

TOLEDO PLANNING COMMISSION MINUTES

A special meeting of the Toledo Planning Commission was called to order at 7:00 pm by President Anne Learned-Ellis. Commissioners present: Robert Duprau, Ruthanne Morris, Cora Warfield, and Terri Neimann.

Staff present: Contract Planner (CP) Justin Peterson, City Manager (CM) Judy Richter, City Attorney (CA) David Robinson, City Recorder Lisa Figueroa, and Secretary Arlene Inukai.

VISITORS: None.

APPROVAL OF THE JANUARY 13, 2021, MINUTES:

It was moved and seconded (Morris/Neimann) to approve the January 13, 2021, minutes as circulated and reviewed by the Planning Commission. The **motion passed** unanimously.

RECOMMENDATION: OUTDOOR SEATING AND FOOD CARTS LOCATED IN THE CITY RIGHT-OF-WAY:

CP Peterson provided a memorandum reviewing the topic. He reminded Commissioners this issue was reviewed at the last meeting and Commissioners expressed general support, but wanted further review in order to make a recommendation to the City Council. There have been recent interest from restaurant owners to expand seating areas into the street, especially when restaurants have to close indoor dining. Temporary seating is currently allowed on the sidewalk, as long as tables/chairs do not block the pedestrian path and they are removed at night. The second item under consideration is if food carts can be located on City streets and public parking lots. Currently, food carts can be located on private property, with owner permission. Food carts must obtain a City of Toledo business license and food service license from Lincoln County.

CP Peterson explained that some restaurants are asking for outdoor seating in the right-of-way since they do not have private parking lots. The only other outdoor option is the sidewalk. Some have expressed concerns with safety and the need to provide barricades for traffic. Any option would need to meet fire code standards and OLCC requirements if alcohol is served. There should also be some form of liability statement as part of the process. Many communities have allowed restaurants to expand into the parking spaces, with some allowing up to four parking spaces and requiring ADA spaces to remain available.

Commissioner Morris questioned why four parking spaces was used as the example. CP Peterson stated that restaurants may want to provide the spaces along their frontage, but it was an example from the Corvallis permit. He noted that Corvallis has a lot of diagonal parking spaces. If the proposed spaces encroach into another business frontage, they should have permission from that business owner. CM Richter stated the City Council considered two parking spaces at an earlier meeting. Commissioners discussed a maximum number of spaces and viewed a map showing the size of parallel parking spaces in front of downtown restaurants. Generally, two spaces appear to provide enough room and four spaces would encroach into other storefront areas. Commissioners discussed if a platform or ramp should be allowed, providing accessibility from the sidewalk.

Commissioners agreed to start with two parking spaces, expecting to provide at least 5+/- tables, in addition to the sidewalk seating. The proposed resolution would allow this as a temporary measure through the end of 2021. Commissioners all agreed that they want to see something allowed, as businesses are losing money due to the closures and restrictions. This provides some opportunity for additional sales. Commissioners discussed the option of tents, canopies, and table umbrellas, noting that there should be some protection from the weather, be it rain or sun. Tents may be challenging because of the size of the parking space and fire code standards, but Commissioners suggested allowing the owners the ability meet the challenge. Commissioners asked that the Fire Department be involved with the permit program. The applicant should also coordinate with the Post Office for accessibility to the properties. Commissioners discussed the option to remove tables, chairs, and canopies at night or just secure the items from damage and theft. Barricades should be allowed to remain at all times.

It was moved and seconded (Duprau/Warfield) to recommend a resolution for outdoor seating as written, but with two parking spaces, clarify tent/canopy standards in the permit process, not require removal of chairs and tables each night but properly securing the furniture and features when closed, and allow barricades to remain up. The **motion passed** unanimously.

Staff will present this item to the City Council on March 3, 2021, with additional information for tents and canopies.

CP Peterson explained the second part of the discussion, addressing a request for food carts in the street parking spaces. A request was presented to staff earlier in the year to utilize a Main Street parking space to sell food. Opening up this option could allow any on-street parking space, but the particular request was for Main Street. Currently, food carts can be located on private commercial property with owner permission. Commissioners expressed the concern of added congestion if food carts are in the downtown area when outdoor seating is utilized. Commissioners considered restricting the use in the Main Street area.

After discussion, Commissioners were not in support of allowing food carts in on-street parking spaces. However, Commissioners voiced support of food cart pods and continued use of private properties. Commissioners asked that standards for food cart pods be considered in a future code update. These are increasing in popularity and they offer a good opportunity for vendors.

DISCUSSION ITEM: RESIDENTIAL CODE – PROJECT UPDATE:

CP Peterson reported he sent the draft residential code update language to the Department of Land Conservation and Development (DLCD) for review and comments. DLCD reviewed the draft and the comments will be brought to the Planning Commission next month for consideration.

DISCUSSION ITEM: UPDATES AND REPORTS:

CP Peterson announced that there has been an increase in the number of inquiries for living in a recreational vehicle (RV). Currently, the City allows an RV for short term use (6 month) under special circumstances, with an option for a one-time extension. The ordinance is in need of some clarity and it may be presented to the Planning Commission at a future meeting.

In response to Commissioner Duprau's request for an update on the Safe Routes to Schools grant, CP Peterson announced that the consultants have started work on the project. This would create a

plan and recommendation for the pathway. The City would still need to obtain funding for construction, but having it in the Safe Routes to School Plan and Transportation System Plan strengthens the project. The consultants are reviewing the current conditions at the school and Sturdevant Road, and will make a recommendation for improvements surrounding the school and neighborhood roads. Construction of the recommended improvements would be the next step. CM Richter added that there may be some funds available in the footpath/bike path fund and grants will be needed.

STAFF COMMENTS:

CP Richter announced that the City received an application for Planning Commissioner and the candidate will be interviewed at an upcoming City Council meeting.

COMMISSIONER COMMENTS:

None.

There being no further business before the Commission, the meeting was adjourned at 8:05 pm.

Secretary

President