

**Toledo City Hall
Council Chambers
206 N Main St. Toledo OR
February 8, 2023
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. VISITORS: (A time set aside to speak with the Planning Commissioners about issues not on the agenda)
3. APPROVAL OF THE JANUARY 11, 2023 MINUTES as circulated and reviewed by the Planning Commission
4. WORKSESSION: Comprehensive Land Use Plan Update – Chapter 2 (Land Use Planning) and Chapter 14 (Urbanization) – (See Attachments)
5. DISCUSSION ITEMS:
 - a. Updates and Reports
6. STAFF COMMENTS
7. COMMISSIONER COMMENTS
8. 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.

TOLEDO PLANNING COMMISSION MINUTES

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

Staff present: Contract Planner (CP) Justin Peterson, City Attorney (CA) Mike Adams, Community Outreach Specialist Katy Keuter, Planning Assistant Arlene Inukai.

VISITORS: Duane Ellis

Community Outreach Specialist Katy Keuter reported she is working for the City through the RARE program and is happy to be on board.

APPROVAL OF THE DECEMBER 14, 2022, MINUTES:

President Learned-Ellis noted a correction for Page 2, Paragraph 4, to state “newly created”. It was moved and seconded (Dyson/Lundgren) to approve the December 14, 2022, minutes as circulated and corrected by the Planning Commission. The **motion passed** unanimously.

WORKSESSION: COMPREHENSIVE LAND USE PLAN UPDATE – CHAPTER 12 (TRANSPORTATION) AND CHAPTER 13 (ENERGY CONSERVATION):

CP Peterson reported that the Transportation chapter was introduced last month, but has now been updated for formatting and provides some edits. The Transportation System Plan (TSP) was adopted in 2013 and Chapter 12 was updated at that time. CP Peterson reviewed proposed revisions to the Transportation Chapter.

Commissioners discussed the public transit system and a ferry or water taxi from Toledo to Newport to encourage tourism and transportation options. The plan policies encourage multiple options aside from vehicles, but vehicle transport will continue to be supported. The policies and goals are not intended to reduce cars altogether, but to also support other transportation modes and options. Commissioner Morris noted that there are several area bridges that could be damaged in storm events, which will affect vehicles routes. Toledo can coordinate with Newport on the commuting options. It was also noted that the airport shuttle and valley transportation options are important.

Commissioners reviewed the rail policies and pointed out that rail upgrades are needed. At this time, there are only freight options for the railroad. Commissioners would like to see a tourist option for the rail line because of the scenic views between Toledo and valley.

CP Peterson reviewed the updates for the Transportation Chapter, as summarized below:

- Policy Statement revised to include all modes of transportation and support programs that could help reduce single-vehicle trips.
- Streets Goal 2, includes language to coordinate with other utilities before performing road improvements.

- Encourages natural/green infrastructure options.
- Coordinate with public safety agencies for access options.
- Identify low-speed areas. Speed bumps can be an option or setting new speed limits.
- Stay up-to-date with the functional classifications of roads.
- Research bike lane requirements.
- Encourage public safety education programs.
- Updated the term ‘volkmarching’ to ‘fitness walking’
- Added a rail policy to support a scenic rail route.
- Discussed the continued use of the term, ‘Tokyo Slough’.

Commissioner Mix would like to see language in either the Transportation or Energy Conservation Chapter that support charging stations for electric vehicles.

CP Peterson reviewed the updates to the Energy Conservation Chapter. Language was expanded to support public education, energy efficient building design/construction, and energy conservation programs, such as weatherization programs. Language was also added to encourage expanding recycling programs.

Next month will have the Land Use and Urbanization Chapters for review. The project is still on track for finalizing at the end of 2023.

DISCUSSION ITEMS: UPDATES AND REPORTS:

Grant Updates:

The Oregon Parks and Recreation grant for Arcadia Park was awarded. This project includes new restrooms, re-surfacing the tennis courts, and fence/lighting upgrades at the park. The park area will also have sidewalk improvements, but this work is outside of the grant scope.

Toledo was not successful with the Safe Routes to School grant. There is an option to re-apply in 2024. This project included sidewalk upgrades, crosswalk work, and speed signs.

Building Permit and Land Use Application Updates:

The Planning Commission packet included a log of all building permit and land use applications reviewed in 2022.

STAFF COMMENTS: None.

COMMISSIONER COMMENTS: None.

There being no further business before the Commission, the meeting was adjourned at 7:33 pm.

Planning Assistant

President

Article 2: Land Use Planning

Land Conservation and Development Commission (LCDC) Statewide Planning Goal 2, Land Use Planning, establishes a land-use planning process and POLICY framework with which local Comprehensive Plans must comply. This section of the Comprehensive Plan contains the City's land-use planning goals and policies, consistent with state and regional requirements.

The Comprehensive Plan Map is used to guide land uses and development in the city. The map shows geographic areas that have been designated for general land uses in accordance with the Comprehensive Plan. The map also shows the general development pattern of the city and indicates which areas are best suited for residences, commercial, office, and industrial uses, and which areas should be left undeveloped.

Local Context

The Toledo Comprehensive Land Use Plan is organized by topic areas that reflect the Oregon Statewide Planning Goals. The purpose of the land use element of the Plan is to delineate a land use pattern for Toledo that will guide the future use of land. The land use plan is based upon the other elements of the Comprehensive Plan, community desires as expressed by citizen reviews, policy statements, projected land use needs to the year 2042, and existing land use patterns. Minor edits to the City of Toledo Zoning Map and Comprehensive Plan map have occurred over the last 20 years; however, a major city-wide update has not been complete.

The City of Toledo completed a Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI) in 2022 (Attachment X). The Economic Opportunities Analysis (EOA) was completed in 2010 (Attachment X).

Key conclusions of the HCA included.

- Toledo's population is forecast to grow slower than in the past.
- Toledo's needed housing mix is for an increase in housing affordable to renters and homeowners, with more attached and multifamily housing types.
- Toledo provides housing that is comparatively affordable relative to cities like Newport and Waldport.
- Toledo has a need for additional housing affordable to lower and middle-income households.
- Toledo has enough land within its UGB to accommodate the forecast for growth between 2022 and 2042.
- Toledo's residential land base is heavily constrained and is a barrier to housing development.
- Toledo's vacant land includes areas that are costly to serve with infrastructure such as water or wastewater service.
- Commercial areas may provide opportunities for development of new housing, especially multifamily housing.

Development Constraints: Constraints in Toledo include floodplains, steep slopes, and areas susceptible to landslides, and areas constrained by estuaries, wetlands, or tsunami inundation zones. Within the UGB but outside of the city limits, there about 420 acres of vacant and constrained land in the Low- Density and Medium-Density residential zones. This large amount of vacant land that is constrained land makes it difficult for Toledo to support housing development, because there is so little land that is easily developable and less costly to serve.

Exhibit 1 shows that Toledo has sufficient land to accommodate housing development in each residential plan designation. Toledo has capacity for 245 dwelling units and demand for 15 dwelling units. The result is a surplus of capacity for housing, beyond the forecast of housing growth over the next 20 years of about 230 dwelling units. The largest surpluses are in the UGB Low-Density Residential and Toledo General Residential plan designations.

Exhibit 1: Comparison of Capacity of Existing Residential Land with Demand for New Dwelling Units and Land Surplus or Deficit, Toledo UGB, 2022-2042

Plan Designation/Zone	Capacity (Dwelling Units)	Demand (Dwelling Units)	Capacity less Demand (Dwelling Units)	Land Sufficiency (Acres)
Within City Limits				
Residential Single (R-S)	31	5	26	5
Residential General (R-G)	82	10	72	5
Within UGB, Beyond City Limits				
Low Density Residential	111	-	111	20
Medium Density Residential	21	-	21	1
Total	245	15	230	31

Overall, the 2000 Comprehensive Plan projected a population of 5,500 by the year 2020. The 2022 population was 3,840 showing Toledo did not grow as fast as expected. With that said, City Elected Officials and Staff anticipate growth to increase by more than the projected 32 people over the next 20 years. Toledo will closely monitor actual population growth.

Implement Land Use Policies – Goal 1

To implement locally desired land use policies and practices that do not conflict with the State of Oregon's land use planning program.

Policy 1 – Implementation: Implementation of the Toledo Comprehensive Land Use Plan shall be through a) management implementation measures such as ordinances, regulations or project plans, and b) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services related to the land use planning goals and objectives identified within the Toledo Comprehensive Land Use Plan. Ensure the requirements of the Toledo Municipal Code (TMC) are consistent with the Comprehensive Plan and that the Plan is implemented through thoughtful zoning and development ordinances, interpretation, and programming.

Planning Process and Policy Framework – Goal 2

To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land as established and required by the State of Oregon's land use planning program.

Policy 2 – Sufficient Lands: The Toledo Comprehensive Land Use Plan Map and the Toledo Zoning Map shall provide for sufficient lands for a 20-year supply of land within the Urban Growth Boundary to meet the projected population growth of ~~5,550 by the year 2020~~ 3,872 by the year 2042 as projected in the Toledo Buildable Lands Inventory. The 20-year supply of land shall be a sufficient supply of land to implement the following land use zones:

Exhibit 2: Comprehensive Plan Land Use/ Zoning Consistency

Comprehensive Plan Land Use Designation	Zones Consistent with the Land Use Classification
Low-Density Residential	Single Family Residential (R-S) Zone
Medium-Density Residential	Single-Family Residential (R-S) or General Residential (R-G) Zones
Commercial	Commercial (C) Zone
Industrial	Industrial, Light-Industrial, and/or Water-Dependent Zones
Water Dependent	Water Dependent Zone
Natural Resource	Natural Resource Zone

- 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 accessory dwelling units, and duplexes. This designation allows for other types of housing including cottage clusters and multi-family. ~~This designation shall be implemented through the zoning map's Single Family Residential (R-S) zone designation.~~

Medium-Density Residential – This designation provides for either lower or higher density housing. ~~This designation may be implemented through the zoning map's Single-Family Residential (R-S) or General Residential (R-G) zone designation.~~

Commercial - This designation provides for a wide range of commercial activities including retail and service uses as well as other compatible uses commonly associated

with commercial areas including allowing residential uses. ~~This designation shall be implemented by the zoning map designation of Commercial.~~ A Main Street Overlay District shall be implemented to recognize the unique attributes and development pattern of the existing Main Street area.

Industrial - This designation provides a wide variety of industrial and light-industrial uses and recognizes that some water-dependent uses such as boat building and repair are appropriate industrial uses within the industrial designation. The intent is to encourage industrial growth and provide for industrial development at appropriate locations ~~in order to increase the level of employment, enhance the tax base, decrease service costs, and achieve a healthy diverse, and stable local economy. The Industrial plan designation is implemented by the zoning map designations of Industrial, Light Industrial, and/or Water-Dependent.~~

Water-Dependent - This designation provides for uses of property that depend on a location adjacent to a waterway for the viability of that use. Toledo's water surface and its shorelands are a valuable resource and provide considerable potential for future economic growth. ~~The Water-Dependent plan designation shall be implemented by the zoning map designation of Water-Dependent.~~

Natural Resource - This designation is intended to protect land and water important as habitat for plant, animal or marine life for future generations, to ensure open spaces, to promote a healthy and visually attractive environment, and to provide for human development and enrichment by providing recreational areas, facilities and opportunities. ~~This designation shall be implemented through the zoning map's Natural Resource zone designation.~~

Public Lands - This designation is intended to indicate lands currently providing areas to benefit the public, regardless of ownership of the lot or parcel, and used for a public use such as schools and parks acknowledging that such lands may be put to a variety of uses. ~~This designation shall be implemented through the zoning map's Public Lands zone designation.~~

Estuary Management Units - The Lincoln County Estuary Management Plan classifies the Depot Slough, Olalla Slough, and Yaquina River segments within the Toledo Urban Growth Boundary into Management Units for Development, Conservation and Natural. The Lincoln County Estuary Management Plan Management Unit designations and uses shall apply to the waterways within Toledo. The current version of the Lincoln County Estuary Management Plan was adopted in 1982. The Estuary Management Plan updated process is underway.

Dredged Material Disposal Sites - The Lincoln County Dredged Material Disposal Plan identifies dredged disposal sites for the Yaquina River and related tributaries. The current version of the Lincoln County Dredged Material Disposal Plan was adopted in 1982. The

City will work in cooperation with the Port of Toledo and Lincoln County and other entities to adopt an updated dredged material disposal plan and site designations. When an updated plan is adopted, the City will adopt land use regulations to provide protection for the newly identified disposal sites as required by the Oregon Statewide Planning Goals and will designate the existence of disposal sites on the comprehensive plan and zoning maps. Existing disposal sites in River Segments 6 and 7 identified by the 1982 Lincoln County Dredged Material Disposal Plan may be used in a manner that precludes the future use of the site for dredged material disposal through use of the following procedure:

- 1) Any person wishing to develop or use property in a manner which would preclude its use for dredged material disposal shall submit a proposal in writing to the City. The proposal shall set forth the intended use of the property and any alternative disposal sites or methods (with appropriate documents) considered by the applicant. The City shall then notify the Port District of the proposal in writing to allow the Port an opportunity to negotiate for use of the dredged material site before the proposed use is approved.
- 2) After 30 days of receipt of a complete proposal and notification to the Port District, the City shall notify the property owner that the property may be used consistent with City zoning and other applicable requirements.

~~B. Zoning Designations~~

~~Single family Residential (R-S) The purpose of the R-S zone is to promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of the zone. The R-S Zone is primarily for single family homes, accessory dwelling units, duplexes, and their accessory uses. In addition, multifamily dwellings and some other uses may be evaluated as a conditional use.~~

~~General Residential (R-G) The purpose of the R-G zone is to encourage a wide range of housing types, including, multi family, single family, accessory dwelling units, and cottage clusters. In addition, some other uses may be evaluated as a conditional use.~~

~~Commercial (C) The purpose of the C zone is to provide for retail and service commercial uses. It is also intended that these uses will supply personal services or goods to the average person and that a majority of the floor space will be devoted to that purpose. Compatible uses including public, civic, and institutional uses will also be allowed. Residential use above the commercial main floor use shall be allowed and encouraged especially in the Main Street District area, residential live work units are allowed, and multi family outside the Main Street District area may be evaluated as a conditional use.~~

~~Light Industrial (L-I) The purpose of the Light Industrial zone is to implement the Toledo Comprehensive Land Use Plan by providing areas to serve a variety of manufacturing and other industrial activities with limited external impacts and to serve as a transitional area~~

~~between commercial and residential uses and heavier industrial uses. Uses permitted in the Light Industrial zone are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling and warehousing. The external impact from these uses is generally less than uses permitted in the Industrial zone, and transportation needs are often met by truck. Activities are generally located indoors, although there may be some outdoor storage, delivery, and loading. Offices and commercial uses are permitted on a limited basis, and only in conjunction with a permitted Light Industrial use.~~

~~Industrial (I) The purpose of the Industrial zone is to implement the Toledo Comprehensive Land Use Plan by providing provide sufficient, desirable land in the city for the expansion of existing industrial sites and for the construction and development of new industry. The Industrial zone is intended to serve a range of manufacturing uses which may have significant external impacts. Uses permitted in the Industrial zone often have transportation needs that include both rail and truck. Less intensive industrial uses that are permitted in the Light Industrial zone are also permitted.~~

~~Water Dependent (W-D) The purpose of the W-D zone is to protect uses which need contact with or use of the water for uses such as waterborne transportation, recreation, energy production, or water supply.~~

~~Natural Resource (N-R) The purpose of the N-R zone is to protect land and water important as habitat for plant, animal or marine life for future generations, to ensure open spaces, to promote a healthy and visually attractive environment, and to provide for human development and enrichment by providing recreational areas, facilities and opportunities.~~

~~Public Lands (P-L) This purpose of the P-L zone is to indicate lands currently providing areas to benefit the public, regardless of ownership of the lot or parcel, and used for a public use such as schools and parks acknowledging that such lands may be put to a variety of uses.~~

C. Overlay Zone Designations

Overlay zones not specifically identified in the Comprehensive Plan may be created as needed under the Comprehensive Plan through a plan amendment. Overlay zones are zones defined by a boundary in which variations from the underlying zoning requirements may be allowed, in which additional standards may be required to be met, or in which certain land use procedures may be allowed or required. The Main Street Overlay was created for downtown Toledo. Another example of an overlay zone that could be created is the establishment of a historic residential overlay zone in which construction of residences within the zone would have to meet certain architectural standards designed to maintain the historic look of that residential area.

Factual Basis for all Decisions and Actions – Goal 3

To assure an adequate factual basis for all decisions and actions related to the use of land as established and required by the State of Oregon's land use planning program.

Policy 3 – Area and Community Plans: Specific area plans may be adopted as plan amendments to the Toledo Comprehensive Land Use Plan. The specific area plans may provide the basis for land use planning of the specific area consistent with the Toledo Comprehensive Land Use Plan. Specific area plans may also be adopted as guidance documents for an area and, as guidance documents, they shall not replace the existing comprehensive plan regulations applicable to that area but should be given consideration in future land use actions.

Policy 4 – Urban Growth Management Agreement: An Urban Growth Management Agreement (UGMA) with Lincoln County shall be implemented to coordinate review of land use decisions outside of the City of Toledo city limits but within the Toledo Urban Growth Boundary. The City shall review the UGMA to ensure land within the Urban Growth Boundary (UGB) can be efficiently redeveloped when annexed into the city limits.

Policy 5 – Planning Commission and City Council Responsibilities: The division of responsibilities between the Planning Commission and the City Council for land use planning to implement the Toledo Comprehensive Land Use Plan shall be established by ordinance.

Policy 6 – Technical Framework: A Toledo Comprehensive Land Use Plan Inventory shall be adopted as part of the Toledo Comprehensive Land Use Plan to provide a factual basis for the adoption of the Toledo Comprehensive Land Use Plan and the subsequent implementation of land use ordinances. The Toledo Comprehensive Land Use Plan Inventory consists of related planning documents, maps, and other information related to planning within the Urban Growth Boundary of Toledo. ~~To ensure up-to-date and accurate factual information, the Planning Commission may be given the authority to adopt up-to-date and accurate factual information without further action of the City Council.~~

Policy 7 – Updates: The City of Toledo will ~~undertake a periodic~~ review of the Toledo Comprehensive Land Use Plan as the need arises and/or in accordance with state required review time periods.

Policy 8 – Amendments: Amendments to the comprehensive plan or comprehensive plan map may be filed with the City on appropriate forms provided by the City by any person of legal age. Amendments may also be initiated by the Planning Commission or the City Council. The City Council will be the decision-making body. Any change must be consistent with the Oregon Statewide Planning Goals and Guidelines and other applicable criteria. In addition, any applicant must show that circumstances have changed, that there is a public need for the amendment, and that the need cannot reasonably be met by any other method. Future boundary amendments shall utilize property lines whenever possible to facilitate boundary management and site developments. In instances where an applicant can show that a mistake was made in the original Plan, that showing, along with proven compliance with the Oregon Statewide Planning Goals and Guidelines, will be sufficient to amend the Plan. Amendments to the Glossary section

of the Plan may be made based on the criteria that the added definition is consistent with the Oregon Statewide Planning Goals and Guidelines and other applicable criteria.

ARTICLE 2: LAND USE PLANNING

GOALS:

1. To implement locally desired land use policies and practices that do not conflict with the State of Oregon's land use planning program.
2. To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land as established and required by the State of Oregon's land use planning program.
3. To assure an adequate factual basis for all decisions and actions related to the use of land as established and required by the State of Oregon's land use planning program.

OBJECTIVES:

1. Implementation of the Toledo Comprehensive Land Use Plan shall be through a) management implementation measures such as ordinances, regulations or project plans, and b) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services related to the land use planning goals and objectives identified within the Toledo Comprehensive Land Use Plan.
2. The Toledo Comprehensive Land Use Plan Map and the Toledo Zoning Map shall provide for sufficient lands for a 20 year supply of land within the Urban Growth Boundary to meet the projected population growth of 5,550 by the year 2020 as projected in the Toledo Buildable Lands Inventory. The 20 year supply of land shall be a sufficient supply of land to implement the following land use zones:
 - (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, accessory dwelling units, and duplexes. This designation allows for other types of housing including cottage clusters and multi-family. This designation shall be implemented through the zoning map's Single-Family Residential (R-S) zone designation.

Medium-Density Residential – This designation provides for either lower or higher density housing. This designation may be implemented through the zoning map’s Single-Family Residential (R-S) or General Residential (R-G) zone designation.

Commercial – This designation provides for a wide range of commercial activities including retail and service uses as well as other compatible uses commonly associated with commercial areas including allowing residential uses. This designation shall be implemented by the zoning map designation of Commercial. A Main Street Overlay District shall be implemented to recognize the unique attributes and development pattern of the existing Main Street area.

Industrial – This designation provides a wide variety of industrial and light-industrial uses and recognizes that some water-dependent uses such as boat building and repair are appropriate industrial uses within the industrial designation. The intent is to encourage industrial growth and provide for industrial development at appropriate locations in order to increase the level of employment, enhance the tax base, decrease service costs, and achieve a healthy diverse, and stable local economy. The Industrial plan designation is implemented by the zoning map designations of Industrial, Light-Industrial, and/or Water-Dependent.

Water-Dependent – This designation provides for uses of property that depend on a location adjacent to a waterway for the viability of that use. Toledo’s water surface and its shorelands are a valuable resource and provide considerable potential for future economic growth. The Water-Dependent plan designation shall be implemented by the zoning map designation of Water-Dependent.

Natural Resource – This designation is intended to protect land and water important as habitat for plant, animal or marine life for future generations, to ensure open spaces, to promote a healthy and visually attractive environment, and to provide for human development and enrichment by providing recreational areas, facilities and opportunities. This designation shall be implemented through the zoning map’s Natural Resource zone designation.

Public Lands – This designation is intended to indicate lands currently providing areas to benefit the public, regardless of ownership of the lot or parcel, and used for a public use such as schools and parks acknowledging that such lands may be put to a variety of uses. This designation shall be implemented through the zoning map’s Public Lands zone designation.

Estuary Management Units – The Lincoln County Estuary Management Plan classifies the Depot Slough, Olalla Slough, and Yaquina River segments within the Toledo Urban Growth Boundary into Management Units for Development, Conservation and Natural. The Lincoln County Estuary Management Plan Management Unit designations and uses shall apply to the waterways within Toledo. The current version of the Lincoln County Estuary Management Plan was adopted in 1982.

Dredged Material Disposal Sites – The Lincoln County Dredged Material Disposal Plan identifies dredged disposal sites for the Yaquina River and related tributaries. The current version of the Lincoln County Dredged Material Disposal Plan was adopted in 1982. The City will work in cooperation with the Port of Toledo and Lincoln County and other entities to adopt an updated dredged material disposal plan and site designations. When an updated plan is adopted, the City will adopt land use regulations to provide protection for the newly identified disposal sites as required by the Oregon Statewide Planning Goals and will designate the existence of disposal sites on the comprehensive plan and zoning maps. Existing disposal sites in River Segments 6 and 7 identified by the 1982 Lincoln County Dredged Material Disposal Plan may be used in a manner that precludes the future use of the site for dredged material disposal through use of the following procedure:

- 1) Any person wishing to develop or use property in a manner which would preclude its use for dredged material disposal shall submit a proposal in writing to the City. The proposal shall set forth the intended use of the property and any alternative disposal sites or methods (with appropriate documents) considered by the applicant. The City shall then notify the Port District of the proposal in writing to allow the Port an opportunity to negotiate for use of the dredged material site before the proposed use is approved.
- 2) After 30 days of receipt of a complete proposal and notification to the Port District, the City shall notify the property owner that the property may be used consistent with City zoning and other applicable requirements.

(B) Zoning Map Designations:

Single-family Residential (R-S) – The purpose of the R-S zone is to promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of the zone. The R-S Zone is primarily for single family homes,

accessory dwelling units, duplexes, and their accessory uses. In addition, multifamily dwellings and some other uses may be evaluated as a conditional use.

General Residential (R-G) – The purpose of the R-G zone is to encourage a wide range of housing types, including, multi-family, single-family, accessory dwelling units, and cottage clusters. In addition, some other uses may be evaluated as a conditional use.

Commercial (C) – The purpose of the C zone is to provide for retail and service commercial uses. It is also intended that these uses will supply personal services or goods to the average person and that a majority of the floor space will be devoted to that purpose. Compatible uses including public, civic, and institutional uses will also be allowed. Residential use above the commercial main floor use shall be allowed and encouraged especially in the Main Street District area, residential live work units are allowed, and multi-family outside the Main Street District area may be evaluated as a conditional use.

Light-Industrial (L-I) – The purpose of the Light Industrial zone is to implement the Toledo Comprehensive Land Use Plan by providing areas to serve a variety of manufacturing and other industrial activities with limited external impacts and to serve as a transitional area between commercial and residential uses and heavier industrial uses.

Uses permitted in the Light Industrial zone are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling and warehousing. The external impact from these uses is generally less than uses permitted in the Industrial zone, and transportation needs are often met by truck. Activities are generally located indoors, although there may be some outdoor storage, delivery, and loading. Offices and commercial uses are permitted on a limited basis, and only in conjunction with a permitted Light Industrial use.

Industrial (I) – The purpose of the Industrial zone is to implement the Toledo Comprehensive Land Use Plan by providing sufficient, desirable land in the city for the expansion of existing industrial sites and for the construction and development of new industry. The Industrial zone is intended to serve a range of manufacturing uses which may have significant external impacts. Uses permitted in the Industrial zone often have transportation needs that include both rail and truck. Less intensive industrial uses that are permitted in the Light Industrial zone are also permitted.

Water-Dependent (W-D) – The purpose of the W-D zone is to protect uses which need contact with or use of the water for uses such as water-borne transportation, recreation, energy production, or water supply.

Natural Resource (N-R) – The purpose of the N-R zone is to protect land and water important as habitat for plant, animal or marine life for future generations, to ensure open spaces, to promote a healthy and visually attractive environment, and to provide for human development and enrichment by providing recreational areas, facilities and opportunities.

Public Lands (P-L) – This purpose of the P-L zone is to indicate lands currently providing areas to benefit the public, regardless of ownership of the lot or parcel, and used for a public use such as schools and parks acknowledging that such lands may be put to a variety of uses.

(C) Overlay Zone Designations:

Overlay zones not specifically identified in the Comprehensive Plan may be created as needed under the Comprehensive Plan through a plan amendment. Overlay zones are zones defined by a boundary in which variations from the underlying zoning requirements may be allowed, in which additional standards may be required to be met, or in which certain land use procedures may be allowed or required. An example of an overlay zone that could be created is the establishment of a historic residential overlay zone in which construction of residences within the zone would have to meet certain architectural standards designed to maintain the historic look of that residential area.

3. Specific area plans may be adopted as plan amendments to the Toledo Comprehensive Land Use Plan. The specific area plans may provide the basis for land use planning of the specific area consistent with the Toledo Comprehensive Land Use Plan. Specific area plans may also be adopted as guidance documents for an area and, as guidance documents, they shall not replace the existing comprehensive plan regulations applicable to that area but should be given consideration in future land use actions.
4. An Urban Growth Management Agreement with Lincoln County shall be implemented to coordinate review of land use decisions outside of the City of Toledo city limits but within the Toledo Urban Growth Boundary.
5. The division of responsibilities between the Planning Commission and the City Council for land use planning to implement the Toledo Comprehensive Land Use Plan shall be established by ordinance.

6. A Toledo Comprehensive Land Use Plan Inventory shall be adopted as part of the Toledo Comprehensive Land Use Plan to provide a factual basis for the adoption of the Toledo Comprehensive Land Use Plan and the subsequent implementation of land use ordinances. The Toledo Comprehensive Land Use Plan Inventory consists of related planning documents, maps, and other information related to planning within the Urban Growth Boundary of Toledo. To ensure up-to-date and accurate factual information, the Planning Commission may be given the authority to adopt up-to-date and accurate factual information without further action of the City Council.
7. The City of Toledo will undertake a periodic review of the Toledo Comprehensive Land Use Plan as the need arises and/or in accordance with state required review time periods.
8. Amendments to the comprehensive plan or comprehensive plan map may be filed with the City on appropriate forms provided by the City by any person of legal age. Amendments may also be initiated by the Planning Commission or the City Council. The City Council will be the decision making body. Any change must be consistent with the Oregon Statewide Planning Goals and Guidelines and other applicable criteria. In addition, any applicant must show that circumstances have changed, that there is a public need for the amendment, and that the need cannot reasonably be met by any other method. In instances where an applicant can show that a mistake was made in the original Plan, that showing, along with proven compliance with the Oregon Statewide Planning Goals and Guidelines, will be sufficient to amend the Plan. Amendments to the Glossary section of the Plan may be made based on the criteria that the added definition is consistent with the Oregon Statewide Planning Goals and Guidelines and other applicable criteria.

Article 14: Urbanization and Livability

Statewide Planning Goal 14 facilitates the orderly transition, utilization, and service of urban land. The Urban Growth Boundary (UGB) establishes a perimeter limiting urban expansion into open space areas, identifying urbanizable land available to accommodate projected 20-year housing and employment growth. Urban reserve areas identify land outside the UGB that may be added in the future to accommodate 50-year growth. The City of Toledo is responsible for managing the UGB. Using a forecast of population and employment growth for the region, the City evaluates whether the UGB needs to be adjusted in response to changing trends and forecasts.

In order to expand the UGB, it must be demonstrated to Oregon Land Conservation and Development Commission (LCDC) that the expansion meets the following criteria:

- a. There is a demonstrated need for the development;
- b. There are no suitable sites within the existing UGB on which the development can occur;
- c. Urban services can be provided; and
- d. The proposed amendment is consistent with the Statewide Land Use Goals and Guidelines. Annexation is a growth management tool used by most Oregon cities to manage growth within UGBs.

Local Context

Based on the 2022 Toledo Housing Needs Analysis the City of Toledo's Urban Growth Boundary has enough land within the UGB to accommodate the next 20 years of growth. The 2010 Economic Opportunities Analysis (EOA) found that Toledo had enough industrial land supply.

Housing, employment opportunities and livability are accommodated within the UGB. Sufficient developable land has been allocated to meet identified housing needs given the problems associated with topography. Employment opportunities are provided for through industrial and commercial land allocations. The Olalla Slough floodplain, which bisects the Toledo urban area, will remain primarily in agricultural and park/open space use. The open area of the Olalla Slough, along with the many city parks and wooded hillsides, will continue to enhance Toledo's livability in the future.

The existing Urban Growth Boundary was drawn with particular regard to the orderly and economic provision of urban services. The 2017 Water Master Plan and the 2014 Wastewater Facilities Plan have identified the needs in both of those systems to meet the future growth of Toledo within the existing Urban Growth Boundary.

The City of Toledo anticipates pursuing a UGB "land swap". The City's housing development is limited in large part by the small amount of vacant unconstrained land within the UGB. The City has more than 1,000 acres of constrained land within the UGB, more than 400 acres of which is vacant and outside the city limits but within the UGB. The City could "swap" some of the vacant, constrained land within the UGB for land outside the UGB with fewer constraints and where urban services could be provided at a comparatively lower cost. If the City swaps some

constrained, undevelopable land out of the UGB and brings in unconstrained more easily developable land, the City would be better able to support residential development to help address regional need for affordable housing. A UGB “swap” requires a study to move forward. In addition, Staff recommends completing water and/or wastewater infrastructure studies at the same time.

Efficient Land Use Systems and Growth– Goal 1

Build Toledo as a small, cost-effective, attractive, livable, and sustainable city by encouraging efficient land use patterns. Design and encourage land use patterns that:

- a. Are compact.
- b. Mix land uses to reduce transportation costs and create vitality.
- c. Retain Toledo's detailed and human scale design features.
- d. Can be effectively serviced.
- e. Protect the environment.
- f. Provide a proper balance between jobs and housing.

Policy 1 Designate Land For Projected Growth. Designate land uses in a manner that accommodates projected population and employment growth.

Policy 2 Discourage Low-Density Sprawl in Urbanizable Areas. Discourage low-density sprawl development in the Urban Growth Boundary which cannot be converted to urban uses and densities when urban services become available.

Policy 3 Coordination with Lincoln County. Work with Lincoln County to ensure that as undeveloped portions of the Urban Growth Boundary are in transition from rural to urban uses, development in these areas occurs in a manner consistent with the Toledo Comprehensive Plan and standards for redevelopment. Establish and periodically update urban service, urban planning, and other formal intergovernmental agreements as needed to support urbanization, annexation, and urban service provision.

Policy 4 Commercial and Industrial Lot Sizes. Manage commercial (employment) land to provide a range of lot sizes that accommodate a variety of employment types.

Policy 5 Routinely Verify Supply of Developable Land. Routinely verify whether the City’s supply of developable land is sufficient to meet short- and long-term employment and housing needs.

Policy 6 Pursue an Urban Growth Boundary Swap. The City of Toledo is projected to have enough land to accommodate the 20-year projected demand for employment and/or housing. The City will pursue an UGB Swap to identify adjacent land that is more likely to develop based on natural constraints and infrastructure proximity.

Policy 7 Compact Development. Encourage compact development and the use of already serviced vacant and underdeveloped land through effective zoning, land division, and development standards and through the prioritization of public expenditures for municipal services. Facilitate the infill development of vacant or underutilized land consistent with City Comprehensive Plan land use designations.

Policy 8 Density and Location. Encourage land use patterns and development plans that take advantage of density and location to reduce the need for travel and the extension of public services but are also designed around the natural features and constraints of Toledo's topography and environmentally sensitive areas.

Policy 9 Land Use Methods. Encourage land use methods, such as minimum density standards, planned developments, cluster developments and the integration of mixed uses and densities.

Policy 10 Land Use Patterns. Encourage land use patterns that allow people to walk, bicycle, or reduce automobile trips to work, shop, and recreate.

Policy 11 Mixed Use Developments. Continue to focus upon Toledo's central city design but allow for mixed-uses where neighborhood commercial and other facilities can be located, designed, and operated to be compatible with the surrounding residential uses.

Policy 12 Urban Design. Encourage community, project, site, and building designs that:

- a. Protect the natural amenities and characteristics of Toledo.
- b. Provide a varied, detailed, and human-scaled design.
- c. Maintain a functional pattern for neighborhood services.
- d. Improve the appearance of the community.

Policy 13 Development Maintenance. Encourage the care and maintenance of all developments in a clean, orderly, and attractive manner. Encourage the redevelopment of older projects to meet modern standards for site design and landscaping.

Facilities and Services – Goal 2

Provide for the orderly and efficient extension of public facilities, utilities, and services.

Policy 14 Urban Level Development. Encourage urban level development which is properly serviced with public facilities to locate within the city limits.

Policy 15 Development Contributes to Funding Urban Service Extension. Adopt additional funding methodologies, as needed, to ensure that new development and redevelopment adequately contribute to funding the necessary extension of public facilities, utilities, and services.

Policy 16 Annexation Policies. Develop strong and effective annexation policies to properly identify and service new areas of growth within the city limits. Such policies should establish priority areas for expansion and methods to ensure the proper expansion and sequence of providing municipal services in an orderly and cost-effective manner which is equitable for both areas of existing development and for areas of new growth.

Development Reviews – Goal 3

Ensure that all new developments are reviewed expeditiously and thoroughly and result in compliance with the Comprehensive Plan goals and policies and Toledo's Municipal Code and standards.

Policy 17 Development Factors. Ensure that all new development addresses the following factors:

- a. General needs and service capabilities of the neighborhood and the community in relationship to the impact of the proposed development.
- b. Any special locational characteristics or concerns identified with the location of the site such as being within or adjacent to a wetland or in a floodplain.
- c. Consideration of the characteristics of the site itself such as slope, drainage patterns, and/or access to transportation facilities.
- d. Potential impacts of the development upon the surrounding area.
- e. Use and enjoyment of a subdivision or planned development by future occupants and users.

Policy 18 Land Use Planning Process. Ensure that Toledo's land use planning process, policy framework, and regulatory processes are workable for and understandable by local officials, staff, and the public. Ensure that the requirement of application and review are commensurate with the size and complexity of the development request and the site characteristics.

Policy 19 Flexibility in Design. Encourage flexibility in design and mixed-uses but ensure that functional design and community benefit remain as the principal review criteria.

ARTICLE 14: URBANIZATION AND LIVABILITY

GOALS:

1. Build Toledo as a small, cost-effective, attractive, livable, and sustainable city by encouraging efficient land use patterns.
2. Design and encourage land use patterns that:
 - a. Are compact.
 - b. Mix land uses to reduce transportation costs and create vitality.
 - c. Retain Toledo's detailed and human scale design features.
 - d. Can be effectively serviced.
 - e. Protect the environment.
 - f. Provide a proper balance between jobs and housing.
3. Ensure that all new developments are reviewed expeditiously and thoroughly and result in compliance with the Comprehensive Plan goals and policies and Toledo's Municipal Code and standards.

OBJECTIVES:

1. Encourage urban level development which is properly serviced with public facilities to locate within the city limits.
2. Discourage low-density sprawl development in the Urban Growth Boundary which cannot be converted to urban uses and densities when urban services become available.
3. Work with Lincoln County to ensure that as undeveloped portions of the Urban Growth Boundary are in transition from rural to urban uses, development in these areas occurs in a manner consistent with the Toledo Comprehensive Plan and standards for redevelopment.
4. Develop strong and effective annexation policies to properly identify and service new areas of growth within the city limits. Such policies should establish priority areas for expansion and methods to ensure the proper expansion and sequence of providing municipal services in an orderly and cost-effective manner which is equitable for both areas of existing development and for areas of new growth.
5. Encourage compact development and the use of already serviced vacant and underdeveloped land through effective zoning, land division, and development standards and through the prioritization of public expenditures for municipal services.

6. Encourage land use patterns and development plans that take advantage of density and location to reduce the need for travel and the extension of public services but are also designed around the natural features and constraints of Toledo's topography and environmentally sensitive areas.
7. Encourage land use methods, such as minimum density standards, planned developments, cluster developments and the integration of mixed uses and densities.
8. Encourage land use patterns that allow people to walk, bicycle, or reduce automobile trips to work, shop, and recreate.
9. Continue to focus upon Toledo's central city design but allow for mixed-uses where neighborhood commercial and other facilities can be located, designed, and operated to be compatible with the surrounding residential uses.
10. Encourage community, project, site, and building designs that:
 - a. Protect the natural amenities and characteristics of Toledo.
 - b. Provide a varied, detailed, and human-scaled design.
 - c. Maintain a functional pattern for neighborhood services.
 - d. Improve the appearance of the community.
11. Encourage the care and maintenance of all developments in a clean, orderly, and attractive manner. Encourage the redevelopment of older projects to meet modern standards for site design and landscaping.
12. Ensure that all new development addresses the following factors:
 - a. General needs and service capabilities of the neighborhood and the community in relationship to the impact of the proposed development.
 - b. Any special locational characteristics or concerns identified with the location of the site such as being within or adjacent to a wetland or in a floodplain.
 - c. Consideration of the characteristics of the site itself such as slope, drainage patterns, and/or access to transportation facilities.
 - d. Potential impacts of the development upon the surrounding area.
 - e. Use and enjoyment of a subdivision or planned development by future occupants and users.
13. Ensure that Toledo's land use planning process, policy framework, and regulatory processes are workable for and understandable by local officials, staff, and the public. Ensure that the requirement of application and review are commensurate with the size and complexity of the development request and the site characteristics.
14. Encourage flexibility in design and mixed-uses but ensure that functional design and community benefit remain as the principal review criteria.