

**Toledo City Hall
Council Chambers
206 N Main St. Toledo OR
July 13, 2022
6:30 pm**

AGENDA

TOLEDO PLANNING COMMISSION

The Planning Commission will hold an in-person meeting in City Hall Council Chambers. Participants can also attend the meeting through the Zoom video meeting platform. Email planning@cityoftoledo.org or call 541-336-2247 ext. 2130 to receive the meeting login information.

1. CALL TO ORDER AND ROLL CALL
2. ELECTION OF OFFICERS for the 2022-2023 fiscal year
3. VISITORS: (A time set aside to speak with the Planning Commissioners about issues not on the agenda)
4. APPROVAL OF THE JUNE 8, 2022 MINUTES as circulated and reviewed by the Planning Commission
5. DECISION ITEM: Extension to the deadline date for the Conditional Use Permit and Variance approval (File #CU-4-21/VAR-1-21), requested by Northwest Coast Housing and City of Toledo
6. WORKSESSION: Comprehensive Land Use Plan Update – Chapter 3 (Agriculture) and Chapter 4 (Forested Areas)
7. DISCUSSION ITEMS:
 - a. Building Permit and Land Use Application Updates
 - b. Updates and Reports
8. STAFF COMMENTS
9. COMMISSIONER COMMENTS
10. ADJOURNMENT

* Comments submitted in advance are preferable. Comments may be submitted by phone at 541-336-2247 extension 2130 or by email to planning@cityoftoledo.org. The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodation for persons with disabilities should be made at least 48 hours in advance of the meeting by calling the Toledo Planning Department at 541-336-2247.

CITY OF TOLEDO



TO: Toledo Planning Commissioners

FROM: Arlene Inukai, Planning Assistant

DATE: July 6, 2022

RE: Election of Officers

The July 13th agenda contains the election of officers for the 2022-2023 fiscal year.

Be prepared to make nominations to fill the Planning Commission President position and Planning Commission Vice President position. Currently, Anne Learned-Ellis is the Commission President and Cora Warfield is the Vice President.

TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 6:30 pm by City Manager Judy Richter. Commissioners present: Brian Lundgren, Ricky Dyson, Jonathan Mix, and Terri Neimann. Excused were President Anne Learned-Ellis, Vice President Cora Warfield, and Ruthanne Morris.

Staff present: Contract Planner (CP) Justin Peterson, City Manager (CM) Judy Richter, City Attorney (CA) Mike Adams, and Secretary Arlene Inukai.

It was moved and seconded (Mix/Lundgren) to appoint Commissioner Dyson as Presiding Officer.

VISITORS: None.

APPROVAL OF THE MAY 11, 2022, MINUTES:

It was moved and seconded (Mix/Lundgren) to approve the May 11, 2022, minutes as circulated and reviewed by the Planning Commission. The **motion passed** unanimously, noting the absence of Learned-Ellis, Warfield, and Morris.

DISCUSSION ITEMS: COMPREHENSIVE LAND USE PLAN UPDATE – INTRODUCTION AND CITIZEN INVOLVEMENT CHAPTER:

CP Peterson announced that the community survey is now available online. Paper copies will be at various locations and announcements were provided on social media. The surveys will be available at upcoming events.

A joint Planning Commission/City Council Worksession is scheduled for June 22nd. This will be the kick-off meeting to review the project and answer questions. Each chapter will be reviewed and modified. There may be opportunities to update the current form of the chapters. For example, Chapter 1–Citizen Involvement can provide policy subsections for inclusion, engagement, accessibility, and accountability.

STAFF COMMENTS:

CM Richter announced the Drinking Water Protection meeting is scheduled for June 13th at 10 am at Toledo Fire Department. This is a City-initiated project with a grant to fund the work.

COMMISSIONER COMMENTS:

Commissioner Neimann asked for information on hazardous waste disposal programs. It was noted that Dahl Disposal will sponsor a hazardous material drop-off event on July 30th.

There being no further business before the Commission, the meeting was adjourned at 6:55 pm.

Secretary

Presiding Officer



TO: Toledo Planning Commissioner Members

FROM: Justin Peterson, Contract Planner

DATE: July 7, 2022

RE: Request to the Deadline Dates for CU-4-21 and VAR-1-21

Attached is a request to extend the deadline dates for a land use decision issued in July of 2021.

NW Coastal Housing is requesting extension to the deadline date to file the Variance and Conditional use to allow a multi-family dwelling (30 units) in the R-S zone and variance to the rear yard setback standard, for the property located at 11-10-17 TL 800 (also known as Parcel 1 identified on MP-2-21(mod) and 9H in the "City-owned property inventory"). In July 2021, the Planning Commission reviewed and approved the conditional use and variance to for the multi-family housing and variance to the rear yard setback. In accordance to the municipal code and conditions of approval, approval shall be void after 12 months if the building permit has not been issued or an extension is not granted. The decision Order is attached for your review.

NW Coastal Housings written request for an extension to the deadline date was received by City staff on July 6, 2022, before the deadline date of July 7, 2022.

The relevant Toledo Municipal Code sections authorizing extensions are noted below:

TMC CHAPTER 17.64 CONDITIONAL USES AND CHAPTER 17.68 VARIANCES
17.68.060 Time limit on approval of a variance. And 17.64.060 - Time limit on approval of a conditional use.

- A. Except as provided in subsection B of this section, authorization of a variance shall be void after one year if a building permit has not been issued or development has not begun.
- B. The authorization may be extended by the planning commission for an additional period of one year if the request is made in writing prior to the expiration of the original authorization.

Staff recommends granting an extension for Variance and Conditional Use #CU-4-21 and VAR-1-21 with a deadline date updated to July 28, 2023.

Attachments:

NW Coastal Letter dated July 6, 2022
CU-4-21 and VAR-1-21 Order



PO Box 1457, Newport OR 97365 Ph: (541)574-0320 Fax: (541)574-6170 www.nwcoastalhousing.org

6/28/22

City of Toledo
Attn: Planning Dept.
PO Box 220
Toledo, OR 97391

RE: City File #CU-4-21 and VAR-1-21
Assessor's Map No. 11-10-17 Tax Lot 800

To whom it may concern:

This is a request from Northwest Coastal Housing for an extension of the approved conditional use to allow a multi-family dwelling in the R-S Zone and a variance to the rear yard setback standard, for property located on Lincoln County Assessor's Map 11-10-17 Tax Lot 800. This extension request is for one year.

Thank you for your consideration.

Sincerely,

Sheila Stiley
Executive Director



TTY 1/800/735-2900



BEFORE THE PLANNING COMMISSION OF THE CITY OF TOLEDO, OREGON

In the matter of a request for a Conditional)
Use Permit to allow a multi-family dwelling in)
the Single-Family (R-S), specifically, a 30-unit)
apartment building, and a variance to reduce the)
rear yard setback from 15 feet to 1 foot)
for a property identified on Lincoln County)
Assessor's Map 11-10-17 Tax Lot 800 (Parcel 1))

ORDER

City of Toledo File # CU-4-21 and
VAR-1-21

Northwest Coastal Housing, Applicant, and
City of Toledo, Property Owner

This matter came before the Planning Commission on July 14, 2021 and continued to July 21, 2021. The Commission held a public hearing, allowing for testimony and introduction of evidence from proponents, opponents, and others. The Planning Commission evaluated the application based on the applicable criteria. The decision is based on the Staff Report and attachments, testimony presented at the public hearings, and the following Criteria, Facts, Findings and Conditions of Approval as adopted by the Planning Commission:

APPLICABLE CRITERIA FOR EVALUATING THE CONDITIONAL USE:

The following Comprehensive Land Use Plan and ordinance standards apply to this request. The standards are listed below in regular type. Staff analysis, including facts and findings, are below the Comprehensive Plan and ordinance standards in an italicized font.

1. 2000 Toledo Comprehensive Land Use Plan – Article 2, Objective 2(A) – Comprehensive Plan Map Designations:

Comprehensive Plan Map designations are intended to guide development by designating appropriate areas for each particular type of development use. Additional uses within each designation may be allowed as either uses permitted outright or as conditional uses when the city determines that such uses are either consistent with the general use or can be reviewed for compatibility through the conditional use process. The map designations and the uses allowed in the designations should reflect the applicable goals and objectives of the Toledo Comprehensive Land Use Plan.

...

Low-Density Residential -This designation provides for lower density housing with a focus on single-family housing. This designation shall be implemented through the zoning map's Single-Family Residential (R-S) zone designation.

2. 2000 Toledo Comprehensive Land Use Plan – Article 2, Objective 2(B) – Zoning Map Designations:

...

Single-family Residential (R-S) -The purpose of the R-S zone is to preserve areas within the city for single-family residences and the facilities and services which go along with those residences. The facilities and services and other conditional uses should be compatible with

low-density residential living and should not result in heavy traffic, loud noise, or any other disturbing activity.

3. TMC Sections 17.08.010 – 17.08.040 – R-S Zone.

TMC 17.08.010 Purpose.

The purpose of the R-S zone is to preserve areas within the city for single-family residences and the facilities and services which go along with those residences. The facilities and services and other conditional uses should be compatible with low-density residential living and should not result in heavy traffic, loud noise, or any other disturbing activity.

TMC 17.08.020 Uses permitted outright.

In the R-S Zone, the following uses and their accessory uses are permitted outright. Special standards for certain uses, marked with an asterisk (*), are found in Section 17.08.090.

- A. Single-family dwellings* and their accessory uses.
- B. Home occupations which comply with Chapter 17.46
- C. Manufactured dwellings.*
- D. Accessory use structures.*
- E. Accessory dwelling units.*
- F. Transportation facilities (operation, maintenance, preservation, and construction in accordance with the Toledo Transportation System Plan).
- G. L. Temporary street vendors/seasonal commercial uses not to exceed six months.
- H. M. Transportation facilities (operation, maintenance, preservation, and construction in accordance with the Toledo Transportation System Plan).

TMC 17.08.030 Conditional uses permitted.

- A. Religious use.
- B. Governmental structure or land use including but not limited to a public park, playground, fire station, library, or museum.
- C. Hospital, sanitarium, rest home, home for the aged, nursing home, convalescent home, group care center, residential care facility, residential care home, or medical clinic.
- D. School: nursery, primary, elementary, junior high, or senior high.
- E. Pumping station and utility substation.
- F. Manufactured dwellings that do not meet the minimum standards set in Sections 17.08.090(A)—(B).
- G. Boarding house, bed and breakfast facility, hostel, or residency hotel.
- H. Multifamily dwelling units.**
- I. Commercial use in conjunction with a planned development under the Toledo Land Division Ordinance.
- J. Child day care center.*

Staff Analysis: The property located off SE Sturdevant Road (Map 11-10-17 Tax Lot 800, Parcel 1) is approximately 1.7 acres and located in the Single-Family (R-S) Zone.

The applicant, Northwest Coastal Housing is requesting a Conditional Use to allow a multi-family 30-unit apartment building in the R-S Zone. TMC 17.08.030(H) identifies multi-family dwelling units as a conditional use permitted.

4. **2000 Toledo Comprehensive Land Use Plan – Article 10: Housing, Goal 1, Objectives 3, 5, 9, and 10:**

- GOAL 1. Encourage development of a mixture of housing stock in terms of design, type, cost, and location that meets the housing needs of all Toledo citizens.
- OBJECTIVE 3. Encourage a mix of housing types and residential densities within the Urban Growth Boundary and the city limits that conforms with the population and density projections adopted by the City of Toledo.
- OBJECTIVE 5: Recognize groups needing specialized housing such as the elderly, handicapped, homeless, and other disadvantaged groups when identifying housing programs and opportunities.
- OBJECTIVE 9. Encourage the development of higher (quality) standard housing types and residential neighborhoods that assist to:
- a. Attract new businesses and keep local businesses within the community.
 - b. Ensure that moderate, middle, and high income families can continue to live in Toledo.
 - c. Ensure the economic viability of the community and support the tax base and schools.
 - d. Maintain the quality of life in Toledo.
- OBJECTIVE 10. Encourage residential development on vacant or redevelopable lots in areas already serviced or where services can be economically provided.

Staff Analysis: The property is currently vacant with the exception of a barn located on the south side of the property. Proposed development of the multi-family residential building is a permitted Conditional Use within the R-S Zone. In the application materials, the applicant further states that,

- *The site is zoned R-S, and the proposed multifamily development will need to demonstrate compatibility with single-family residential uses. The site is located within the City and has access to public facilities and services, including transportation, water, and sewer. The orientation of the buildings, away from adjacent homes and away from the street, will minimize any impacts to neighboring properties.*
- *The proposed development is a 30-unit affordable multifamily project that consists of 2 buildings centered on a courtyard. This housing type is not common in Toledo and will expand the mixture of housing design, type, cost, and location to meet the needs of lower-income Toledo residents (Housing Goal 1).*
- *The Olalla Meadows apartments will provide housing for low-income individuals and households, expanding opportunities for existing Toledo residents (Housing Objective 5).*
- *The 9H site is vacant and has access to public facilities and services. There is existing water and sewer service to the site, and the site has frontage on Sturdevant Rd, a County collector road. The necessary services can be economically provided to the Olalla Meadows apartments (Housing Objective 10).*

The proposed 30-unit apartment building meets the Comprehensive Land Use Plan Housing Goals and Objectives because the application, 1) provides a mixture of housing types and stock; 2) assists with the economic viability of the community by providing housing options to employees of local businesses; 3) develops an existing vacant lot where services can be provided; and 4) recognizes

groups needing specialized housing.

The application has been reviewed in compliance with and is consistent with Toledo's Comprehensive Land Use Plan goals and policies.

EVALUATION CRITERIA – CONDITIONAL USE PERMITS

5. TMC 17.64.010 – 17.64.050 Conditional Use Permits

17.64.010 Purpose.

A use is designated as a conditional use within a given zone when it is judged to be generally in line with the purpose of the zone but which could, if not reviewed, have a negative impact on other properties or uses within the zone. The purpose of such a review is to assure adequate site design and compatibility with surrounding uses and property. A review of a conditional use is a Type III review.

17.64.020 Authorization to grant or deny conditional use permits.

Uses designated in this ordinance as permitted conditional uses may be permitted by the planning commission in accordance with the standards and procedures specified in this ordinance. Future significant enlargements or major alterations of a conditional use shall also be reviewed by the commission and new conditions may be imposed. Change in use, expansion or contraction of site area, or alteration of structures or uses which are classified as conditional but which existed prior to the effective date of this ordinance, shall conform to all regulations pertaining to conditional uses.

17.64.030 Application submission requirements for conditional use permits.

A property owner or the owner's authorized agent may initiate a request for a conditional use by filing a completed application with the city manager along with the appropriate fee as set by city council resolution. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed use. The planning commission or city manager may require other drawings or material necessary to an understanding of the proposed use and its relationship to surrounding properties as part of a complete application.

17.64.040 Conditions for development.

The planning commission shall review and make a decision to approve or deny a conditional use request in accordance with the standards and procedures for a Type III review as set forth in Toledo Municipal Code Chapter 19.16.

In approving a conditional use request, the planning commission may impose any conditions determined by the commission to be necessary and appropriate to ensure that the use will comply with all applicable provisions of this section. Such conditions may include, but are not limited to:

- A. Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- B. Establish a special yard or other open space or lot area or dimension.
- C. Limit the height, size or location of a building or other structure.
- D. Designate the size, number, location or nature of vehicle access points.

- E. Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.
- F. Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading area.
- G. Limit or otherwise designate the number, size, location, height or lighting of signs.
- H. Limit the location and intensity of outdoor lighting or require its shielding.
- I. Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
- J. Designate the size, height, location or materials for a fence.
- K. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- L. Specify other conditions to permit development in conformity with the intent and purpose of the conditional classification of development.

17.64.050 Standards governing conditional uses.

In addition to the standards of the zone in which the conditional use is located and the other standards of this chapter, conditional uses shall meet the following standards:

- A. In addition to other applicable standards of this section, all conditional uses shall comply with the following requirements:
 - 1. The site under consideration is suitable for the proposed use considering:
 - a. The size, design and operating characteristics of the use.
 - b. The adequacy of transportation access to the site.
 - c. The natural and physical features of the site such as general topography, natural hazards, natural resource values, and other features.
 - 2. The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in paragraph (1) of this subsection.

Staff analysis: The standards for a conditional use are listed in TMC 17.64.050, parking standards are listed in TMC 17.44, and Access standards are listed in TMC 17.48 apply to this application.

According to the application materials, the applicant provides the following information for the proposed development:

The site under consideration is suitable for the proposed use considering:

- a. *The size, design and operating characteristics of the use (TMC 17.64.050(A)(1)(a)).*

- 1) *The 9H site is more than one acre in area, which is much larger than the minimum R-S lot size of 7,000 sq. ft. The site slopes downward from east to west and from south to north, which will minimize the physical appearance of the buildings from the street and adjacent properties.*

The proposed development consists of two buildings abutting a common courtyard. The buildings are separated from Sturdevant Rd, a County collector road, by surface parking and landscaping to reduce traffic noise for residents. The buildings abut the City-owned parcel 10H, which is a natural resource area and will provide views for west-facing residents. The buildings are narrower at the north and south end and will present a single-family scale to the existing buildings.

Each building includes a community room and office to accommodate on-site services for residents. The use is residential and will operate as a residential use. The buildings are separated from adjacent properties to the north and south by 15 ft., and the buildings located on those properties are much further away.

The adequacy of transportation access to the site (TMC 17.64.050(A)(1)(b)).

- 2) The site has frontage on and access from Sturdevant Rd and is served by the Lincoln County Transit East County route, which has a stop at Sturdevant Rd and 10th Street.*

The natural and physical features of the site such as general topography, natural hazards, natural resource values, and other features (TMC 17.64.050(A)(1)(c)).

- 3) As noted in the Existing Conditions Plan, the topography of the site slopes downward from east to west and from south to north. The topography will reduce the apparent mass of the building as seen from surrounding properties.*

Natural resources are located on the City-owned 10H parcel to the west, and are protected by a conservation easement. Once the requested preliminary partition plat revisions are applied, the site will not contain flood plain or natural resources except for very small areas along the northern property line. As such, development of the site will not impact adjacent natural resources.

The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in paragraph (1) of this subsection (TMC 17.64.050(A)(2))

- 4) The lands to the north and east are zoned R-S, and the existing uses are residential. The site to the south is located within the Toledo UGB but is not annexed to the City; it is zoned UGB Low Residential and developed with residential uses and accessory structures. The land to the west is zoned Natural Resources N-R, and a recorded conservation easement restricts development on the site.*

Projected uses to the north, east, and south include the existing single-family residential and accessory uses, or uses that are conditionally permitted in the R-S zone (such as multifamily or institutional use). The building abuts the N-R zone to the west, providing peaceful views for residents.

The proposed use is compatible with the existing and projected uses on surrounding lands due to the topography of the site, existing access and facilities to serve the site, and the design of the buildings. The building design minimizes impact to the directly adjacent properties by reducing the building width to the size of a large single-family home at the northern and southern property lines, and separating uses to the east from the buildings with surface parking and landscaping.

Given the site conditions, the surrounding uses, and the factors in paragraph (1), the Planning Commission can find that the proposed Olalla Meadows development is compatible with existing and projected uses on surrounding lands.

Additional Applicant provided information:

- 5) *The applicant proposes to remove the barn on the property.*
- 6) *The applicant and the City are also requesting a revision to the western lot line of the recently created lot (9-H). This is due to the presence of the 100- and 500-year flood plain in that area of the site, as well as a potential conservation easement. The exact location of these areas relative to the subject lot have not yet been identified. Both Oregon Housing and Community Services (OHCS) and private lenders are hesitant to fund developments on sites that contain floodplains because of the additional potential cost and risk to the project.*
- 7) *The applicant proposes to develop the site under a long-term ground lease from the City of Toledo.*
- 8) *As shown in the Existing Conditions Plan and Site Plan, the site is substantially constrained by existing utility easements. As such, the building is located to the west of the site, more than 15 ft. from Sturdevant Street (the front yard). The side yards are also 15 ft. The rear yard will be approximately 1 ft. once the western property line is adjusted. The application requests a Type III Variance to the rear setback. The Type III Variance criteria are addressed in the responses to Chapter 17.68.*
- 9) *As shown in the conceptual elevations, the proposed buildings are 2 stories and 26 ft. from finished floor elevation (FFE). The grading has not been determined at this level of design, but the building height will not exceed 35 ft. or 2.5 stories. Compliance will be confirmed at Development Review.*
- 10) *The proposed development includes a mix of 30 one- and two-bedroom units. 47 parking spaces are required and at least 47 parking spaces will be provided.*
- 11) *The proposed development includes 47 parking spaces, and 4 bicycle parking spaces are required (Note: 5 bicycle spaces will be required (1 per six units)). They have not yet been located on site, but as the design progresses the location and number of the bicycle parking spaces will be identified. Compliance with this standard will be verified at the time of Development Review and/or building permit review.*
- 12) *The site has frontage on Sturdevant Road, a County collector that requires 20 ft. between driveways. As shown on the Site Plan, two driveways are proposed. They are more than 190 feet from each other; the southern driveway is more than 50 ft. from the southern property line and the northern driveway is more than 90 ft. from the property, and both are more than 20 ft. from adjacent driveways.*
- 13) *These provisions apply to intersections and do not apply to this site, but the City has expressed concern about visibility of the driveways given the curvature of Sturdevant Rd. The site is in a residential zone, and the minimum clear vision area is 30 ft. As shown in Appendix B, the proposed driveway locations can meet the clear vision requirements of this section.*

Staff finds that the requested conditional use permit for a multi-family dwelling in the R-S Zone meets the criteria in TMC 16.64.050(A).

1. *The proposed apartment building is suitable for the site, considering the lot size, and applicant's proposed design and operating characteristics of the use. The proposed building will be located on the western half of the property. The property slopes down to the west, therefore, reducing the visual impact of the building. The proposed lot is greater than an acre in size and large enough to support multi-family. The applicant's site plan shows a parking lot area, two driveway entrances, and internal site circulation. Staff recommends as a condition of approval that a landscape plan shall be submitted and reviewed within the*

building permit application process.

- 2. The applicant will need to submit the required building permits to the Lincoln County Building Department. Lincoln County Building provided comments stating that, "we need 3 sets of engineered plans and an application submitted. The building would be required to be sprinklered." The development permit process will include a site plan review to review compliance with the Toledo Municipal Code. Staff recommends as a condition of approval that applicant shall obtain all necessary development and building permits prior to construction of the building. In addition, staff recommends a condition of approval that the applicant shall install an automatic sprinkler system, in accordance with the National Fire Protection Association and Oregon Structural Specialty Code standards.*
- 3. The City of Toledo Fire Department provided comments that "the west parking curb running north/south along the breezing way, between the north and south parking lots shall be painted bright red and be labeled in white lettering "No Parking Fire Lane" per Oregon Fire Code 503.3. Fire hydrants shall provide the needed gallons per minute per Code Fire Code Appendix B. Fire hydrant placement shall be in accordance with Oregon Fire Code Appendix C. Indicate on plans proposed fire hydrant locations based on OFC Appendixes B and C. Indicate proposed location of sprinkler system fire department (FDC) per OFC 912. Indicate on plans marking of fire lane per OFC 503.3." Staff recommends that this is listed as a condition of approval.*
- 4. The applicant's site plan shows a detention pond or water quality swale. Staff recommends as a condition of approval that a stormwater management plan shall be submitted and reviewed within the building permit application process.*
- 5. The applicant has proposed to remove the barn and the barn location will be used for parking. Staff recommends that removing the barn is listed as a condition of approval.*
- 6. The property has access to a county road, SE Sturdevant Road. The applicant proposes two driveways to the subject property. Based on the applicant's statements the proposed driveways are located approximately 190 feet apart. Based on the applicant's statements and site plan the northern driveway is more than 90 feet from the property line and the southern property is more than 50 feet from the southern property line. TMC 17.48 requires a minimum of 20 feet between driveways. The clear vision requirements in TMC 17.48.060 apply to intersections. The subject property is not located at an intersection, however, the applicant located the driveways to increase clear vision for the driveways. The Lincoln County Public Works Department provided comments stating "the applicants will be required to obtain approved access permits from Lincoln County before they will be able proceed with this project. The County is scheduled to meet with Dustin Capri next week to discuss the Sturdevant Road Housing project. The County has several concerns regarding access on to Sturdevant Road. Site distance for the north access is questionable. The guardrail at this location will have to be redesigned to accommodate the two accesses and they may request widening of the roadway on the curve between the proposed accesses. This section of road way is the only section that does not have at least one paved shoulder adjacent to the travel way. The County will discuss these issues with the applicants and architect next week". Additional Lincoln County Public Works comment submitted July 19, 2021 "I wanted to pass on some information prior to Tuesday night's Planning Commission meeting. Kelly Foley and myself met with the group proposing this project and discussed, in length, the concerns we had regarding access onto Sturdevant Road. It was decided that a single access on the south side of the property would provide the site distance that Lincoln County would require under these circumstances and would provide safe movement for*

housing residents. It was understood that the single access concept would have to be approved by all of the parties involved in the permit process. We also discussed the changes to the guardrail configuration and the possibility of road widening on the curve. I wanted you to know that the concerns that I mentioned were addressed in our meeting and I believe it is possible to create an access in this area that would be permitted by Lincoln County". A single southern access is acceptable if approved by Lincoln County Public works and Toledo Fire. Staff recommends a condition of approval that Driveway improvements must be coordinated and approved by the Lincoln County Public Works Department and Toledo Fire Department. The final access plan may include a single access or double access. In addition, staff recommends a condition of approval that the applicants shall make any guardrail and road improvements required by the Lincoln County Public Works Department.

7. The applicant's site plan shows 47 parking spaces and the applicant states that 4 bicycle parking spaces will be provided. TMC 17.48 requires 1.5 parking spaces per 1 bedroom unit and 1.75 parking spaces per 2 bedroom unit. The applicant proposed 22 one-bedroom units and 8 two-bedroom units. Therefore, 47 parking spaces are required. In addition, 1 bicycle space per six units is required. Therefore, 5 bicycle parking spaces will be required. Staff recommends that the vehicle and bicycle parking requirements are listed as a condition of approval.
8. Based on the applicant's plot plan and statements the proposed apartment building meets all required setbacks with the exception of the rear yard setback. The rear yard setback is proposed to be reduced through the variance process discussed later in this staff report. The height of the building is 26 feet and two stories which is less than the maximum height of 35 feet and maximum number of stories.
9. The subject property contains a large area to accommodate the proposed building and parking. The proposal protects the City of Toledo utility easement areas located on the site. Staff recommends a condition of approval that the City of Toledo raw water line and sanitary sewer line must be protected during and after construction.
10. The subject property slopes downhill east to west from Sturdevant Road. The percent slopes of the property are unclear. The City of Toledo code requires a geo-tech report for "Areas where development will occur on soils with slopes exceeding twenty-five (25) percent." The applicant submitted a geo-tech report that is included in the record. Staff recommends a condition of approval that the applicant shall submit a geo-tech report prior to construction.
11. The City of Toledo submitted a Wetland Land Use Notification (WLUN) to the Department of State Lands (DSL). DSL has not responded as of July 7, 2021. The applicant shall obtain any required permits and approvals from DSL and any other required state or federal permits prior to construction.
12. The R-S parcel and the proposed project is located adjacent to the City-owned Natural Resource lot. The Natural Resource parcel is not part of the application. A public comment was received about impacts to Canadian Geese. The R-S parcel where the development will be located is an upland area that is zoned for residential. The adjacent Natural Resource Parcel (20.0 acres) is being protected and will remain a natural area. City of Toledo Staff sent project details to the Oregon Department of Fish and Wildlife (ODFW) and did not receive any comments. Staff recommends a condition of approval that the applicant shall install no trespassing signs along the western property line.
13. The application in a few locations notes that the proposed project will include 32 units. The number of units was updated to 30 units.

14. *The subject property was re-zoned to residential in 2001 through periodic review. This application does not include a zone change. The 2001 periodic review was a public process.*
15. *This conditional use application and variance application is dependent of the completion of minor partition application #MP-2-21(mod). Staff recommends a condition of approval that the final partition plat for MP-2-21(mod) shall be recorded prior to the start of construction.*
16. *The proposed multi-family residential dwelling is permitted as a Conditional Use under the R-S Zone. The subject property is surrounded by residential homes, a county road, and natural open space. The proposed building is located on the western edge of the property and the downhill slopes will minimize the visual impact of the project. The proposed use is consistent with existing and projected uses on surrounding lands.*

Based on TMC 17.64.040, the Planning Commission has authority to impose conditions to mitigate issues the Commission finds appropriate, such as minimize environmental effects such as noise/vibration/air pollution/glare/odor, establish open spaces, limit building height or vehicle access points, provide screening/drainage/fencing/parking/landscaping improvements, limit signs and outdoor lighting, or protect existing natural resources.

EVALUATION CRITERIA – VARIANCES

6. TMC 17.68.050(D) – Class C

17.68.010 Purpose.

The purpose of this chapter is to provide flexibility to development standards in recognition of the complexity and wide variation of site development opportunities and constraints in Toledo. The variance procedures are intended to provide flexibility while ensuring that the purpose of each development standard is met. Because some variances are granted using "clear and objective standards," and the impact, if any, on adjacent property owners is negligible, they can be granted by means of a Type I procedure. Other variances, as identified below, require a Type II or Type III procedure because they involve discretionary decision-making or the potential for more substantial changes that may have some impact on the adjacent property owners.

17.68.050(D) Class C Variances

Class C—Variance Request to Other Standards or for Variances Greater than those Authorized Under Class A and Class B Variances. The planning commission, before approving an application for a variance to a zoning code requirement not specified above, shall consider the location, size, design and operation characteristics of the proposed development requiring the variance and shall determine whether it complies with one of the following criteria. If the development does not so comply, the commission shall deny the application.

1. The variance will cause no significant adverse impact of the livability, value, or appropriate development of abutting property or the surrounding area when compared to the impact of permitted development that does not require a variance.
2. A hardship to development exists which is peculiar to the lot size or shape, topography, sensitive lands, or other similar circumstances related to the property over which the applicant has no control.

3. The use proposed will be the same as permitted under the code and the requirements of the code will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land.

Staff Analysis: The applicant is requesting a Class C variance to reduce the rear yard setback from 15 feet to 1 foot in some locations. This exceeds the threshold for a Class B variance.

According to the application materials, the applicant provides the following information for the proposed development:

- 1) *The variance is requested for the rear property line, which abuts the City-owned parcel 10H. This parcel is within the City's N-R zone, contains a slough, wetlands, and floodplains, and is restricted from development by a recorded conservation easement. Therefore, the variance would not cause adverse impact to the livability, value, or appropriate development of the abutting City-owned property.*
- 2) *As shown on the Existing Conditions Plan and the Site Plan, the site is substantially constrained by existing utility easements and sensitive lands to the west. These constraints present a hardship to development that is peculiar to this specific property.*

A public water line runs north/south along the western boundary, and a 15-ft. easement restricts development in that area. A public sewer line and associated easement cross the property from the southwest corner to the center of the site, and vertical development within that easement is also prohibited. Finally, a 100-ft. powerline easement crosses the site from the southeast corner to the north. The remaining developable area is an irregular shape.

The proposed development responds creatively to the site constraints and NWCH's programming needs by placing the building close to the western property line and creating two L-shaped structures connected by a courtyard and a breezeway. With the current location of the preliminary western lot line, the building can meet the 15-ft. rear setback requirement. However, when the lot line shifts east as necessitated by the presence of the floodplain and funding/financing requirements, the building will be closer than 15 ft. to the property line. Because of the existing site constraints, the building can't be shifted to the east to accommodate this setback, and reducing the size of the building means reducing the number of units available to serve the target population.

- 3) *The proposed multifamily residential use is permitted in the R-S zone as a conditional use. The variance is requested only to the rear setback; the remainder of the development complies with the applicable requirements of the code.*

Staff finds that the proposed variance is to the rear yard setback which abuts the City owned Natural Resource Parcel. Due to development constraints, a conservation easement, and the zone designation, the parcel abutting the rear yard is not expected to be developed in the future. Therefore, the variance will not cause a significant adverse impact of the livability, value, or appropriate development of abutting property or the surrounding area when compared to the impact of permitted development that does not require a variance. The application complies with this criteria.

The subject property is constrained by a raw water line easement, powerline easement, sewer line easement, and is adjacent to floodplain and wetlands. The applicant has no control over the lot constraints and the peculiar site aspects cause the need for the variance. The application complies with this criteria.

The proposed use is the same that is permitted as a conditional use in the R-S zone. Specifically the variance will allow the development of a use allowed in TMC 17.08 the same as any other conditional use in the R-S zone. The application complies with this criteria.

FURTHER STAFF ANALYSIS:

The request by Northwest Coastal Housing would be compatible with surrounding land uses. The R-S Zone is located directly to the north and east of the subject property. The property to the west is zoned Natural Resources, and the property to the south is still located within the County and is designated as UGB Low Density Residential. Single-family residential homes are located to the south and north, and across the Road to the east. The property to the west is natural open space. (See Attachment B - Zoning Map).

The Toledo Public Works Department has been advised of the proposal. Both water and sewer services are available to the property and the City has capacity for the proposed project. A City of Toledo sewer main line is located on the subject property and at Sturdevant Road.

FACTS AND FINDINGS:

The applicant is requesting approval of a conditional use to construct a multi-family residential building in the R-S Zone. Based upon the information received by City staff through July 14, 2021, the conditional use and variance request appears to conform with relevant provisions of the City's plans and ordinances as described below. The following recommended findings support approval of the conditional use and variance:

1. The property located off SE Sturdevant Road (Map 11-10-17 Tax Lot 800, Parcel 1) is approximately 1.7 acres and located in the Single-Family (R-S) Zone.
2. The applicant, Northwest Coastal Housing is requesting a Conditional Use to allow a multi-family 30-unit apartment building in the R-S Zone. TMC 17.08.030(H) identifies multi-family dwelling units as a conditional use permitted.
3. The property is currently vacant with the exception of a barn located on the south side of the property. Proposed development of the multi-family residential building is a permitted Conditional Use within the R-S Zone. In the application materials, the applicant further states that,
 - The site is zoned R-S, and the proposed multifamily development will need to demonstrate compatibility with single-family residential uses. The site is located within the City and has access to public facilities and services, including transportation, water, and sewer. The orientation of the buildings, away from

adjacent homes and away from the street, will minimize any impacts to neighboring properties.

- The site is zoned R-S, and the proposed multifamily development will need to demonstrate compatibility with single-family residential uses. The site is located within the City and has access to public facilities and services, including transportation, water, and sewer. The orientation of the buildings, away from adjacent homes and away from the street, will minimize any impacts to neighboring properties.
- The Olalla Meadows apartments will provide housing for low-income individuals and households, expanding opportunities for existing Toledo residents (Housing Objective 5).
- The 9H site is vacant and has access to public facilities and services. There is existing water and sewer service to the site, and the site has frontage on Sturdevant Rd, a County collector road. The necessary services can be economically provided to the Olalla Meadows apartments (Housing Objective 10).

The proposed 30-unit apartment building meets the Comprehensive Land Use Plan Housing Goals and Objectives because the application, 1) provides a mixture of housing types and stock; 2) assists with the economic viability of the community by providing housing options to employees of local businesses; 3) develops an existing vacant lot where services can be provided; and 4) recognizes groups needing specialized housing.

4. The application has been reviewed in compliance with and is consistent with Toledo's Comprehensive Land Use Plan goals and policies.
5. According to the application materials, the owner provides the following information for the proposed development:

The site under consideration is suitable for the proposed use considering:

The size, design and operating characteristics of the use (TMC 17.64.050(A)(1)(a)).

- a. The 9H site is more than one acre in area, which is much larger than the minimum R-S lot size of 7,000 sq. ft. The site slopes downward from east to west and from south to north, which will minimize the physical appearance of the buildings from the street and adjacent properties.

The proposed development consists of two buildings abutting a common courtyard. The buildings are separated from Sturdevant Rd, a County collector road, by surface parking and landscaping to reduce traffic noise for residents. The buildings abut the City-owned parcel 10H, which is a natural resource area and will provide views for west-facing residents. The buildings are narrower at the north and south end and will present a single-family scale to the existing buildings.

Each building includes a community room and office to accommodate on-site services for residents. The use is residential and will operate as a residential use. The buildings are separated from adjacent properties to the north and south by 15 ft., and the buildings located on those properties are much further away.

The adequacy of transportation access to the site (TMC 17.64.050(A)(1)(b)).

- b. The site has frontage on and access from Sturdevant Rd and is served by the Lincoln County Transit East County route, which has a stop at Sturdevant Rd and 10th Street.

The natural and physical features of the site such as general topography, natural hazards, natural resource values, and other features (TMC 17.64.050(A)(1)(c)).

- c. As noted in the Existing Conditions Plan, the topography of the site slopes downward from east to west and from south to north. The topography will reduce the apparent mass of the building as seen from surrounding properties.

Natural resources are located on the City-owned 10H parcel to the west, and are protected by a conservation easement. Once the requested preliminary partition plat revisions are applied, the site will not contain flood plain or natural resources except for very small areas along the northern property line. As such, development of the site will not impact adjacent natural resources.

The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in paragraph (1) of this subsection (TMC 17.64.050(A)(2))

- d. The lands to the north and east are zoned R-S, and the existing uses are residential. The site to the south is located within the Toledo UGB but is not annexed to the City; it is zoned UGB Low Residential and developed with residential uses and accessory structures. The land to the west is zoned Natural Resources N-R, and a recorded conservation easement restricts development on the site.

Projected uses to the north, east, and south include the existing single-family residential and accessory uses, or uses that are conditionally permitted in the R-S zone (such as multifamily or institutional use). The building abuts the N-R zone to the west, providing peaceful views for residents.

The proposed use is compatible with the existing and projected uses on surrounding lands due to the topography of the site, existing access and facilities to serve the site, and the design of the buildings. The building design minimizes impact to the directly adjacent properties by reducing the building width to the size of a large single-family home at the northern and southern property lines, and separating uses to the east from the buildings with surface parking and landscaping.

Given the site conditions, the surrounding uses, and the factors in paragraph (1), the Planning Commission can find that the proposed Olalla Meadows development is compatible with existing and projected uses on surrounding lands.

Additional Applicant provided information:

- e. The applicant proposes to remove the barn on the property.

- f. The applicant and the City are also requesting a revision to the western lot line of the recently created lot (9-H). This is due to the presence of the 100- and 500-year flood plain in that area of the site, as well as a potential conservation easement. The exact location of these areas relative to the subject lot have not yet been identified. Both Oregon Housing and Community Services (OHCS) and private lenders are hesitant to fund developments on sites that contain floodplains because of the additional potential cost and risk to the project.
 - g. The applicant proposes to develop the site under a long-term ground lease from the City of Toledo.
 - h. As shown in the Existing Conditions Plan and Site Plan, the site is substantially constrained by existing utility easements. As such, the building is located to the west of the site, more than 15 ft. from Sturdevant Street (the front yard). The side yards are also 15 ft. The rear yard will be approximately 1 ft. once the western property line is adjusted. The application requests a Type III Variance to the rear setback. The Type III Variance criteria are addressed in the responses to Chapter 17.68.
 - i. As shown in the conceptual elevations, the proposed buildings are 2 stories and 26 ft. from finished floor elevation (FFE). The grading has not been determined at this level of design, but the building height will not exceed 35 ft. or 2.5 stories. Compliance will be confirmed at Development Review.
 - j. The proposed development includes a mix of 30 one- and two-bedroom units. 47 parking spaces are required and at least 47 parking spaces will be provided.
 - k. The proposed development includes 47 parking spaces, and 4 bicycle parking spaces are required (Note: 5 bicycle spaces will be required (1 per six units)). They have not yet been located on site, but as the design progresses the location and number of the bicycle parking spaces will be identified. Compliance with this standard will be verified at the time of Development Review and/or building permit review.
 - l. The site has frontage on Sturdevant Road, a County collector that requires 20 ft. between driveways. As shown on the Site Plan, two driveways are proposed. They are more than 190 feet from each other; the southern driveway is more than 50 ft. from the southern property line and the northern driveway is more than 90 ft. from the property, and both are more than 20 ft. from adjacent driveways.
 - m. These provisions apply to intersections and do not apply to this site, but the City has expressed concern about visibility of the driveways given the curvature of Sturdevant Rd. The site is in a residential zone, and the minimum clear vision area is 30 ft. As shown in Appendix B, the proposed driveway locations can meet the clear vision requirements of this section.
6. Staff finds that the requested conditional use permit for a multi-family dwelling in the R-S Zone meets the criteria in TMC 16.64.050(A).
 - a. The proposed apartment building is suitable for the site, considering the lot size, and applicant's proposed design and operating characteristics of the use. The proposed building will be located on the western half of the property. The property slopes down to the west, therefore, reducing the visual impact of the building. The proposed lot is greater than an acre in size and large enough to support multi-family. The applicant's site plan shows a parking lot area, two driveway entrances, and internal site circulation. Staff recommends as a condition of approval that a landscape plan shall be submitted and reviewed within the building permit application process.

- b. The applicant will need to submit the required building permits to the Lincoln County Building Department. Lincoln County Building provided comments stating that, “we need 3 sets of engineered plans and an application submitted. The building would be required to be sprinklered.” The development permit process will include a site plan review to review compliance with the Toledo Municipal Code. Staff recommends as a condition of approval that applicant shall obtain all necessary development and building permits prior to construction of the building. In addition, staff recommends a condition of approval that the applicant shall install an automatic sprinkler system, in accordance with the National Fire Protection Association and Oregon Structural Specialty Code standards.
- c. The City of Toledo Fire Department provided comments that “the west parking curb running north/south along the breezing way, between the north and south parking lots shall be painted bright red and be labeled in white lettering “No Parking Fire Lane” per Oregon Fire Code 503.3. Fire hydrants shall provide the needed gallons per minute per Code Fire Code Appendix B. Fire hydrant placement shall be in accordance with Oregon Fire Code Appendix C.”. Staff recommends that this is listed as a condition of approval.
- d. The applicant’s site plan shows a detention pond or water quality swale. Staff recommends as a condition of approval that a stormwater management plan shall be submitted and reviewed within the building permit application process.
- e. The applicant has proposed to remove the barn and the barn location will be used for parking. Staff recommends that removing the barn is listed as a condition of approval.
- f. The property has access to a county road, SE Sturdevant Road. The applicant proposes two driveways to the subject property. Based on the applicant’s statements the proposed driveways are located approximately 190 feet apart. Based on the applicant’s statements and site plan the northern driveway is more than 90 feet from the property line and the southern property is more than 50 feet from the southern property line. TMC 17.48 requires a minimum of 20 feet between driveways. The clear vision requirements in TMC 17.48.060 apply to intersections. The subject property is not located at an intersection, however, the applicant located the driveways to increase clear vision for the driveways. The Lincoln County Public Works Department provided comments stating “the applicants will be required to obtain approved access permits from Lincoln County before they will be able proceed with this project. The County is scheduled to meet with Dustin Capri next week to discuss the Sturdevant Road Housing project. The County has several concerns regarding access on to Sturdevant Road. Site distance for the north access is questionable. The guardrail at this location will have to be redesigned to accommodate the two accesses and they may request widening of the roadway on the curve between the proposed accesses. This section of road way is the only section that does not have at least one paved shoulder adjacent to the travel way. The County will discuss these issues with the applicants and architect next week”. Additional Lincoln County Public Works comment submitted July 19, 2021 “I wanted to pass on some information prior to Tuesday night's Planning Commission meeting. Kelly Foley and myself met with the group proposing this project and discussed, in length, the concerns we had regarding access onto Sturdevant Road. It was decided that a single access on the south side of the property would provide the site distance that

Lincoln County would require under these circumstances and would provide safe movement for housing residents. It was understood that the single access concept would have to be approved by all of the parties involved in the permit process. We also discussed the changes to the guardrail configuration and the possibility of road widening on the curve. I wanted you to know that the concerns that I mentioned were addressed in our meeting and I believe it is possible to create an access in this area that would be permitted by Lincoln County". A single southern access is acceptable if approved by Lincoln County Public works and Toledo Fire. Staff recommends a condition of approval that Driveway improvements must be coordinated and approved by the Lincoln County Public Works Department and Toledo Fire Department. The final access plan may include a single access or double access. In addition, staff recommends a condition of approval that the applicants shall make any guardrail and road improvements required by the Lincoln County Public Works Department.

- g. The applicant's site plan shows 47 parking spaces and the applicant states that 4 bicycle parking spaces will be provided. TMC 17.48 requires 1.5 parking spaces per 1 bedroom unit and 1.75 parking spaces per 2 bedroom unit. The applicant proposed 22 one-bedroom units and 8 two-bedroom units. Therefore, 47 parking spaces are required. In addition, 1 bicycle space per six units is required. Therefore, 5 bicycle parking spaces will be required. Staff recommends that the vehicle and bicycle parking requirements are listed as a condition of approval.
- h. Based on the applicant's plot plan and statements the proposed apartment building meets all required setbacks with the exception of the rear yard setback. The rear yard setback is proposed to be reduced through the variance process discussed later in this staff report. The height of the building is 26 feet and two stories which is less than the maximum height of 35 feet and maximum number of stories.
- i. The subject property contains a large area to accommodate the proposed building and parking. The proposal protects the City of Toledo utility easement areas located on the site. Staff recommends a condition of approval that the City of Toledo raw water line and sanitary sewer line must be protected during and after construction.
- j. The subject property slopes downhill east to west from Sturdevant Road. The percent slopes of the property are unclear. The City of Toledo code requires a geo-tech report for "Areas where development will occur on soils with slopes exceeding twenty-five (25) percent." The applicant submitted a geo-tech report that is included in the record. Staff recommends a condition of approval that the applicant shall submit a geo-tech report prior to construction. Staff recommends a condition of approval that the applicant shall submit a geo-tech report prior to construction.
- k. The City of Toledo submitted a Wetland Land Use Notification (WLUN) to the Department of Statelands (DSL). DSL has not responded as of July 7, 2021. The applicant shall obtain any required permits and approvals from DSL and any other required state or federal permits prior to construction.
- l. The R-S parcel and the proposed project is located adjacent to the City-owned Natural Resource lot. The Natural Resource parcel is not part of the application. A public comment was received about impacts to Canadian Geese. The R-S parcel where the development will be located is an upland area that is zoned for residential. The adjacent Natural Resource Parcel (20.0 acres) is being protected and will remain a natural area. City of Toledo Staff sent project details to the Oregon Department of

Fish and Wildlife (ODFW) and did not receive any comments. Staff recommends a condition of approval that the applicant shall install no trespassing signs along the western property line.

- m. The application in a few locations notes that the proposed project will include 32 units. The number of units was updated to 30 units.
 - n. The subject property was re-zoned to residential in 2001 through periodic review. This application does not include a zone change. The 2001 periodic review was a public process.
 - o. This conditional use application and variance application is dependent of the completion of minor partition application #MP-2-21(mod). Staff recommends a condition of approval that the final partition plat for MP-2-21(mod) shall be recorded prior to the start of construction.
 - p. The proposed multi-family residential dwelling is permitted as a Conditional Use under the R-S Zone. The subject property is surrounded by residential homes, a county road, and natural open space. The proposed building is located on the western edge of the property and the downhill slopes will minimize the visual impact of the project. The proposed use is consistent with existing and projected uses on surrounding lands.
7. Based on TMC 17.64.040, the Planning Commission has authority to impose conditions to mitigate issues the Commission finds appropriate, such as minimize environmental effects such as noise/vibration/air pollution/glare/odor, establish open spaces, limit building height or vehicle access points, provide screening/drainage/fencing/parking/landscaping improvements, limit signs and outdoor lighting, or protect existing natural resources.
8. The City Public Works Director, Police and Fire Chief have all reviewed the application and have indicated their approval in relation to their respective departments with conditions.
9. The request by, Northwest Coastal Housing, would be compatible with surrounding land uses. The R-S Zone is located directly to the north and east of the subject property. The property to the west is zoned Natural Resources, and the property to the south is still located within the County and is designated as UGB Low Density Residential. Single-family residential homes are located to the south and north, and across the Road to the east. The property to the west is natural open space. (See Attachment B - Zoning Map).
10. City sewer and water main lines are located in the SE Sturdevant Road right-of-way and a sewer main line is located on the subject property. Both services are available for the proposed development.
11. The applicant is requesting a Class C variance to reduce the rear yard setback from 15 feet to 1 foot in some locations. This exceeds the threshold for a Class B variance.

According to the application materials, the applicant provides the following information for the proposed development:

- 1) The variance is requested for the rear property line, which abuts the City-owned parcel 10H. This parcel is within the City's N-R zone, contains a slough, wetlands,

and floodplains, and is restricted from development by a recorded conservation easement. Therefore, the variance would not cause adverse impact to the livability, value, or appropriate development of the abutting City-owned property.

- 2) As shown on the Existing Conditions Plan and the Site Plan, the site is substantially constrained by existing utility easements and sensitive lands to the west. These constraints present a hardship to development that is peculiar to this specific property.

A public water line runs north/south along the western boundary, and a 15-ft. easement restricts development in that area. A public sewer line and associated easement cross the property from the southwest corner to the center of the site, and vertical development within that easement is also prohibited. Finally, a 100-ft. powerline easement crosses the site from the southeast corner to the north. The remaining developable area is an irregular shape.

The proposed development responds creatively to the site constraints and NWCH's programming needs by placing the building close to the western property line and creating two L-shaped structures connected by a courtyard and a breezeway. With the current location of the preliminary western lot line, the building can meet the 15-ft. rear setback requirement. However, when the lot line shifts east as necessitated by the presence of the floodplain and funding/financing requirements, the building will be closer than 15 ft. to the property line. Because of the existing site constraints, the building can't be shifted to the east to accommodate this setback, and reducing the size of the building means reducing the number of units available to serve the target population.

- 3) The proposed multifamily residential use is permitted in the R-S zone as a conditional use. The variance is requested only to the rear setback; the remainder of the development complies with the applicable requirements of the code.

Staff finds that the proposed variance is to the rear yard setback which abuts the City owned Natural Resource Parcel. Due to development constraints, a conservation easement, and the zone designation the parcel abutting the rear yard is not expected to be developed in the future. Therefore, the variance will not cause a significant adverse impact of the livability, value, or appropriate development of abutting property or the surrounding area when compared to the impact of permitted development that does not require a variance. The application complies with this criteria.

The subject property is constrained by a raw water line easement, powerline easement, sewer line easement, and is adjacent to floodplain and wetlands. The applicant has no control over the lot constraints and the peculiar site aspects cause the need for the variance. The application complies with this criteria.

The proposed use is the same that is permitted as a conditional use in the R-S zone. Specifically the variance will allow the development of a use allowed in TMC 17.08 the same as any other conditional use in the R-S zone. The application complies with this criteria.

12. Notification to 51 surrounding property owners, 19 public/service agencies, and publication of the proposed conditional use and variance were completed in accordance with the Toledo Municipal Code requirements. The public/service agencies notified include the Department of Statelands (DSL), Oregon Department of Fish and Wildlife (ODFW), Lincoln County Building and Planning, Lincoln County Public Works, Toledo Fire, Toledo Police, and Toledo Public Works.

CONDITIONS OF APPROVAL:

1. Approval is based upon the submitted application and plan, as described in Attachment A of the Staff Report. Development shall conform with the proposed plan and any significant change shall be submitted to the City Planning Department as a modification to the conditional use permit.
2. Driveway improvements and access must be coordinated and approved by the Lincoln County Public Works Department and Toledo Fire Department. The final access plan may include a single access or double access.
3. Applicant shall obtain all necessary building and development permits prior to construction of the building.
4. The applicant shall remove the existing barn and remove the debris from the property.
5. The final partition plat for MP-2-21(mod) shall be recorded prior to the start of construction.
6. The applicant shall submit a stormwater management plan and the plan shall be reviewed within the building permit application process.
7. The applicant shall submit a landscape plan and the plan shall be reviewed within the building permit application process.
8. The applicant shall provide the required vehicle and bicycle parking provided in TMC 17.44.
9. City of Toledo raw water line and sanitary sewer line must be protected during and after construction.
10. The applicant shall make any guardrail and road improvements required by the Lincoln County Public Works Department.
11. The applicant shall install no trespassing signs along the western property line.
12. The applicant shall submit a geo-tech report prior to construction.
13. The applicant shall obtain any required permits and approvals from the Department of Statelands (DSL) and any other required state or federal permits prior to construction.
14. The west parking curb running north/south along the breezing way, between the north and

south parking lots shall be painted bright red and be labeled in white lettering "No Parking Fire Lane" per Oregon Fire Code 503.3. Fire hydrants shall provide the needed gallons per minute per Code Fire Code Appendix B. Fire hydrant placement shall be in accordance with Oregon Fire Code Appendix C. Fire hydrant placement shall be reviewed by the Toledo Fire Department prior to the City signing the building permit.

15. The applicant shall install an automatic sprinkler system, in accordance with the National Fire Protection Association and Oregon Structural Specialty Code standards.
16. Authorization of the conditional use shall be void after one year if a building permit has not been issued or development has not begun. Authorization may be extended by the Planning Commission for an additional period of one year if the request is made in writing prior to the expiration of the original authorization.

Based on the testimony received, the staff report, and the evidence and arguments before the Planning Commission at the public hearing on July 14, 2021 and the continued hearing on July 21, 2021, the Planning Commission finds that the request by Northwest Coastal Housing, (CU-4-21 and VAR-1-21) complies with the criteria identified in Toledo Municipal Code 17.64.050 and 17.68.050. The Planning Commission hereby adopts the staff report as findings, as well as the proposed conditions of approval for CU-4-21 and VAR-1-21, and allowing for the correction of typographical and grammatical errors.

IT IS ORDERED that the request for a Conditional Use and Variance in this matter are granted.

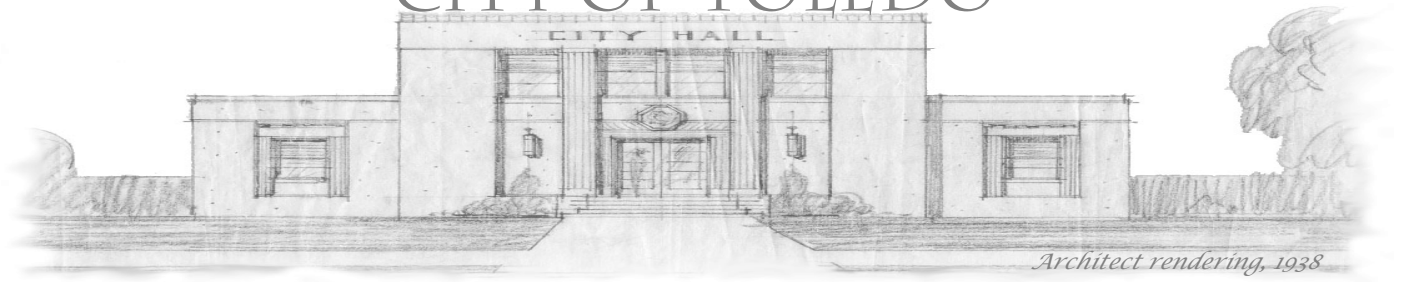


PLANNING COMMISSION PRESIDENT



DATE

CITY OF TOLEDO



To: Toledo Planning Commission

From: Justin Peterson, Oregon Cascades West Contract Planner

Date: July 7, 2022

Re: Comprehensive Plan Update

Background

As discussed at the Joint Work Session, Planning Commission will start reviewing the Comprehensive Plan Chapter by Chapter. Staff completed a draft Citizen involvement Chapter and has proposed some updates to the Agriculture and Forestry Chapters.

In addition, Staff drafted summary memo for the June Joint Work Session.

Attachments

1. Joint Work Session Summary Memo
2. Article 1 Citizen Involvement – Updated Chapter Draft
3. Article 3 Agriculture – Existing Chapter and proposed update
4. Article 4 Forestry – Existing Chapter and proposed update

CITY OF TOLEDO



To: Toledo Planning Commission

From: Justin Peterson, Oregon Cascades West Contract Planner

Date: July 7, 2022

Re: Summary Memo: June 22, 2022 Joint Work Session

City Councilor and Planning Commission Member Attendance

Planning Commission: Anne Learned-Ellis, Brian Lundgren, Ricky Dyson, Johnathan Mix, and Cora Warfield. Absent: Terri Neimann and Ruthanne Morris.

City Council: Mayor Cross, Tracy Mix, Robert Duprau, Betty Kamikawa, Todd Michels, and Jackie Kauffman. Absent: Wade Carey.

Volunteers

Staff asked for volunteers to help draft the updated introduction, history, and vision for the City of Toledo. The current introduction, history and vision were discussed. Cora Warfield, Ricky Dyson, Betty Kamikawa, and Robert Duprau. **Staff will start to work with the volunteers on the update.**

Background

Staff provided background on the Comprehensive Plan. The 2020 Vision for Toledo, Oregon - 2000 Toledo Comprehensive Land Use Plan (Plan) was adopted on April 4, 2001. The current vision for the City needs to be updated to incorporate the current vision and goals for the City of Toledo. The last update was intended to plan for the next 20 years and we are now past 2020. **The Comprehensive Plan is the “Blueprint” for how the city will grow and is the framework for decision making.**

Many long range plans in the City of Toledo have been completed in the last 20 years. Certain chapters of the Comprehensive Plan were amended when supplemental studies were completed. Here is a list of some of the long-range planning documents:

- Economic Opportunities Analysis (EOA) – Completed 2010 – Chapter 9 Economic Development was updated.
- Transportation System Plan – Adopted December 4, 2013 - Chapter 12 Transportation of the Comprehensive Plan was updated.
- Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI) – Adopted 2000
- Natural Hazards and Mitigation Plan (NHMP) – 2020
- Housing and Land Use Chapter Minor Update – 2021

Overall, it is clear that the old vision is outdated and needs to be updated to reflect the current goals of the city. The goal of this project is a multi-year effort to update the City’s entire Plan. The current Plan was organized following the Oregon Statewide Planning Goals.

History and Introduction

Staff shared a historic photo of the GP mill and Toledo downtown.

Vision Discussion

Staff asked two questions: What is your vision for Toledo? And what has changed in the last 20 years? The conversation was opened, and the key points are bulleted below.

- Lack of Housing – expensive for workers (teachers, trades, etc.)
- Less Bias against Manufactured homes
- Lots of empty buildings in town
- Trade School support needed – logging/fishing, Port Welding program, OCCC
- Decline of Timber industry
- Technology for young folks – need to think outside the box – Tech Center idea.
- Demographics – Total population about the same as 20 years ago, now skewed older, high school has shrunk.

Aspirations for the Comprehensive Plan Update

Staff discussed adding aspirational statements to the Comprehensive Plan update. The comprehensive plan will be organized by the statewide planning goals; however, the aspiration statements will be woven into each comprehensive plan chapter. The aspirational statements will shape the goals and policies throughout the comprehensive plan. **City Councilors and Planning Commission members were in favor of aspiration statements.** Some draft aspiration statement categories are below based on the Joint work session discussion.

Business Community (Juno Project)
Quality of Life
Infrastructure
Locational Advantage

Arts District
Balance of Business Support and Ecosystem Maintenance (GP Mill)

Survey

The Survey is still available online and 29 online responses have been received. The survey will be available through July. **Staff asked PC and CC members to share the survey link.**

Coordination with other Projects

Ongoing projects will be coordinated with the Comprehensive Plan update to ensure consistency.

- Yaquina Estuary Management Plan update.
- Housing Capacity Analysis (HCA) and Buildable Lands Inventory. Staff highlighted some draft key findings from the HCA. Specifically, that the Toledo population is aging.
- Urban renewal district.

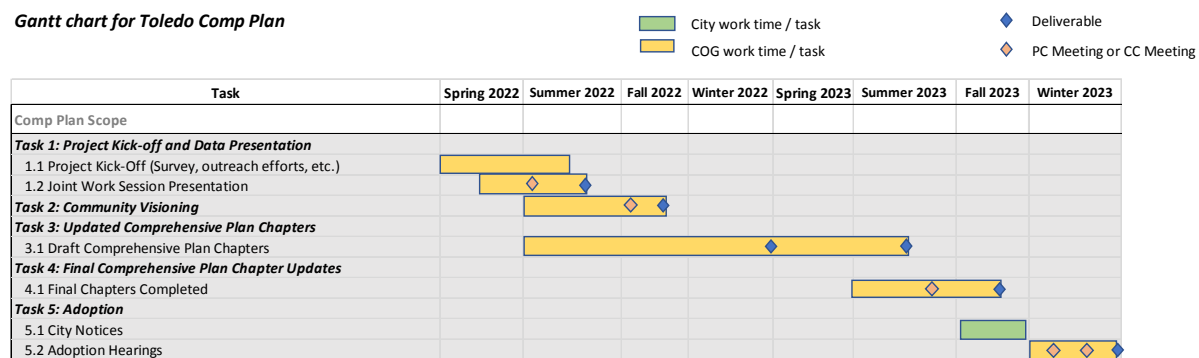
Comprehensive Plan Chapters.

In review of the Comprehensive Plan Chapters Staff believes the plan can be updated in coordination with other planning efforts. Some chapters will be a small update with a large update pending future planning efforts.. **Staff will work with the Planning Commission each month on a Comprehensive Plan Chapter or Chapters.** For example, Article 1 Citizen involvement was discussed at the June Planning Commission meeting. The draft language for the updated Article 1 Citizen Involvement Chapter was attached and discussed.

Timeline

Project in the early states and PC will begin reviewing Comp. Plan chapters every month.

Gantt chart for Toledo Comp Plan



*PC Meetings once a month

*Draft Chapters will be sent to DLCD Staff throughout the update

Other Notes:

1. The Joint Work Session Presentation is on the city website.
2. City Councilors and Planning Commission Members asked that the ADU and housing information is available on the city website. Staff will work on adding information to the website.

Comprehensive Plan Chapters

Article 1: Citizen Involvement

Proactive and effective citizen involvement is a cornerstone of planning practice, and focused public engagement is crucial to achieve success in planning initiatives that often impact the entire community. Toledo residents expect the city to maintain transparency, provide access to information, and offer meaningful public participation in the planning process.

Context

Public involvement is a required part of land use planning in Oregon. This requirement is one of the things that make Oregon's land use planning program unique. The requirement for public participation is written in the first goal of nineteen in the statewide land use planning system (DLCD Website).

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program that addresses:

1. Opportunities for widespread public involvement
2. Effective two-way communication with the public
3. The ability for the public to be involved in all phases of the planning process
4. Making technical information easy to understand
5. Feedback mechanisms for policy-makers to respond to public input, and
6. Adequate financial support for public involvement efforts

The goal also calls for local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning. The Toledo Planning Commission acts as the CCI in the City of Toledo.

Citizen Involvement Goals and Policies

Overarching goal: Provide a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process to provide useful guidance to and an understanding of the overall planning process.

The City's Citizen Involvement Program is organized to emphasize the necessity to achieve these four goals:

1. Inclusion
2. Engagement
3. Accessibility
4. Accountability

Inclusion – Goal 1

The City of Toledo works to create an atmosphere that provides for widespread citizen involvement.

Policy 1 – Engagement in all Phases: The City shall involve a cross-section of citizens, citizen organizations and public agencies in all phases of the planning process.

Policy 2 – A designated Committee for Citizen Involvement: The City shall establish the Planning Commission as the recognized citizen involvement committee for the planning process and programs.

Policy 3 – Planning Commission Member Appointment: The City shall select and appoint the Planning Commission members by an open, well-publicized public process.

Policy 4 – Engage Community Organizations and Public Agencies: The City shall prepare and maintain lists of recognized citizen organizations and public agencies and shall forward appropriate notices to those groups who have indicated interest in identified topics or geographic areas.

Policy 5 – Accommodate for Diverse Participation: The City shall utilize community involvement best practices that accommodate for the diverse needs of citizens such as physical ability limitations, language barriers, and time constraints when appropriate and financially reasonable.

Engagement – Goal 2

The City of Toledo maintains a comprehensive citizen involvement program to engage Toledo residents.

Policy 1 Citizen Awareness: Public involvement programs shall be designed and conducted to meet or exceed the legal requirements for each stage of the planning process.

Policy 2 Public Participation: Public involvement programs shall include opportunities for citizens to participate in the preparation of plans, implementation measures, plan components, plan adoptions, minor changes and major revisions to plans, ordinances, regulations and other implementation measures.

Policy 3: Two-Way Communications: Opportunities shall be provided to develop two-way communications between local officials and citizens.

Policy 4 Social Media: The City shall develop and adopt a social media policy that utilizes social media platforms to enhance citizen involvement methods and techniques.

Policy 5 Best Practices Engagement Methods: The City shall utilize community engagement methods, tools, and technologies that are recognized as best practices.

Accessibility – Goal 3

Ensure citizens are provided clear, user-friendly, and appropriate information and opportunities to participate in City planning initiatives, processes, and decision- making.

Policy 1 Informed Citizenry: The City shall take minutes of the City Council, Planning Commission, and Committee readily available for public use at City Hall and on the City website. All plans, studies, records of decisions, maps, and related ordinances will be made available for public use at City Hall. [Replaces 5 c. and 5 d. of existing comp plan]

Policy 2 Formal and Informal Hearings: Times shall be established to allow citizens and public officials to communicate at formal hearings and meetings to discuss planning issues. Informal opportunities for two-way communications shall be encouraged in appropriate settings and at appropriate times for the topics of interest. Information shall be provided to inform citizens about how, when, and where they may participate.

Policy 3 Accessible Information: The City shall A) Make information necessary to reach policy decisions shall be available in a simplified, understandable form. B) Assistance shall be provided to interpret and effectively use technical, and C) Provide information to the public in accessible and easy to understand formats, including multiple languages where appropriate.

Policy 4 Develop Consistent Procedures: The City shall develop and utilize a consistent set of procedures for notifying and soliciting input from the public as appropriate to the scale and type of the proposed action.

Policy 5 Hybrid Meetings: The City shall host public meetings in a hybrid format and when in-person attendance is limited due to an emergency declaration the City shall provide a place where individuals to attend that do not have phone/computer access.

Accountability – Goal 4

Ensure Accountability and clarity in City of Toledo planning processes and decisions.

Policy 1 Rights and Responsibilities: The City shall establish clear rights and responsibilities of applicants, decision-makers, staff, and other participants of planning projects, initiatives, and decision-making processes.

Policy 2 Reporting and Program Evaluation: The Planning Commission and City Manager shall provide periodic reports to the City Council evaluating the process being used for citizen involvement.

Policy 3 Mechanism for feedback: The City shall provide mechanisms for citizens to receive responses or feedback from policy makers. A) Citizens participating or providing comments on planning issues shall be provided with notices of the results of the planning process relating to their submitted comments, B) Rationales used to reach land-use policy decisions shall be available in the form of a written record and kept on file at City Hall, and C) Recommendations and plans resulting from the citizen involvement program shall be retained and made available for public review.

Policy 4 Adequate Funding: Provide funding for City sponsored citizen involvement programs. Citizen involvement programs shall be funded through the Planning Commission, Community Development and other program funds. Funds shall be provided for public notices, workshops, meetings and other City projects as needed to involve a cross-section of citizens and citizen organizations.

Policy 5 Implementation: Once adopted, the policies stated above shall be recognized as Toledo's Citizen Involvement Program.

ARTICLE 3: AGRICULTURE

(NOT INTENDED TO BE THE SAME AS STATEWIDE GOAL #3)

GOALS:

1. Preserve and maintain agricultural lands for farm use by encouraging growth and development to locate within the Urban Growth Boundary.
2. Within the Urban Growth Boundary, encourage the retention of small scale agricultural uses as family farms and open space to protect natural resources until suitable properties are developed at urban densities.

OBJECTIVES:

1. Encourage orderly, compact development projects which meet urban density patterns and conserve open spaces and small farms until those areas are needed for urban development.
2. Encourage development designs which assure extensions of urban densities and infrastructure improvements as the community grows and as areas are redeveloped.
3. Retain open spaces needed to protect natural resources and habitats for sensitive wildlife species while allowing the use of non-protected open spaces for limited grazing and other farm use.
4. Control conflicts between agriculture and more urbanized developments through the use of nuisance and animal control ordinances and site designs which locate animal shelters away from adjoining properties, control drainage, and provide buffers from surrounding uses.

Article 3: Agriculture [Not Intended to be the same as Statewide Planning Goal 3]

While Oregon Statewide Planning Goal 3 Agricultural Lands does not apply within the Urban Growth Boundary (UGB) and Toledo does not have agricultural zoned lands within its city limits, the city supports and encourages City and countywide efforts to preserve and maintain agricultural lands.

Agriculture Goals and Policies

Development Pattern – Goal 1

Preserve and maintain agricultural lands for farm use by encouraging growth and development to locate within the Urban Growth Boundary.

Policy 1 Orderly Development. Encourage orderly, compact development projects which meet urban density patterns and conserve open spaces and small farms until those areas are needed for urban development.

~~Policy 2. Encourage development designs which assure extensions of urban densities and infrastructure improvements as the community grows and as areas are redeveloped. [Better suited for Goal 14 Urbanization]~~

Policy 2 Limited Open Space Farm Use. Retain open spaces needed to protect natural resources and habitats for sensitive wildlife species while allowing the use of non-protected open spaces for limited grazing and other farm use.

Policy 3 Conflicting Uses. Control conflicts between agriculture and more urbanized developments through the use of nuisance and animal control ordinances and site designs which locate animal shelters away from adjoining properties, control drainage, and provide buffers from surrounding uses.

Small Scale Farming, Food Security, and Education – Goal 2

Within the Urban Growth Boundary, encourage the retention of small scale agricultural uses as family farms and open space to protect natural resources until suitable properties are developed at urban densities.

Policy 1 Community Gardens and Food Production. Increase local and countywide private community gardens and food production opportunities.

Policy 2 Local Food Production. Decrease food insecurity in the city and county through the increase of local food production.

Policy 3 Support Community Food Banks. Increase the amount of locally produced food donations and consumption as well as increase support of efforts to utilize natural food sources and decrease food waste.

Policy 4 Support Farm to School Food Programs. Support distribution systems to supply fresh locally produced foods to students and staff in Toledo schools. In addition, promote sustainable farming through support of educational programs to teach gardening, farming, and other skills to local youth.

Agritourism – Goal 3

The city shall support and encourage agritourism within the city and county.

Policy 1 Diverse Partnerships to Support Agritourism. Work with diverse partners to support agritourism such as the City’s partnership with the Farmer’s Market.

ARTICLE 4: FORESTED AREAS

(NOT INTENDED TO BE THE SAME AS STATEWIDE GOAL #4)

GOALS:

1. Preserve and maintain forest lands for the production of forest products by encouraging growth and development to locate within the Urban Growth Boundary.
2. Within the Urban Growth Boundary, encourage the retention of forested areas as open space to protect natural resources and to maintain the character of Toledo as a forested city.

OBJECTIVES:

1. Encourage orderly, compact development projects which meet urban density patterns and conserve open spaces and forested areas until those areas are ready for urban development.
2. Encourage development designs which assure extensions of urban densities and infrastructure improvements as the community grows and as areas are redeveloped.
3. Encourage the retention of forested open spaces on steep hillsides for the protection of natural resources and to reduce risks of landslides and flooding.
4. Maintain City owned non-park forested properties as natural areas until they are ready to be developed for urban uses.
5. Maintain status as a Tree City USA community and support individual and citizen group efforts to maintain urban forests and landscape programs.
6. Assess designs for new park areas to retain forested areas where they are appropriate.
7. Encourage the proper selection, planting, and maintenance of trees through landscape planning and public information.

Article 4: Forested Areas [Not Intended to be the same as Statewide Planning Goal 4]

While Oregon Statewide Planning Goal 4 Forest Lands does not apply within the Urban Growth Boundary (UGB) and Toledo does not have forest lands zoned within its city limits, the city supports and encourages City and countywide efforts to create partnerships and ensure safe environmental practices. The city's goal is to support the local timber industry while also preserving and maintaining forest lands through partnerships at the local, county, state and federal level. In addition, Natural vegetation on steep slopes, for example, protect soils from erosion and thereby preserves clean water resources.

Development Pattern – Goal 1

Preserve and maintain forest lands for the production of forest products by encouraging growth and development to locate within the Urban Growth Boundary.

Policy 1 Orderly Development. Encourage orderly, compact development projects which meet urban density patterns and conserve open spaces and forested areas until those areas are ready for urban development.

Forested Areas with the UGB – Goal 2

Within the Urban Growth Boundary, encourage the retention of forested areas as open space to protect natural resources and to maintain the character of Toledo as a forested city.

~~2. Encourage development designs which assure extensions of urban densities and infrastructure improvements as the community grows and as areas are redeveloped.~~ [Better suited for Goal 14 Urbanization]

Policy 1 Hillside Development. Encourage the retention of forested open spaces on steep hillsides for the protection of natural resources and to reduce risks of landslides and flooding.

Policy 2 Forested City Owned Property. Maintain City owned non-park forested properties as natural areas until they are ready to be developed for urban uses.

Policy 3 Tree City USA. Maintain status as a Tree City USA community and support individual and citizen group efforts to maintain urban forests and landscape programs.

Policy 4 Forested Parks. Assess designs for new park areas to retain forested areas where they are appropriate.

Policy 5 Tree Selection. Encourage the proper selection, planting, and maintenance of trees through landscape planning and public information. The city shall develop a list of approved street trees.

City of Toledo
2022 Building Permit and Land Use Activity

Building Activity						
Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Approved by Staff
1/20/2022	Building Permit	Bruster Enterprise	163 NE Hwy 20	11-10-17-22-11300-00	Convert com. building into 3 apartments	2/10/2022
1/24/2022	Excavation/Work in Right-of-Way Permit	Bill Zuspan	515 Radio Court	11-10-07-41-07400-00	Driveway	
2/2/2022	Building Permit	Bill Zuspan	515 Radio Court	11-10-07-41-07400-00	Manufactured home	4/5/2022
2/15/2022	Excavation/Work in Right-of-Way Permit	Charter Com/JCM Utility	620 NE Ridge Drive	11-10-08-31-05800-00	Bore for service line	2/16/2022
2/23/2022	Excavation/Work in Right-of-Way Permit	Mary Limbrunner	1565 NW Hwy 20	11-10-07-10-02501-00	Bore for sewer	3/18/2022
2/23/2022	Water/Sewer Connection	Mary Limbrunner	1565 NW Hwy 20	11-10-07-10-02501-00	Sewer installation	
3/15/2022	Excavation/Work in Right-of-Way Permit	Astound Broadband	181 S Main Street		Aerial fiber from Hwy 20 to Butler Bridge Road	3/18/2022
3/28/2022	Building Permit	CWGOG/Iron Head Roofing	203 N Main Street	11-10-17-22-11101-00	Roof	3/31/2022
3/29/2022	Excavation/Work in Right-of-Way Permit	Paramount Utility	305 NW 1st Street		Install new riser, bore, spice	3/29/2022
4/20/2022	Demolition Permit	Lisa Daniel	1259 NW Meadow Lane	11-10-08-32-04000-00	Demolish house	5/25/2022
4/25/2022	Excavation/Work in Right-of-Way Permit	Coast Tree Service/Claude Smith	447 SE Elder Street	11-10-17-24-07900-00	Close lane for tree removal	4/25/2022
5/5/2022	Building Permit	Art Moore	199 S Main Street	1-10-17-23-06300-00	Commercial remodel	5/16/2022
5/9/2022	Excavation/Work in Right-of-Way Permit	Central Lincoln PUD	Sunset Drive, 11th Pl, 12th Pl, Deer Drive		Replace old conductor	5/10/2022
5/10/2022	Building Permit	Lynda Pace	1431 NW Deer Drive	11-10-07-41-06300-00	Solar system	5/18/2022
5/10/2022	Demolition Permit	Herb Bell/Charles Parker	1913 Kauri Street	11-10-20-11-01600-00	Demolish house	6/1/2022
5/10/2022	Water/Sewer Connection	Michael and Candy Rayburn	2131 NW Elm Street	11-10-07-10-04000-00	New water installation	
5/17/2022	Excavation/Work in Right-of-Way Permit	Krause Family Trust	333 N Main Street	11-10-17-22-10100-00	Dumpsters in r/w for cleaning/repair	5/18/2022
5/19/2022	Excavation/Work in Right-of-Way Permit	NW Natural	724 NW French Ave	11-10-07-43-01200-00	Cut gas service line	5/23/2022
5/25/2022	Building Permit	Patricia Timme	1999 NW Sunset Drive	11-10-07-14-00200-00	Shop	6/9/2022
5/31/2022	Building Permit	Travis and Andrea Turner	625 NW Westwood Street	11-10-07-14-01700-00	House	6/16/2022
5/31/2022	Excavation/Work in Right-of-Way Permit	NW Natural	735 SE 8th Street	11-10-17-31-05600-00	Replace service line	6/2/2022
6/9/2022	Water/Sewer Connection	Travis and Andrea Turner	625 NW Westwood Street	11-10-07-14-01700-00	New water and sewer service	

6/9/2022	Excavation/Work in Right-of-Way Permit	Travis and Andrea Turner	625 NW Westwood Street	11-10-07-14-01700-00	Excavate/fill for new house	6/13/2022
6/13/2022	Building Permit	Orrin Wallace	1240 NW Dundon Road	11-10-07-41-01300-00	Shop	6/30/2022
6/15/2022	Water/Sewer Connection	Tiffany Gray	539 NW Skyline Drive	11-10-07-14-00600-00	New water/sewer service	
6/28/2022	Excavation/Work in Right-of-Way Permit	Lumen/C-2 Utilities	1803 NW Lincoln Way		Aerial line work	6/30/2022
6/28/2022	Excavation/Work in Right-of-Way Permit	Central Coast Excavation	794 SE 8th Street	11-10-17-31-02800-00	Sewer line repairs	6/30/2022

Land Use						
Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Status
1/14/2022	Annexation	Robert Downs	2500 NE Arcadia Drive	11-10-5 TL 2303/2304	Annex 30.45 acres into the City limits	Approved Ordinance #1400
2/22/2022	Annexation	Mary Limbrunner	1565 NW Hwy 20	11-10-7A TL 2501/2503	Annex .49 acres into the City limit	Approved Ordinance #1401
4/13/2022	Lot Line Adjustment	Edward and Kelly French	514 NE 1st Street	11-10-17 BA TL 6000/4300	Property line adjustment	Approved
7/6/2022	Lot Line Adjustment	Michele Johnson	1343/1241 NW Old Arcadia Rd	11-10-7DA TL 600/700	Property line adjustment	Pending
4/13/2022	Minor Partition	Edward and Kelly French		11-10-17 BA TL 6000	Partition .81 acres to create three lots	Approved
1/14/2022	Plan Amendment	Robert Downs	2500 NE Arcadia Drive	11-10-5 TL 2303/2304	Amend Comp Plan Map from UGB Low Density Residential to UGB Medium Density Residential	Approved Ordinance #1400
1/14/2022	Rezone	Robert Downs	2500 NE Arcadia Drive	11-10-5 TL 2303/2304	Rezone from County R-1 to City RG	Approved
2/22/2022	Rezone	Mary Limbrunner	1565 NW Hwy 20	11-10-7A TL 2501/2503	Rezone from County A-C to City Commercial	Approved
2/17/2022	Temporary Use Permit	Vincent Vitale	927 SE 7th Street	11-10-17DB TL 300	Reside in RV for medical hardship	Approved