economic development tool since the adoption of the Year 2000 Development (Urban Renewal) Plan (Year 2000 Plan) in 1988. The Year 2000 Plan terminated taking division of taxes in fiscal year 2020/2021. As part of planning for the tools to be used to help facilitate development and provide infrastructure to the city, the City Council directed staff to complete tax increment feasibility studies for both the Roads Ends/Villages at Cascade Head Area and the Nelscott Area. Those studies were completed in 2019 and were presented to the City Council. After review of the findings of the feasibility studies, the City Council directed staff to prepare a tax increment plan for the Roads Ends/Villages at Cascade Head Area and to begin planning for a potential future tax increment area in Nelscott.

The Nelscott Urban Renewal (Tax Increment Finance) Plan (Plan) for the Nelscott Urban Renewal (Tax Increment Finance) Area (Area) was developed for the City Council with cooperative input from the community-based Advisory Committee (AC) that was formed for this purpose. The AC consisted of eleven members including representatives from City Council, Agency and Lincoln City Planning Commission (Planning Commission), representatives from major taxing districts, and community members. The AC met formally five times to review and discuss the project boundary, list of projects to be pursued in the Area, project financials, and to review the Draft Plan.

The Plan also included input from community engagement at two public forums, an online survey, public meetings, and in hearings before the Lincoln City Urban Renewal Agency, Planning Commission, City Council, and a public briefing with the Lincoln County Board of Commissioners. This Plan contains properties that are in unincorporated Lincoln County and therefore the County Commission will also need to approve the Plan. The Plan also included communication with the overlapping taxing districts through a briefing with representatives from impacted taxing districts, individual meetings with taxing districts as requested, and consult and confer letters to update impacted districts on project progress and financial implications to each taxing district.

A significant project to be completed in the Area that involves future community outreach is Community Visioning. Through the Community Visioning process projects will be further defined and prioritized as funds are accrued.

A full list of community outreach events and presentations is shown in Table 1.

The Area, shown in Figure 1, is approximately 323 acres.

Table 1 – Community Outreach and Events

Meeting	Topic	Date
City Staff - Department Head Meeting	Identify initial list of projects to be completed in Area	08/09/2022
City Council	Update on Process	01/23/2023
Park and Recreation Board	Update on Process	01/18/2023
Advisory Committee Meeting #1	Boundary discussion	2/01/2023
Email sent out to general contact list	Invitation for Community Open House #1	2/08/2023
Urban Renewal Agency	Update on Process	02/13/2023
Advisory Committee Meeting #2	Review and discuss project list	2/15/2023
Community Open House #1	Urban Renewal overview, and collect input on list of proposed projects	2/15/2023
Online Survey	Collect input on list of proposed projects. Survey link sent to general contact list, Chamber of Commerce membership, Bay Area Merchants Association membership members, and posted on City website	3/8/2023 – 3/28/2023
Chamber of Commerce – Friday Flyer	Project update and Online Survey opportunity	03/18 + 03/25/2023
Public Notice sent out for Community Open House #2	Marketing for March 15 Community Open House #2	3/01/2023
Email sent out to general contact list	Marketing for Community Open House # 2	3/08/2023
Advisory Committee Meeting #3	Review and discuss project list & financials	3/15/2023
Community Open House #2	Present community input summary and discuss project list and financials	3/15/2023
City Council	Present community input summary and discuss project list and financials	04/10/2023
Advisory Committee Meeting #4	Review public input and boundary changes	04/05/2023
Advisory Committee Meeting #5	Review and discuss draft Plan and Report	4/26/2023
Lincoln County	Briefing on boundary	04/19/2023
Lincoln County	Vote on boundary	5/17/2023

Urban Renewal Agency review	Review and discuss draft Plan and Report	6/12/2023
Consult and Confer letters	Provide overlapping taxing districts with draft Plan and Report to review	6/13/2023
Planning Commission meeting	Review and discuss draft Plan's conformance to comprehensive plan	7/18/2023
Lincoln County briefing	Review and discuss draft Plan and Report including maximum indebtedness	7/19/2023
Lincoln County vote	Vote on Plan due to unincorporated properties	8/2/2023
City Council hearing	Review and discuss draft Plan and Report, first reading of ordinance for Plan adoption	8/14/2023
City Council vote	Second reading of ordinance for Plan adoption and vote	8/28/2023

Note on language: This Plan, wherever applicable and permissible, uses the term Tax Increment Finance or TIF synonymous with "urban renewal". The term TIF is used consistently in other parts of the nation and does not evoke past practices of other urban renewal agencies throughout the country wherein minorities and underrepresented populations were displaced to clear the way for redevelopment. This Plan aims to avoid those connotations and has been created with intention to avoid those outcomes. Utilizing the term TIF does not affect the statutory authority of ORS 457, as it relates to this Plan.

B. Plan Overview

The Goals and Objectives of this Plan are intended to guide investment by the Agency in the Area over the life of the Plan. Substantial amendments to the Plan must be approved by City Council as outlined in Section VII. All amendments to the Plan are to be listed numerically on the inside of the front page of the Plan and then incorporated into the Plan document and noted by footnote with an amendment number and adoption date.

The relationship between the sections of the Plan and the Oregon Revised Statute (ORS) 457.085(2) requirements is shown in Table 2. The specific reference in the table below is the section of this Plan that primarily addresses the statutory reference. There may be other sections of the Plan that also address the statute.

Table 2 - Statutory References

Statutory Requirement	Plan Section
ORS 457.085(2)(a)	V, VI
ORS 457.085(2)(b)	V, VI
ORS 457.085(2)(c)	XIV
ORS 457.085(2)(d)	XIII
ORS 457.085(2)(e)	XIII
ORS 457.085(2)(f)	IX
ORS 457.085(2)(g)	VIII
ORS 457.085(2)(h)	III
ORS 457.085(2)(i)	VII
ORS 457.085(2)(j)	Not applicable

C. Tax Increment Financing Overview

ORS 457 allows for the use of tax increment revenues, a financing source that is unique to urban renewal, to fund its projects. Tax increment revenues - the amount of property taxes generated by the increase in total assessed values in the urban renewal area, in this Plan called the Nelscott TIF Area or Area, from the time the Area is first established - are used to repay borrowed funds. The borrowed funds are used to pay for projects within the Area and cannot exceed the maximum indebtedness amount set by the Tax Increment Plan.

The purpose of urban renewal is to improve specific areas of a city that are poorly developed or underdeveloped, called blighted areas in ORS 457. These areas can have property that is undeveloped or underdeveloped, streets and utilities in poor condition, a complete lack of streets and utilities altogether, or other obstacles to development. In general, urban renewal projects can include construction or improvement of streets, utilities, and other public facilities; assistance for development, rehabilitation or redevelopment of property; acquisition and re-sale of property (site assembly) from willing sellers; and improvements to public spaces.

The Area meets the definition of blight due to its infrastructure deficiencies including deficiencies in the Transportation System, Parks System, Sewer System, Stormwater System and Water System. In addition, there are many undeveloped properties within the Area. These blighted conditions are specifically cited in the ordinance adopting the Plan and described in detail in the Report Accompanying Nelscott Urban Renewal (TIF) Area (Report).

The Report contains the information required by ORS 457.085(3), including:

- A description of the physical, social, and economic conditions in the area;
- The expected impact of the Plan, including fiscal impact in light of increased services;
- Reasons for selection of the Plan Area;
- The relationship between each project to be undertaken and the existing conditions;
- The estimated total cost of each project and the source(s) of funds to pay such costs;
- The estimated completion date of each project;
- The estimated amount of funds required in the Area and the anticipated year in which the debt will be retired;
- A financial analysis of the Plan;
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the Urban Renewal Area; and
- A relocation report.

III. MAXIMUM INDEBTEDNESS

Maximum indebtedness is a legal term for the total amount of money that can be spent on projects, programs and administration throughout the life of the Plan. The maximum amount of indebtedness that may be issued or incurred under the Plan, based upon good faith estimates of the scope and costs of projects in the Plan and the schedule for their completion, is \$129,000,000 (One Hundred Twenty Nine Million Dollars). This amount is the principal of such indebtedness and does not include interest or indebtedness incurred to refund or refinance existing indebtedness, or interest earned on bond proceeds.

IV. GOALS AND OBJECTIVES

The Agency adopted both a Mission, and Goals and Objectives when the Year 2000 Plan was prepared (1988). Goals and Objectives of this Plan represent its basic intents and purposes. The projects identified in Sections V and VI of the Plan are the specific means of meeting the goals. The goals will be pursued as economically as is feasible and at the discretion of Agency. They are not listed in any order of importance or priority.

A. Agency Mission

The mission of the Agency is to eliminate blight and depreciating property values in areas within the Agency's jurisdiction and in the process, attract job producing private investments that will improve property values, improve the Area's visual quality and establish a positive linkage between the Area and the Pacific Ocean – all in a manner which will be compatible with the City's natural and built setting.

B. Plan Goals

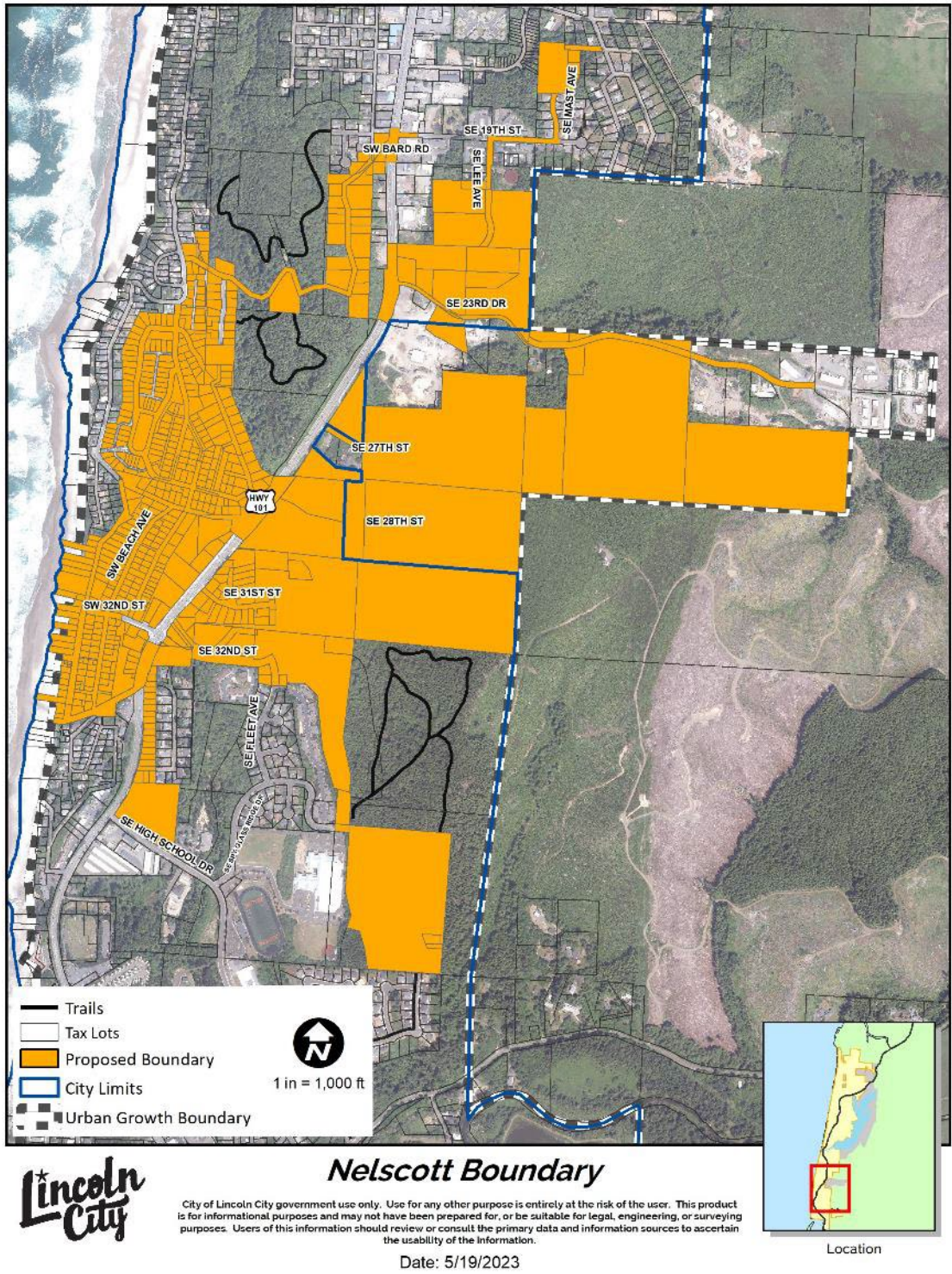
To accomplish its mission the Agency will develop and implement an urban renewal (tax increment finance) program known as the Plan, the goals and objectives of which are:

1. To resolve the problems created by existing blighted conditions so that unused and underused properties can be placed in productive condition and utilized at their highest and best use.
2. To involve community members and stakeholders and increase engagement in planning to support projects in the Area.
3. To establish and improve road connections to increase accessibility within as well as into and out of Area.
4. To improve the City's economic vitality and its ability to provide municipal services.
5. To support City economic development and housing goals.
6. To install and enhance pedestrian pathways in areas of maximum concentration to improve the pedestrian environment.
7. To enhance and increase accessibility of Area parks and open spaces and to increase connectivity to greater trail systems.
8. To establish and improve water, sewer, and utility systems to support existing and future development, and to place underground, existing overhead utility

systems in areas that will improve view corridors as well as safety in the event of inclement weather or natural disasters.

9. To be sensitive to, and to minimize to the greatest extent possible, the effects of tax increment financing upon the overlapping taxing districts through revenue sharing.
10. To enhance opportunities for business and tourist-related property to be developed, redeveloped, improved, rehabilitated and conserved in ways which will:
 - a. Ensure that traffic flow, off-street parking, and other public facilities within the Area are adequate to accommodate current and future development
 - b. Improve the Area's visual quality consistent with that of the Oregon Coast's natural environment
 - c. Encourage the expansion and development of businesses that will produce living wage jobs for the people of the City
 - d. Increase property values so that the Area will contribute its fair share to the costs of providing public services
 - e. Leverage the Agency's financial resources to maximum extent possible with other public and private investment and other funding sources

Figure 1. Nelscott Urban Renewal (TIF) Plan Boundary



Source: City of Lincoln City GIS

V. URBAN RENEWAL PROJECT CATEGORIES

In relationship to the goals described in the previous section, the projects within the Area fall into the following categories:

- A. Transportation**
- B. Economic Development/Land Acquisition**
- C. Emergency Preparedness, Resiliency and Mitigation**
- D. Parks, Trails, Open Spaces**
- E. Public Works/Utilities**
- F. Community Connections/Appearance**
- G. Administration**

VI. URBAN RENEWAL PROJECTS

Urban renewal projects authorized by the Plan are described below. No project currently includes a public building. If any project considered in the future proposes a public building, the public building criteria in ORS 457.010 and ORS 457.035 to 457.320 will need to be addressed at the time the project is considered. If a public building is proposed, and concurrence is provided by the taxing districts as described in ORS 457.089, then the project and the statutory requirements must be identified and added to the Plan through a Minor Amendment, as described in Section VII.

A. Transportation

- Roads. Improve road connections for increased transportation route choice and to help alleviate traffic on Highway 101, to include:
 - New road connection between SE Lee Avenue and SE 23rd Drive
 - New road connection between SE 23rd Drive and SE 32nd Street / Fleet Avenue intersection
 - New road connection between SE 14th Street and SE 19th Street via an extension of Mast Avenue to connect with Oar Avenue
 - Other new road connections where feasible
- Pedestrian Safety. Improvements including but not limited to:
 - Pedestrian striping
 - Infill of sidewalk gaps
 - Construct new facilities to correct sidewalk/pathway deficiencies

- **Public Parking.** Improve existing and build new public parking on and off-street, including other associated facilities such as public restrooms, pedestrian amenities, showers/foot wash, surf racks, and Electric Vehicle (EV) charging stations.
 - Improvements to SW 32nd Street Parking Lot
 - Other locations as needed and where feasible
- **Intersection Improvements.** Improve intersections to include pedestrian crossings, realignments and/or re-design, roundabout, all-way stop control or traffic signals as feasible.
 - SE 23rd Drive and Highway 101 intersection improvements
 - SW Bard Road / SE 19th Street and Highway 101 intersection improvements
 - Other intersection improvements within the Area
- **Traffic Signals.** Modify existing traffic signals and install new traffic signals to improve pedestrian safety. Implement coordinated signal timing plans, upgrade traffic signal controllers, and install communication and other improvements as needed, and as designated by Public Works.
- **Street Improvements.** Local streets and Highway 101 improvements which may include but are not limited to curbs, gutters and sidewalks/pathways, sidewalk gaps, and installation of pedestrian amenities, lighting, and traffic calming measures where appropriate.
 - SE 23rd Drive street improvements, including but not limited to construction of new street, re-alignment with existing rights-of-way, intersection realignment and/or re-design, roundabout, or all-way stop control.
 - Bard Road street Improvements to include sidewalks/pathways, paving, stormwater management.
 - Other street improvements as needed.
- **Public Transportation.** Capital Improvement Projects to support, enhance, and expand public transportation. Projects may include improved access of public recreation areas; incorporate regional transit service and other transit amenities; link into greater transit system and improve timing for connecting routes; create Park & Ride opportunities in the Area which could support multiple programs such as solar projects and EV charging stations. Add new or relocate transit stops for improved usability, improve connections between facilities and pedestrian infrastructure.

B. Economic Development/Land Acquisition

Economic development opportunities for public private partnership within commercial, residential, and mixed-use areas; could include but are not limited to Economic Development Toolbox of incentives for workforce housing, childcare, land acquisition, construction of visitor and educational facilities, business preservation and expansion to increase non-tourism, living-wage jobs.

C. Emergency Preparedness, Resiliency and Mitigation

Emergency preparedness and assessment for resiliency, and mitigation capital projects related but not limited to undergrounding pole mounted utilities, water resources, erosion protection, seismic retrofit, stormwater drainage, caches, tsunami evacuation, communication infrastructure, alternate transportation routes, and other projects as identified in Emergency Preparedness planning.

D. Parks, Trails, Open Spaces

- Parks. Provide additional parks including but not limited to trailheads, parking, picnic shelters, trash cans, benches, restrooms, and associated capital improvements to support City programming objectives. Park locations and quantity may change based on development patterns, and could include new parks:
 - New park in the vicinity of SE Lee Avenue and SE 27th Street
 - New park south of SE 23rd Drive near the planned employment area
 - New park near Agnes Creek Open Space
- Beach Access. Improvements to include ADA, walkway, and parking upgrades. Features could include facilities such as public restrooms, pedestrian amenities, showers/foot wash, surf racks, and EV charging stations. Increase connectivity to sidewalks, trails, parks, ocean beaches, and natural areas.
 - Beach Access at SW 33rd Street
 - Beach Access at SW 35th Street
 - Beach Access at other locations within the Area, as feasible
- Trails. Complete segments of the Head to Bay Trail within the Area, to provide a multi-modal (non-vehicular) interconnected system from Villages at Cascade Head to the Siletz Bay that allows travel from one end of the city to the other without using Highway 101 wherever possible; could include connections to Oregon Coast Trail system and greater trail connections.
- Open Spaces. Improve access to trails, trail heads and parking for recreation to include wayfinding map and interpretive signage, gateway features, open space forest management, nature play elements, public art and associated capital improvements to support City programming objectives.

- Spyglass Open Space and other improvements as feasible

E. Public Works/Utilities

- Prepare a properly engineered comprehensive storm drainage systems master plan; within the funding limitations of the Agency, construct needed improvements to adequately drain the Area to eliminate flooding during periods of storm activity; Clean out, improve and protect the natural drainage courses so that they may function properly in coordination with the built drainage systems; Control earth moving, grading and development of lands which affect the natural and built systems so as to protect the integrity of the drainage system.
- Provide Baldy Creek improvements to address flooding, erosion, invasive species, water quality, wildlife habitat, and overall condition of the Baldy Creek Watershed to restore the floodplain and creek health as feasible. Provide improved public access at City-owned parcels adjacent to Baldy Creek in the Nelscott Business Strip and other practical locations in the Area.
- Public utility improvements to include power, electric, gas, cable and communications within Area. Undergrounding existing pole-mounted utility systems to improve reliability for emergency preparedness, severe weather events, or greater safety in tsunami evacuations zones.
- Improved infrastructure for water and sewer systems in the Area, including:
 - Long-range water security and conservation
 - Construct a 5 million gallon water reservoir to increase the City's water storage capacity and improve fire flows
 - Upgrades and extensions of existing lines and pump stations
 - Increase capacity and re-build the wetwell for the Nelscott Sanitary Sewer Pump Station
 - Other water and sewer projects as feasible.

F. Community Connections/Appearance

- Install wayfinding signage to assist pedestrians and bicyclist in choosing comfortable routes and to help visitors navigate through the city; may include but is not limited to acquiring property and constructing cohesive, branded signage for all transportation modes.
- Underground existing pole mounted utilities in areas of maximum visual impact to improve view corridor and increase square footage available for other improvements such as pedestrian improvement/pathway or redevelopment.

G. Administration

Provide funds to retain the services of City personnel or other independent professionals or organizations for activities such as:

- Community Visioning
- Auditing, annual reports, insurance, bond counsel, and other required administrative costs
- Preparation of financial plans and/or financial analyses of projects and proposals
- Personnel, materials, and other associated administrative costs
- Professional consulting services to refine urban design concepts
- Environmental analyses
- Assisting in the preparation of the annual financial report required by this Plan and ORS 457
- Any other powers granted by ORS 457 in connection with the implementation of this Plan

VII. AMENDMENTS TO PLAN

The Plan may be amended as described in this section.

A. Substantial Amendments

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing, and approval procedure required of the original Plan under ORS 457.095, including public involvement, consultation with taxing districts, presentation to the Agency, the Planning Commission, and adoption by the City Council by non-emergency ordinance after a hearing. Notice of such hearing shall be provided to individuals or households within the City of Lincoln City, as required by ORS 457.120.

Substantial Amendments shall be processed in accordance with ORS 457.095 and 457.115.

Substantial Amendments¹ are amendments that:

1. Add land to the urban renewal area, except for an addition of land that totals not more than 1% of the existing area of the urban renewal area; or
2. Increase the maximum amount of indebtedness that can be issued or incurred under the Plan.

B. Minor Amendments

Minor Amendments are amendments that are not Substantial Amendments as defined in this Plan and in ORS 457. Minor Amendments require approval by the Agency by resolution.

C. Amendments to the Lincoln City Comprehensive Plan and/or Lincoln City Municipal Code

Amendments to the Lincoln City Comprehensive Plan and/or Lincoln City Municipal Code, Title 17 Zoning that affect the Plan and/or the Area shall be incorporated automatically within the Plan without any separate action required by the Agency or City Council.

¹ Unless otherwise permitted by state law, no land equal to more than 20 percent of the total land area of the original Plan shall be added to the urban renewal area by amendments, and the aggregate amount of all amendments increasing the maximum indebtedness may not exceed 20 percent of the Plan's initial maximum indebtedness, as adjusted, as provided by law, with increases beyond that amount requiring concurrence as stated in ORS 457. .

VIII. PROPERTY ACQUISITION AND DISPOSITION

The Plan authorizes the acquisition and disposition of property as described in this section. Property includes any and all interests in property, including fee simple ownership, lease, easements, licenses, or other rights to use. If property is acquired it will be identified in the Plan through a Minor Amendment, as described in Section VII. Identification of property to be acquired and its anticipated disposition is required by ORS 457.085(2)(g).

A. Property acquisition for public improvements

The Agency may acquire property within the Area for the public improvement projects undertaken pursuant to the Plan by all legal means, including use of eminent domain. Good faith negotiations for such acquisitions must occur prior to institution of eminent domain procedures.

B. Property acquisition from willing sellers

The Plan authorizes Agency acquisition of any interest in property within the Area that the Agency finds is necessary for private redevelopment, but only in those cases where the property owner wishes to convey such interest to the Agency. The Plan does not authorize the Agency to use the power of eminent domain to acquire property from a private party to transfer property to another private party for private redevelopment. Property acquisition from willing sellers may be required to support development of projects within the Area.

C. Land disposition

The Agency will dispose of property acquired for a public improvement project by conveyance to the appropriate public agency responsible for the construction and/or maintenance of the public improvement. The Agency may retain such property during the construction of the public improvement.

The Agency may dispose of property acquired under Subsection B of this Section VIII by conveying any interest in property acquired. Property shall be conveyed at its fair reuse value. Fair reuse value is the value, whether expressed in terms of rental or capital price, at which the Urban Renewal Agency, in its discretion, determines such land should be made available in order that it may be developed, redeveloped, cleared, conserved, or rehabilitated for the purposes specified in the Plan. Because fair reuse value reflects limitations on the use of the property to those purposes specified in the Plan, the value may be lower than the property's fair market value.

Where land is sold or leased, the purchaser or lessee must agree to use the land for the purposes designated in the Plan and to begin and complete the building of its improvements within a period of time that the Agency determines is reasonable.

IX. RELOCATION METHODS

If the Agency acquires occupied property under the Plan, residential or commercial occupants of such property shall be offered relocation assistance, as required under applicable state law. Prior to such acquisition, the Agency shall adopt rules and regulations, as necessary, for the administration of relocation assistance. No specific acquisitions that would result in relocation benefits have been identified in the Plan.

X. TAX INCREMENT FINANCING OF PLAN

Tax increment financing consists of using annual tax increment revenues to make payments on debt, usually in the form of bank loans or revenue bonds. The proceeds of the bonds are used to finance the urban renewal projects authorized in the Plan. Bonds may be either long-term or short-term.

Tax increment revenues equal most of the annual property taxes imposed on the cumulative *increase* in assessed value within an urban renewal area over the total assessed value at the time an urban renewal plan is adopted. (Under current law, the property taxes for general obligation (GO) bonds and local option levies approved after October 6, 2001 are not part of the tax increment revenues.)

A. General description of the proposed financing methods

The Plan will be financed using a combination of revenue sources. These include:

- Tax increment revenues;
- Advances, loans, grants, and any other form of financial assistance from federal, state, or local governments, or other public bodies;
- Loans, grants, dedications, or other contributions from private developers and property owners, including, but not limited to, assessment districts; and
- Any other public or private source.

Revenues obtained by the Agency will be used to pay or repay the costs, expenses, advancements, and indebtedness incurred in (1) planning or undertaking project activities, or (2) otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the implementation of this Plan.

B. Tax increment financing

The Plan may be financed, in whole or in part, by tax increment revenues allocated to the Agency, as provided in ORS Chapter 457. The ad valorem taxes, if any, levied by a taxing district in which all or a portion of the Area is located, shall be divided as provided in Section 1c, Article IX of the Oregon Constitution, and ORS 457.440. Amounts collected pursuant to ORS 457.440 shall be deposited into the unsegregated tax collections account and distributed to the Agency based upon the distribution schedule established under ORS 311.390.

C. Prior Indebtedness

Any indebtedness permitted by law and incurred by the Agency or the City of Lincoln City in connection with the preparation of this Plan or prior planning efforts related to this Plan may be repaid from tax increment revenues from the Area when and if such funds are available.

XI. VALIDITY

Should a court of competent jurisdiction find any work, clause, sentence, section or part of this Plan to be invalid, the remaining words, clauses, sentences, sections or parts shall be unaffected by such findings and shall remain in full force and effect for the duration of this Plan.

XII. ANNUAL REPORT

The Agency shall file an Annual Report in compliance with ORS 457.460.

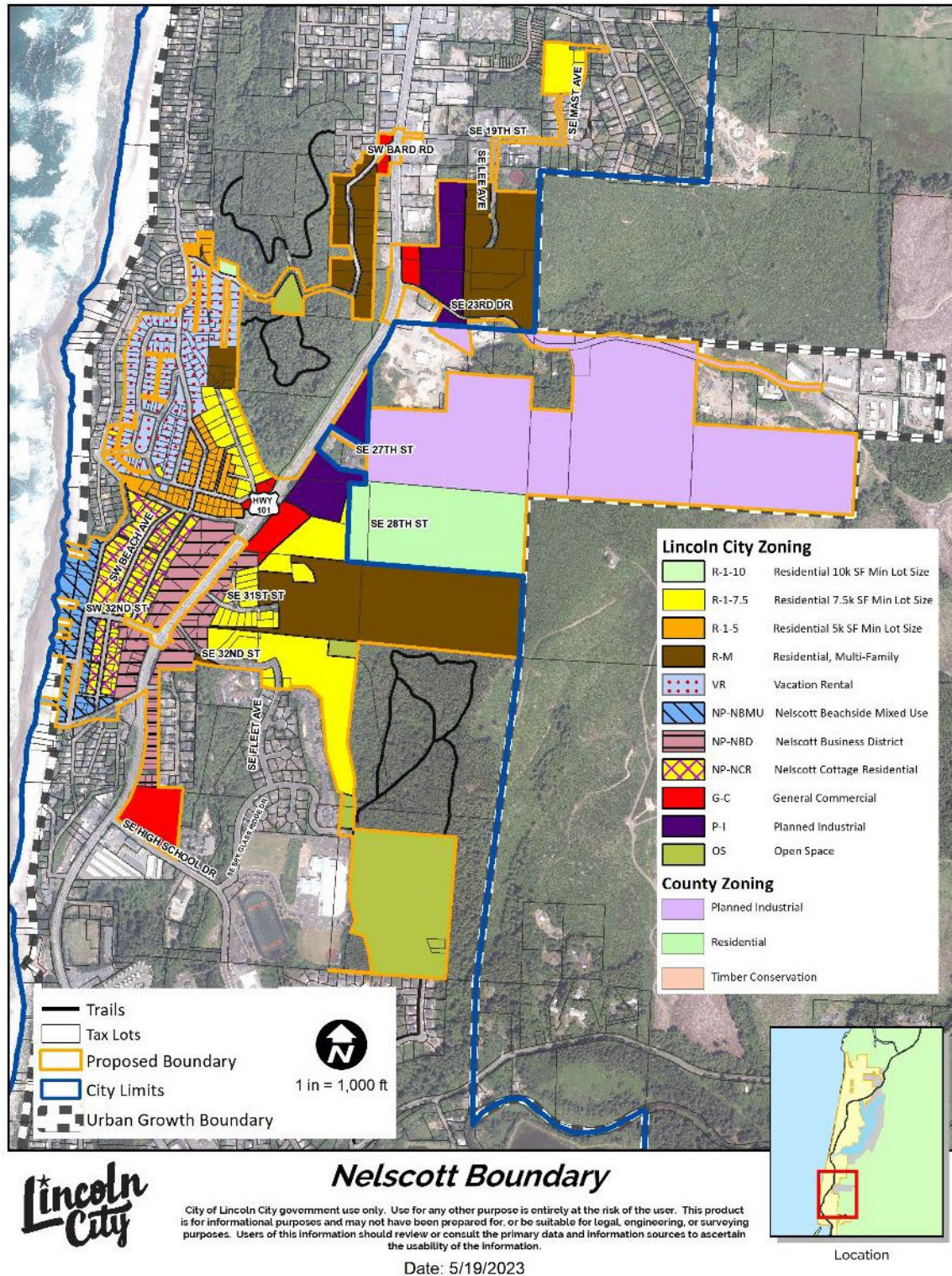
XIII. RELATIONSHIP TO LOCAL OBJECTIVES

ORS 457.085 requires that the Plan conform to local objectives. This section provides that analysis. Relevant local planning and development objectives are contained within the *City of Lincoln City Comprehensive Plan*, *City of Lincoln City Economic Opportunities Analysis and Housing Needs Analysis*, the *Nelscott Gap Neighborhood Plan*, the *2016 Parks & Recreation System Plan*, and the *Lincoln City Municipal Code, Title 17 Zoning and the Lincoln County Comprehensive Plan*. The following section describes the purpose and intent of these plans, the main applicable goals and policies within each plan, and an explanation of how the Plan conforms to the applicable goals and policies.

The numbering of the goals and policies within this section reflects the numbering that occurs in the original document. The language from the original document is in *italics*. Comprehensive Plan designations for all land in the Area are shown in Figure 2, Nelscott Urban Renewal (Tax Increment Finance) Plan Comprehensive Plan Designations.

All proposed land uses will conform to Figure 2. Maximum densities and building requirements for all land in the Area are contained in the Lincoln City Municipal Code described in Subsection H of this Section XIII. The comprehensive plan and zoning designations are shown in Figure 2. In Lincoln City, these are the same designations. Some of the properties are outside the Lincoln City city limits. The county zoning designations are shown for those properties.

Figure 2. Comprehensive Plan and Zoning Designations



Source: City of Lincoln City GIS

A. Lincoln City Comprehensive Plan

The analysis of how the Plan conforms to the *Lincoln City Comprehensive Plan* (Comprehensive Plan) covers the most relevant sections, but may not cover every section, of the Comprehensive Plan that relates to the Plan.

As the Comprehensive Plan is updated in the future, this document will automatically incorporate those updates without the Plan having to be formally amended. If a substantial amendment is completed in the future, this section of the Plan should be updated at that point.

Below are applicable Comprehensive Plan policies and statements of the Plan's conformance to Comprehensive Plan policies.

Citizens Involvement Goal

Develop a Citizen Involvement Program (CIP) which ensures the continued participation of citizens in the land use planning process.

Finding: The Plan conforms to the Citizens Involvement Goal as there has been citizen involvement in the preparation of the Plan. The City created a project Advisory Committee (AC) for the preparation and review of the Plan. In addition to the AC, the City met with representatives of the taxing districts to review the Plan. There were two public Community Open House Events to present information about the Plan and to provide opportunity for input., sent an e-mail to the general contact list, provided an on-line survey, and sent out public notices and Chamber of Commerce Friday Flyers. A full list of outreach is shown in Table 1. In addition, the Agency will complete a future Community Vision for the Area to establish project priorities.

Public Services and Utilities Goal

To plan and develop a timely, orderly, and efficient arrangement of public facility and services which complement the area and serve as a framework for urban and rural development.

Overall Public Facility Policies

3. *Lincoln City shall work with utility companies to develop and directly implement programs for placing all utilities underground. This program may be accomplished in conjunction with scheduled street repairs.*

Individual Public Facilities Policies

II. Drainage Policies:

1. *Adequate storm drainage facilities, including culverts, catch basins, natural or surface channel systems (approved by the city engineer) shall be a part of all subdivision design, planned development, City- or locally-initiated street construction or improvement, or other development and shall conform to the City's Master Drainage Plan.*

III. Parks and Recreation Policies

1. *The City shall provide recreational facilities and activities for all citizens of the city.*
3. *The City shall provide areas for high intensity recreation such as ball parks, swimming pools, tennis courts, neighborhood and community play fields.*

7. *The City's recreation committee shall encourage a bikeway plan within the city and shall cooperate with the Oregon Department of Transportation in establishment of the Oregon Coast Bikeway through Lincoln City.*
8. *The City shall work with the State Parks Department to improve the use of existing State Parks within the city.*

Finding: The Plan conforms to the Public Services and Utilities Goal as there are projects for undergrounding utilities, improving the storm drainage, and for providing new recreational facilities, bikeways and connections in the Area.

Housing Goal

To provide for the housing needs of all citizens.

Housing Policies

1. *The City shall encourage a wide range of housing types.*
3. *The City shall encourage multi-family buildings subject to design and landscape control.*
4. *The City shall work to stabilize and protect existing residential areas from deterioration and incompatible development.*

Finding: The Plan conforms to the Housing Goal as there are projects that will improve the transportation system including pedestrian and bicycle systems, improve recreational opportunities, and help encourage new residential, commercial and industrial development in the Area.

Economy Goal

To support the tourism industry and achieve a degree of diversity in the community which will allow a balanced economy that will, in turn, support an adequate level of services for all members of the area.

Economic Development Policies

4. *Lincoln City shall explore incentives for economic development in order to expand and increase the productivity of commerce and industry.*

Finding: The Plan conforms to the Economy Goal as there is a specific project category to help incentivize economic development in the Area. In addition, there are projects that will improve the transportation system including pedestrian and bicycle systems, improve recreational opportunities, help incentivize development and encourage new residential, commercial and industrial development in the Area.

Aesthetic Goal

To develop a livable and pleasing city which enhances people's activities while protecting the exceptional aesthetic quality of the area.

Aesthetic Policies

4. *The City shall establish a special study group to review the feasibility of placing utilities underground.*

Finding: The Plan conforms to the Aesthetic Goal as there is a project for undergrounding overhead utilities in the Area.

Transportation Goal

To provide a safe, convenient and rapid transportation network to facilitate the movement of goods and people.

Transportation Policies

Roadway Development

2. *Identify and develop bicycle routes through and around town that are safe, attractive and user-friendly.*
4. *Develop improved east west street connections with neighborhood needs and the direction of commercial in mind.*

Pedestrian Facilities

1. *Develop a plan for improved pedestrian crossings of 101 including signal treatments, with some crosswalk relocation and development.*
3. *Develop an off street pedestrian trail system perhaps integrated with a bike trail system to supplement on street facilities*

Bicycle Facilities

1. *Identify and develop a system of off Highway 101 bicycle routes through and around town that are safe, attractive and user friendly.*

Off Street Parking Development

1. *Refine the public off street parking development plan along Hwy 101 through the City.*
2. *Develop improved beach access parking facilities in the City.*

Transportation Financing

1. *Identify financial strategies and resources that will allow long term financing of transportation improvements in the City.*

Finding: The Plan conforms to the Transportation Goal as there are projects to improve the transportation system for all users in the Area. There is also a project for community wayfinding to help facilitate pedestrians and bicyclists to use these systems.

Energy Goal

To conserve energy.

Energy Policies

5. *The City shall encourage the use of cluster development in multi-family and planned development in order to lower energy expense in site and building development.*
8. *The City shall locate high density development within walking distance of services and shopping areas.*

Finding: The Plan conforms to the Energy Goal as there are projects in the Plan that improve the transportation system, parks system and provide incentives for housing development and economic development that will help support new development in the Area.

Overall Environmental Goal

To achieve a balance between the need to provide housing and services and the need to protect and enhance the natural environments of the City.

Finding: The Plan conforms to the Overall Environmental Goal as the projects that improve the transportation system, parks system and provide incentives for economic development will aid in balancing the need for new development and protecting the natural environments of the City.

B. Lincoln City Economic Opportunities Analysis and Housing Needs Analysis²

Economic Development Objectives

- *Encourage local businesses that provide family-wage jobs to locate in Lincoln City.*
- *Support the growth of existing businesses and entrepreneurs.*
- *Foster Lincoln City's recreation and tourism based economy, particularly during off-peak times (e.g. pursue a regional sports complex).*
- *Support the success of businesses that provide for the day-to-day needs of Lincoln City residents, including but not limited to the growing population of retirees.*
- *Encourage development of a local workforce with the skills that Lincoln City businesses need.*
- *Encourage the development of housing affordable to Lincoln City's workforce.*
- *Develop telecommunications and other infrastructure necessary to support home-based businesses and workers.*
- *Improve the transportation system to support economic development. Explore the use of Devils Lake for transportation purposes.*
- *Coordinate economic development efforts with local and regional partners.*

Housing Objectives

Encourage the development of affordable and workforce housing:

- *Investigate ways to reduce fees on new construction of affordable and workforce housing, while ensuring new infrastructure is not underfunded.*
- *Facilitate development of affordable housing on city-owned properties.*

² *City of Lincoln City Economic Opportunities Analysis and Housing Needs Analysis, Cogan Owens Greene, FCS Group, Fregonese Associates, April 2017.*

- *Periodically review the development code's regulations and zoning map to ensure they encourage a variety of housing types, such as accessory dwelling units, tiny houses, big houses and senior housing.*
- *Involve employers in efforts to provide and support workforce housing.*
- *Enact strategies to ensure that sufficient appropriately zoned land is available within the city and outside the tsunami inundation zone, such as increasing densities and annexing new lands.*
- *Design attractive neighborhoods that offer housing within walking distance to schools, jobs, shopping, and services.*
- *Streamline the permitting process for affordable and workforce housing.*

Finding: The Plan conforms to the *Lincoln City Economic Opportunities Analysis and Housing Needs Analysis* as there is a specific Economic Development program to encourage and incentivize development in the Area. There are projects to improve the transportation system for all users and to improve the park system in the Area. These activities will also be key in providing Affordable Housing in the city.

C. Imagine Lincoln City Community Vision, December 10, 2018

Lincoln City is the premier coastal community where the ocean, beach, rivers, lake, and forest come together to provide the Oregon coast's most extraordinarily beautiful and unexpected setting for work and recreation. Lincoln City is welcoming and inclusive, where people care for one another and their community. Through careful planning and collaboration, we have a pleasant, safe, healthy, and prosperous town where everyone enjoys a high quality of life.

GOAL STATEMENTS:

Lincoln City is a welcoming and attractive place to visit and call home. Residents take pride in their community and its unique sense of place. We have "pearl" districts, distinct neighborhoods, where people from all walks of life come to gather and connect. We preserve our neighborly beach vibe and are connected physically through our improved neighborhood gathering spaces, connected and improved pathways, and displays of public art. We are socially connected through our expanded community events, through knowing our neighbors, and through our commitment to engaging the whole community.

Lincoln City provides high-quality, reliable public infrastructure and services that residents and visitors easily access and navigate. City government is transparent, collaborative, and efficient. Lincoln City is a vibrant, regional destination for outdoor and indoor recreation opportunities, arts, culture, cuisine, and entertainment. Easy access enables residents and visitors of all ages to attend year-round community events and activities. We provide targeted activities and gathering spaces for youth, adults, and seniors. We offer some of the region's best outdoor recreation opportunities including hiking trails, beaches, and water sports.

Lincoln City supports a comprehensive education system offering improved K-12 schools, advanced career and workforce development programs, outdoor educational opportunities, and improved higher education opportunities on the coast. Our schools encourage and facilitate family involvement and provide a supportive learning environment for all children.

In Lincoln City, people understand the value of a diverse and thriving economic base. While tourism supports a large part of our economy, our community works together to attract and retain jobs from other types of employers. Our infrastructure systems are well maintained to support and accommodate the city's growth. Lincoln City supports small business and provides services and support for new business start-ups.

Community partnerships and progressive planning ensure Lincoln City residents have affordable housing. Lincoln City is a community that cares about those in need and works together to provide housing options for all income levels and ages, especially for our most vulnerable populations.

Lincoln City is a place that celebrates the arts. Access to a diverse spectrum of artists, arts, and cultural experiences enriches the community. We foster a community that supports local artists and recognizes, honors, and celebrates community history and culture.

Lincoln City has an integrated transportation system with improved connectivity for all modes of transportation. Residents and visitors safely and easily navigate their way around Lincoln City using any mode of transportation. As a regional tourist destination, we work together to maintain community mobility in peak traffic seasons.

Lincoln City is a responsible steward of our ocean, beaches, lake, open space, and other natural resources. Our community fosters a healthy environment to create a sustainable and resilient city for future generations to enjoy.

Lincoln City is safe and healthy for all. Everyone has a place to stay, access to healthcare, safe pedestrian networks, and freedom from crime and drug and alcohol abuse. The community and individuals are prepared to handle and recover from natural hazards.

Finding: The Plan conforms to the Imagine Lincoln City Community Vision, as there are projects in the Plan that improve the transportation system make it more multi-use and more reliable. The parks system will be expanded with improved access points to the beach and improvements to the open spaces. The Plan provides incentives for economic development and will support housing development in the Area. A key intent of the Plan is to help diversify the employment base within Lincoln City, utilizing the industrial lands for employment purposes.

D. Nelscott Neighborhood Gap Plan, August 28, 2017

In 2045, Nelscott is developing both east and west of the highway in a neighborhood that is well connected, economically vibrant and attractive. It is a welcoming tourist environment and a pleasant home for year-round residents. Development honors the natural assets of the area, and builds off them to create value for property owners and tenants. Residents enjoy opportunities for lifelong learning at the Oregon Coast Community College and Lincoln County public schools. Students are able to walk, bike and take transit or drive safely to the campuses.

Nelscott Neighborhood Plan Goals

Livability and Housing

Families and people of all ages are able to find attractive, affordable housing in Nelscott. Proximate to both the forest and the sea, Nelscott communities are walkable, interesting, well-planned and maintained.

Recreation and Health

Residents of the Nelscott area live within walking distance to parks, trails and recreations that enhance quality of life for all ages, and contribute to a healthy community lifestyle. Art, theater, community gardens and recreational programs provide a range of options for visitors and residents.

Heritage and Inclusion

Native American Siletz Tribal history is a valued part of the Nelscott community fabric. Residents from all backgrounds make Nelscott an inviting and vibrant community.

Economy

Employment opportunities in Nelscott represent a diversified economy and provide jobs for area residents. Nelscott residents enjoy a range of opportunities – from working from home to engaging in entrepreneurship and employment opportunities nearby. The tourism economy continues to sustain the local economic vitality, for which the natural environment is the prime asset.

Transportation Choice

Residents and visitors walk, bike, drive and ride transit through Nelscott, connected to Taft, Delake, and other Lincoln City districts. Safe transportation routes connect the neighborhoods

physically, economically, and socially. As walking is a distinct priority, all streets are safe, convenient and attractive as ways for residents and visitors to walk to their daily destinations. Parking options are appropriate and well designed.

Lifelong Learning

Mid-coast residents travel to Nelscott to take advantage of the educational opportunities at the Oregon Coast Community College (OCCC) campus. OCCC, elementary and high school students and activities are central to the Nelscott identity and community life.

Ecology and Natural Resources

Development optimizes property and community values by mitigating natural hazards, protecting streams, wetlands, view corridors and forest canopies, while providing connections to the Pacific Ocean visually and physically.

Finding: The Plan conforms to the Imagine Nelscott Gap Master Plan, as there are projects in the Plan that improve livability including improving the transportation system and providing transportation choices, and providing better access to parks system with expanded access points to the beach and open space. The Plan provides incentives for economic development and will support housing development in the Area. A key intent of the Plan is to help diversify the employment base within Lincoln City, utilizing the industrial lands for employment purposes.

E. Lincoln City Parks & Recreation Plan System Plan 2016

Vision & Goals

The city of Lincoln City and its community members will strive to create a park and recreation system that:

- *Is well-connected and accessible, featuring a geographically dispersed set of facilities and an interconnected, easily navigable system of trails, pathways and other opportunities to travel to facilities by walking, bicycling, driving and transit.*
- *Is inclusive and culturally sensitive, providing opportunities for people of all ages and backgrounds, including young people, families, older adults, and people with limited means.*
- *Celebrates and preserves nature and enhances the ecological integrity of Lincoln City's natural areas.*
- *Continues to provide access to Lincoln City's expansive beaches and waterways.*
- *Is enticing and safe and provides a diverse range of indoor and outdoor recreational activities, including opportunities for education, active recreation, and enjoyment of nature.*
- *Responds to current and future needs and includes existing, new and enhanced facilities that are modern, inviting, well-maintained, designed and operated sustainably, and include adequate parking and other amenities and attractions for both residents and visitors.*
- *Supports and grows our economic base of tourism.*
- *Is ambitious, but realistic, and can be implemented by the city, in partnership with other community members and organizations.*

Finding: Plan conforms to the Lincoln City Parks & Recreation Plan as there are projects in the Plan that improve the parks system and provide improved access to open space in the Area. The improved parks and access with support and grow the economic base of tourism. The design of these improvements will be reviewed by the city to make sure they conform with the Lincoln City Parks & Recreation Plan.

F. Lincoln City Walking and Biking Plan 2012

The Lincoln City Walking and Biking Plan 2012 is both a guiding vision and a strategic action plan for improving walking and biking conditions within Lincoln City and its urban growth boundary.

The vision for the Lincoln City bicycle and pedestrian system is to provide a safe, convenient, and accessible network of routes that encourage bicycling and walking in Lincoln City and provide viable alternatives to motor vehicle use.

Finding: The Plan conforms to the Lincoln City Walking and Biking Plan as there are projects in the Plan that improve the transportation system and trails within the parks in the Area.

G. Lincoln City Draft ADA Transition Plan 2016

The highest priority beach access points in the Lincoln City Draft ADA Transition Plan 2016 within the Nelscott Area are as follows:

1. SW 33rd / 34th St. Beach Access
2. SW 35th St. Beach Access

Finding: The Plan conforms to the Lincoln City Draft ADA Transition Plan as there are projects to improve the transportation system for all users in the Area. This includes sidewalks and beach access within the Area.

H. Lincoln City Municipal Code

The land uses in the Area will conform to the zoning designations in the *Lincoln City Municipal Code, Title 17 Zoning*, including maximum densities and building requirements, and those provisions of the *Lincoln City Municipal Code*, are incorporated by reference herein. The following zoning districts are present in the Area:

Single Family Residential (R1)

Purpose: To promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of the zone. The R-1 zone is intended to provide primarily for single-family dwellings.

Subset:

R-1-7-5 (Single family residential 7,500 square foot minimum lot size)

R 1-5 (Single family residential 5,000 square foot minimum lot size)

Multiple-Family Residential (R-M)

Purpose: This zoning district is designed to provide an environment suitable for higher density urban residential uses, and community services.

Vacation Rental (VR)

Nelscott Plan District

17.34.010 Purpose.

The Nelscott plan district (NPD) is established to provide for the integration of residential, commercial, and recreational uses in a well-planned, pedestrian-oriented, mixed use environment. The purpose of the district is to provide maximum flexibility in land use while protecting the unique character of Nelscott.

Nelscott Business District (NBD) *The intent of this zoning subdistrict is to encourage and enhance the traditional character of the Nelscott commercial core along Highway 101 and to concentrate the businesses in a pedestrian-friendly manner. The emphasis in this subdistrict is on providing retail, commercial, and personal services for the neighboring residents and visitors.*

Nelscott Cottage Residential (NCR) *The intent of this zoning subdistrict is to encourage and enhance the traditional character of the Nelscott residential areas located west of Highway 101. The emphasis in this subdistrict is on preserving and protecting the traditional cottage heritage in a family-friendly, pedestrian-oriented environment.*

Nelscott Beachside Mixed Use (NBMU) *The intent of this zoning subdistrict is to provide for a variety of small-scale beach-oriented commercial and residential uses in a family-friendly environment.*

General Commercial (GC)

Purpose: The general commercial zone (GC) is provided to accommodate a wide range of retail commercial uses including those which attract shoppers from a community or

larger market area, as well as convenience service/retail uses and single-family residential dwelling units. Retail commercial uses are those that sell services and/or products to the ultimate consumer. Also permitted as conditional uses are low intensity fabrication uses and other limited service facilities as listed.

Planned Industrial (PI)

Purpose: The planned industrial (PI) zone is provided to accommodate light industrial manufacturing, wholesale and warehousing commercial uses.

Open Space (OS)

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.

As the *Lincoln City Municipal Code Title 17 Zoning* is updated, this document will be updated by reference. If a substantial amendment to this Plan is completed in the future, this section will be updated to match the current zoning designations.

Lincoln County Zoning

Planned Industrial Zone I-P

(1) Uses Permitted Outright:

The following uses and their accessory uses are permitted subject to the applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, and 1.1901 to 1.1999:

- (a) Farm use.
- (b) Forestry, including the management, production, and harvesting of forest products and of related natural resources in forest areas and including rock extraction and processing for use in forest access roads.
- (c) Residence for caretaker or night watchman.
- (d) Beachfront protective structures.

Residential

1) Uses Permitted Outright:

The following uses and their accessory uses are permitted subject to the applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599 and 1.1901 to 1.1999:

- (a) A one-family dwelling unit excluding single wide mobile homes;

- (b) Duplex on a corner lot each unit fronting on a separate street;
- (c) A recreational vehicle or other approved temporary housing to be used for dwelling purposes during the construction of a single-family residential dwelling unit for which a building permit has been issued. The use shall not exceed a period of one year;
- (d) Farm and forest use: Livestock and primary processing or forest products are prohibited;
- (e) Beach front protective structures.

Timber Conservation

The following uses and their accessory uses are permitted outright, subject to applicable siting criteria, other applicable provisions of this section, and applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, and 1.1901 to 1.1999:

- (a) Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash.
- (b) Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation.
- (c) Physical alterations to the land auxiliary to forest practices, including but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities.
- (d) Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources.
- (f) Local distribution lines, such as electric, telephone and natural gas, and accessory equipment, such as electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals, or equipment which provides service hookups, including water service hookups.
- (g) Temporary portable facility for the primary processing of forest products. The facility shall not be placed on a permanent foundation and shall be removed at the conclusion of the forest operation requiring its use.
- (h) Temporary forest labor camps limited to the duration of the forest operation requiring the use.
- (i) Exploration for, and production of, geothermal, gas, oil, and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head as defined in ORS chapters 517 and 520.
- (j) Caretaker residences for public parks and fish hatcheries.
- (k) Private hunting and fishing operations without any accommodations.
- (l) Exploration for mineral and aggregate resources as defined in ORS chapter 517.
- (m) Towers and fire stations for forest fire protection.
- (n) Widening of roads within existing rights-of-way in conformance with the transportation element of acknowledged comprehensive plans, including public road and

highway projects as described in ORS 215.213(1)(l) through (o) and ORS 215.283(1)(k) through (n).

(o) Water intake facilities, canals and distribution lines for farm irrigation and ponds.

(p) Uninhabitable structures accessory to fish and wildlife enhancement.

(q) Alteration, restoration or replacement of a lawfully established dwelling that:

(A) Has intact interior walls and roof structure;

(B) Has indoor plumbing consisting of a kitchen sink, toilet, and bathing facilities connected to a sanitary waste disposal system;

(C) Has interior wiring or interior lights;

(D) Has a heating system; and

(E) In the case of replacement, is removed, demolished or converted to a permitted nonresidential use within 90 days of completion of the replacement dwelling.

(e) Farm use as defined in ORS 215.203

Finding: The Plan conforms to the *Lincoln City Municipal Code Title 17 and Chapter 1 Land Use Planning of the Lincoln County Code* as projects, programs, and expenditures proposed in the Plan conform to the requirements in the code and support the types of uses allowed in the zoning districts present in the Area. All projects will undergo the established City of Lincoln City protocols and review as directed in the *Lincoln City Municipal Code Title 17*.

I. Lincoln County Comprehensive Plan

The following goals and policies of the Lincoln County Comprehensive Plan pertain to the anticipated actions under this Plan.

1.0020 Intergovernmental Coordination Policies

The County shall work with all local, state and federal agencies districts owning and managing property within Lincoln County to assure coordinated comprehensive planning:

(1) Pursuant to the federal consistency requirements of the Coastal Zone Management Act

(Section 307), all state and federal permits for activities affecting land use within Lincoln County

shall be reviewed by the County for compliance with the comprehensive plan before the permit is granted.

(2) The County shall maintain communication with local, state and federal agencies which

may include the exchange of maps, data and other appropriate information.

Finding: The County Administrator has been a part of the Advisory Committee that has reviewed the development of the Plan. The Lincoln County Commission has received

formal briefings on May 3, May 17, July 19 and July 26. The Plan conforms to the Intergovernmental Coordination Policies of the Lincoln County Comprehensive Plan.

1.0030 Urbanization Policies

(4) Developments within urban growth boundaries, but outside of city limits shall be allowed only when the property owner has agreed to accept and pay for (now or at some future date at the discretion of the service provider) service extension, installation, and hook up fees at levels equal to those required within the city. Public facilities (water, sewer and streets) design shall be approved by the city, special district or other private service provider prior to final approval.

(6) Within city urban growth boundaries, subdivisions and partitions shall be to the city's urban densities as set out in the city's plan designation for the affected property or be at interim densities of five acres or greater so long as lots do not interfere with efficient urbanization.

(7) Within urban growth boundaries and outside of city limits, the Lincoln County land use designations shall apply prior to annexations. After annexations, the city land use designations shall apply.

(8) Lincoln County shall comment on proposed annexations when cities have provided a description of the proposed area annexation to the County ten days prior to applicable public hearings.

(9) Lincoln County shall coordinate with cities and special districts on plans, public facility extensions and urban services delivery. Where necessary this will be done through intergovernmental agreement.

Finding: There are properties within the boundary of the Plan that are in unincorporated Lincoln County but within the urban growth boundary. The city will work with the county on the future development within this Area, as required by both the County Comprehensive Plan and the City Comprehensive Plan. The Plan conforms to the Urbanization Policies of the Lincoln County Comprehensive Plan.

1.0130 Economic Goals

(1) To establish an economic planning process in the county.

(2) To support and encourage the expansion of existing industrial and commercial activities in appropriate locations.

(3) To support and encourage the creation of new industrial and commercial activities in appropriate locations.

(4) To recognize the environmental and developmental constraints in expansion of industrial, commercial, and residential activities.

(5) To improve the average wage in the county.

(6) To improve the quality of employment opportunities in Lincoln County.

Finding: There are properties within the boundary of the Plan that are in unincorporated Lincoln County but within the urban growth boundary. These properties have the capacity to provide for economic activity for the Area. The planning process will be followed on any new development within the Area. The Plan conforms to the Economic Goals of the Lincoln County Comprehensive Plan.

1.0140 Transportation Goals

Transportation goals:

(1) To plan for a safe, convenient and economic transportation system.

- (2) *To provide an efficient and aesthetically pleasing system of public roads.*
- (3) *To develop a transportation system which enhances the County's economy.*
- (4) *To encourage energy conserving transportation modes.*
- (5) *To conserve energy in transportation.*

Finding: There are properties within the boundary of the Plan that are in unincorporated Lincoln County but within the urban growth boundary. There are transportation networks that are envisioned for the Area. The planning process will be followed on the development of any new transportation networks within the Area. The Plan conforms to the Transportation Goals of the Lincoln County Comprehensive Plan.

1.0160 Housing Goals

Housing goals:

- (1) *To assist in providing housing.*
- (2) *To provide opportunities for a variety of housing choices, including low and moderate income housing to meet the needs, desires, and financial capabilities of all Lincoln County residents.*
- (3) *To make housing more efficient.*

Finding: There are properties within the boundary of the Plan that are in unincorporated Lincoln County but within the urban growth boundary. There are opportunities for the development of Housing within the Area. The planning process will be followed on the development of any new housing within the Area. The Plan conforms to the Housing Goals of the Lincoln County Comprehensive Plan.

1.0170 Recreation Goals

Recreational goals:

- (1) *To provide for recreation facilities for both residents and visitors in Lincoln County.*
- (2) *To maintain the region as a tourist recreation area.*

Finding: There are properties within the boundary of the Plan that are in unincorporated Lincoln County but within the urban growth boundary. There are opportunities for the development of recreation opportunities within the Area. The planning process will be followed on the development of any new recreational opportunities within the Area. The Plan conforms to the Recreation Goals of the Lincoln County Comprehensive Plan.

1.0180 Public Facilities Goals

Public facilities goals:

- (3) *To achieve intergovernmental harmony and improved public service through closer cooperation with other units of government operating in the County.*
- (4) *To encourage the public, quasi-public and private county services and related facilities which maintain and insure the safety, health and welfare.*

Finding: There are properties within the boundary of the Plan that are in unincorporated Lincoln County but within the urban growth boundary. There are transportation networks that are envisioned for the Area. The planning process will be followed on the development of any new transportation networks within the Area. The Plan conforms to the Public Facilities Goals of the Lincoln County Comprehensive Plan.

XIV. LEGAL DESCRIPTION



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OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

City of Lincoln City

Nelscott Urban Renewal Area



EXHIBIT A

City of Lincoln City - Nelscott Urban Renewal Area Description

A tract of land and road rights-of-way, located in the Northeast, Northwest, Southwest, and Southeast One-Quarters of Section 22, in the Southwest and Northwest One-Quarters of Section 23, in the Northwest and Northeast One-Quarters of Section 27, Township 7 South, Range 11 West, Willamette Meridian, City of Lincoln City, Lincoln County, Oregon, and being more particularly described as follows:

Beginning at the northeast corner of Parcel 3 of Partition Plat No. 1991-60, Lincoln County Plat Records, also being on the east line of said Section 22 (Assessor's Map 07.11.22AD);

1. Thence along said east line, Southerly 1,132 feet, more or less, to the one-quarter corner common to said Sections 22 and 23 (Assessor's Map 07.11.23CB);
2. Thence along the north line of the Southwest One-Quarter of said Section 23, Easterly 542 feet, more or less, to the northerly right-of-way line of SE 23rd Drive (Assessor's Map 07.11.23CB);
3. Thence along said northerly right-of-way line, Easterly 395 feet, more or less, to the north line of said Southwest One-Quarter (Assessor's Map 07.11.23CB);
4. Thence along said north line, Easterly 395 feet, more or less, to the center west one-sixteenth corner of said Section 23 (Assessor's Map 07.11.23CA);
5. Thence along the east line of the Northwest One-Quarter of the Southwest One-Quarter of said Section 23, Southerly 90 feet, more or less, to said northerly right-of-way line (Assessor's Map 07.11.23CA);
6. Thence along said northerly right-of-way line, Easterly 1,062 feet, more or less, to the east right-of-way line of SE 23rd Drive (Assessor's Map 07.11.23CA);
7. Thence along said east right-of-way line, Southerly 51 feet, more or less, to the southerly right-of-way line of SE 23rd Drive (Assessor's Map 07.11.23CA);
8. Thence along said southerly right-of-way line, Westerly 1,061 feet, more or less, to said east line of the Northwest One-Quarter of the Southwest One-Quarter (Assessor's Map 07.11.23CA);
9. Thence along said east line, Southerly 519 feet, more or less, to the center north southwest one-sixty fourth corner of said Section 23 (Assessor's Map 07.11.23CA);
10. Thence along the north line of the south one-half of the Northeast One-Quarter of the Southwest One-Quarter of said Section 23, Easterly 1,325 feet, more or less, to the east line of the Southwest One-Quarter of said Section 23 (Assessor's Map 07.11.22CA);
11. Thence along the east line of the southwest one-quarter of said Section 23, Southerly 659 feet, more or less, to the center south one-sixteenth corner of said Section 23 (Assessor's Map 07.11.23CA);
12. Thence along the south line of the north one-half of the southwest one-quarter of said Section 23, Westerly 2,648 feet, more or less, to the east line of said Section 22 (Assessor's Map 07.11.22DD);

13. Thence along said east line, Southerly 1,324 feet, more or less, to the southeast corner of said Section 22 (Assessor's Map 07.11.22DD);
14. Thence along the south line of said Section 22, Westerly 1,552 feet, more or less, to the easterly line of Tract "A" of the plat "The Ridge Apartments", Plat Book 16, Page 9, Lincoln County Plat Records (Assessor's Map 07.11.27AB);
15. Thence along said easterly line, Southerly 679 feet, more or less, to the southeasterly corner of said Tract "A" (Assessor's Map 07.11.27AB);
16. Thence leaving said easterly line, Southerly 36 feet, more or less, to the easterly line of Book 144, Page 980, Lincoln County Deed Records (Assessor's Map 07.11.27A);
17. Thence along said easterly line and the easterly line of Instrument Number 2004-08772, Lincoln County Deed Records, Southerly 233 feet, more or less, to the northerly right-of-way line of SE Spy Glass Ridge Drive (Assessor's Map 07.11.27A);
18. Thence along the easterly extension of said northerly right-of-way line, Easterly 802 feet, more or less, to the northerly extension of the east line of Instrument Number 2006-09105, Lincoln County Deed Records (Assessor's Map 07.11.27A);
19. Thence along said northerly extension and the east line of said Deed and the southerly extension thereof, Southerly 1,156 feet, more or less, to the northerly line of the plat "Resort at Bayview P.U.D.", Plat Book 18, Page 20, Lincoln County Plat Records (Assessor's Map 07.11.27DA);
20. Thence along said northerly line, Westerly 953 feet, more or less, to the westerly line of Instrument Number 2003-17650, Lincoln County Deed Records (Assessor's Map 07.11.27A);
21. Thence along said westerly line, Northerly 1,564 feet, more or less, to the southerly right-of-way line of SE Spy Glass Ridge Drive (Assessor's Map 07.11.27A);
22. Thence along said southerly right-of-way line, Westerly 116 feet, more or less, to the southerly extension of the easterly line of Lot 1 of said plat "The Ridge Apartments" (Assessor's Map 07.11.27AB);
23. Thence along said southerly extension and the easterly line of said Lot 1, Northwesterly 1,437 feet, more or less, to the easterly line of Lot 1, Block 11 of the plat "Spyglass Ridge", Plat Book 13, Page 7, Lincoln County Plat Records (Assessor's Map 07.11.27AB);
24. Thence along said easterly line, Southerly 25 feet, more or less, to the northerly right-of-way line of SE Harbor Drive (Assessor's Map 07.11.27AB);
25. Thence along said northerly right-of-way line, Westerly 70 feet, more or less, to the easterly right-of-way line of SE Fleet Avenue (Assessor's Map 07.11.27AB);
26. Thence leaving said easterly right-of-way line, Westerly 60 feet, more or less, to the intersection of the westerly right-of-way line of SE Fleet Avenue and the southerly line of Lot 2, Block 9 of said plat "Spyglass Ridge" (Assessor's Map 07.11.27AB);
27. Thence along said southerly line, Westerly 107 feet, more or less, to the westerly line of said Block 9 (Assessor's Map 07.11.27AB);
28. Thence along said westerly line, Northerly 131 feet, more or less, to the southerly right-of-way line of SE 32nd Street (Assessor's Map 07.11.27AB);
29. Thence along said southerly right-of-way line, Westerly 550 feet, more or less, to the westerly line of said plat (Assessor's Map 07.11.27AB);

30. Thence along said westerly line, Southerly 66 feet, more or less, to the northerly line of the plat "Sea Crest Park Addition of Nelscott", Plat Book 8, Page 22, Lincoln County Plat Records (Assessor's Map 07.11.27BA);
31. Thence along said northerly line, Westerly 277 feet, more or less, to the easterly line of Lot 1, Block 3 of said plat (Assessor's Map 07.11.27BA);
32. Thence along said easterly line and the southerly extension thereof, Southerly 959 feet, more or less, to the northerly line of Partition Plat No. 2023-03, Lincoln County Plat Records (Assessor's Map 07.11.27BD);
33. Thence along said northerly line, Easterly 200 feet, more or less, to the easterly line of said plat (Assessor's Map 07.11.27BD);
34. Thence along said easterly line, Southerly 582 feet, more or less, to the northeasterly right-of-way line of SE High School Drive (Assessor's Map 07.11.27BD);
35. Thence along said northeasterly right-of-way line, Northwesterly 593 feet, more or less, to the easterly right-of-way line of US Highway 101 (Assessor's Map 07.11.27BD);
36. Thence along said easterly right-of-way line, Northerly 1,105 feet, more or less, to the southerly right-of-way line of SE 35th Street (Assessor's Map 07.11.27BA);
37. Thence leaving said easterly right-of-way line, Southwesterly 110 feet, more or less, to the intersection of the westerly right-of-way line of US Highway 101 and the southeasterly right-of-way line of SW 35th Street (Assessor's Map 07.11.27BA);
38. Thence along said southeasterly right-of-way line, Southwesterly 791 feet, more or less, to the westerly right-of-way line of SW 35th Street (Assessor's Map 07.11.27BA);
39. Thence along said westerly right-of-way line, Northerly 40 feet, more or less, to the westerly line of Block I of the plat "Nelscott Beach", Plat Book 7, Page 10, Lincoln County Plat Records (Assessor's Map 07.11.27BA);
40. Thence along said westerly line, Northerly 126 feet, more or less, to the southerly line of Lot 3 of said Block I (Assessor's Map 07.11.27BA);
41. Thence along the westerly extension of said southerly line, Westerly 166 feet, more or less to the approximate 5.7 foot contour line per ODOT orthophoto (Assessor's Map 07.11.27BA);
42. Thence along said contour line, Northerly 51 feet, more or less, to the westerly extension of the northerly line of said Lot 3 (Assessor's Map 07.11.27BA);
43. Thence along said westerly extension, Easterly 172 feet, more or less, to the westerly line of said Block I (Assessor's Map 07.11.27BA);
44. Thence along said westerly line, Northerly 356 feet, more or less, to the southerly line of Lot 1, Block II of said plat (Assessor's Map 07.11.27BA);
45. Thence along the westerly extension of said southerly line, Westerly 124 feet, more or less, to said contour line (Assessor's Map 07.11.27BA);
46. Thence along said contour line, Northerly 159 feet, more or less, to the westerly extension of the southerly line of Lot 4 of said Block II (Assessor's Map 07.11.27BA);
47. Thence along said westerly extension, Easterly 147 feet, more or less, to the westerly line of said Block II (Assessor's Map 07.11.27BA);
48. Thence along said westerly line, Northerly 51 feet, more or less, to the northerly line of said Lot 4 (Assessor's Map 07.11.27BA);
49. Thence along the westerly extension of said northerly line, Westerly 119 feet, more or less, to said contour line (Assessor's Map 07.11.27BA);

50. Thence along said contour line, Northerly 52 feet, more or less, to the westerly extension of the southerly line of Lot 6 of said Block II (Assessor's Map 07.11.27BA);
51. Thence along said westerly extension, Easterly 130 feet, more or less, to the westerly line of said Block II (Assessor's Map 07.11.27BA);
52. Thence along said westerly line, Northerly 50 feet, more or less, to the northerly line of said Lot 6 (Assessor's Map 07.11.27BA);
53. Thence along the westerly extension of said northerly line, Westerly 134 feet, more or less, to said contour line (Assessor's Map 07.11.22CD);
54. Thence along said contour line, Northerly 109 feet, more or less, to the westerly extension of the southerly line of Lot 1, Block III of said plat (Assessor's Map 07.11.22CD);
55. Thence along said westerly extension, Easterly 147 feet, more or less, to the westerly line of said Block III (Assessor's Map 07.11.22CD);
56. Thence along said westerly line, Northerly 60 feet, more or less, to the northerly line of said Lot 1 (Assessor's Map 07.11.22CD);
57. Thence along the westerly extension of said northerly line, Westerly 195 feet, more or less, to said contour line (Assessor's Map 07.11.22CD);
58. Thence along said contour line, Northerly 376 feet, more or less, to the westerly extension of the southerly line of Lot 9 of said Block III (Assessor's Map 07.11.22CD);
59. Thence along said westerly extension, Easterly 179 feet, more or less, to said westerly line of Block III (Assessor's Map 07.11.22CD);
60. Thence along said westerly line, Northerly 51 feet, more or less, to the northerly line of said Lot 9 (Assessor's Map 07.11.22CD);
61. Thence along the westerly extension of said northerly line, Westerly 193 feet, more or less, to said contour line (Assessor's Map 07.11.22CD);
62. Thence along said contour line, Northerly 57 feet, more or less, to the westerly extension of the southerly line of Lot 2, Block IX of the plat "First Addition to Nelscott Beach", Plat Book 7, Page 28, Lincoln County Plat Records (Assessor's Map 07.11.22CD);
63. Thence along said westerly extension, Easterly 219 feet, more or less, to the westerly line of said Block IX (Assessor's Map 07.11.22CD);
64. Thence along said westerly line, Northerly 90 feet, more or less, to the northerly line of Book 235, Page 335, Lincoln County Deed Records (Assessor's Map 07.11.22CD);
65. Thence along said northerly line, Easterly 120 feet, more or less, to the westerly right-of-way line of SW Anchor Avenue (Assessor's Map 07.11.22CD);
66. Thence along said westerly right-of-way, Northerly 526 feet, more or less, to the southerly line of Lot 11, Block XI of said plat (Assessor's Map 07.11.22CD);
67. Thence leaving said westerly right-of-way line, Northeasterly 42 feet, more or less, to an angle point on the westerly line of Instrument Number 2014-10642, Lincoln County Deed Records, also being on the easterly right-of-way line of SW Anchor Avenue (Assessor's Map 07.11.22CD);
68. Thence along said easterly right-of-way line, Northwesterly 283 feet, more or less, to the northerly line of Lot 30 of the plat "Olivia Beach Phase 2", Plat Book 18, Page 1, Lincoln County Plat Records (Assessor's Map 07.11.22CA);
69. Thence along said northerly line, Easterly 116 feet, more or less, to the easterly line of said Lot 30 (Assessor's Map 07.11.22CA);

70. Thence along said easterly line, Southerly 32 feet, more or less, to the northeasterly line of Lot 29 of said plat (Assessor's Map 07.11.22CA);
71. Thence along said northeasterly line and the southeasterly extension thereof, Southeasterly 147 feet, more or less, to an angle point on the northerly line of Tract 'C' of said plat (Assessor's Map 07.11.22CA);
72. Thence along said northerly line, Easterly 125 feet, more or less, to an angle point on the northerly line of Lot 20 of said plat (Assessor's Map 07.11.22CA);
73. Thence along said northerly line, Easterly 43 feet, more or less, to the westerly right-of-way line of SW 28th Street (Assessor's Map 07.11.22CA);
74. Thence along said westerly right-of-way line, Northerly 20 feet, more or less, to the southerly line of Lot 21 of said plat (Assessor's Map 07.11.22CA);
75. Thence along said southerly line, Westerly 36 feet, more or less, to an angle point on said southerly line (Assessor's Map 07.11.22CA);
76. Thence continuing along said southerly line and the westerly extension thereof, Westerly 113 feet, more or less, to an angle point on the southerly line of Lot 24 of said plat (Assessor's Map 07.11.22CA);
77. Thence along said southerly line and the northwesterly extension thereof, Northwesterly 134 feet, more or less, to an angle point on the westerly line of Lot 26 of said plat (Assessor's Map 07.11.22CA);
78. Thence along said westerly line, Northerly 23 feet, more or less, to the northerly line of said Lot 26 (Assessor's Map 07.11.22CA);
79. Thence along said northerly line, Easterly 51 feet, more or less, to an angle point on said northerly line (Assessor's Map 07.11.22CA);
80. Thence continuing along said northerly line and the easterly extension thereof, Easterly 114 feet, more or less, to the westerly right-of-way line of SW Anemone Avenue (Assessor's Map 07.11.22CA);
81. Thence along said westerly right-of-way line, Northwesterly 146 feet, more or less, to the easterly line of Lot 37 of said plat (Assessor's Map 07.11.22CA);
82. Thence along said easterly line and the southerly extension thereof, Southerly 34 feet, more or less, to the southerly line of Lot 36 of said plat (Assessor's Map 07.11.22CA);
83. Thence along said southerly line, Westerly 90 feet, more or less, to the westerly line of said Lot 36 (Assessor's Map 07.11.22CA);
84. Thence along said westerly line, Northerly 35 feet, more or less, to an angle point on said westerly line (Assessor's Map 07.11.22CA);
85. Thence continuing along said westerly line and the northerly extension thereof, Northerly 142 feet, more or less, to an angle point on the westerly line of Lot 39 of said plat (Assessor's Map 07.11.22CA);
86. Thence along said westerly line, Northeasterly 29 feet, more or less, to the northerly line of said Lot 39 (Assessor's Map 07.11.22CA);
87. Thence along said northerly line, Easterly 74 feet, more or less, to the westerly right-of-way line of SW Anemone Avenue (Assessor's Map 07.11.22CA);
88. Thence along said westerly right-of-way line, Northerly 131 feet, more or less, to the easterly line of Lot 42 of said plat (Assessor's Map 07.11.22CA);
89. Thence along said easterly line and the southerly extension thereof, Southerly 108 feet, more or less, to the southerly line of Lot 40 of said plat (Assessor's Map 07.11.22CA);

90. Thence along said southerly line, Westerly 104 feet, more or less, to the easterly line of Lot 35 of said plat (Assessor's Map 07.11.22CA);
91. Thence along said easterly line and the southerly extension thereof, Southerly 153 feet, more or less, to an angle point on the easterly line of Lot 32 of said plat (Assessor's Map 07.11.22CA);
92. Thence along said easterly line, Southerly 40 feet, more or less, to the southerly line of Lot 31 of said plat (Assessor's Map 07.11.22CA);
93. Thence along said southerly line, Westerly 106 feet, more or less, to the easterly right-of-way line of SW Anchor Avenue, also being the westerly line of said plat (Assessor's Map 07.11.22CA);
94. Thence along said westerly line and the northerly extension thereof, Northerly 1,240 feet, more or less, to the northerly line of Lot 1 of the plat "Barnacle Subdivision", Plat Book 19, Page 11, Lincoln County Plat Records (Assessor's Map 07.11.22CA);
95. Thence along said northerly line and the easterly extension thereof, Easterly 282 feet, more or less, to the westerly right-of-way line of SW Coast Avenue (Assessor's Map 07.11.22CA);
96. Thence along said westerly right-of-way line, Northerly 77 feet, more or less, to the southerly right-of-way line of SW 24th Drive (Assessor's Map 07.11.22CA);
97. Thence leaving said southerly right-of-way line, Easterly 50 feet, more or less, to the northwesterly corner of Tract 'J' of the plat "Olivia Beach Phase 3", Plat Book 19, Page 18, Lincoln County Plat Records, also being on the easterly right-of-way line of SW Coast Avenue (Assessor's Map 07.11.22CA);
98. Thence along said easterly right-of-way line, Northerly 537 feet, more or less, to the southerly line of Partition Plat No. 2005-23, Lincoln County Plat Records (Assessor's Map 07.11.22BD);
99. Thence along said southerly line, Easterly 130 feet, more or less, to the westerly line of Parcel 3 of Partition Plat 2006-07, Lincoln County Plat Records (Assessor's Map 07.11.22BD);
100. Thence along said westerly line, Northerly 108 feet, more or less, to the northerly line of said Parcel 3 (Assessor's Map 07.11.22BD);
101. Thence along said northerly line, Easterly 126 feet, more or less, to the easterly line of said Parcel 3 (Assessor's Map 07.11.22BD);
102. Thence along said easterly line and the southerly extension thereof, Southerly 275 feet, more or less, to the northerly right-of-way line of SW Bard Road (Assessor's Map 07.11.22BD);
103. Thence along said northerly right-of-way line, Southeasterly 59 feet, more or less, to the westerly line of Instrument Number 2017-08713, Lincoln County Deed Records (Assessor's Map 07.11.22AC);
104. Thence along said westerly line, Northerly 99 feet, more or less, to the northerly line of said Deed (Assessor's Map 07.11.22AC);
105. Thence along said northerly line, Southeasterly 171 feet, more or less, to the easterly line of said Deed (Assessor's Map 07.11.22AC);
106. Thence along said easterly line, Southerly 102 feet, more or less, to the northerly right-of-way line of SW Bard Road (Assessor's Map 07.11.22AC);

107. Thence along said northerly right-of-way line and the westerly right-of-way line of SW Bard Road, Easterly 1,622 feet, more or less, to the southerly line of Instrument Number 2005-16230, Lincoln County Deed Records (Assessor's Map 07.11.22AC);
108. Thence along said southerly line, Westerly 154 feet, more or less, to the westerly line of said Deed (Assessor's Map 07.11.22AC);
109. Thence along said westerly line and the northerly extension thereof, Northerly 494 feet, more or less, to the southerly line of Instrument Number 2004-14529, Lincoln County Deed Records (Assessor's Map 07.11.22AC);
110. Thence along said southerly line, Westerly 14 feet, more or less, to the westerly line of said Deed (Assessor's Map 07.11.22AC);
111. Thence along said westerly line, Northerly 83 feet, more or less, to the northerly line of said Deed (Assessor's Map 07.11.22AC);
112. Thence along said northerly line, Easterly 180 feet, more or less, to the westerly line of Parcel 2 of Partition Plat No. 2021-15, Lincoln County Plat Records (Assessor's Map 07.11.22AB);
113. Thence along said westerly line, Northerly 61 feet, more or less, to the southeasterly right-of-way line of SW Galley Court (Assessor's Map 07.11.22AB);
114. Thence along said southeasterly right-of-way line, Northeasterly 97 feet, more or less, to the northerly line of said Parcel 2 (Assessor's Map 07.11.22AB);
115. Thence along said northerly line, Easterly 51 feet, more or less, to the easterly line of Lot 6, Block 2 of the plat "Forestview", Plat Book 12, Page 48, Lincoln County Plat Records (Assessor's Map 07.11.22AB);
116. Thence along said easterly line, Northerly 83 feet, more or less, to the southerly line of Lot 8 of said Block 2 (Assessor's Map 07.11.22AB);
117. Thence along said southerly line, Easterly 100 feet, more or less, to the westerly right-of-way line of SW Harbor Avenue (Assessor's Map 07.11.22AB);
118. Thence leaving said westerly right-of-way line, Easterly 30 feet, more or less, to the intersection of the northwesterly right-of-way line of SW Bard Road and the easterly right-of-way line of SW Harbor Avenue (Assessor's Map 07.11.22AA);
119. Thence along said easterly right-of-way line, Northerly 161 feet, more or less, to the southerly line of Parcel I of Instrument Number 2004-14144, Lincoln County Deed Records (Assessor's Map 07.11.22AA);
120. Thence along said southerly line, Easterly 123 feet, more or less, to the westerly right-of-way line of US Highway 101 (Assessor's Map 07.11.22AA);
121. Thence along said westerly right-of-way line, Northerly 46 feet, more or less, to the northerly line of said Parcel I (Assessor's Map 07.11.22AA);
122. Thence along the easterly extension of said northerly line, Easterly 80 feet, more or less, to the easterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22AA);
123. Thence along said easterly right-of-way line, Southerly 25 feet, more or less, to the northerly right-of-way line of SE 19th Street (Assessor's Map 07.11.22AA);
124. Thence along said northerly right-of-way line, Easterly 156 feet, more or less, to the westerly line of Instrument Number 2004-13387, Lincoln County Deed Records (Assessor's Map 07.11.22AA);
125. Thence along the southerly extension of said westerly line, Southerly 40 feet, more or less, to the southerly right-of-way line of SE 19th Street (Assessor's Map 07.11.22AA);

126. Thence along said southerly right-of-way line, Westerly 157 feet, more or less, to the easterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22AA);
127. Thence along said easterly right-of-way line, Southerly 200 feet, more or less, to the northerly line of Book 390, Page 2055, Lincoln County Deed Records (Assessor's Map 07.11.22AD);
128. Thence leaving said easterly right-of-way line, Westerly 90 feet, more or less, to the intersection of the northerly line of Instrument Number 2003-01948, Lincoln County Deed Records, and the westerly right-of-way line of US Highway 101 (Assessor's Map 07.11.22AD);
129. Thence along said westerly right-of-way line, Southerly 100 feet, more or less, to the northerly line of Book 342, Page 1681, Lincoln County Deed Records (Assessor's Map 07.11.22AD);
130. Thence along said northerly line, Westerly 98 feet, more or less, to the east line of the southwest one-quarter of the northeast one-quarter of said Section 22 (Assessor's Map 07.11.22AD);
131. Thence along said east line, Southerly 1,183 feet, more or less, to the center east one-sixteenth corner of said Section 22 (Assessor's Map 07.11.22AC);
132. Thence along the south line of the northeast one-quarter of said Section 22, Westerly 165 to the westerly line of Instrument Number 2021-09244, Lincoln County Deed Records (Assessor's Map 07.11.22AC);
133. Thence along said westerly line, Northerly 170 feet, more or less, to the southerly right-of-way line of SW Bard Road (Assessor's Map 07.11.22AC);
134. Thence along said southerly right-of-way line, Westerly 421 feet, more or less, to the easterly line of Instrument Number 2003-05408, Lincoln County Deed Records (Assessor's Map 07.11.22AC);
135. Thence along said easterly line, Southerly 143 feet, more or less, to said south line of the northeast one-quarter of said Section 22 (Assessor's Map 07.11.22AC);
136. Thence along said south line, Westerly 250 feet, more or less, to the westerly line of said Deed (Assessor's Map 07.11.22AC);
137. Thence along said westerly line, Northerly 120 feet, more or less, to the southerly right-of-way line of SW Bard Road (Assessor's Map 07.11.22AC);
138. Thence along said southerly right-of-way line, Westerly 303 feet, more or less, to the easterly line of the plat "Hunter's Highland", Plat Book 18, Page 43, Lincoln County Plat Records (Assessor's Map 07.11.22AC);
139. Thence along said easterly line, Southerly 484 feet, more or less, to the northeasterly corner of Parcel 1 of Partition Plat No. 1999-13, Lincoln County Plat Records (Assessor's Map 07.11.22DB);
140. Thence along the easterly line of said Parcel 1, Southerly 349 feet, more or less, to the southerly line of said Parcel 1 (Assessor's Map 07.11.22DB);
141. Thence along said southerly line, Westerly 31 feet, more or less, to the southwesterly line of Book 331, Page 1151, Lincoln County Deed Records (Assessor's Map 07.11.22DB);
142. Thence along said southwesterly line, Southeasterly 829 feet, more or less, to the northwesterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22DB);
143. Thence leaving said westerly right-of-way line, Easterly 164 feet, more or less, to the intersection of the southerly line of Instrument Number 2008-14300, Lincoln County

- Deed Records, and the easterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22DB);
144. Thence along said easterly right-of-way line, Northeasterly 287 feet, more or less, to the northerly line of said Deed (Assessor's Map 07.11.22DB);
 145. Thence along said northerly line, Southeasterly 464 feet, more or less, to the east line of the northwest one-quarter of the southeast one-quarter of said Section 22 (Assessor's Map 07.11.22DB);
 146. Thence along said east line, Northerly 146 feet, more or less, to the southwesterly right-of-way line of SE 27th Street (Assessor's Map 07.11.22DB);
 147. Thence along said southwesterly right-of-way line, Northwesterly 368 feet, more or less, to the southeasterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22DB);
 148. Thence along said southeasterly right-of-way line, Northeasterly 637 feet, more or less, to said east line of the northwest one-quarter of the southeast one-quarter of said Section 22 (Assessor's Map 07.11.22DB);
 149. Thence along said east line, Southerly 343 feet, more or less, to the northerly line of Instrument Number 2006-09476, Lincoln County Deed Records (Assessor's Map 07.11.22DA);
 150. Thence along said northerly line, Easterly 626 feet, more or less (Assessor's Map 07.11.22DA);
 151. Thence continuing along said northerly line, Northerly 315 feet, more or less (Assessor's Map 07.11.22DA);
 152. Thence continuing along said northerly line, Easterly 691 feet, more or less, to the east line of said Section 22 (Assessor's Map 07.11.22DA);
 153. Thence along said east line, Southerly 252 feet, more or less, to the southerly line of Book 68, Page 847, Lincoln County Deed Records (Assessor's Map 07.11.23CB);
 154. Thence along said southerly line, Easterly 330 feet, more or less, to the easterly line of said Deed (Assessor's Map 07.11.23CB);
 155. Thence along said easterly line, Northerly 505 feet, more or less, to the southerly right-of-way line of SE 23rd Drive (Assessor's Map 07.11.23CB);
 156. Thence along said southerly right-of-way line, Westerly 944 feet, more or less, to the easterly line of Book 312, Page 271, Lincoln County Deed Records (Assessor's Map 07.11.22DA);
 157. Thence along said easterly line, Southerly 278 feet, more or less, to the southwesterly line of said Deed (Assessor's Map 07.11.22DA);
 158. Thence along said southwesterly line, Northwesterly 407 feet, more or less, to the northwesterly line of said Deed (Assessor's Map 07.11.22DA);
 159. Thence along said northwesterly line, Northeasterly 209 feet, more or less, to the southerly right-of-way line of SE 23rd Drive (Assessor's Map 07.11.22AD);
 160. Thence along said southerly right-of-way line, Northwesterly 356 feet, more or less, to the easterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22AD);
 161. Thence along said easterly right-of-way line, Southerly 337 feet, more or less, to the southerly line of Parcel I of Instrument Number 2012-08516, Lincoln County Deed Records (Assessor's Map 07.11.22AD);

162. Thence leaving said easterly right-of-way line, Northwesterly 48 feet, more or less, to the intersection of the centerline of US Highway 101 and the south line of the northeast one-quarter of said Section 22 (Assessor's Map 07.11.22AD);
163. Thence along said south line, Westerly 73 feet, more or less, to the westerly right-of-way line of US Highway 101 (Assessor's Map 07.11.22AD);
164. Thence along said westerly right-of-way line, Northerly 661 feet, more or less, to the southerly line of Instrument Number 2010-07764, Lincoln County Deed Records (Assessor's Map 07.11.22AD);
165. Thence leaving said westerly right-of-way line, Easterly 80 feet, more or less to the intersection of the easterly right-of-way line of US Highway 101 and the northerly line of Instrument Number 2021-03905, Lincoln County Deed Records (Assessor's Map 07.11.22AD);
166. Thence along said northerly line, Easterly 300 feet, more or less, to the westerly line of Partition Plat 1991-60, Lincoln County Plat Records (Assessor's Map 07.11.22AD);
167. Thence along said westerly line, Northerly 1,380 feet, more or less, to the westerly extension of the northerly line of Parcel 3 of Partition Plat No. 1996-03, Lincoln County Plat Records (Assessor's Map 07.11.22AD);
168. Thence along said westerly extension and the northerly line of said Parcel 3, Easterly 434 feet, more or less, to the westerly right-of-way line of SE Lee Street (Assessor's Map 07.11.22AD);
169. Thence along said westerly right-of-way line and the northerly extension thereof, Northerly 373 feet, more or less, to the northerly right-of-way line of SE 19th Street (Assessor's Map 07.11.22AA);
170. Thence along said northerly right-of-way line, Easterly 517 feet, more or less, to the westerly right-of-way line of SE Mast Avenue (Assessor's Map 07.11.23BB);
171. Thence along said westerly right-of-way line, Northerly 384 feet, more or less, to the north line of Lot 31 of the plat "Pacific Ridge Subdivision", Plat Book 16, Page 32, Lincoln County Plat Records (Assessor's Map 07.11.23BB);
172. Thence along said north line, Westerly 123 feet, more or less, to the west line of said Section 23 (Assessor's Map 07.11.23BB);
173. Thence along said east line, Northerly 422 feet, more or less, to the southerly line of Instrument Number 2009-02741, Lincoln County Deed Records (Assessor's Map 07.11.23BB);
174. Thence along said southerly line, Easterly 208 feet, more or less, to the westerly line of Block E3 of the plat "Delake Heights", Plat Book 8, Page 39, Lincoln County Plat Records (Assessor's Map 07.11.23BB);
175. Thence along said westerly line, Southerly 13 feet, more or less, to the northerly right-of-way line of SE 15th Street (Assessor's Map 07.11.23BB);
176. Thence along said northerly right-of-way line, Easterly 295 feet, more or less, to the southwestly right-of-way line of SE Oar Avenue (Assessor's Map 07.11.23BB);
177. Thence along said southwestly right-of-way line, Southeasterly 45 feet, more or less, to the southerly right-of-way line of SE 15th Street (Assessor's Map 07.11.23BB);
178. Thence along said southerly right-of-way line, Westerly 182 feet, more or less, to the westerly right-of-way line of SE Hillcrest Vale (Assessor's Map 07.11.23BB);

179. Thence along said westerly right-of-way line, Southerly 200 feet, more or less, to the northwesterly corner of Lot 17 of said plat "Pacific Ridge Subdivision" (Assessor's Map 07.11.23BB);
180. Thence along the westerly line of said Lot 17, Southerly 158 feet, more or less, to the northerly line of Lot 30 of said plat (Assessor's Map 07.11.23BB);
181. Thence along said northerly line, Westerly 120 feet, more or less, to the easterly right-of-way line of SE Mast Avenue (Assessor's Map 07.11.23BB);
182. Thence along said easterly right-of-way line, Southerly 399 feet, more or less, to the northerly right-of-way line of SE 19th Street (Assessor's Map 07.11.23BB);
183. Thence leaving said northerly right-of-way line, Southerly 40 feet, more or less, to the southerly right-of-way line of SE 19th Street (Assessor's Map 07.11.23BB);
184. Thence along said southerly right-of-way line, Westerly 546 feet, more or less, to the easterly right-of-way line of SE Lee Street (Assessor's Map 07.11.22AA);
185. Thence along said easterly right-of-way line, Southerly 410 feet, more or less, to the westerly extension of the northerly line of Parcel 3 of said Partition Plat No. 1991-60 (Assessor's Map 07.11.22AD);
186. Thence along said westerly extension and the northerly line of said Parcel 3, Easterly 354 feet, more or less, to the Point of Beginning.

Excepting therefrom;

Excepting Parcel 1;

Beginning at the northeast corner of Lot 15, Block VII of the plat "First Addition to Nelscott Beach", Plat Book 7, Page 28, Lincoln County Plat Records, also being on the southerly right-of-way line of SW 32nd Street (Assessor's Map 07.11.27BA);

200. Thence along the northerly extension of the easterly line of said Lot 15, northerly 50 feet, more or less, to the northerly right-of-way line of SW 32nd Street (Assessor's Map 07.11.22CD);
201. Thence along said northerly right-of-way line, Southeasterly 333 feet, more or less, to the northwesterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22CD);
202. Thence along said northwesterly right-of-way line, Northeasterly 1,008 feet, more or less, to the northeasterly line of Instrument Number 2022-01758, Lincoln County Deed Records (Assessor's Map 07.11.22DC);
203. Thence along the southeasterly extension of said northeasterly line, Southeasterly 101 feet, more or less, to the southeasterly right-of-way line of US Highway 101 (Assessor's Map 07.11.22DC);
204. Thence along said southeasterly right-of-way line, Southwesterly 1,218 feet, more or less, to the northerly line of Book 279, Page 2290, Lincoln County Deed Records (Assessor's Map 07.11.27BA);
205. Thence leaving said easterly right-of-way line, Northwesterly 111 feet, more or less, to the northerly line of Instrument Number 2019-00081, Lincoln County Deed Records, also being on the northwesterly right-of-way line of US Highway 101 (Assessor's Map 07.11.27BA);

- 206. Thence along said northwesterly right-of-way line, Northeasterly 42 feet, more or less, to the southwesterly right-of-way line of SW 32nd Street (Assessor's Map 07.11.27BA);
- 207. Thence along said southwesterly right-of-way line, Northwesterly 297 feet, more or less, to the Point of Beginning.

Excepting Parcel 2;
 Tract 'N' of the plat "Olivia Beach Phase 3", Book 19, Page 18, Lincoln County Plat Records (Assessor Maps 07.11.22BD & 07.11.22CA).

Excepting Parcel 3;
 Beginning at the southwest corner of Lot 17 of the plat "Hunter's Highland", Book 18, Page 43, Lincoln County Plat Records, also being on the south right-of-way line of SW Dune Avenue (Assessor's Map 07.11.22DB);

- 300. Thence along said south right-of-way line, Westerly 40 feet, more or less, to the westerly right-of-way line of SW Dune Avenue (Assessor's Map 07.11.22DB);
- 301. Thence along said westerly right-of-way line, Northerly 543 feet, more or less, to the southerly northeasterly corner of Lot 9 of said plat (Assessor's Map 07.11.22AC);
- 302. Thence leaving said westerly right-of-way line, Easterly 42 feet, more or less, to the southerly northwesterly corner of Lot 10 of said plat, also being on the easterly right-of-way line of SW Dune Avenue (Assessor's Map 07.11.22AC);
- 303. Thence along said easterly right-of-way line, Southerly 530 feet, more or less, to the Point of Beginning.

The above described tracts of land contain 320 acres, more or less.

6/21/2023



Michael S. Kalina





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12065 SW HERMAN RD, STE 100
TUALATIN, OR 97062
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WWW.AKS-ENG.COM

ENGINEERING - SURVEYING - NATURAL RESOURCES
FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

CITY OF LINCOLN CITY
NELSCOTT
URBAN RENEWAL AREA
LINCOLN CITY
LINCOLN COUNTY

MAP OF NELSCOTT
URBAN RENEWAL
AREA COVER SHEET

DESIGNED BY:
DRAWN BY: WCB
MANAGED BY: MSK
CHECKED BY: MSK
DATE: 6/21/2023

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael S. Kalina
OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS
RENEWS: 6/30/25

REVISIONS

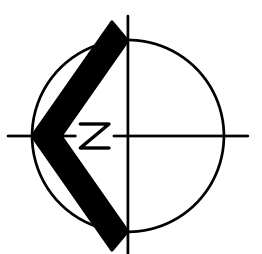
JOB NUMBER
7830-01

SHEET
1



LEGEND

X - SEE SHEET X



SCALE: 1" = 400 FEET
0 80 200 400
TOTAL AREA = 320 ACRES±

AKS DRAWING FILE: 7830-01_LIRA_MAP.DWG | LAYOUT: 1

CITY OF LINCOLN CITY
NELSCOTT
URBAN RENEWAL AREA
 LINCOLN CITY
 LINCOLN COUNTY

MAP OF NELSCOTT
URBAN RENEWAL
AREA

DESIGNED BY:
 DRAWN BY: WCB
 MANAGED BY: MSK
 CHECKED BY: MSK
 DATE: 6/21/2023

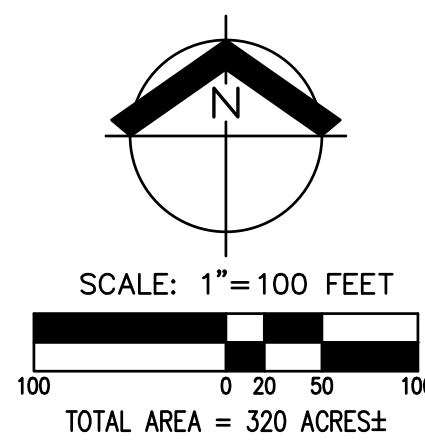
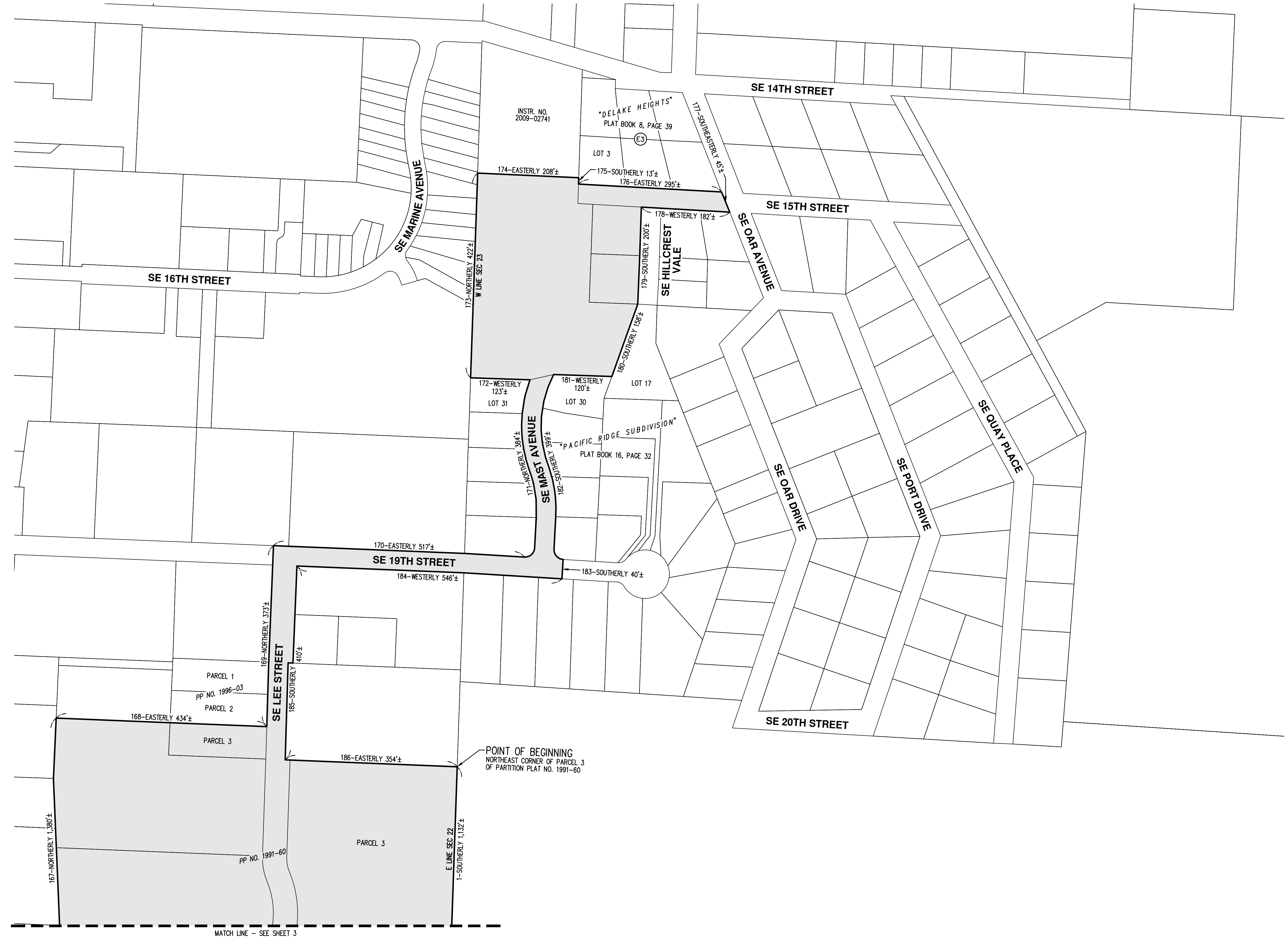
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

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 OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS
 RENEWS: 6/30/25

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JOB NUMBER
7830-01

SHEET
2



DESIGNED BY:
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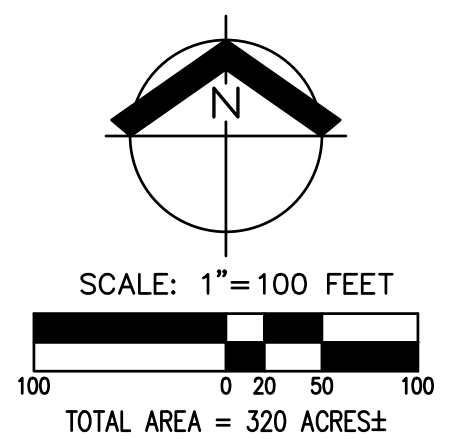
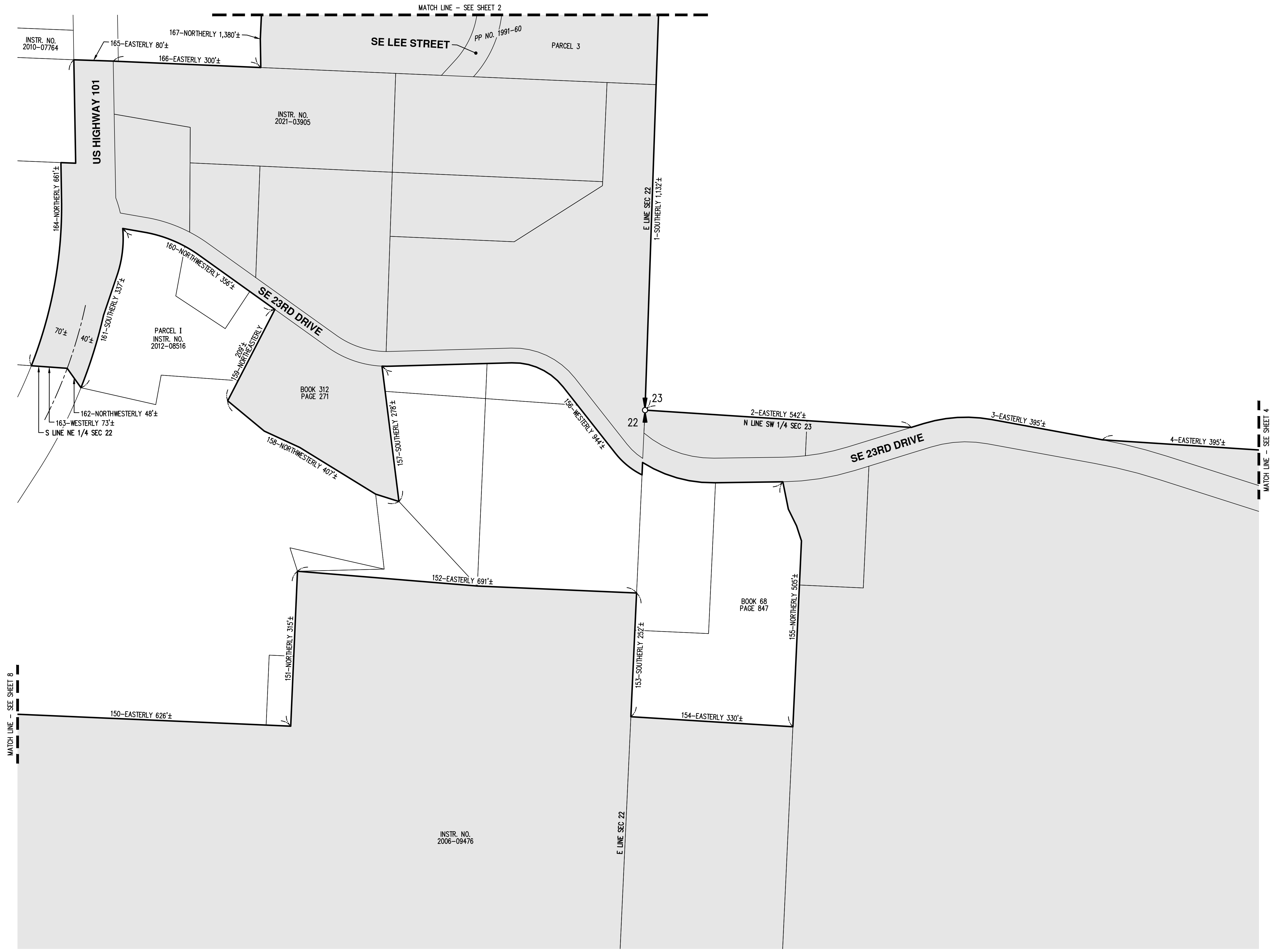
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JOB NUMBER
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SHEET
3





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ENGINEERING - SURVEYING - NATURAL RESOURCES
FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

CITY OF LINCOLN CITY
NELSCOTT
URBAN RENEWAL AREA
LINCOLN CITY
LINCOLN COUNTY

MAP OF NELSCOTT
URBAN RENEWAL
AREA

DESIGNED BY:
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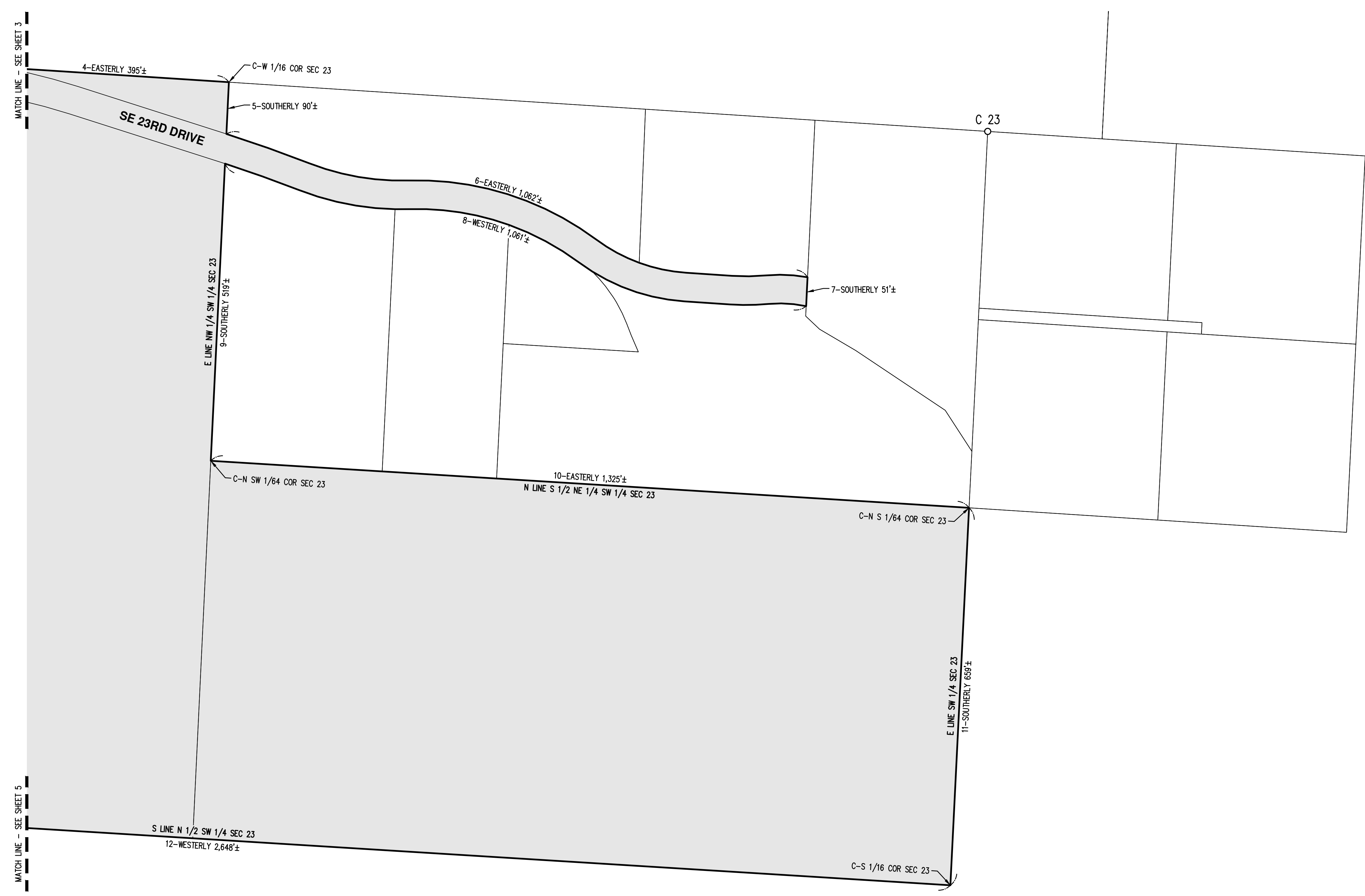
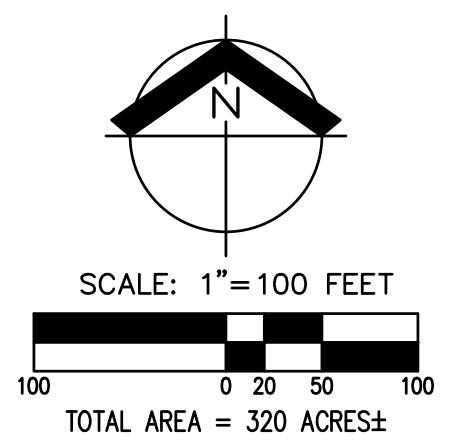
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LAND SURVEYOR

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89558PLS
RENEWS: 6/30/25

REVISIONS

JOB NUMBER
7830-01

SHEET
4



MATCH LINE - SEE SHEET 3

MATCH LINE - SEE SHEET 5

**CITY OF LINCOLN CITY
 NELSCOTT
 URBAN RENEWAL AREA
 LINCOLN CITY
 LINCOLN COUNTY**

**MAP OF NELSCOTT
 URBAN RENEWAL
 AREA**

DESIGNED BY:
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 CHECKED BY: MSK
 DATE: 6/21/2023

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

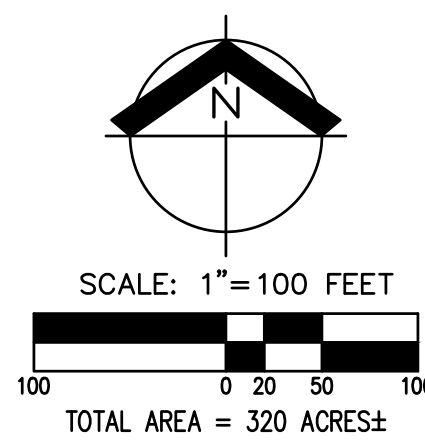
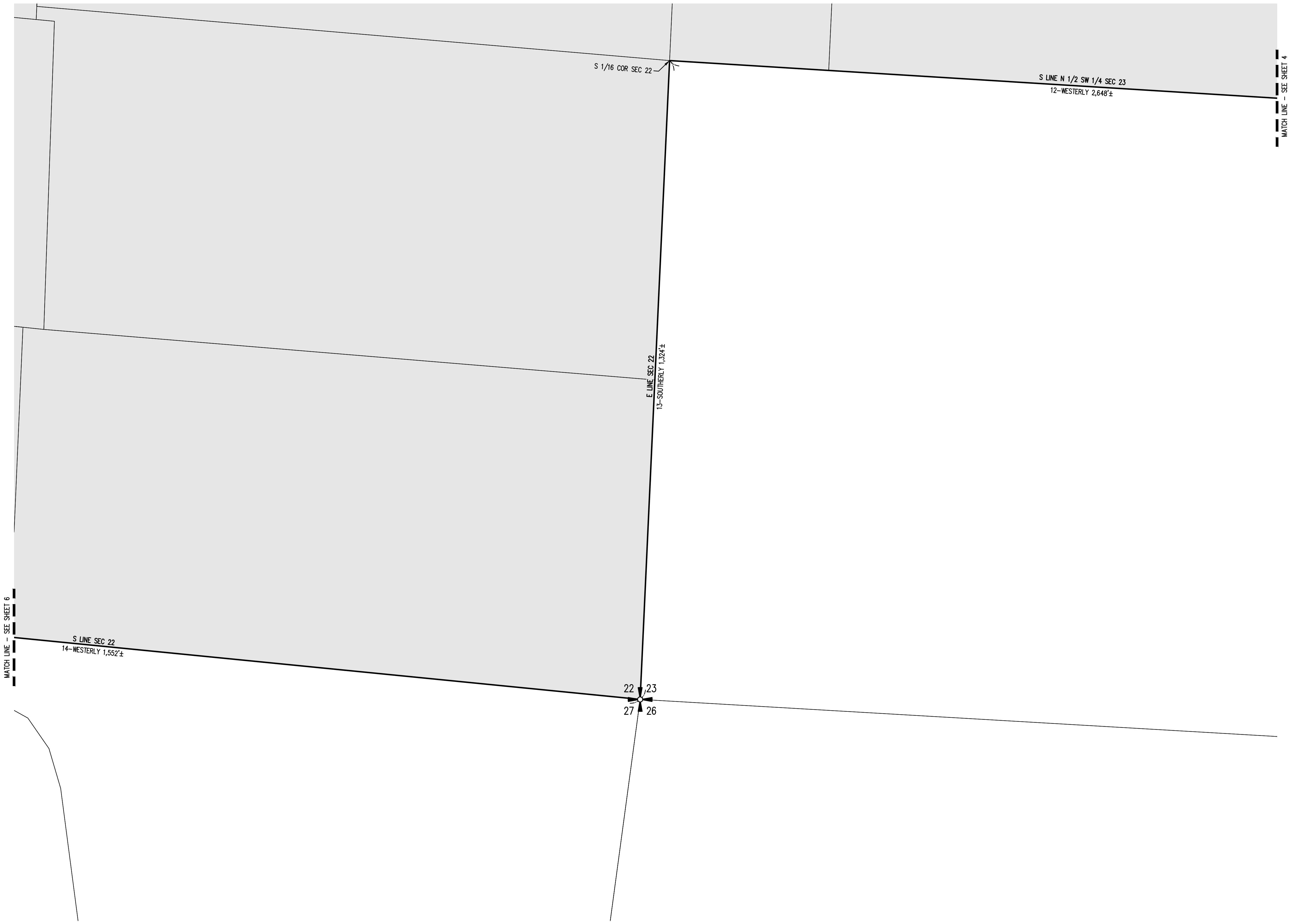
Michael S. Kalina

OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS
 RENEWS: 6/30/25

REVISIONS

JOB NUMBER
7830-01

SHEET
5



**CITY OF LINCOLN CITY
 NELSCOTT
 URBAN RENEWAL AREA
 LINCOLN CITY**

**MAP OF NELSCOTT
 URBAN RENEWAL
 AREA**

DESIGNED BY:
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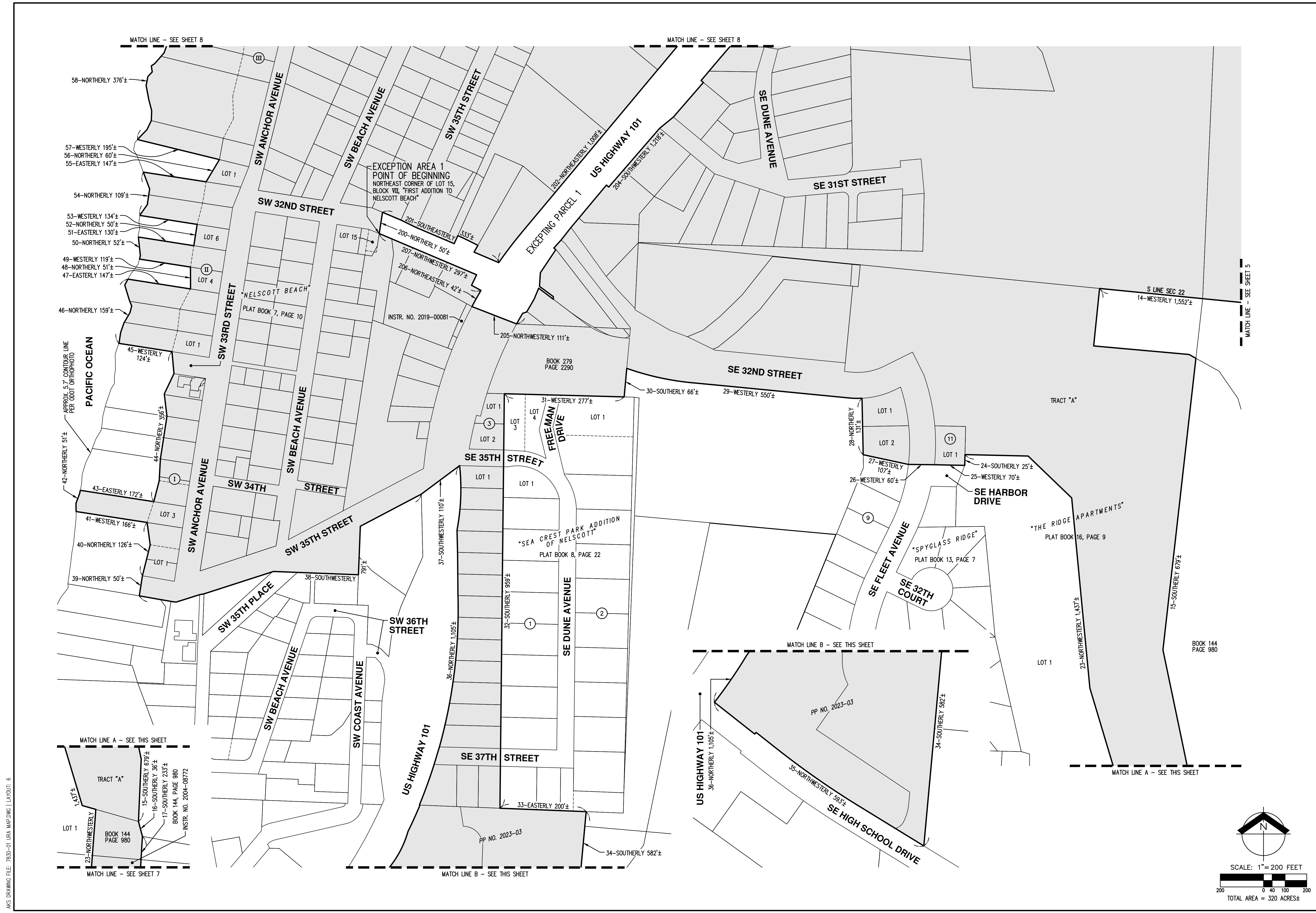
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Michael S. Kalina
 OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS
 RENEWS: 6/30/25

REVISIONS

JOB NUMBER
7830-01

SHEET
6



AKS DRAWING FILE: 7830-01_LIRA_MAP.DWG | LAYOUT: 6

CITY OF LINCOLN CITY
NELSCOTT
URBAN RENEWAL AREA
 LINCOLN COUNTY

MAP OF NELSCOTT
URBAN RENEWAL
AREA

DESIGNED BY:
 DRAWN BY: WCB
 MANAGED BY: MSK
 CHECKED BY: MSK
 DATE: 6/21/2023

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

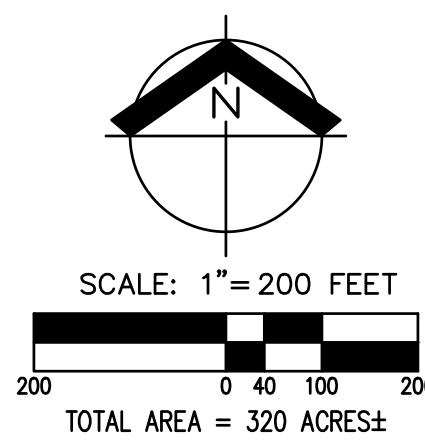
Michael S. Kalina
 OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS
 RENEWS: 6/30/25

REVISIONS

JOB NUMBER
7830-01

SHEET
7

AKS DRAWING FILE: 7830-01_URA_MAP.DWG | LAYOUT: 7



**CITY OF LINCOLN CITY
 NELSCOTT
 URBAN RENEWAL AREA
 LINCOLN CITY
 LINCOLN COUNTY**

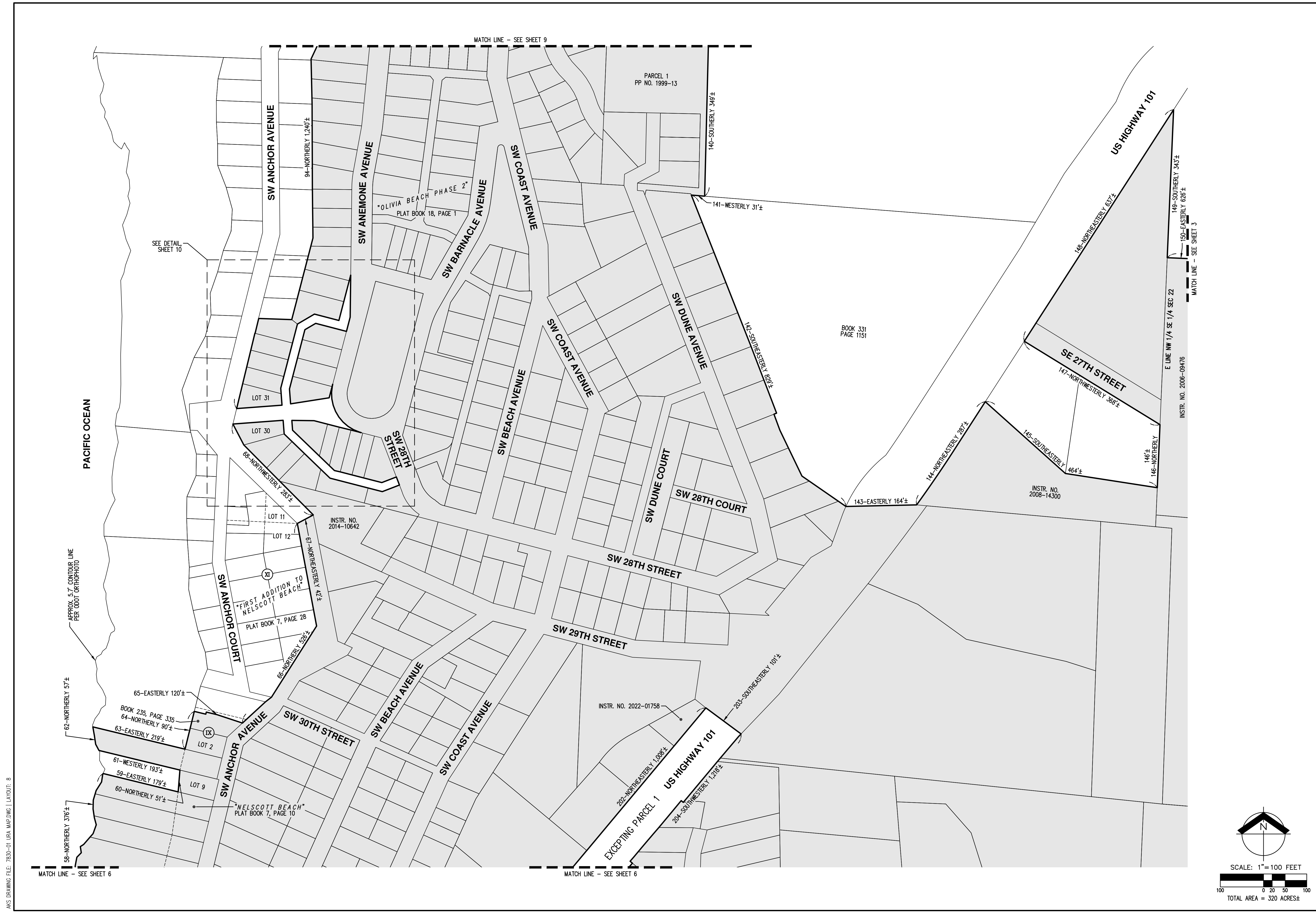
**MAP OF NELSCOTT
 URBAN RENEWAL
 AREA**

DESIGNED BY:
 DRAWN BY: WCB
 MANAGED BY: MSK
 CHECKED BY: MSK
 DATE: 6/21/2023

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 MICHAEL S. KALINA
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JOB NUMBER
7830-01
 SHEET
8



AKS DRAWING FILE: 7830-01_LIRA_MAP.DWG | LAYOUT: 8

MATCH LINE - SEE SHEET 9

PARCEL 1
PP NO. 1999-13

BOOK 331
PAGE 1151

INSTR. NO.
2008-14300

INSTR. NO. 2022-01758

INSTR. NO. 2006-09476

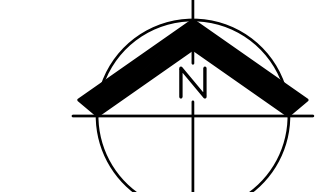
SEE DETAIL
SHEET 10

APPROX. 5.7' CONTOUR LINE
PER 0001 OR PHOTO

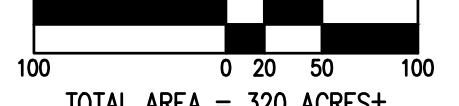
MATCH LINE - SEE SHEET 6

MATCH LINE - SEE SHEET 6

MATCH LINE - SEE SHEET 3



SCALE: 1" = 100 FEET



TOTAL AREA = 320 ACRES ±

DESIGNED BY:
 DRAWN BY: WCB
 MANAGED BY: MSK
 CHECKED BY: MSK
 DATE: 6/21/2023

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

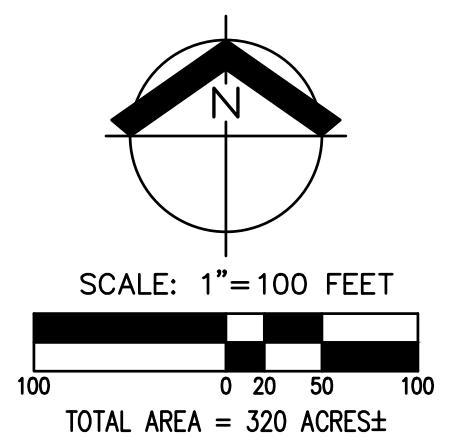
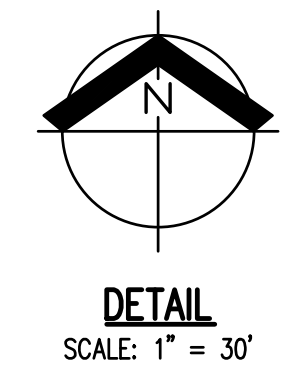
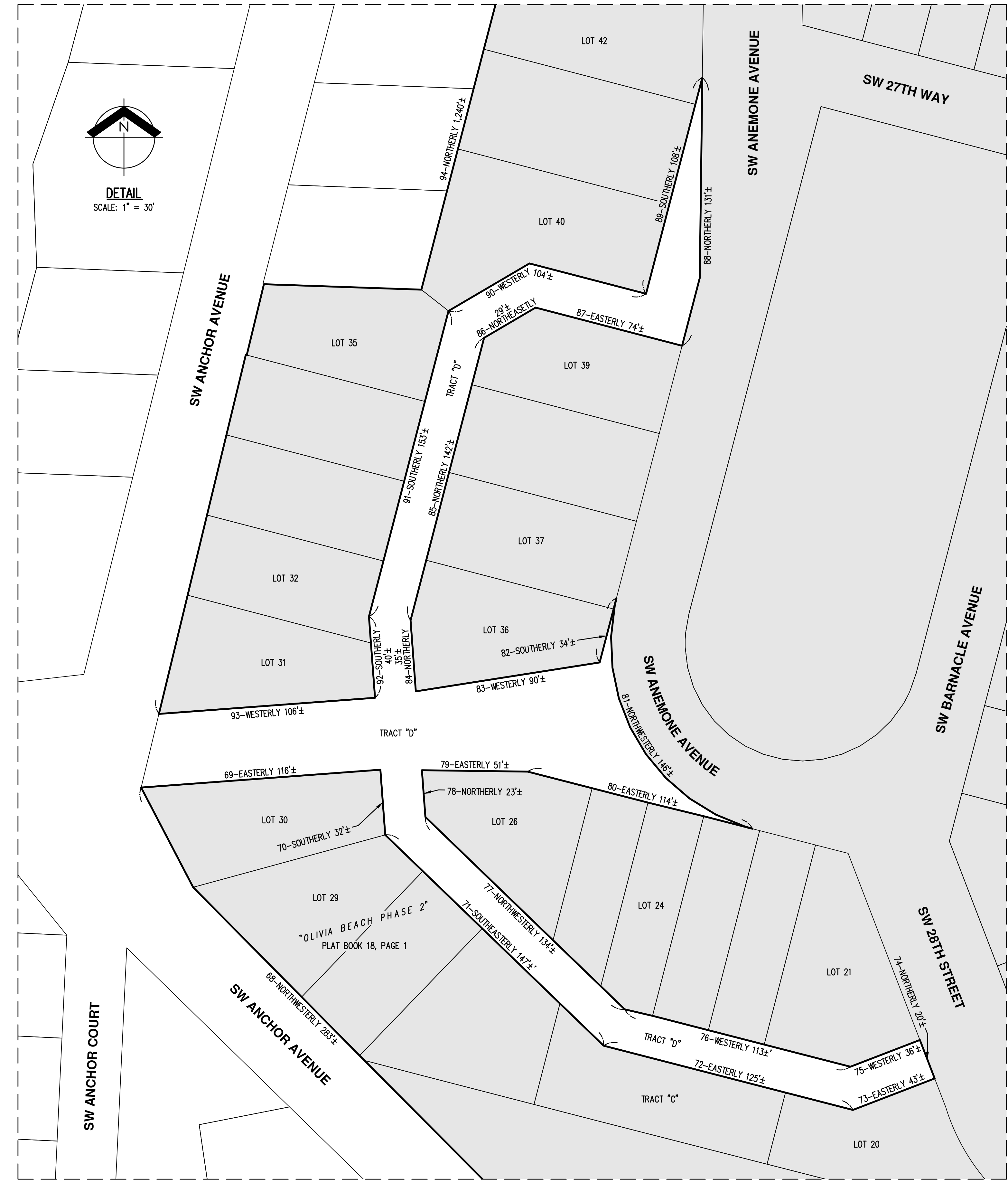
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 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS
 RENEWS: 6/30/25

REVISIONS

JOB NUMBER
7830-01

SHEET
10

AKS DRAWING FILE: 7830-01_URB_MAP.DWG | LAYOUT: 10



Report Accompanying the Nelscott Urban Renewal (Tax Increment Finance) Plan

DRAFT

Nelscott Urban Renewal Tax Increment Finance Plan

Adopted by the City of Lincoln City

DATE

Ordinance No. ____



LIST OF PARTICIPANTS

Mayor

Susan Wahlke

City Council

Mitch Parsons, Ward 1
Dennis "Riley" Hoagland, Ward 2
Sydney Kasner, Ward 2
Judy Casper, Ward 3
Rick Mark, Ward 3

Planning Commission

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I. DEFINITIONS

“Agency” means the Lincoln City Urban Renewal Agency, also called Agency. The Agency is responsible for administration of this Nelscott Urban Renewal (Tax Increment Finance) Plan and other urban renewal/TIF plans previously adopted in the City of Lincoln City.

“Annual report” is the ORS 457.460 requirement for the production of an urban renewal annual report that is distributed to the taxing districts.

“Area” or “urban renewal area” or “TIF Area” means the tax increment finance area established for this Plan pursuant to ORS 457, including the properties and rights-of-way located therein.

“Blight” is defined in ORS 457.010(1)(a-i) and identified in the ordinance adopting an urban renewal plan.

“Board of Commissioners” means the Lincoln County Board of Commissioners.

“City” means the City of Lincoln City, Oregon.

“City Council” or “Council” means the Lincoln City City Council.

“Comprehensive Plan” means the City of Lincoln City Comprehensive Plan and its implementing ordinances, policies, and standards.

“County” means Lincoln County, Oregon.

“Fiscal year” means the year commencing on July 1 and closing on June 30.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within a TIF area at the time of adoption. The county assessor certifies the assessed value after the adoption of a TIF area plan.

“Increment” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in an urban renewal area, or portion thereof, over the assessed value specified in the certified statement from the assessor (frozen base).

“Maximum indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness. The maximum indebtedness for this Plan is \$129,000,000.

“Municipality” means any county or any city in the state of Oregon.

“Nelscott Urban Renewal (TIF) Area” means the urban renewal area/tax increment finance area established under authority in ORS 457 as shown in Exhibit A and defined in the attached legal description.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal.

“Planning Commission” means the Lincoln City Planning Commission.

“Project(s)” or “TIF Project(s)” means any work or undertaking carried out under the TIF Plan.

“Report Accompanying TIF Plan” or “Report” means the official report that accompanies the Nelscott Plan pursuant to ORS 457.085(3).

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470.

“Tax increment finance area” or “urban renewal area” or “TIF area” means a blighted area included in a TIF plan.

“Tax increment finance area plan” or “urban renewal plan” or “TIF plan” means a plan, as it exists or is changed or modified from time to time, for one or more TIF areas, as provided in ORS 457.

“Tax increment finance area project(s)” or “urban renewal project(s)” or “TIF area project(s)” means any work or undertaking carried out under ORS 457.170 and ORS 457.180 in a TIF area.

“Tax increment finance” or “tax increment financing” or “TIF” means the funds that are associated with the division of taxes accomplished through the adoption of a TIF plan.

“Tax increment revenues” means the funds allocated by the assessor to renewal TIF area due to increases in assessed value over the frozen base within the area.

“UGB” means urban growth boundary.

“Urban Renewal” means the statutory authority provided in ORS 457. In this Plan it is synonymous with TIF.

II. INTRODUCTION

This Report on the Nelscott Urban Renewal (Tax Increment Finance) Plan (Report) contains background information and project details that pertain to the Nelscott Urban Renewal (Tax Increment Finance) Plan (Plan) for the Nelscott Urban Renewal (Tax Increment Finance) Area (Area). The Report is not a legal part of the Plan but is intended to provide public information and support the findings made by the Lincoln City City Council (City Council) as part of the approval of the Plan.

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility. The Report contains the information required by ORS 457.085, including:

- A description of the physical, social, and economic conditions in the area;(ORS 457.085(3)(a))
- Expected impact of the Plan, including fiscal impact in light of increased services; (ORS 457.085(3)(a))
- Reasons for selection of the Area; (ORS 457.085(3)(b))
- The relationship between each project to be undertaken and the existing conditions; (ORS 457.085(3)(c))
- The estimated total cost of each project and the source of funds to pay such costs; (ORS 457.085(3)(d))
- The estimated completion date of each project; (ORS 457.085(3)(e))
- The estimated amount of funds required in the area and the anticipated year in which the debt will be retired; (ORS 457.085(3)(f))
- A financial analysis of the Plan; (ORS 457.085(3)(g))
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the urban renewal or TIF Area; (ORS 457.085(3)(h)) and
- A relocation report. (ORS 457.085(3)(i))

The relationship of the sections of the Report and the ORS 457.087 requirements is shown in Table 1. The specific reference in the table below is the section of this Report that most addresses the statute. There may be other sections of the Report that also address the statute.

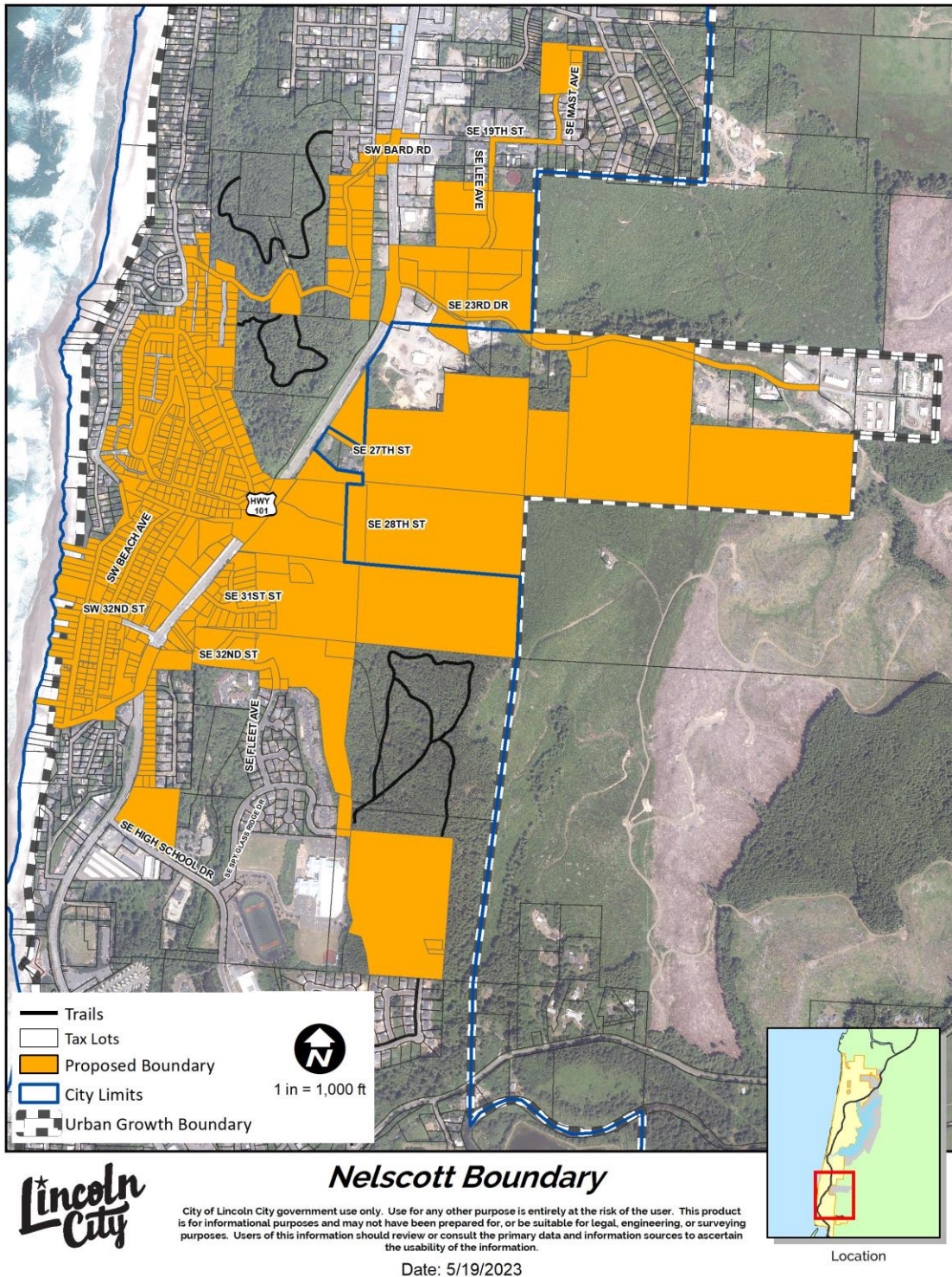
Table 1 - Statutory References

Statutory Requirement	Report Section
ORS 457.087 (1)	XI
ORS 457.087 (2)	XII
ORS 457.087 (3)	III
ORS 457.087 (4)	IV
ORS 457.087 (5)	VII
ORS 457.087 (6)	V,VI
ORS 457.087 (7)	V,VI
ORS 457.087 (8)	IX
ORS 457.087 (9)	XIII

The Report provides guidance on how the Plan might be implemented. The Lincoln City Urban Renewal Agency (Agency) has the authority to make adjustments to the implementation assumptions in this Report, as it reviews revenues and potential projects each year. The Agency may allocate budgets differently, adjust the timing of the projects, decide to incur debt at different timeframes than projected in this Report, and make other adjustments to the financials as determined by the Agency. The Agency may also make changes as allowed in the Amendments section of the Plan. These adjustments must stay within the confines of the overall maximum indebtedness of the Plan and statutory limitations.

Note on language: This Report, wherever applicable and permissible, uses the term Tax Increment Financing or TIF rather than “urban renewal”. Utilizing the term TIF does not affect the statutory authority of ORS 457, as it relates to this Report.

Figure 1 – Nelscott Urban Renewal (TIF) Area Boundary



Source: City of Lincoln City GIS

III. THE PROJECTS IN THE AREA AND THE RELATIONSHIP BETWEEN URBAN RENEWAL (TIF) AREA PROJECTS AND THE EXISTING CONDITIONS IN THE AREA.

The Projects identified and authorized for the Area are described below, including how they relate to the existing conditions in the Area. The existing conditions were identified by City staff and through review of City documents.

A. Transportation

- Roads. Improve road connections for increased transportation route choice and to help alleviate traffic on Highway 101, to include:
 - New road connection between SE Lee Avenue and SE 23rd Drive
 - New road connection between SE 23rd Drive. and SE 32nd Street / Fleet Avenue intersection
 - New road connection between SE 14th Street and SE 19th Street via an extension of Mast Avenue to connect with Oar Avenue
 - Other new road connections where feasible

Existing Conditions:

There is extreme congestion on Highway 101 throughout all times of the year, but especially during high tourist visitation times. There are no other north/south “through” transportation routes to allow this traffic to be spread out or to improve the travel conditions. This impacts the safety of the transportation network as well as the overall function of the network. The TSP and other City adopted plans identify these projects as needed future projects.

- Pedestrian Safety. Improvements including but not limited to:
 - Pedestrian striping
 - Infill of sidewalk gaps
 - Construct new facilities to correct sidewalk/pathway deficiencies

Existing Conditions:

Sidewalks along Highway 101 are discontinuous or absent. Off of Highway 101, continuous sidewalks are rare in much of the Area. The TSP and the Walking and Biking Plan identify pedestrian improvement projects as needed future projects.

- Public Parking. Improve existing and build new public parking on and off-street, including other associated facilities such as public restrooms, pedestrian amenities, showers/foot wash, surf racks, and Electric Vehicle (EV) charging stations.
 - Improvements to SW 32nd Street parking lot
 - Other locations as needed and where feasible

Existing Conditions:

Lincoln City staff identified there is insufficient public parking to access the beach and insufficient amenities included in that public parking.

- Intersection Improvements. Improve intersections to include pedestrian crossings, realignments and/or re-design, roundabout, all-way stop control or traffic signals as feasible.
 - SE 23rd Drive and Highway 101 intersection improvements
 - SW Bard Road / SE 19th Street and Highway 101 intersection improvements
 - Other intersection improvements within the Area

Existing Conditions:

The 23rd Drive and Highway 101 intersection needs to be re-aligned and possibly re-designed, possible options include a signal or a roundabout to accommodate capacity.

Bard Road / SE 19th is currently un-signalized, and an un-aligned, or skewed intersection making vehicular turn movements and pedestrian crossing challenging. Sidewalk infill and ADA corner improvements are lacking. Traffic Signals. Modify existing traffic signals and install new traffic signals to improve pedestrian safety. Implement coordinated signal timing plans, upgrade traffic signal controllers, and install communication and other improvements as needed, and as designated by the City.

Existing Conditions:

As noted above, traffic conditions in the Area need to be addressed to improve pedestrian safety and improved traffic flow.

- Street Improvements. Local streets and Highway 101 improvements which may include but are not limited to curbs, gutters and sidewalks/pathways, sidewalk gaps, and installation of pedestrian amenities, lighting, and traffic calming measures where appropriate.
 - SE 23rd Drive street improvements, including but not limited to construction of new street, re-alignment with existing rights-of-way, intersection realignment and/or re-design, roundabout, or all-way stop control
 - Bard Road street Improvements to include sidewalks/pathways, paving, stormwater management
 - Other street improvements as needed

Existing Conditions:

SE 23rd Drive is not constructed to Lincoln City standards.

Bard Road is a narrow gravel road, this project will re-construct the road with sidewalk, paving, stormwater treatment. May include intersection of Bard Road and Hwy 101 improvements as described above.

- Public Transportation. Capital Improvement Projects to support, enhance, and expand public transportation. Projects may include improved access of public recreation areas; incorporate regional transit service and other transit amenities; link into greater transit system and improve timing for connecting routes; create Park & Ride opportunities in the Area which could support multiple programs such as solar projects and EV charging stations. Add new or relocate transit stops for improved usability, improve connections between facilities and pedestrian

infrastructure.

Existing Conditions:

- The City partners with Lincoln County Transit to provide bus route service in Lincoln City. The City's TSP calls for transit service and amenities that encourage a higher level of ridership. There is currently no regular City or County bus route service to the Employment Area on SE 23rd Drive.

B. Economic Development/Land Acquisition

Economic development opportunities for public private partnership within commercial, residential, and mixed-use areas; could include but are not limited to Economic Development Toolbox of incentives for workforce housing, childcare, land acquisition, construction of visitor and educational facilities, business preservation and expansion to increase non-tourism, living-wage jobs.

Existing Conditions:

There is significant undeveloped land in the Area. Much of this land is not contributing to the property tax rolls. Lincoln City's employment lands are located within the Area and development of these lands is essential to help diversify the employment base in Lincoln City and the region. There is also opportunity to provide additional housing options in the Area.

C. Emergency Preparedness, Resiliency and Mitigation

Emergency preparedness and assessment for resiliency, and mitigation capital projects related but not limited to undergrounding pole mounted utilities, water resources, erosion protection, seismic retrofit, stormwater drainage, caches, tsunami evacuation, communication infrastructure, alternate transportation routes, and other projects as identified in Emergency Preparedness planning.

Existing Conditions:

The *Lincoln City Emergency Operations Plan*¹ was adopted in March of 2012 and updated in 2018. As part of this planning, and future planning and updating, capital projects will be warranted to assist in emergency preparedness. Those specific projects are not presently identified, but it is anticipated over the life of this Plan that there will be capital project needs in the future.

D. Parks, Trails, Open Spaces

- Parks. Provide additional parks including but not limited to trailheads, parking, picnic shelters, trash cans, benches, restrooms, and associated capital improvements to support City programming objectives. Park locations and quantity may change based on development patterns, and could include new parks:

¹ *City of Lincoln City, Lincoln County, Oregon Emergency Operations Plan*, Ecology and Environment, Inc., March 2012, with modifications February 2018.

- New park in the vicinity of SE Lee Ave. and SE 27th Street
- New park south of SE 23rd Dr. near the planned employment area
- New park near Agnes Creek Open Space

Existing Conditions:

- These parks do not exist. The *Lincoln City Parks & Recreation System Plan 2016* identifies the need for additional parks in the Area. (P 38)
- Beach Access. Improvements to include ADA, walkway, and parking upgrades. Features could include facilities such as public restrooms, pedestrian amenities, showers/foot wash, surf racks, and EV charging stations. Increase connectivity to sidewalks, trails, parks, ocean beaches, and natural areas.
 - Beach access at SW 33rd Street
 - Beach access at SW 35th Street
 - Beach access at other locations within the Area, as feasible

Existing Conditions:

Improved access to pathways, sidewalks, trail connections neighborhood and community parks, ocean beaches and natural areas is a component of the *Lincoln City Parks and Recreation System Plan*. There are deficiencies in these connections throughout the Area. (P 60)

- Trails. Complete segments of the Head to Bay Trail within the Area, to provide a multi-modal (non-vehicular) interconnected system from Villages at Cascade Head to the Siletz Bay that allows travel from one end of the city to the other without using Highway 101 wherever possible; could include connections to Oregon Coast Trail system and greater trail connections.
- Open Spaces. Improve access to trails, trail heads and parking for recreation to include wayfinding map and interpretive signage, gateway features, open space forest management, nature play elements, public art and associated capital improvements to support City programming objectives.
 - Spyglass Open Space and other improvements as feasible

Existing Conditions:

Improved access to pathways, sidewalks, trail connections neighborhood and community parks, ocean beaches and natural areas is a component of the *Lincoln City Parks and Recreation System Plan*. There are deficiencies in these connections throughout the Area. (P 60)

Wayfinding Signage is lacking in the Area and is identified in the Transportation System Plan to assist pedestrians and bicyclists in choosing comfortable routes and to help visitors navigate through the city.

E. Public Works/Utilities

- Prepare a properly engineered comprehensive storm drainage systems master plan; within the funding limitations of the Agency, construct needed improvements to adequately drain the Area to

eliminate flooding during periods of storm activity; Clean out, improve and protect the natural drainage courses so that they may function properly in coordination with the built drainage systems; Control earth moving, grading and development of lands which affect the natural and built systems so as to protect the integrity of the drainage system.

Existing Conditions:

The City needs to complete a comprehensive storm drainage plan. Funding from the Urban Renewal Area could contribute to the costs of a City Wide Study.

- Provide Baldy Creek improvements to address flooding, erosion, invasive species, water quality, wildlife habitat, and overall condition of the Baldy Creek Watershed to restore the floodplain and creek health as feasible. Provide improved public access at City-owned parcels adjacent to Baldy Creek in the Nelscott Business Strip and other practical locations in the Area.

Existing Conditions:

Baldy Creek currently experiences flooding, erosion and the presence of invasive species. The public access to the creek needs to be improved. The Nelscott Gap Neighborhood Plan identifies full existing conditions on page 54.

- Public utility improvements to include power, electric, gas, cable and communications within Area. Undergrounding existing pole-mounted utility systems to improve reliability for emergency preparedness, severe weather events, or greater safety in tsunami evacuations zones.

Existing Conditions:

There are no undergrounded utility poles in the Area.

- Improved infrastructure for water and sewer systems in the Area, including:
- Long-range water security and conservation
- Construct a 5 million gallon water reservoir to increase the City's water storage capacity and improve firefighting flows
- Upgrades and extensions of existing lines and pump stations
- Increase capacity and re-build the wetwell for the Nelscott Sanitary Sewer Pump Station
- Other water and sewer projects as feasible

Existing Conditions:

An additional reservoir is needed to increase water storage capacity and improve firefighting flows. As the Area develops, existing lines and pump stations will need to be upgraded to accommodate this growth.

F. Community Connections/Appearance

- Install wayfinding signage to assist pedestrians and bicyclist in choosing

comfortable routes and to help visitors navigate through the city; may include but is not limited to acquiring property and constructing cohesive, branded signage for all transportation modes.

Existing Conditions:

Wayfinding signage is incomplete in the Area. Wayfinding Signage is identified in the Transportation System Plan in order to assist pedestrians and bicyclists in choosing comfortable routes and to help visitors navigate through the city.

- Underground existing pole mounted utilities in areas of maximum visual impact to improve view corridor and increase square footage available for other improvements such as pedestrian improvement/pathway or redevelopment.

Existing Conditions:

Most utility poles in the Area are above ground.

G. Administration

Provide funds to retain the services of City personnel or other independent professionals or organizations for activities such as:

- Community Visioning
- Auditing, annual reports, insurance, bond counsel, and other required administrative costs
- Preparation of financial plans and/or financial analyses of projects and proposals
- Personnel, materials, and other associated administrative costs
- Professional consulting services to refine urban design concepts
- Environmental analyses
- Assisting in the preparation of the annual financial report required by this Plan and ORS 457
- Any other powers granted by ORS 457 in connection with the implementation of this Plan

Existing Conditions:

There is no existing urban renewal area in the Nelscott Area, therefore no ability to collect tax increment revenues. Once this Plan is adopted, a tax increment revenue stream will be established, providing a revenue source to pay for administration in the Area.

IV. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The cost estimates for Projects are shown in Table 2 below. These are all estimates acknowledging that the Area portions of these project activities must fit within the maximum indebtedness. These costs are shown in year of expenditure (YOE) dollars, which assumes inflation of 3.0% annually.

The Plan assumes that the Agency will use other funds to assist in the completion of the projects within the Area. These sources include but are not limited to City of Lincoln City General Funds, SDCs, local, state and federal grants, and other sources as identified by the Agency. The Agency may pursue regional, county, state, and federal funding, private developer contributions and any other sources of funding that may assist in the implementation of the projects.

The Agency will be able to review and update fund expenditures and allocations on an annual basis when the annual budget is prepared. It is anticipated that the Agency will conduct a Community Vision exercise for the Area that will establish priorities once sufficient funding is available.

Table 2 - Estimated Cost of Each Project

Project Title	Project Cost (YOE\$)	Percentage of Total Project Cost
Economic Development/Land Acquisition	(\$34,832,192)	27.13%
Emergency Preparedness	(\$1,229,900)	0.96%
Parks	(\$13,025,906)	10.14%
Transportation	(\$52,103,616)	40.58%
Utilities	(\$21,709,838)	16.91%
Planning & Community Involvement	(\$706,165)	0.55%
Administration	(\$4,221,831)	3.29%
Financing Fees	(\$582,000)	0.45%
TOTAL:	(\$128,411,448)	100%

Source: City of Lincoln City and Tiberius Solutions

V. FINANCIAL ANALYSIS OF THE PLAN

The estimated tax increment revenues through Fiscal Year End (FYE) 2054 are calculated based on projections of the assessed value within the Area and the consolidated tax rate that will apply in the Area.

The long-term projections for FYE 2025 and beyond assume an annual growth rate of 8.00% for assessed value in the Area. These projections of growth are the basis for the projections in Table 7 through Table 10.

If actual assessed value growth is less than forecast, then it would reduce the financial capacity of the URA to fund projects listed in the Plan over the anticipated duration of the Plan.

Table 4 shows the incremental assessed value, tax rates, and tax increment revenues each year, adjusted for discounts, delinquencies, and truncation loss. The tax rate used in this table reflects a blended rate of the incorporated as they have different tax rates. As properties incorporate, their tax rates will change, and future projections will vary from these original projections.

The first year of tax increment collections is anticipated to be FYE 2025. Gross tax increment financing is calculated by multiplying the tax rate times the assessed value used. The tax rate is per thousand dollars of assessed value, so the calculation is “tax rate times assessed value used divided by one thousand.” The consolidated tax rate includes permanent tax rates only and excludes general obligation bonds and local option levies as they will not be impacted by this Plan.

Figure 3 shows expected TIF revenues over time and the projected tax revenues after termination of the Area.

The tax rates by code area in the Area are shown in Table 3. Those properties that are in unincorporated Lincoln County have different tax rates than those within the city limits.

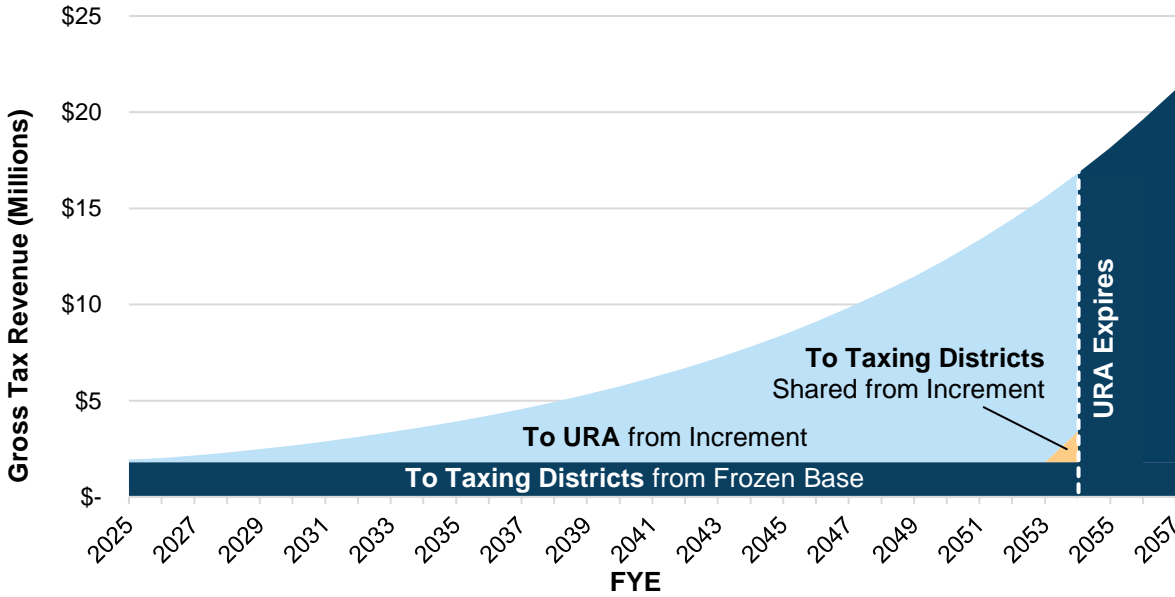
Table 3 – Taxing District Rates

Taxing District	Tax Code	Tax Code	Tax Code	Tax Code
	402	414	461	493
Jurisdiction Name	Rate	Rate	Rate	Rate
Lincoln County General	2.8202	2.8202	2.8202	2.8202
Water - Dev Lake Out	0.1280	0.1280		
Lincoln County Extension	0.0451	0.0451	0.0451	0.0451
Lincoln County Animal Services	0.1100	0.1100	0.1100	0.1100
Lincoln County Transport	0.0974	0.0974	0.0974	0.0974
Lincoln Fire & Rescue #1	0.6783			0.6783
North Lincoln Health	0.5184	0.5184	0.5184	0.5184
City of Lincoln City	4.0996	4.0996	-	-
Lincoln County Library			0.2465	0.2465
Lincoln County School	4.9092	4.9092	4.9092	4.9092
ESD Linn-Benton	0.3049	0.3049	0.3049	0.3049
Oregon Coast Comm. College	0.1757	0.1757	0.1757	0.1757
TOTAL:	13.8868	13.2085	9.2274	9.9057

Source: Lincoln County Assessor and Tiberius Solutions

Table 4 shows the incremental assessed value, tax rates and tax increment revenues each year, adjusted for discounts, and delinquencies, truncation loss, and receipt of delinquent taxes from prior years. The projections assume an annual growth rate of 3.0% for assessed value in the Area plus expected new growth in assessed value over the life of the Area. Figure 2 shows expected TIF revenues over time, the expected revenue sharing and the projected tax revenues after termination of the Area.

Figure 2 - TIF Projections over Time



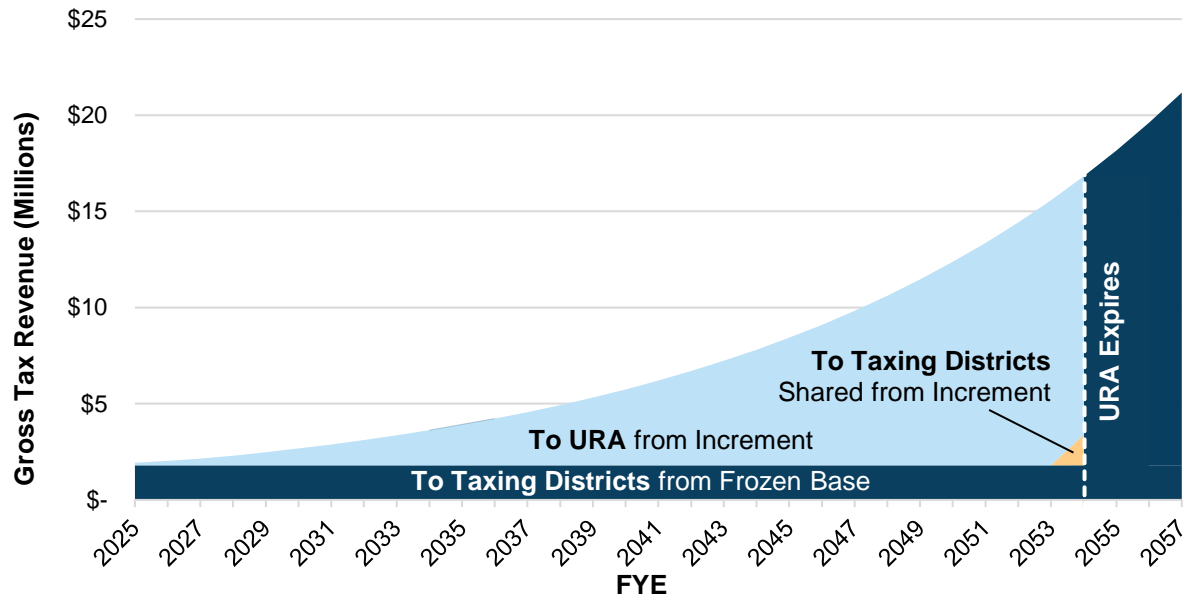
Source: Tiberius Solutions

Table 4 - Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues

FYE	Total AV	Frozen Base AV	Increment Applied	Increment Shared	Tax Rate	Gross TIF	Adjustments	Current Year Net	Prior Year Net	Total TIF
2025	138,982,780	129,762,619	9,220,161	-	13.8681	127,866	(6,393)	121,473	-	121,473
2026	145,892,911	129,762,619	16,130,292	-	13.8705	223,735	(11,187)	212,548	1,822	214,371
2027	154,586,218	129,762,619	24,823,599	-	13.8725	344,364	(17,218)	327,146	3,188	330,334
2028	165,324,486	129,762,619	35,561,867	-	13.8741	493,389	(24,669)	468,719	4,907	473,627
2029	178,443,882	129,762,619	48,681,263	-	13.8755	675,477	(33,774)	641,703	7,031	648,734
2030	192,609,632	129,762,619	62,847,013	-	13.8764	872,092	(43,605)	828,488	9,626	838,113
2031	207,905,351	129,762,619	78,142,732	-	13.8771	1,084,396	(54,220)	1,030,176	12,427	1,042,604
2032	224,421,334	129,762,619	94,658,715	-	13.8777	1,313,643	(65,682)	1,247,960	15,453	1,263,413
2033	242,255,103	129,762,619	112,492,484	-	13.8781	1,561,185	(78,059)	1,483,126	18,719	1,501,846
2034	261,511,976	129,762,619	131,749,357	-	13.8785	1,828,488	(91,424)	1,737,063	22,247	1,759,310
2035	282,305,692	129,762,619	152,543,073	-	13.8789	2,117,128	(105,856)	2,011,272	26,056	2,037,328
2036	304,759,089	129,762,619	174,996,470	-	13.8792	2,428,813	(121,441)	2,307,372	30,169	2,337,541
2037	329,004,824	129,762,619	199,242,205	-	13.8795	2,765,383	(138,269)	2,627,114	34,611	2,661,725
2038	355,186,169	129,762,619	225,423,550	-	13.8798	3,128,830	(156,441)	2,972,388	39,407	3,011,795
2039	383,457,850	129,762,619	253,695,231	-	13.8800	3,521,300	(176,065)	3,345,235	44,586	3,389,821
2040	413,986,968	129,762,619	284,224,349	-	13.8803	3,945,116	(197,256)	3,747,860	50,179	3,798,038
2041	446,953,992	129,762,619	317,191,373	-	13.8805	4,402,782	(220,139)	4,182,642	56,218	4,238,860
2042	482,553,819	129,762,619	352,791,200	-	13.8807	4,897,004	(244,850)	4,652,154	62,740	4,714,894
2043	520,996,938	129,762,619	391,234,319	-	13.8810	5,430,707	(271,535)	5,159,172	69,782	5,228,954
2044	562,510,671	129,762,619	432,748,052	-	13.8812	6,007,046	(300,352)	5,706,694	77,388	5,784,082
2045	607,340,522	129,762,619	477,577,903	-	13.8814	6,629,431	(331,472)	6,297,960	85,600	6,383,560
2046	655,751,631	129,762,619	525,989,012	-	13.8816	7,301,544	(365,077)	6,936,467	94,469	7,030,936
2047	708,030,345	129,762,619	578,267,726	-	13.8817	8,027,360	(401,368)	7,625,992	104,047	7,730,039
2048	764,485,912	129,762,619	634,723,293	-	13.8819	8,811,174	(440,559)	8,370,615	114,390	8,485,005
2049	825,452,321	129,762,619	695,689,702	-	13.8821	9,657,624	(482,881)	9,174,743	125,559	9,300,302
2050	891,290,268	129,762,619	761,527,649	-	13.8823	10,571,719	(528,586)	10,043,133	137,621	10,180,755
2051	962,389,303	129,762,619	832,626,684	-	13.8824	11,558,868	(577,943)	10,980,925	150,647	11,131,572
2052	1,039,170,135	129,762,619	909,407,516	-	13.8826	12,624,914	(631,246)	11,993,668	164,714	12,158,382
2053	1,122,087,126	129,762,619	992,324,507	-	13.8827	13,776,165	(688,808)	13,087,357	179,905	13,267,262
2054	1,211,630,975	129,762,619	967,869,787	113,998,569	13.8829	13,436,809	(671,840)	12,764,969	196,310	12,961,279
TOTAL:						149,564,352	(7,478,215)	142,086,134	1,939,818	144,025,955

Source: Tiberius Solutions

Figure 3 - TIF Projections over Time



Source: Tiberius Solutions

VI. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 5 shows a summary of the financial capacity of the Area, including how the total TIF revenue translates to the ability to fund projects in constant FYE 2023 dollars in five-year increments. The Plan is structured to complete all projects and have sufficient tax increment finance revenue to terminate the Area in FYE 2054, a 30-year duration for the Plan. The time frame of the Plan is not absolute; it may vary depending on the actual ability to meet the maximum indebtedness. If the economy is slower, it may take longer; if the economy is more robust than the projections, it may take a shorter time period. These assumptions show one scenario for financing and that this scenario is financially feasible.

The maximum indebtedness is \$129,000,000 (One Hundred Twenty-Nine Million). The estimated total amount of tax increment revenues required to service the maximum indebtedness of \$129,000,000 is \$144,025,953 and is from permanent rate tax levies. The increase over the maximum indebtedness is due to the projected cost of the interest on borrowings (loans).

Table 7 through Table 10, show more detailed tables on the allocation of tax revenues over time.

Table 5 - TIF Capacity of the Area (rounded)

Net TIF	\$144,000,000
Maximum Indebtedness	\$129,000,000
Capacity (2023\$)	\$68,700,000
Years 1-5	\$1,500,000
Years 6-10	\$8,300,000
Years 11-15	\$11,200,000
Years 16-20	\$13,500,000
Years 21-25	\$13,100,000
Years 26-30	\$21,100,000

Source: Tiberius Solutions

The financial analysis projects when borrowings might occur as identified in Table 6. The Agency may decide to complete borrowings at different times or for different amounts, depending on their analysis at the time. The table below summarizes the principal amounts of the projected borrowings for the Area. The total amounts, including interest, are shown in the second column of Table 11. There may be opportunities for the City/Agency to accelerate the timing of financial capacity in the early years. For example, the City/Agency may find lenders willing to offer more attractive terms, such as lower interest rates, lower required minimum debt service coverage ratios, or a longer amortization period. Additionally, the City/Agency could explore short-term, interim financing strategies, such as a line of credit with interest only payments. Any line of credit would need to be repaid in full after an agreed upon term, most likely through a longer-term borrowing like the ones shown in this analysis. The success of these financial strategies will depend upon market conditions, and the specific terms and conditions that lenders are willing to offer to the City/Agency.

Table 6 - Estimated Borrowings and Amounts

	Loan A	Loan B	Loan C
Principal Amount	\$ 6,900,000	\$ 10,000,000	\$ 12,200,000
Interest Rate	5.00%	5.00%	5.00%
Loan Term	20	20	15
Loan Year	2030	2035	2040
Interest Payment Start	2030	2035	2040

Source: Tiberius Solution

Table 7 - Tax Increment Revenues and Allocations to Debt Service, Page 1

	Total	FYE 2025	FYE 2026	FYE 2027	FYE 2028	FYE 2029	FYE 2030	FYE 2031
Resources								
Beginning Balance		-	-	-	-	-	-	-
TIF: Current Year	142,086,135	121,473	212,548	327,146	468,719	641,703	828,488	1,030,176
TIF: Prior Years	1,939,818	-	1,822	3,188	4,907	7,031	9,626	12,427
Total Resources	144,025,953	121,473	214,371	330,334	473,627	648,734	838,113	1,042,604
Expenditures								
Debt Service								
Scheduled Payments								
Loan A	(11,073,477)	-	-	-	-	-	(553,674)	(553,674)
Loan B	(16,048,517)	-	-	-	-	-	-	-
Loan C	(17,630,639)	-	-	-	-	-	-	-
Total Debt Service, Scheduled Only	(44,752,633)	-	-	-	-	-	(553,674)	(553,674)
Total Debt Service	(44,752,633)	-	-	-	-	-	(553,674)	(553,674)
Debt Service Coverage Ratio		-	-	-	-	-	1.51	1.88
Transfer to URA Projects Fund	(99,273,320)	(121,473)	(214,371)	(330,334)	(473,627)	(648,734)	(284,439)	(488,930)
Total Expenditures	(144,025,953)	(121,473)	(214,371)	(330,334)	(473,627)	(648,734)	(838,113)	(1,042,604)
Ending Balance		-	-	-	-	-	-	-

Source: Tiberius Solutions

Table 8 - Tax Increment Revenues and Allocations to Debt Service, Page 2

	FYE 2032	FYE 2033	FYE 2034	FYE 2035	FYE 2036	FYE 2037	FYE 2038	FYE 2039
Resources								
Beginning Balance	-	-	-	-	-	-	-	-
TIF: Current Year	1,247,960	1,483,126	1,737,063	2,011,272	2,307,372	2,627,114	2,972,388	3,345,235
TIF: Prior Years	15,453	18,719	22,247	26,056	30,169	34,611	39,407	44,586
Total Resources	1,263,413	1,501,846	1,759,310	2,037,328	2,337,541	2,661,725	3,011,795	3,389,821
Expenditures								
Debt Service								
Scheduled Payments								
Loan A	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)
Loan B	-	-	-	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)
Loan C	-	-	-	-	-	-	-	-
Total Debt Service, Scheduled Only	(553,674)	(553,674)	(553,674)	(1,356,100)	(1,356,100)	(1,356,100)	(1,356,100)	(1,356,100)
Total Debt Service	(553,674)	(553,674)	(553,674)	(1,356,100)	(1,356,100)	(1,356,100)	(1,356,100)	(1,356,100)
Debt Service Coverage Ratio	2.28	2.71	3.18	1.50	1.72	1.96	2.22	2.50
Transfer to URA Projects Fund	(709,739)	(948,172)	(1,205,636)	(681,228)	(981,441)	(1,305,625)	(1,655,695)	(2,033,721)
Total Expenditures	(1,263,413)	(1,501,846)	(1,759,310)	(2,037,328)	(2,337,541)	(2,661,725)	(3,011,795)	(3,389,821)
Ending Balance	-	-	-	-	-	-	-	-

Source: Tiberius Solutions

Table 9 - Tax Increment Revenues and Allocations to Debt Service, Page 3

	FYE 2040	FYE 2041	FYE 2042	FYE 2043	FYE 2044	FYE 2045	FYE 2046	FYE 2047
Resources								
Beginning Balance	-	-	-	-	-	-	-	-
TIF: Current Year	3,747,860	4,182,642	4,652,154	5,159,172	5,706,694	6,297,960	6,936,467	7,625,992
TIF: Prior Years	50,179	56,218	62,740	69,782	77,388	85,600	94,469	104,047
Total Resources	3,798,038	4,238,860	4,714,894	5,228,954	5,784,082	6,383,560	7,030,936	7,730,039
Expenditures								
Debt Service								
Scheduled Payments								
Loan A	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)	(553,674)
Loan B	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)
Loan C	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)
Total Debt Service, Scheduled Only	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)
Total Debt Service	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)	(2,531,476)
Debt Service Coverage Ratio	1.50	1.67	1.86	2.07	2.28	2.52	2.78	3.05
Transfer to URA Projects Fund	(1,266,563)	(1,707,385)	(2,183,418)	(2,697,478)	(3,252,606)	(3,852,085)	(4,499,460)	(5,198,563)
Total Expenditures	(3,798,038)	(4,238,860)	(4,714,894)	(5,228,954)	(5,784,082)	(6,383,560)	(7,030,936)	(7,730,039)
Ending Balance	-	-	-	-	-	-	-	-

Source: Tiberius Solutions

Table 10 - Tax Increment Revenues and Allocations to Debt Service, Page 4

	FYE 2048	FYE 2049	FYE 2050	FYE 2051	FYE 2052	FYE 2053	FYE 2054
Resources							
Beginning Balance	-	-	-	-	-	-	-
TIF: Current Year	8,370,615	9,174,743	10,043,133	10,980,925	11,993,668	13,087,357	12,764,969
TIF: Prior Years	114,390	125,559	137,621	150,647	164,714	179,905	196,310
Total Resources	8,485,005	9,300,302	10,180,755	11,131,572	12,158,382	13,267,262	12,961,279
Expenditures							
Debt Service							
Scheduled Payments							
Loan A	(553,674)	(553,674)	-	-	-	-	-
Loan B	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)	(802,426)
Loan C	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)	(1,175,376)
Total Debt Service, Scheduled Only	(2,531,476)	(2,531,476)	(1,977,802)	(1,977,802)	(1,977,802)	(1,977,802)	(1,977,802)
Total Debt Service	(2,531,476)	(2,531,476)	(1,977,802)	(1,977,802)	(1,977,802)	(1,977,802)	(1,977,802)
Debt Service Coverage Ratio	3.35	3.67	5.15	5.63	6.15	6.71	6.55
Transfer to URA Projects Fund	(5,953,530)	(6,768,827)	(8,202,953)	(9,153,770)	(10,180,580)	(11,289,460)	(10,983,477)
Total Expenditures	(8,485,005)	(9,300,302)	(10,180,755)	(11,131,572)	(12,158,382)	(13,267,262)	(12,961,279)
Ending Balance	-	-	-	-	-	-	-

Source: Tiberius Solutions

VII. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The schedule for construction of projects will be based on the availability of funding. The projects will be ongoing and will be completed as directed by the Agency. Annual expenditures for program administration are also shown. These are predicated on the fact that urban renewal activities will start off slowly in the beginning years and increase in the later years of the Area.

The Area is anticipated to complete all projects and have sufficient tax increment finance revenue to terminate the Area in FYE 2054, a 30-year program.

The amount of money available for projects in 2023 constant dollars for the Area is approximately \$68,677,657. See Table 2 for the individual project analysis. This \$68,677,657 is calculated by disinflating the maximum indebtedness (MI) to constant 2023 dollars. Constant year dollars are useful to the Agency during the project funding allocation because estimates for the projects do not typically account for the impact of inflation regarding the year the project is pursued. Constant dollars allow for a simple and direct representation of project funding allocations.

Table 11 through Table 14 are in year-of-expenditure dollars, which are adjusted by 3.00% annually to account for inflation. The year of expenditure total cost is projected to be \$128,411,448.

The 3.00% inflation rate is the rate to use in the future if any amendment to increase maximum indebtedness is pursued in accordance with ORS 457.470.

The Agency may change the completion dates in their annual budgeting process or as project decisions are made in administering the Plan. The following tables are prepared to show that the Area is financially feasible as required by ORS 457. It assumes completion of projects as funding becomes available. If the City can jumpstart the Area by providing alternative funding sources which are repaid when tax increment revenues are available, or if other outside funding sources are secured, including but not limited to, developer contributions, the timing on projects can be moved up.

Table 11 - Programs and Costs in Year of Expenditure Dollars, Page 1

	Total	FYE 2025	FYE 2026	FYE 2027	FYE 2028	FYE 2029	FYE 2030	FYE 2031
Resources								
Beginning Balance		-	10,078	27,811	43,144	76,451	122,546	50,527
Interest Earnings	38,128	-	50	139	216	382	613	253
Transfer from TIF Fund	99,273,320	121,473	214,371	330,334	473,627	648,734	284,439	488,930
Bond/Loan Proceeds	29,100,000	-	-	-	-	-	6,900,000	-
Total Resources	128,411,448	121,473	224,498	358,285	516,986	725,567	7,307,598	539,710
Expenditures (YOE \$)								
Economic Development/Land Acquisition	(34,832,192)	(106,090)	(191,223)	(309,513)	(434,738)	(477,640)	(245,980)	(506,720)
Emergency Preparedness	(1,229,900)	-	-	-	-	-	(1,229,900)	-
Parks	(13,025,906)	-	-	-	-	-	(845,556)	-
Transportation	(52,103,616)	-	-	-	-	-	(3,382,225)	-
Utilities	(21,709,838)	-	-	-	-	-	(1,409,260)	-
Planning & Community Involvement	(706,165)	-	-	-	-	(119,410)	-	-
Administration	(4,221,831)	(5,305)	(5,464)	(5,628)	(5,797)	(5,971)	(6,150)	(6,334)
Financing Fees	(582,000)	-	-	-	-	-	(138,000)	-
Total Expenditures	(128,411,448)	(111,395)	(196,687)	(315,141)	(440,535)	(603,021)	(7,257,071)	(513,054)
Ending Balance		10,078	27,811	43,144	76,451	122,546	50,527	26,656

Source: Tiberius Solutions

Table 12 - Programs and Costs in Year of Expenditure Dollars, Page 2

	FYE 2032	FYE 2033	FYE 2034	FYE 2035	FYE 2036	FYE 2037	FYE 2038	FYE 2039
Resources								
Beginning Balance	26,656	77,604	213,104	236,315	6,965	99,998	339,740	275,544
Interest Earnings	133	388	1,066	1,182	35	500	1,699	1,378
Transfer from TIF Fund	709,739	948,172	1,205,636	681,228	981,441	1,305,625	1,655,695	2,033,721
Bond/Loan Proceeds	-	-	-	10,000,000	-	-	-	-
Total Resources	736,528	1,026,164	1,419,806	10,918,725	988,441	1,406,123	1,997,134	2,310,644
Expenditures (YOE \$)								
Economic Development/Land Acquisition	(652,400)	(806,340)	(692,100)	(106,928)	(734,250)	(907,560)	(1,558,000)	(1,444,230)
Emergency Preparedness	-	-	-	-	-	-	-	-
Parks	-	-	-	(1,568,270)	-	-	-	-
Transportation	-	-	-	(6,273,080)	-	-	-	-
Utilities	-	-	-	(2,613,783)	-	-	-	-
Planning & Community Involvement	-	-	(346,050)	-	-	-	-	(240,705)
Administration	(6,524)	(6,720)	(145,341)	(149,699)	(154,193)	(158,823)	(163,590)	(168,494)
Financing Fees	-	-	-	(200,000)	-	-	-	-
Total Expenditures	(658,924)	(813,060)	(1,183,491)	(10,911,760)	(888,443)	(1,066,383)	(1,721,590)	(1,853,429)
Ending Balance	77,604	213,104	236,315	6,965	99,998	339,740	275,544	457,215

Source: Tiberius Solutions

Table 13 - Programs and Costs in Year of Expenditure Dollars, Page 3

	FYE 2040	FYE 2041	FYE 2042	FYE 2043	FYE 2044	FYE 2045	FYE 2046	FYE 2047
Resources								
Beginning Balance	457,215	93,292	260,471	507,573	670,019	754,163	1,151,457	1,304,887
Interest Earnings	2,286	466	1,302	2,538	3,350	3,771	5,757	6,524
Transfer from TIF Fund	1,266,563	1,707,385	2,183,418	2,697,478	3,252,606	3,852,085	4,499,460	5,198,563
Bond/Loan Proceeds	12,200,000	-	-	-	-	-	-	-
Total Resources	13,926,063	1,801,143	2,445,191	3,207,590	3,925,975	4,610,018	5,656,675	6,509,974
Expenditures (YOE \$)								
Economic Development/Land Acquisition	(1,156,960)	(1,361,920)	(1,753,500)	(2,347,930)	(2,976,480)	(3,257,370)	(4,144,560)	(4,472,160)
Emergency Preparedness	-	-	-	-	-	-	-	-
Parks	(1,838,740)	-	-	-	-	-	-	(254,100)
Transportation	(7,354,960)	-	-	-	-	-	-	(1,016,400)
Utilities	(3,064,567)	-	-	-	-	-	-	(423,499)
Planning & Community Involvement	-	-	-	-	-	-	-	-
Administration	(173,544)	(178,752)	(184,118)	(189,641)	(195,332)	(201,191)	(207,228)	(213,444)
Financing Fees	(244,000)	-	-	-	-	-	-	-
Total Expenditures	(13,832,771)	(1,540,672)	(1,937,618)	(2,537,571)	(3,171,812)	(3,458,561)	(4,351,788)	(6,379,603)
Ending Balance	93,292	260,471	507,573	670,019	754,163	1,151,457	1,304,887	130,371

Source: Tiberius Solutions

Table 14 - Programs and Costs in Year of Expenditure Dollars, Page 4

	FYE 2048	FYE 2049	FYE 2050	FYE 2051	FYE 2052	FYE 2053	FYE 2054
Resources							
Beginning Balance	130,371	106,753	179,870	5,718	149,004	67,772	180,315
Interest Earnings	652	534	899	29	745	339	902
Transfer from TIF Fund	5,953,530	6,768,827	8,202,953	9,153,770	10,180,580	11,289,460	10,983,477
Bond/Loan Proceeds	-	-					
Total Resources	6,084,553	6,876,113	8,383,722	9,159,517	10,330,330	11,357,571	11,164,694
Expenditures (YOE \$)							
Economic Development/Land Acquisition	(4,187,600)	-	-	-	-	-	-
Emergency Preparedness	-	-	-	-	-	-	-
Parks	(235,553)	(970,470)	(1,221,715)	(1,315,543)	(1,502,269)	(1,638,360)	(1,635,330)
Transportation	(942,210)	(3,881,880)	(4,886,860)	(5,262,170)	(6,009,075)	(6,553,440)	(6,541,316)
Utilities	(392,588)	(1,617,450)	(2,036,192)	(2,192,570)	(2,503,781)	(2,730,600)	(2,725,548)
Planning & Community Involvement	-	-	-	-	-	-	-
Administration	(219,849)	(226,443)	(233,237)	(240,230)	(247,433)	(254,856)	(262,500)
Financing Fees	-	-	-	-	-	-	-
Total Expenditures	(5,977,800)	(6,696,243)	(8,378,004)	(9,010,513)	(10,262,558)	(11,177,256)	(11,164,694)
Ending Balance	106,753	179,870	5,718	149,004	67,772	180,315	-

Source: Tiberius Solutions

VIII. REVENUE SHARING

Mandatory revenue sharing is defined in ORS 457.470. The statute identifies certain thresholds where the impacted taxing jurisdictions will receive a share of the incremental growth in the Area. The first threshold is when annual tax increment finance revenues exceed 10% of the original maximum indebtedness of the Plan (10% of \$129,000,000 is \$12,900,000). In the year after reaching the 10% threshold, the Agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold, and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. The threshold is not projected to be met in the Plan. If actual assessed value growth is higher than projected, revenue sharing could be realized.

The second threshold is when annual tax increment finance revenues exceed 12.5% of the maximum indebtedness (\$16,125,000). If this threshold is met, revenue for the Area would be capped at 12.5% of the maximum indebtedness, with all additional tax revenue being shared with affected taxing districts. This threshold is not projected to be met.

IX. IMPACT OF THE TAX INCREMENT FINANCING

This section describes the impact of tax increment financing of the maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the Area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated through FYE 2054 and are shown in Table 15 and Table 16. Table 16 shows the general government levies, and Table 17 shows the education levies.

The Lincoln County School District and the Linn-Benton-Lincoln Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the Plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level.

Table 15 - Projected Impact on Taxing District Permanent Rate Levies - General Government

FYE	Lincoln County General	Water - Dev Lake Out	Lincoln County Extension	Lincoln Co. Animal Services	Lincoln County Transport	Lincoln Fire & Rescue #1	North Lincoln Health	City of Lincoln City	Lincoln County Library	Subtotal General Government
2025	(24,703)	(1,118)	(395)	(964)	(853)	(5,881)	(4,541)	(35,803)	(6)	(74,263)
2026	(43,587)	(1,973)	(697)	(1,700)	(1,505)	(10,390)	(8,012)	(63,196)	(10)	(131,070)
2027	(67,155)	(3,041)	(1,074)	(2,619)	(2,319)	(16,025)	(12,344)	(97,399)	(13)	(201,991)
2028	(96,275)	(4,361)	(1,540)	(3,755)	(3,325)	(22,995)	(17,697)	(139,668)	(17)	(289,632)
2029	(131,856)	(5,974)	(2,109)	(5,143)	(4,554)	(31,517)	(24,237)	(191,329)	(21)	(396,739)
2030	(170,335)	(7,718)	(2,724)	(6,644)	(5,883)	(40,736)	(31,311)	(247,202)	(24)	(512,578)
2031	(211,885)	(9,602)	(3,388)	(8,264)	(7,318)	(50,692)	(38,948)	(307,535)	(28)	(637,662)
2032	(256,749)	(11,636)	(4,106)	(10,014)	(8,867)	(61,444)	(47,195)	(372,685)	(32)	(772,729)
2033	(305,193)	(13,833)	(4,881)	(11,904)	(10,540)	(73,056)	(56,100)	(443,036)	(37)	(918,579)
2034	(357,502)	(16,205)	(5,717)	(13,944)	(12,347)	(85,597)	(65,715)	(519,005)	(41)	(1,076,073)
2035	(413,987)	(18,766)	(6,620)	(16,147)	(14,298)	(99,140)	(76,098)	(601,040)	(45)	(1,246,141)
2036	(474,979)	(21,532)	(7,596)	(18,526)	(16,404)	(113,766)	(87,309)	(689,626)	(50)	(1,429,789)
2037	(540,840)	(24,519)	(8,649)	(21,095)	(18,679)	(129,562)	(99,416)	(785,288)	(55)	(1,628,102)
2038	(611,960)	(27,744)	(9,786)	(23,869)	(21,135)	(146,622)	(112,488)	(888,590)	(59)	(1,842,254)
2039	(688,757)	(31,227)	(11,014)	(26,865)	(23,787)	(165,045)	(126,605)	(1,000,144)	(64)	(2,073,509)
2040	(771,687)	(34,988)	(12,341)	(30,099)	(26,651)	(184,943)	(141,849)	(1,120,610)	(70)	(2,323,237)
2041	(861,238)	(39,050)	(13,773)	(33,592)	(29,744)	(206,431)	(158,310)	(1,250,699)	(75)	(2,592,912)
2042	(957,942)	(43,436)	(15,319)	(37,364)	(33,084)	(229,638)	(176,086)	(1,391,182)	(80)	(2,884,132)
2043	(1,062,369)	(48,173)	(16,989)	(41,437)	(36,691)	(254,701)	(195,281)	(1,542,890)	(86)	(3,198,617)
2044	(1,175,137)	(53,288)	(18,793)	(45,835)	(40,585)	(281,769)	(216,010)	(1,706,720)	(92)	(3,538,229)
2045	(1,296,913)	(58,812)	(20,740)	(50,585)	(44,791)	(311,001)	(238,394)	(1,883,642)	(98)	(3,904,976)
2046	(1,428,417)	(64,777)	(22,843)	(55,714)	(49,333)	(342,572)	(262,567)	(2,074,701)	(104)	(4,301,029)
2047	(1,570,427)	(71,220)	(25,114)	(61,253)	(54,237)	(376,668)	(288,671)	(2,281,030)	(110)	(4,728,730)
2048	(1,723,784)	(78,177)	(27,566)	(67,235)	(59,534)	(413,490)	(316,860)	(2,503,849)	(117)	(5,190,612)
2049	(1,889,393)	(85,690)	(30,215)	(73,695)	(65,253)	(453,258)	(347,302)	(2,744,477)	(123)	(5,689,406)
2050	(2,068,236)	(93,803)	(33,075)	(80,670)	(71,430)	(496,207)	(380,176)	(3,004,338)	(130)	(6,228,065)
2051	(2,261,369)	(102,565)	(36,163)	(88,203)	(78,100)	(542,591)	(415,678)	(3,284,969)	(137)	(6,809,776)
2052	(2,469,937)	(112,028)	(39,499)	(96,338)	(85,303)	(592,686)	(454,016)	(3,588,033)	(145)	(7,437,984)
2053	(2,695,173)	(122,246)	(43,101)	(105,123)	(93,082)	(646,787)	(495,418)	(3,915,324)	(152)	(8,116,406)
2054	(2,632,986)	(119,429)	(42,106)	(102,698)	(90,934)	(631,914)	(483,987)	(3,825,073)	(143)	(7,929,271)
TOTAL:	(29,260,771)	(1,326,931)	(467,933)	(1,141,294)	(1,010,566)	(7,017,123)	(5,378,621)	(42,499,083)	(2164)	(88,104,493)

Source: Tiberius Solutions

Table 16 - Projected Impact on Taxing District Permanent Rate Levies – Education

FYE	Lincoln County School	ESD Linn-Benton	Oregon Coast Comm. College	Subtotal Education	TOTAL:
2025	(43,000)	(2,671)	(1,539)	(47,210)	(121,473)
2026	(75,873)	(4,712)	(2,715)	(83,300)	(214,371)
2027	(116,899)	(7,260)	(4,184)	(128,343)	(330,335)
2028	(167,588)	(10,409)	(5,998)	(183,994)	(473,627)
2029	(229,525)	(14,255)	(8,215)	(251,994)	(648,734)
2030	(296,508)	(18,415)	(10,612)	(325,535)	(838,113)
2031	(368,834)	(22,908)	(13,201)	(404,942)	(1,042,604)
2032	(446,930)	(27,758)	(15,996)	(490,684)	(1,263,413)
2033	(531,258)	(32,995)	(19,014)	(583,267)	(1,501,846)
2034	(622,314)	(38,651)	(22,273)	(683,237)	(1,759,310)
2035	(720,638)	(44,757)	(25,792)	(791,187)	(2,037,328)
2036	(826,809)	(51,351)	(29,591)	(907,752)	(2,337,541)
2037	(941,456)	(58,472)	(33,695)	(1,033,622)	(2,661,725)
2038	(1,065,255)	(66,161)	(38,125)	(1,169,541)	(3,011,795)
2039	(1,198,938)	(74,464)	(42,910)	(1,316,312)	(3,389,821)
2040	(1,343,296)	(83,429)	(48,077)	(1,474,802)	(3,798,038)
2041	(1,499,181)	(93,111)	(53,656)	(1,645,948)	(4,238,860)
2042	(1,667,516)	(103,566)	(59,680)	(1,830,762)	(4,714,894)
2043	(1,849,295)	(114,856)	(66,186)	(2,030,337)	(5,228,954)
2044	(2,045,594)	(127,047)	(73,212)	(2,245,853)	(5,784,082)
2045	(2,257,573)	(140,213)	(80,798)	(2,478,584)	(6,383,560)
2046	(2,486,485)	(154,430)	(88,991)	(2,729,907)	(7,030,936)
2047	(2,733,686)	(169,783)	(97,838)	(3,001,308)	(7,730,039)
2048	(3,000,638)	(186,363)	(107,393)	(3,294,394)	(8,485,005)
2049	(3,288,919)	(204,268)	(117,710)	(3,610,897)	(9,300,302)
2050	(3,600,235)	(223,603)	(128,852)	(3,952,690)	(10,180,755)
2051	(3,936,428)	(244,483)	(140,885)	(4,321,796)	(11,131,572)
2052	(4,299,488)	(267,032)	(153,878)	(4,720,398)	(12,158,382)
2053	(4,691,562)	(291,383)	(167,911)	(5,150,856)	(13,267,262)
2054	(4,583,312)	(284,660)	(164,037)	(5,032,008)	(12,961,279)
TOTAL:	(50,935,033)	(3,163,466)	(1,822,964)	(55,921,460)	(144,025,956)

Source: Tiberius Solutions Please refer to the explanation of the schools funding in the preceding section

Table 17 shows the projected increased revenue to the taxing jurisdictions after tax increment proceeds are projected to be terminated. These projections are for FYE 2055.

The Frozen Base is the assessed value of the Area established by the county assessor at the time the Area is established. Excess Value is the increased assessed value in the Area above the Frozen Base. The Frozen Base indicated in the table below is the consultant's estimate. It is expected the number may vary slightly as the assessor determines the Frozen Base after the Area is established.

Table 17 - Additional Revenues Obtained after Termination of Tax Increment Financing, FYE 2055.

Taxing District	Type	Tax Rate	From Frozen Base	From Excess Value	Total
General Government					
Lincoln County General	Permanent	2.8202	365,956	3,323,800	3,689,756
Water - Dev Lake Out	Permanent	0.1280	16,552	150,766	167,318
Lincoln County Extension	Permanent	0.0451	5,852	53,154	59,006
Lincoln County Animal Services	Permanent	0.1100	14,274	129,643	143,917
Lincoln County Transport	Permanent	0.0974	12,638	114,793	127,431
Lincoln Fire & Rescue #1	Permanent	0.6783	86,969	797,771	884,740
North Lincoln Health	Permanent	0.5184	67,269	610,971	678,240
City of Lincoln City	Permanent	4.0996	530,135	4,828,763	5,358,898
Lincoln County Library	Permanent	0.2465	111	174	285
Subtotal General Government		8.7435	1,099,756	10,009,835	11,109,591
Education					
Lincoln County School	Permanent	4.9092	637,030	5,785,830	6,422,860
ESD Linn-Benton	Permanent	0.3049	39,565	359,345	398,910
Oregon Coast Comm. College	Permanent	0.1757	22,798	207,075	229,873
Subtotal Education		5.3898	699,393	6,352,250	7,051,643
TOTAL:		14.1333	1,799,149	16,362,085	18,161,234

Source: Tiberius Solutions

X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AND TIF AREAS

State law limits the percentage of both a municipality’s total assessed value and the total land area that can be contained in a TIF area at the time of its establishment to 25% for municipalities under 50,000 in population. As of the adoption of this Plan, there is an existing urban renewal area in Lincoln City, the Roads End/Villages at Cascade Head Area.

The total assessed value of the City of Lincoln City as of FYE 2022 is \$2,104,578,530. The “excess value” used in the Roads End/Villages at Cascade Area is \$25,550,059. The amount on which the 25% is applied is \$2,0769,028,471. (total assessed value minus excess value)

As noted below, the Frozen Base (assumed to be FYE 2022 values), including all real, personal, manufactured, and utility properties in the Nelscott Area, is projected to be \$129,762,619. The Lincoln County Assessor will set the Frozen Base once the Plan is adopted. The percentage of assessed value of TIF areas in Lincoln City is 18.28%, below the 25% threshold.

The Nelscott Area contains 323 acres, including public rights-of-way. The Roads End/Villages at Cascade Area has 500 acres. This puts 21.5% of the City’s acreage in a TIF area, which is below the 25% statutory threshold. The information on acreage and assessed value percentages is shown below in Table 18.

Table 18 – Lincoln City Conformance with Assessed Value and Acreage Limits

	Acreage	Assessed Value
City of Lincoln City	3,830	\$2,104,578,530
Roads End/Villages at Cascade Head Area value used	500	(\$25,550,059)
AV to calculate 25%		\$2,079,028,471
25%		\$519,757,117
Roads End/Villages at Cascade Head Frozen Base		\$250,383,800
Nelscott URA Frozen Base	323	\$129,762,619
% in Urban Renewal/TIF Area	21.50%	18.28%

Source: Compiled by Elaine Howard Consulting, LLC with data from City of Lincoln City and Lincoln County Department of Assessment and Taxation (FYE 2022)

XI. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

This section of the Report describes existing conditions within the Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

A. Physical Conditions

1. Land Use

The Area measures approximately 323 total acres in size, which is composed of 578 individual parcels encompassing 289 acres, and an additional 34 acres in public rights-of-way. An analysis of FYE 2022 property classification data from the Lincoln County Department of Assessment and Taxation database was used to determine the land use designation of parcels in the Area. By acreage, Forest (43%) accounts for the most prevalent land use within the area. This was followed by Residential (24%). Detailed land use designations in the area can be seen in Table 19.

Table 19 - Land Use in the Area

Land Use	Parcels	Acres	Percent of Acres
Forest	9	123.78	42.81%
Residential	424	69.70	24.10%
Exempt	42	52.43	18.13%
Commercial	62	31.47	10.88%
Miscellaneous	23	6.59	2.28%
Multi-Family	16	2.96	1.02%
Industrial	2	2.23	0.77%
TOTAL:	578	289.16	100.00%

Source: Compiled by Elaine Howard Consulting with data from the Lincoln County Department of Assessment and Taxation (FYE 2022)

2. Comprehensive Plan and Zoning Designations

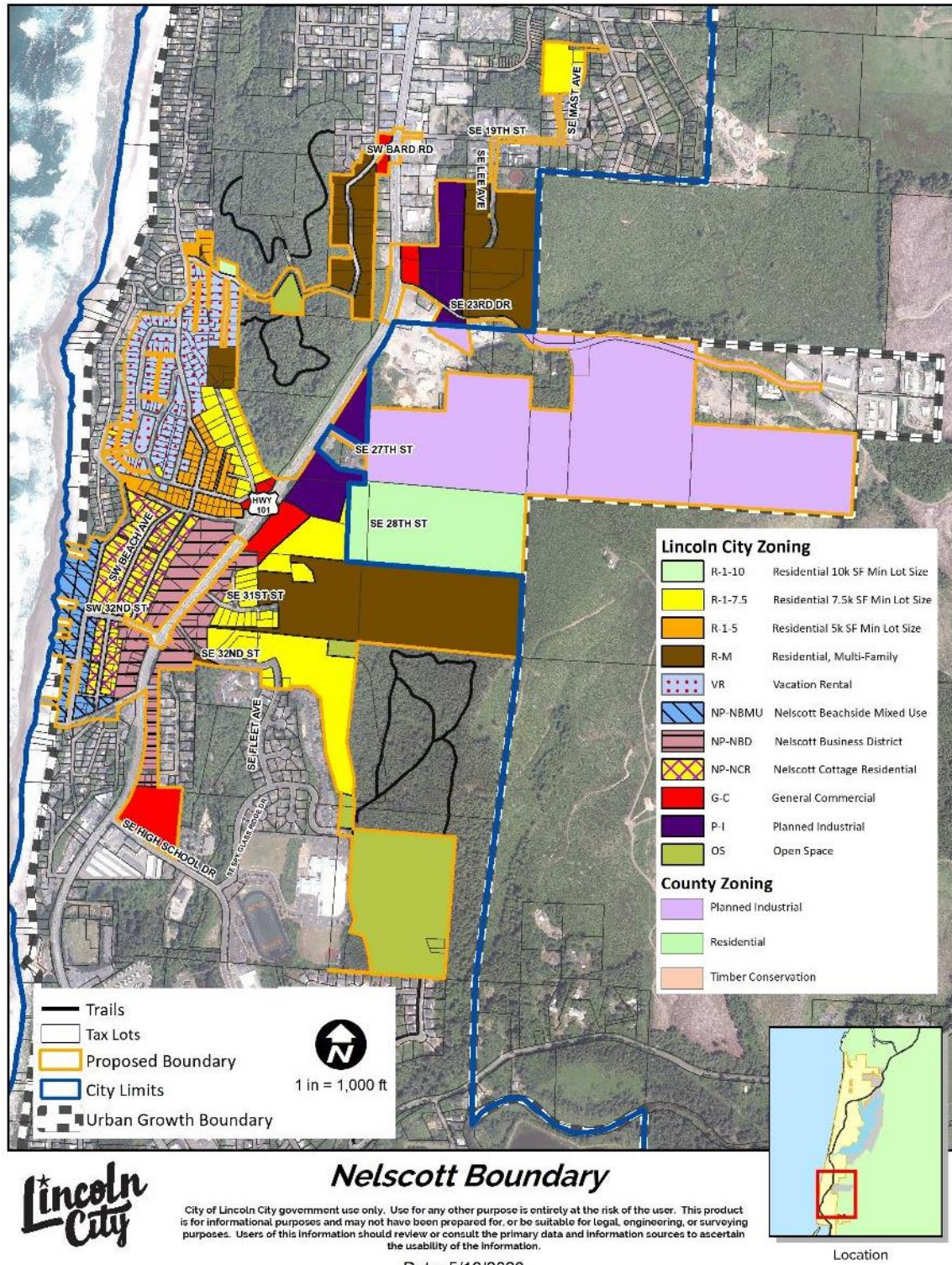
The Lincoln City Zoning and Comprehensive Plan designations are the same. The most prevalent zoning designation by acreage in the Area is R-1-7.5 (28%). The second most prevalent zoning designation in the Area is Planned Industrial (33%). Detailed zoning and comprehensive plan designations in the Area can be seen in Table 20.

Table 20 - Comprehensive Plan and Zoning Designations in the Area

Zoning Designations	Tax Lots	Acres	Percent of Acres
Residential R-1-7.5	57	79.92	27.64%
Planned Industrial PI	14	96.69	33.44%
Open Space OS	5	22.89	7.92%
Multi-Family Residential R-M	32	20.59	7.12%
Vacation Rental VR	157	18.11	6.26%
NP-Nelscott Business District	62	15.05	5.20%
NP-Nelscott Cottage Residential	120	11.95	4.13%
NP-Nelscott Business Mixed Use	55	7.29	2.52%
Residential R-1-5	66	9.63	3.33%
General Commercial GC	9	6.65	2.30%
Residential R-1-10	1	0.38	0.13%
TOTAL:	578	289.16	100.00%

Source: Compiled by Elaine Howard Consulting, LLC with data from the City of Lincoln City (FYE 2022)

Figure 4 – Nelscott Urban Renewal (TIF) Area Comprehensive Plan and Zoning Designations



Source: City of Lincoln City GIS

B. Infrastructure

This section identifies the existing conditions in the Area to assist in **establishing blight in the ordinance adopting the Plan.** There are projects listed in several City of Lincoln City infrastructure master plans that relate to these existing conditions.

There are also deficiencies in the transportation system that have been identified by City staff for inclusion. **This does not mean that all of these projects are included in the Plan.** The specific projects that are included in the Plan are listed in Section III of this Report.

1. Transportation

The information on deficiencies in the transportation network comes from the Lincoln City Transportation Systems Plan (TSP), the Walking and Biking Plan and identification from staff.

- Improved public transportation: Capital project improvements to support, enhance, and expand public transportation. Projects may include, improved access of public recreation areas; incorporate regional transit service and other transit amenities; link into greater transit system and improve timing for connections; create Park & Ride opportunities in the Area which could support multiple programs such as solar projects and EV charging stations. Add new transit stops or move transit stops for improved usability, improve connections between facilities and pedestrian infrastructure– TSP T1-T5, P 27.
- Community Way-finding and entry monumentation signage: Install wayfinding signage to assist pedestrians and bicyclists in choosing comfortable routes and to help visitors navigate through the city; may include acquiring property and constructing cohesive, branded signage for varied transportation modes (drivers, cyclists, pedestrians) Transportation System Plan / Walking & Biking Plan, P 7,28. Demand and System Management Projects: M9
- SE Lee Street Phase 1 (North Portion) and Phase 2 (South Portion): Phase 1 (North Portion) is to construct a connection between SE Lee Ave. and 23rd Dr. Phase 2 (South Portion) will construct a connection between SE Lee Ave. and SE 32 Street/SE Fleet Ave. TSP Volume 1, D14, D15 P 29.
- SE 23rd Street Reconstruction: SE 23rd Street is not aligned with the County/City rights of way, it is in terrible condition, will need to re-build.TSP
- SE 23rd Street and Hwy 101 Intersection Improvements: The intersection will need to be re-aligned and possibly re-designed, either at signal or a round-a-bout to accommodate capacity. Staff identified.
- Bard Road Improvements: Bard Road is a narrow gravel road, this project will re-construct the road with sidewalk, paving, stormwater

treatment. May include intersection of Bard Road and Hwy 101 improvements. TSP

- NE Mast to NE 15th/Oar Ave (14th - 19th connection): A new road across Tribal property and in existing public right-of-way would allow for connection between NE 19th and NE 14th, via NE Mast to NE 15th/Oar Avenue. Staff identified.
- SE 19th Street and Hwy 101 Pedestrian Crossing: Improve the SE 19th Street and Hwy 101 intersection for pedestrian crossing and intersection improvements on SE Bard Rd and Hwy 101. TSP
- Sidewalk Improvements within URA boundary: Construct the sidewalk improvements as identified in the City's 2015 Transportation System Plan and Walking and Biking Plan. TSP
- Transportation System Refinement Plan: Refine the alignments for SE Lee Ave. and associated infrastructure to serve future development. Staff identified.
- Undergrounding existing pole mounted utility systems: Following more thorough engineering analysis of the public infrastructure than was possible in the preparation of this Plan, the Agency, after making a finding of need and with funds available to it, may fund such improvements; to improve view corridor and safety in tsunami evacuation zones and in severe weather events. TSP/ Walking & Biking Plan. Goal 7, P 10.
- Improved Public Parking: Improved public parking on and off street and associated facilities, such as restrooms, pedestrian amenities, showers/foot wash, surf racks, and EV charging stations. Staff identified.

2. Storm Drain

- Storm Drain Plan and Improvements: Prepare a properly engineered comprehensive storm drainage systems master plan; within the funding limitations of the Agency, construct needed improvements to adequately drain the Area to eliminate flooding during periods of storm activity; Clean out, improve and protect the natural drainage courses so that they may function properly in coordination with the built drainage systems; Control earth moving, grading and development of lands which affect the natural and built systems so as to protect the integrity of the drainage system. Staff identified.

3. Water

- Water Reservoir and Distribution System: Construct a 5 million gallon reservoir to increase the City's water storage capacity and improve fire flows. Staff identified.

4. Sewer

- Nelscott Sewer Pump Station: Re-build the wetwell and increase capacity at the Nelscott Sanitary Sewer Pump Station. Staff identified.

5. **General Public Works**

- With the addition of new development, City utilities will need to be extended or upgraded. Staff identified.
- Infrastructure projects including upgrading water, sanitary sewer and storm lines that are approaching their expected lifespan or are lacking altogether; long range water security. Staff identified.

5. **Parks and Open Space**

The deficiencies in the Parks and Open Space come from the Lincoln City Parks & Recreation Master Plan.

- Improve parks, open spaces and trail heads: Wayfinding maps & signage, trail signage and gateway improvements, forest restoration and improvements, nature play element/or discovery areas, geocaching, interpretive trails and "timber art". Parking, access and trail improvements. Spyglass Open Space is one area identified for such improvements. Parks & Recreation Master Plan Opportunity #1.
- Head to Bay Trail: Complete sections within the Area of the Head to Bay Trail to provide a multi-modal interconnected system from Villages at Cascade Head to the Siletz Bay that allows travel from one end of the city to the other without using Hwy 101 wherever possible; could include connections to Oregon Coast trail system and greater trail connections. TSP, P 38. Shared-Use Path Projects: S3
- Improve beach access: Improving pathway, sidewalk, trail connections and facility access to neighborhood and community parks, ocean beaches and natural areas. Parks & Recreation System Plan, 2016 ADA Transition Plan
- SW 35 Street Beach Access: ADA, parking, and beach access and walkway improvements. Paving, striping, park amenity improvements that may include restroom, showers, foot wash stations, surfboard racks, seating areas. Parks & Recreation Master Plan, p 60.
- SW 33 Street Beach Access: ADA, parking, beach access and walkway improvements. Paving, striping, park amenity improvements that may include restroom, showers, foot wash stations, surfboard racks, seating areas. Parks & Recreation Master Plan/2016 ADA Transition Plan, p 60.
- Construction of neighborhood parks: Possible locations include (1) in the vicinity of SE Lee Ave. (Foothills BLVD) and SE 27 St., (2) South of 23 Drive near the planned employment area, and (3) near Agnes Creek Open Space. Park locations and quantity may change based on development patterns. Nelscott Gap Neighborhood Plan (2017), Parks & Recreation Master Plan (2016), p 60.
- Public Parking/Restroom next to Nelscott Strip SW 32 Street:

Paving, striping, ADA access, EV charging and new restroom or restroom improvements including roof. Staff identified.

- Baldy Creek Restoration: To address flooding, erosion, invasive species, and overall condition of the Baldy Creek Watershed, this project would restore the floodplain and creek health and provide public access to the City owned parcels adjacent to Baldy Creek (Baldy Creek Walk project). Nelscott Gap Neighborhood Plan 2017/2006 Nelscott Community Vision Plan, P 39.

6. Utility Providers

The following utility providers have services within the City of Lincoln City:

City of Lincoln City

Pacific Power

NW Natural

Charter/Spectrum

CenturyLink

CoastCom/Wave

Sprint

North Lincoln Sanitary Service (Contracted by City of Lincoln City)

C. Social Conditions

Within the Area, there are 440 tax lots representing 25% of the acreage shown as residential use in the land use table, Table 19 of this report. According to the US Census Bureau, American Community Survey 2017-2021 Five Year Estimates, the block groups have 2,465 residents, 81% of whom identify as white alone. These block groups represent more residents than exist in the Area but are the closest block groups to represent the Area.

Table 21 - Race in the Area

Race	Number	Percent
White alone	1,999	81.10%
Black or African American alone	6	0.24%
American Indian and Alaska Native alone	75	3.04%
Asian alone	200	8.11%
Native Hawaiian and Other Pacific Islander alone	0	0.00%
Some other race alone	14	0.57%
Two or more races	171	6.94%
TOTAL:	2,465	100%

Source: American Community Survey 2017-2021 Five Year Estimates

The largest percentage of residents are between 65 to 74 years of age (22%) with 53% of the residents over 55.

Table 22 - Age in the Area

Age	Number	Percent
Under 5 years	100	4.06%
5 to 9 years	99	4.02%
10 to 14 years	54	2.19%
15 to 17 years	34	1.38%
18 to 24 years	167	6.77%
25 to 34 years	310	12.58%
35 to 44 years	128	5.19%
45 to 54 years	270	10.95%
55 to 64 years	527	21.38%
65 to 74 years	541	21.95%
75 to 84 years	210	8.52%
85 years and over	25	1.01%
TOTAL:	2,465	100%

Source: American Community Survey 2017-2021 Five Year Estimates

In the block groups, 20% of adult residents have earned a bachelor’s degree or higher. Another 34% have some college education without a degree, 12% have an associate’s degree and another 30% have graduated from high school with no college experience.

Table 23 - Educational Attainment in the Area

Education	Number	Percent
Less than high school	86	4.28%
High school graduate (includes equivalency)	600	29.84%
Some college	687	34.16%
Associate's degree	239	11.88%
Bachelor's degree	212	10.54%
Master's degree	119	5.92%
Professional school degree	26	1.29%
Doctorate degree	42	2.09%
TOTAL:	2,011	100%

Source: American Community Survey 2017-2021 Five Year Estimates

The most common travel time class was 10 to 19 minutes, with 46% of journeys being in this class. This was followed by the Less than 10 minutes travel time class, which represented 41% of journeys.

Table 24 - Travel Time to Work in the Area

Travel Time	Number	Percent
Less than 10 minutes	433	41.44%
10 to 19 minutes	478	45.74%
20 to 29 minutes	63	6.03%
30 to 39 minutes	0	0.00%
40 to 59 minutes	36	3.44%
60 to 89 minutes	19	1.82%
90 or more minutes	16	1.53%
TOTAL:	1,045	100%

Source: American Community Survey 2017-2021 Five Year Estimates

Of the means of transportation used to travel to work, the majority, 75%, drove alone. The second most common means of transportation used to travel to work was carpooling, at 14.18%

Table 25 - Means of Transportation to Work in the Area

Means of Transportation	Number	Percent
Drove alone	851	75.44%
Carpooled	160	14.18%
Public transportation (includes taxicab)	0	0.00%
Motorcycle	0	0.00%
Bicycle	0	0.00%
Walked	34	3.01%
Other means	0	0.00%
Worked at home	83	7.36%
TOTAL:	1,128	100%

Source: American Community Survey 2017-2021 Five Year Estimate

D. Economic Conditions

1. Taxable Value of Property within the Area

The estimated total assessed value of the Area calculated with data from the Lincoln County Department of Assessment and Taxation for FYE 2022, including all real, personal, manufactured, and utility properties, is estimated to be \$129,762,619.

2. Building to Land Value Ratio

An analysis of property values can be used to evaluate the economic condition of real estate investments in a given area. The relationship of a property’s improvement value (the value of buildings and other improvements to the property) to its land value is generally an accurate indicator of the condition of real estate investments. This relationship is referred to as the “Improvement to Land Value Ratio,” or “I:L.” The values used are real market values. In TIF Areas, the I:L is often used to measure the intensity of development or the extent to which an area has achieved its short and long-term development objectives.

Table 28 shows the improvement to land ratios (I:L) for properties within the Area. In the Area, 123 tax lots representing 50% of the acreage have no improvement value. Another 57 tax lots representing 11.5% of the acreage have I:L ratios less than 1.0. In other words, the improvements on these properties are worth less than the land they sit on. A reasonable I:L ratio for properties in the Area is 2.0. Only 210 of the 578 tax lots in the Area, totaling 10.35% of the acreage have I:L ratios of 2.0 or more in FYE 2022. In summary, the majority of the Area is underdeveloped and not contributing significantly to the tax base in Lincoln City.

Table 26 - Improvement to Land Ratios in the Area

Improvement to Land Ratio	Parcels	Acres	Percent of Acres
Exempt	42	52.43	18.13%
No Improvement Value	123	145.40	50.28%
0.01-0.50	27	27.72	9.59%
0.51-1.00	30	5.70	1.97%
1.01-1.50	63	13.86	4.79%
1.51-2.00	83	14.11	4.88%
2.01-2.50	39	4.96	1.72%
2.51-3.00	27	3.83	1.33%
3.01-4.00	46	5.26	1.82%
> 4.00	98	15.87	5.49%
TOTAL:	578	289.16	100.00%

Source: Compiled by Elaine Howard Consulting, LLC with data from the Lincoln County Department of Assessment and Taxation (FYE 2022)

E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area is described in Section IX of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The projects being considered for future use of tax increment funding are for transportation and utility infrastructure, park improvements, economic development and emergency preparedness. Tax increment financing is a method for funding projects that would otherwise be funded by the City general fund or SDCs, or delayed until resources are available.

It is anticipated that these improvements will catalyze development on the undeveloped and underdeveloped parcels in the Area. This development will require City services. The property is either within the City limits or within the urban growth boundary and the level of redevelopment has been planned for based on the Comprehensive Plan and zoning designations. The City has anticipated the need to provide services to the Area. As the development will be new construction, it will be constructed to current building codes, which will aid in the needs for fire protection and lessen the burden on fire response.

The financial impacts from tax increment collections will be countered by future economic development, and, in the future, adding increases in assessed value to the tax base for all taxing jurisdictions, including the City.

XII. REASONS FOR SELECTION OF EACH URBAN RENEWAL (TIF) AREA IN THE PLAN

The reason for selecting the Area is to provide the ability to fund projects and programs necessary to cure blight within the Area.

In addition, there is a great need for alternative transportation routes north and south throughout the city. There is also a need to provide better transportation within this area of the city.

Much of this land is employment land that provides the opportunity for Lincoln City to diversify its employment base.

The Area also contains land that will be able to provide needed housing for the city's residents.

XIII. RELOCATION REPORT

When the Agency acquires occupied property under the Plan, residential or commercial occupants of such property shall be offered relocation assistance as required under applicable state law. The Agency has adopted rules for relocation assistance. The Agency will comply with all applicable state laws in providing these potential benefits.

LINCOLN CITY PLANNING COMMISSION



AGENDA

1. Role of Planning Commission (in the process of drafting an Urban Renewal Plan)
2. UR 101
3. Boundary
4. Projects
5. Conformance with the Comprehensive Plan
6. Financials
7. Questions, public comment and review of next steps

ROLE OF THE PLANNING COMMISSION

Review the proposed Tax Increment Plan for conformance with the Lincoln City Comprehensive Plan

ORS 457 requires the proposed Plan be presented to the Planning Commission. It also requires that the Plan be in conformance with the Comprehensive Plan. Best practices have been established that ask the Planning Commission to review the Plan and make the conformance recommendation to the City Council.

CRASH COURSE | UR 101



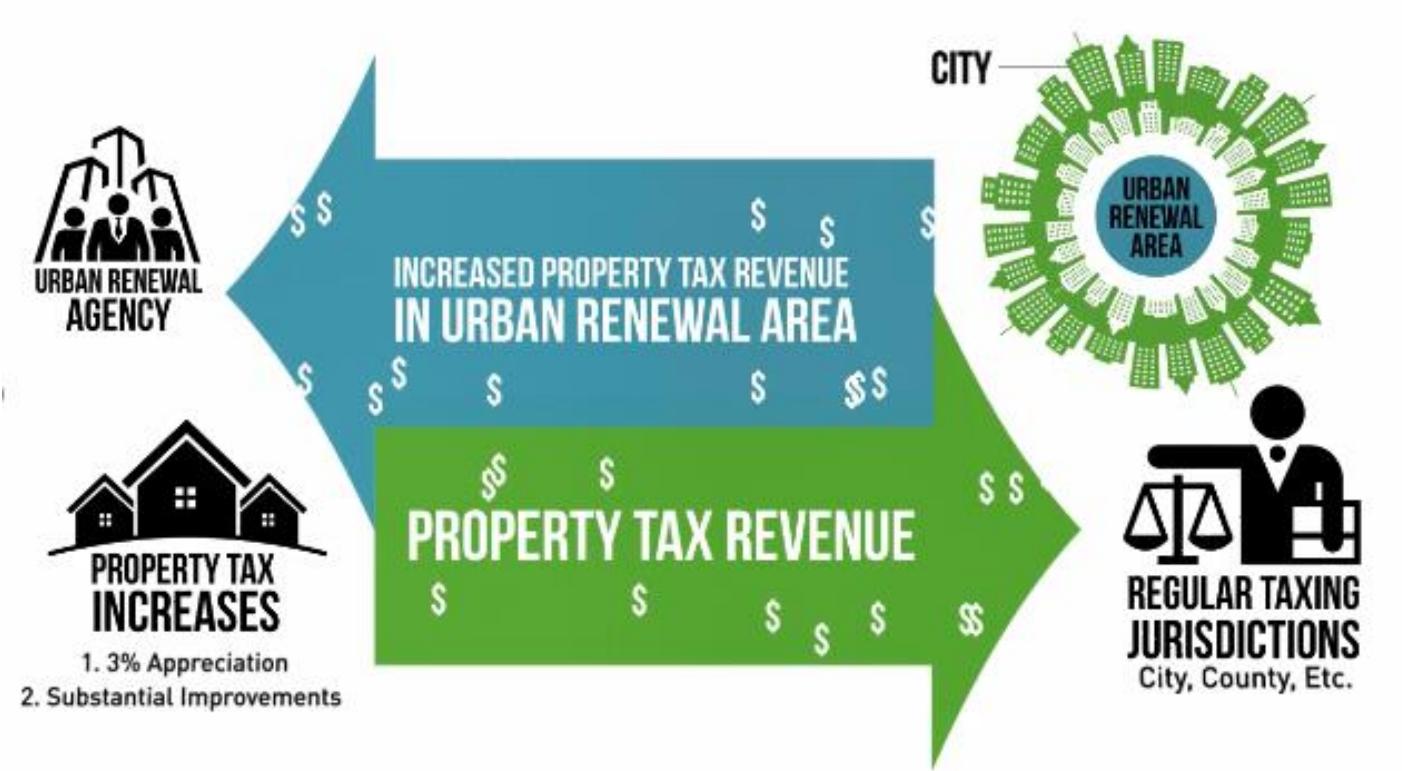
CRASH COURSE | UR 101



CRASH COURSE | UR 101



CRASH COURSE | UR 101

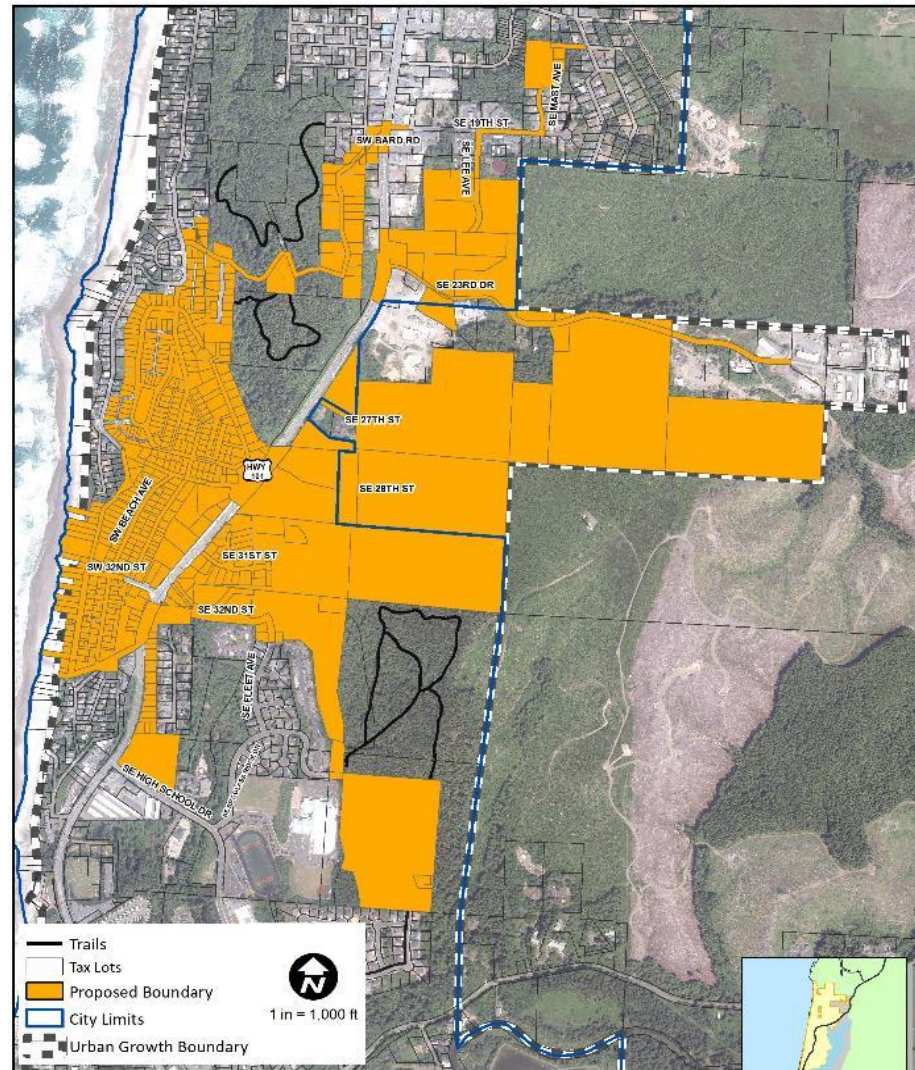


NELSCOTT BOUNDARY

Approved as proposed Boundary by:

- Advisory Committee
- City Council
- County Commission

Excludes UGB property owners who have requested to be excluded from any future UR projects / programs.



Lincoln City

Nelscott Boundary

City of Lincoln City government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the veracity of the information.

Date: 5/19/2023

Location

ACREAGE/ASSESSED VALUE CALCULATIONS FOR LINCOLN

	Acreage	Assessed Value
City of Lincoln City	3,830	\$2,104,578,530
Roads End Excess value used		<u>(\$25,550,059)</u>
AV to calculate 25%		\$2,079,028,471
25%	957.5	\$519,757,117
Roads End Frozen Base	<u>(500)</u>	<u>(\$250,383,800)</u>
Remaining for NEW UR	457.5	\$269,373,317
Nelscott Boundary	323	\$129,762,619

PROJECT INPUT

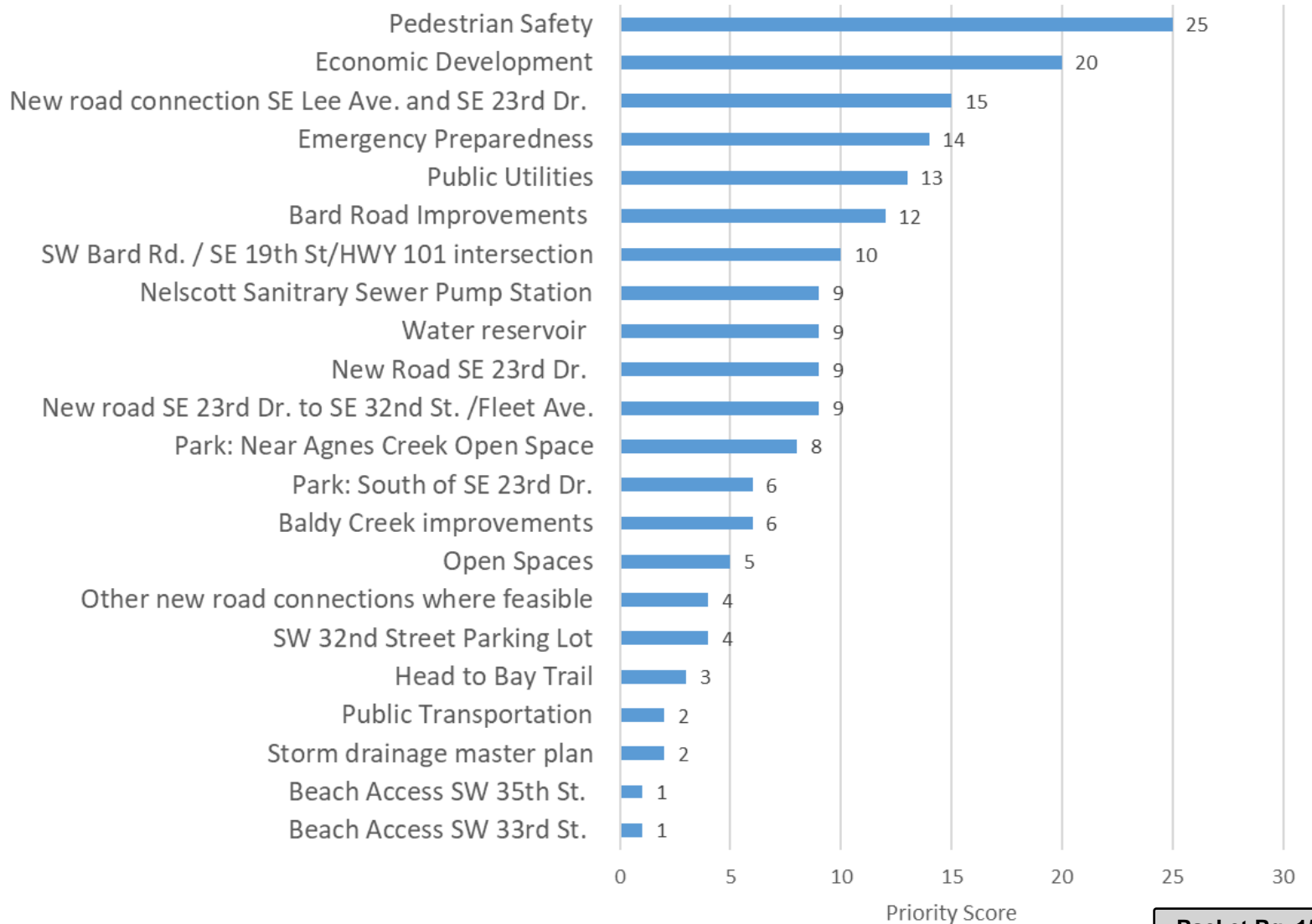
1. Top projects:

- a) Pedestrian Safety
- b) Economic Development
- c) New Road Connection SE Lee Ave. and 23rd Dr.
- d) Emergency Preparedness
- e) Public Utilities

2. Other projects: Transportation, Housing, utilities and undergrounding, SE Lee to 32nd Street connection

COMBINED SURVEY and OPEN HOUSE (40 responses)

Priority Score - Combined, Open House and Survey



FINANCIAL ANALYSIS

Net TIF	\$144,000,000
Maximum	
Indebtedness	\$129,000,000
Capacity (2023\$)	\$68,700,000
Years 1-5	\$1,500,000
Years 6-10	\$8,300,000
Years 11-15	\$11,200,000
Years 16-20	\$13,500,000
Years 21-25	\$13,100,000
Years 26-30	\$21,100,000

PROJECT ALLOCATIONS

Project Title	Project Cost (YOE\$)	Percentage of Total Project Cost
Economic Development/Land Acquisition (Housing and Jobs)	(\$34,832,192)	27.13%
Emergency Preparedness	(\$1,229,900)	0.96%
Parks	(\$13,025,906)	10.14%
Transportation	(\$52,103,616)	40.58%
Utilities	(\$21,709,838)	16.91%
Planning & Community Involvement	(\$706,165)	0.55%
Administration	(\$4,221,831)	3.29%
Financing Fees	(\$582,000)	0.45%
TOTAL:	(\$128,411,448)	100%

CONFORMANCE WITH COMPREHENSIVE PLAN

1. Citizen Involvement
2. Public Services and Utilities
3. Housing
4. Economy
5. Aesthetic
6. Transportation
7. Energy
8. Overall Environmental

OTHER PLANS

1. Economic Opportunities Analysis and Housing Needs Analysis
2. Imagine Lincoln City Community Vision
3. Nelscott Neighborhood Gap Plan
4. Lincoln City Parks & Recreation Plan System Plan
5. Lincoln City Walking and Biking Plan
6. Lincoln City Draft ADA Transition Plan

PROCESS

Public	<ul style="list-style-type: none"> • <i>Public Input</i> • <i>Goals and Objectives, Projects, Initial Budgets</i> 	Began in February
Agency	<ul style="list-style-type: none"> • <i>Agency Reviews and Decides Whether to Send out for Public Review</i> 	June 12
Taxing Districts	<ul style="list-style-type: none"> • <i>Consult and Confer With All Taxing Districts</i> • <i>Presentation to County and Vote Due To Unincorporated Properties</i> 	June/July
PC	<ul style="list-style-type: none"> • <i>Planning Commission Review</i> • <i>Conformance with Comprehensive Plan</i> 	July 18
BOC	<ul style="list-style-type: none"> • <i>County Board of Commissioners Review Plan and Consider a vote at the second meeting</i> 	July 26 August 2
CC	<ul style="list-style-type: none"> • <i>City Council Hearing and Vote</i> • <i>Notice to all Citizens</i> 	August 14 August 28 - (If needed)
Adoption	<ul style="list-style-type: none"> • <i>Effective date of Urban Renewal Plan if adopted</i> 	September 27

SUGGESTED MOTION

“I move that the Lincoln City Planning Commission finds, based upon the information provided in the staff report and the provided attachments, that the Nelscott Urban Renewal (Tax Increment Finance) Plan conforms with the Lincoln City Comprehensive Plan

Optional additional language:

and further recommends that the Lincoln City City Council adopt the proposed Plan.”

Planning Commission Communication

Fernwood Second Amendment

Meeting Date:	July 18, 2023	Primary Staff Contact:	Richard Appicello
Department:	Planning Commission	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

Question:

Should the Planning Commission approve the Second Amendment to the Declaration of Covenants and Restrictions for the Villages at Cascade Head concerning Fernwood?

Staff Recommendation:

Staff recommends the Planning Commission approve the amendment.

Authority:

Title 17, Chapter 17.77.120.K.1.b

Background:

This Second Amendment to the declaration was drafted by the law firm that produced the original declaration for the Villages at Cascade Head.

The Second Amendment submitting Fernwood to the declaration should have been accomplished with the recording of the Fernwood plat decades ago. This approval corrects that oversight.

Planning Commission Options:

Approve the Second Amendment.
Postpone consideration.

Financial Impact

This amendment is necessary to move forward with removing the declaration from the majority of the planned development.

Potential Motion:

Motion to approve second amendment to declaration concerning Fernwood.

Attachments:

second amendment Fernwood (PDF)

RECORDING REQUESTED BY, AND
AFTER RECORDING RETURN TO:

Tonkon Torp LLP
1600 Pioneer Tower
888 SW Fifth Avenue
Portland, OR 97204
Attn: Kyle L. Grant

**SECOND AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
ROCK CREEK VILLAGE**

**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
ROCK CREEK VILLAGE**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ROCK CREEK VILLAGE (this “Amendment”) as of the date signed below by City of Lincoln City, an Oregon municipal corporation, and Lincoln Highlands Limited Partnership, an Oregon limited partnership (together, “Declarants”).

ARTICLE 1

NATURE OF THIS AMENDMENT

1.1 Amendment. This Amendment amends that certain Declaration of Covenants, Conditions and Restrictions for Rock Creek Village dated April 18, 2006 and recorded in the real property records of Lincoln County, Oregon on April 18, 2006 as Document No. 200605885 (the “Master Declaration”), which applies to the real property described in Exhibit A hereto (“Rock Creek Village”). This Amendment is made pursuant to Sections 12.1 and 12.2 of the Master Declaration.

1.2 Purpose of Amendment. This Amendment has been made and recorded to accomplish the following:

(a) Supplemental CC&Rs for Fernwood Subdivision. Declarants desire to adopt supplemental covenants, conditions and restrictions (“CC&Rs”) that apply only to a portion of Rock Creek Village known as Fernwood. The real property that constitutes Fernwood is described in Exhibit B hereto. The supplemental CC&Rs for Fernwood shall be in addition to, and not in replacement of, the Master Declaration, except as expressly set forth herein. In the event of any conflict between the terms of the Master Declaration and this Amendment, the terms of this Amendment shall control.

1.3 Compliance with Master Declaration. This Amendment complies with Section 12.2 of the Master Declaration as follows:

(a) Approval by Declarants. Section 12.2 of the Master Declaration allows the Declarants to annex additional Lots to the Project without a vote of the Class A votes or approval by VCHERC.

(b) Approval by City. This Amendment has been approved by the City as a “major amendment” pursuant to Section 12.1(b) of the Master Declaration.

ARTICLE 2

DEFINITIONS

As used in this Amendment, all capitalized terms shall have the meaning set forth in the Master Declaration, except that the terms set forth below shall have the following meanings:

- 2.1 “Additional Property” means the real property annexed to the Project by this Amendment and described in Exhibit B hereto.
- 2.2 “Fernwood” means the real property described in Exhibit B hereto.
- 2.3 “Master Declaration” has the meaning given in Section 1.1 of this Amendment.

ARTICLE 3

ANNEXATION OF ADDITIONAL PROPERTY

- 3.1 Annexation. Pursuant to Section 12.2 of the Master Declaration, the Additional Property hereby is annexed to the Project and to the Declaration.
- 3.2 City Approval. As required by Section 12.2(a) of the Master Declaration, the City Planning Commission has approved of the annexation of the Additional Property.

ARTICLE 4

MISCELLANEOUS PROVISIONS

- 4.1 Nonwaiver. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.
- 4.2 Construction; Severability. This Amendment shall be liberally construed to accomplish its purposes. Nevertheless, each provision of this Amendment shall be deemed independent and severable, and the invalidity or partial invalidity of any provision shall not affect the validity or enforceability of the remaining part of that or any other provision.

4.3 Number. As used herein, the singular shall include the plural and the plural the singular, and any gender-specific reference shall each include the masculine, feminine and neuter, as the context requires.

4.4 Captions. All captions used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of this Amendment.

4.5 Conditions of Approval. Anything to the contrary in this Amendment notwithstanding, no portion of Fernwood shall be used, operated or maintained in violation of the Fernwood Conditions of Approval. The Association shall have the right to enforce any violation of the Fernwood Conditions of Approval in the manner provided in Article 11 of the Master Declaration, and the City may (but shall not have the obligation to) enforce any violation of the Fernwood Conditions of Approval by any remedy available to it, at law or equity.

[signatures on following page]

IN WITNESS WHEREOF, Declarants have executed this Amendment as of the date first set forth above.

CITY OF LINCOLN CITY,
an Oregon municipal corporation

By: _____

Name: _____

Title: _____

STATE OF OREGON)
) ss.
County of _____)

The foregoing instrument was acknowledged before me on this ___ day of _____, 2023, by _____, _____ of City of Lincoln City.

Notary Public for Oregon
My Commission Expires:_____

LINCOLN HIGHLANDS LIMITED PARTNERSHIP, an Oregon limited partnership

By: _____

Name: _____

Title: _____

STATE OF _____)
County of _____) ss.

The foregoing instrument was acknowledged before me on this ___ day of _____, 2023, by _____ of Lincoln Highlands Limited Partnership.

Notary Public for Hawaii
My Commission Expires: _____

EXHIBIT A

LEGAL DESCRIPTION OF ROCK CREEK VILLAGE

Real property in the County of Lincoln, State of Oregon, described as follows:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 6 SOUTH, RANGE 11 WEST, WILLAMETTE MERIDIAN, POINT BEING MARKED BY A 1-INCH IRON ROD WITH A 3-1/4" BRASS CAP, THENCE NORTH 0°32'51" WEST, 2668.50' TO A 3-1/4" BRASS CAP MARKING THE CENTER OF SECTION 35, THENCE SOUTH 89°53'12" WEST 1785.10' TO A 5/8" IRON ROD MARKING THE SOUTHEAST CORNER OF THE PLAT OF SAL LA SEA, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SAL LA SEA DRIVE, THENCE N31°13'21"E 744.61', THENCE 51.50' ALONG A 685.52' RADIUS CURVE RIGHT WITH A CHORD BEARING N33°22'29"E 51.49', THENCE S68°54'54"E 93.26', THENCE N53°25'20"E 94.46', THENCE N04°43'27"E 44.46', THENCE N54°50'35"E 237.41, THENCE N09°09'08"E 52.28', THENCE N72°47'33"E 166.71', THENCE N32°21'26"E 47.30', THENCE N87°53'46"E 201.25', THENCE N37°36'22"E 136.51', THENCE N63°16'15"E 256.02', THENCE S13°20'10"E 124.77', THENCE S38°32'50"W 83.25', THENCE S73°51'45"E 152.45', THENCE S10°23'59"E 38.95', THENCE S39°31'27"E 66.42', THENCE S49°51'39"E 99.38, THENCE N50°51'47"E 117.63', THENCE 277.16' ALONG A 475' RADIUS CURVE LEFT WITH A CHORD BEARING N34°08'50"E 273.24', THENCE N17°25'53"E 185.60', THENCE 250.86' ALONG A 233' RADIUS CURVE RIGHT WITH A CHORD BEARING N48°16'33"E 238.92', THENCE N79°07'13"E 142.41, THENCE 88.63' ALONG A 167' RADIUS CURVE LEFT WITH A CHORD BEARING N63°54'59"E 87.59', THENCE N48°42'45"E 196.76', THENCE 154.89' ALONG A 233' RADIUS CURVE RIGHT WITH A CHORD BEARING N67°45'24"E 152.05', THENCE N86°48'03"E 129.36', THENCE S00°01'22"E 458.59' TO THE NORTH LINE OF U.S. LOT 14 IN SAID SECTION 35, THENCE N89°59'53"W 412.50' ALONG SAID NORTH LINE TO A 1" IRON ROD WITH AN ALUMINUM CAP, THENCE S00°27'13"E 1304.78' ALONG THE WEST LINE OF SAID LOT 14 TO A 1" IRON ROD WITH ALUMINUM CAP MARKING THE NORTHWEST CORNER OF U.S. LOT 19, THENCE N89°50'21"E 50.99' ALONG SAID NORTH LINE OF U.S. LOT 19; THENCE S11°08'10"W 49.91'; THENCE 32.26' ALONG A 22.00' RADIUS CURVE LEFT WITH A CHORD BEARING S30°52'16"E 29.45'; THENCE 272.59' ALONG A 295.00' RADIUS CURVE RIGHT WITH A CHORD BEARING S46°24'25"E 262.99'; THENCE N50°15'35"E 40.31'; THENCE S36°33'31"E 228.13'; THENCE S75°11'42"E 46.66'; THENCE S09°32'22"E 104.78'; THENCE S49°42'02"W 48.43'; THENCE S13°35'13"W 109.28'; THENCE S30°22'17"E 116.90'; THENCE S06°01'43"W 51.82'; THENCE S22°25'26"W 217.16'; THENCE S16°52'46"W 131.52'; THENCE S28°01'11"W 106.76'; THENCE S02°10'03"W 93.18' TO A POINT ON THE NORTH LINE OF US GOVERNMENT LOT 30; THENCE S23°45'56"W 104.45'; THENCE S08°28'11"W 90.33'; THENCE S89°06'12"W 233.92'; THENCE 386.24' ALONG A NON-TANGENT 217' RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS S18°03'53"E 337.24; THENCE S12°20'33"E 130.42'; THENCE S06°10'04"E 96.45'; THENCE S03°55'45"W 165.92'; THENCE S11°49'55"W 212.07'; THENCE S19°43'42"W 140.43'; THENCE S39°44'15"W 126.84' TO A POINT ON THE SOUTH LINE OF SECTION 35; THENCE ALONG SAID SOUTH LINE S89°41'29"W 594.58' TO THE POINT OF BEGINNING.

EXHIBIT B
LEGAL DESCRIPTION OF FERNWOOD

Lots 1 to 61 and all tracts, FERNWOOD, City of Lincoln City, Lincoln County, Oregon.

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