

**Toledo City Hall
Council Chambers
206 N Main St. Toledo OR
March 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 FEBRUARY 8, 2023 MINUTES as circulated and reviewed by the Planning Commission
4. WORKSESSION: Comprehensive Land Use Plan Update – Chapter 11 (Public Facilities), Chapter 16 (Estuarine Resources) and Chapter 17 (Coastal Shorelands) – (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: Jonathan Mix, Cora Warfield, and Ruthanne Morris. Excused were Ricky Dyson, Brian Lundgren, and Terri Neimann.

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

VISITORS: None.

APPROVAL OF THE JANUARY 11, 2023, MINUTES:

It was moved and seconded (Warfield/Morris) to approve the January 11, 2023, minutes as circulated and corrected by the Planning Commission. The **motion passed** unanimously, noting the absence of Dyson, Lundgren, and Neimann.

WORKSESSION: COMPREHENSIVE LAND USE PLAN UPDATE – CHAPTER 2 (LAND USE) AND CHAPTER 14 (URBANIZATION):

CP Peterson reported that the chapters have been updated for new formatting and some typos have been found and will be corrected. Information from the Housing Needs Analysis (HNA) was also added. Commissioners discussed the population estimates and the low projected growth figure. The Plan can be updated in 5-10 years to stay current and if there are significant changes to the population growth numbers.

CP Peterson reviewed updates to Chapter 2 Land Use Planning, as summarized below:

- Revise Land Use Goal 1, to correct language that policies “are consistent” with state goals.
- The HNA will be part of the Comprehensive Plan as Exhibit A.
- The Comprehensive Plan designations and zoning ordinance zone districts will remain the same. The Plan designations are implemented through the various zoning districts. A table was added to show the Plan designations and zoning districts.
- The description language for the zone districts were removed from the chapter, but they still exist within the zoning ordinance.
- The Water Dependent Zone designation could be updated based on finalizing the Estuary Management Plan project.
- Reviewed the Urban Growth Management Agreement with Lincoln County.
- Updated the language for adopting technical data materials, specifically for the Planning Commission to recommend and the City Council to adopt the documents.
- Revised language for “periodic review”. The periodic review process is not as applicable as in the past.
- Policy 7 updated to include a statement for remaining current, reliable, and includes updated information.
- New language was added for property lines being used for zone boundary management (could limit split-zones).

CP Peterson continued review of Chapter 14 Urbanization:

- Language and reference was included for the HNA.
- Discussed updating the term “UGB land swap” to better describe the option. The term “exchange” was considered, but the phrase “land swap” is very common. Having a policy in the Plan for the UGB land swap will help if any studies are needed.
- Urban services were reviewed. There are references to various master plans.
- Reviewed language for buildable lands supply for projected growth.
- Manage commercial land/lot size to keep employment land.
- Support infill of existing lots.
- Protecting natural features during development (slopes, wetlands, etc.).
- Reviewed Policy 15 for funding urban services and facilities.

Next month will review Public Facilities, Estuarine Resources, and Coastal Shorelands. The Estuary Management Plan is going through updates, so there will be additional updates when the plan is completed. In April, Article 5 (Natural Resources) and Article 6 (Air, Water, and Land Resources) will be reviewed. A joint City Council/Planning Commission worksession will be held in late April. Community Outreach Specialist Keuter will help with public outreach, getting information out and getting public input. It is expected that there will be a final review during the summer, with public hearings to begin in fall/winter. Prior to the final review, the draft will be sent to DLCD for comments.

DISCUSSION ITEMS: UPDATES AND REPORTS:

CM Richter reported that the City has three Budget Committee positions open and a vacancy on the City Council.

STAFF COMMENTS:

None.

COMMISSIONER COMMENTS:

President Learned-Ellis asked for an update on the old gas station property. CP Peterson reported that Lincoln County has the property, due to foreclosure, and started cleaning the site.

In response to Commissioner Morris’ questions, Community Outreach Specialist Keuter clarified that she is helping with City projects, including Art Toledo and marketing. Her 11-month RARE service will end in July.

There being no further business before the Commission, the meeting was adjourned at 7:20 pm.

Planning Assistant

President

Article 11: Public Facilities and Services

Public facilities and services form the support structure for the development of the City. Statewide Planning Goal 11 directs communities to develop Public Facilities Plans that inform and direct water, sewer, and transportation facilities projects over a longer-term horizon than is normally used in Capital Improvement Programs, which typically span five years or less.

Local Context

The City of Toledo is committed to engaging in a continual review of public facilities needs through a capital improvement program. The 2000 Toledo Capital Facilities Plan is a summary document of estimated capital improvement needs. It is anticipated that the 2000 Toledo Capital Facilities Plan will be frequently updated to provide up-to-date and accurate information on capital facility needs for both the short term and the long term. Additionally, capital facilities planning for individual systems has been conducted through more detailed planning documents such as the 2017 Water Master Plan and the 2014 Wastewater Facilities Plan. As identified improvements are implemented, these plans will also be updated. Additionally, the City participates in several regional organizations such as the Lincoln County Solid Waste District that have developed planning documents for addressing capital facility needs.

Sewer (wastewater): The City of Toledo has adopted a 2014 Wastewater Facility Plan. The City is currently in the process of implementing the plan.

Water: The City of Toledo has adopted a 2017 Water Master Plan. The Siletz River and the Mill Creek Reservoir are the two main sources of water for Toledo. As required by the Safe Drinking Water Act, the City of Toledo produces an annual report on water quality that is distributed to the people of Toledo. The City of Toledo drinking water meets or exceeds all Federal and State requirements.

Storm Water/Drains: The limited system of storm drains has been mapped. The development of a Storm Water Master Plan has been identified as a priority for the city.

Fire Protection: The Toledo Fire Department (TFD) provides emergency response and services to the City of Toledo and the surrounding community. Services include: fire protection, medical services, and disaster management. The TFD consists of four city employees and approximately 40 volunteers. Volunteers are an integral part of the organization.

Police Protection: Police protection is provided to the citizens of Toledo on a twenty-four (24) hour basis by the City of Toledo Police Department. The Police Department and Dispatch is located at 250 W Hwy 20. The Police Department anticipates relocating to 222 NE Hwy 20. The new location would be outside the floodplain and Tsunami Hazard zone.

Library: The City Library is located adjacent to Arcadia Park.

Solid Waste: Dahl Disposal, Inc., the solid waste disposal franchisee, provides trash collection and recycling collection curbside in Toledo. Additionally, trash and recyclable materials can be dropped off at the Dahl Disposal transfer station in Toledo. The City of Toledo participates in the Lincoln County Solid Waste District.

Franchised Utilities: Telephone service: Century Link, Electric power: Central Lincoln PUD, Solid waste and recycling: Dahl Disposal, Inc., Natural gas: Northwest Natural Gas, Cable television: Charter (spectrum), and Fiber: Wave.

Public Services – Goal 1

Provide reliable, high quality, efficient, and cost-effective public facilities and services for the residents of Toledo.

Orderly and Efficient Arrangement – Goal 2

Plan, develop and maintain an orderly and efficient arrangement of public, urban level facilities and services to serve as a framework for urban development within the City of Toledo and the Urban Growth Boundary.

Policy 1 Full-Service City. Maintain and enhance the City’s role in the provision of a complete array of public services to the community, particularly for police and emergency medical services.

Policy 2 Service Provider Coordination. Collaborate with service providers on extensions of public facilities, utilities, and services and prioritization of capital expenditures.

Policy 3 City Department Coordination. Coordinate planning and provision of public facilities, utilities, and services among City departments, as appropriate.

Policy 4 Public Facility Plan. Develop and maintain a Public Facility Plan as a 20-year strategy to ensure delivery of public facilities, utilities, and services to the planning area at urban levels of service.

Policy 5 Regulatory Consistency. Collaborate with state and regional partners on the regulations that address regional environmental and infrastructure impacts.

Policy 6 Data and Information Exchange. Develop processes to ensure a timely and accurate exchange of data with service providers to facilitate utilization of best available information.

Safe and Reliable Water – Goal 3

Provide safe and reliable water in an orderly and efficient manner to the citizens of Toledo and as a water purveyor to regional or local water agencies that enter into contracts with the City of Toledo.

Water Quality – Goal 4

Provide the highest possible quality of water and continue to meet or exceed the Oregon and federal water quality standards.

Water Demand – Goal 5

Provide adequate quantities of water to meet projected demands for consumption, fire flows, and system pressures to respond to emergency conditions.

Policy 1 Adequacy of Facilities. Ensure the adequacy and quality of Toledo's raw water resources, water treatment facilities and distribution system, and treated water storage facilities.

Policy 2 Water Conservation. Encourage the use of techniques and devices to promote water conservation.

Policy 3 Service the Needs of Existing and Projected Growth. Service the needs of existing and projected population growth and urban development facilities by sizing the distribution and treatment systems to provide for projected growth within Toledo, the Urban Growth Boundary and the customer water agencies based upon the population projections and land use designations identified within the Comprehensive Plan and the ~~1998~~ 2017 City of Toledo Water Master Plan.

Policy 4 Water Improvements. Implement the water system improvements identified in the ~~1998~~ 2017 City of Toledo Water Master Plan to provide appropriate services for both existing and anticipated new development being served by Toledo.

Policy 5 Adequacy of Facilities. Continue to operate the water facilities as a service enterprise financed through the use of the services. Periodically review the water revenues, expenses, and fee schedules to maintain fee schedules which ensure that the revenues generated are adequate to meet the operating and maintenance costs of the facilities and to implement improvements needed to the facilities as identified in the ~~1998~~ 2017 City of Toledo Water Master Plan.

Policy 6 New Development. Require new development be linked with the efficient provision of water distribution and treatment facilities and that new facilities be designed and constructed to meet fire flow and pressure requirements, as-well-as water consumption requirements unless an exception is granted by the City Council for a compelling reason.

Policy 7 New Developments to be Serviced by Municipal Water. Require all new development be serviced by the municipal water system and that as development occurs, the water transmission lines are extended to-and-through the property to facilitate connection by the adjoining properties for efficient growth of the system unless an exception is granted by the City Council for a compelling reason.

Policy 8 Equitable Share of Costs. Require new development requiring the extension of water distribution facilities to pay an equitable share of the costs of the extension and the use of the treatment facilities.

Policy 9 Protect Easements. Discourage/prevent the construction of structures on top of public water lines and easements. Require or obtain easements as appropriate when land is developed or divided where new water facilities are anticipated to be located.

Safe and Reliable Wastewater – Goal 6

Provide safe and reliable wastewater collection and treatment for Toledo residents in an orderly and efficient manner.

Oregon and Federal Requirements for Wastewater – Goal 7

Meet Oregon and federal requirements for wastewater treatment and protection of the water quality of the Yaquina River and estuarine system.

Policy 1 Adequacy of Facilities. Service the needs of existing and projected population growth and urban development facilities by sizing the collection and treatment systems to provide for projected growth within Toledo and the Urban Growth Boundary based upon the population projections and land use designations identified within the Comprehensive Plan, the ~~1995 City of Toledo Wastewater Master Plan, the 1995~~ 2014 City of Toledo Wastewater Facilities Plan, and any updates to those plans.

Policy 2 Water Conservation. Construct wet weather overflow facilities to eliminate the discharge of untreated and partially treated wastewater to the Yaquina River during storms up to the 5-year, 24-hour event as required by the Oregon Department of Environmental Quality.

Policy 3 Service the Needs of Existing and Projected Growth. Implement the Wastewater System Improvements identified in the ~~1995 City of Toledo Wastewater Master Plan and the 1995~~ 2014 City of Toledo Wastewater Facilities Plan to provide appropriate services for both existing and anticipated new development in Toledo.

Policy 4 Sewer Rates. Continue to operate the wastewater facilities as a service enterprise financed through the use of the services. Periodically review the sewer revenues, expenses, and fee schedule to maintain a fee schedule which ensures that the revenues generated are adequate to meet the operating and maintenance costs of the facilities and to implement improvements needed to the facilities as identified in the 2014 Wastewater Facilities Plan ~~Objective 3 above.~~

Policy 5 Inflow and Infiltration. Continue to rehabilitate deteriorated sewers and manholes that admit inflow and infiltration into the collection system.

Policy 6 Efficient Connection of New Development. Require new development be linked with the efficient provision of wastewater facilities and that new facilities be designed and constructed to minimize inflow and infiltration into the collection system unless an exception is granted by the City Council for a compelling reason.

Policy 7 New Developments to be Serviced by Municipal Wastewater System. Require all new development be serviced with the municipal wastewater system and that, as development occurs, the collection system is extended to-and-through the property to facilitate connection by the adjoining properties and the efficient growth of the system unless an exception is granted by the City Council for a compelling reason.

Policy 8 Wastewater Equitable Share of Costs. Require new development requiring the extension of wastewater collection facilities to pay an equitable share of the costs of the extension and the use of the treatment facilities.

Policy 9 Protect Wastewater Easements. Discourage or prevent the construction of structures on top of public wastewater lines and easements. Require or obtain easements as appropriate when land is developed or divided where new wastewater facilities are anticipated to be located.

Policy 10 Sludge Disposal. Continue to utilize sludge disposal options that are cost effective, environmentally sound, provide viable long-term disposal opportunities, and use sludge productively.

Storm Drainage – Goal 8

Minimize the existing and future drainage problems within Toledo and the Urban Growth Boundary.

Policy 1 Storm Drainage Management. Protect properties and the natural environment through the management of storm drainage.

Policy 2 Polluted Storm water. Restrict the discharge of polluted storm water into the Yaquina River and the estuarine system.

Policy 3 Infiltration and Inflow. Minimize the infiltration and inflow of storm water into the wastewater collection and treatment systems.

Policy 4 Storm Water Management Plan. Develop and implement a Storm Water Management Plan which inventories, assesses, and builds upon Toledo's storm drainage systems and facilities to properly service existing and future development.

Policy 5 Erosion Control Standards. Establish erosion control standards to minimize erosion and runoff from developing areas where the soil and/or natural vegetative ground cover has been disturbed.

Policy 6 New Development Water Runoff. Minimize the flow and frequency of storm water runoff from new development and direct the remaining runoff into proper drainages.

Policy 7 Natural Drainageways. Encourage drainage systems which utilize natural drainageways unless it can be shown that a conventional piped drainage system is a more suitable alternative for both the property being developed and properties that may be impacted by a change in drainage patterns.

Policy 8 Current and Future Drainage Flows. Design storm drainage facilities in developing areas with capacity to accommodate projected storm drainage flows from proposed development and to serve future land uses as identified in the Comprehensive Plan.

Policy 9 Drainage Systems Easements. Protect existing and new drainage systems and easements and require appropriate easements when new land divisions or developments are reviewed.

Policy 10 Equitable Funding Mechanisms. Develop and implement equitable funding mechanisms for the provision and maintenance of storm drainage facilities.

Solid Waste Management – Goal 9

Provide energy efficient, comprehensive solid waste management programs that consider both separation for recycling purposes and treatment of mixed waste for alternative uses.

Policy 1 Full Range of Services. Ensure that any solid waste franchisees continue to provide a full range of solid waste disposal services including a recycling program.

Policy 2 Regional Collaboration. Work with Lincoln, Linn, and Benton Counties and other nearby jurisdictions to assure continuous provision of regional, cost-effective solid waste disposal.

Policy 3 Site Clean-up. Work with local, state, and federal agencies for the identification, clean-up and/or protection of sites containing toxic, nuisance, and visual waste material within Toledo and the Urban Growth Boundary.

Policy 4 Proper Disposal of Waste Materials. Continue to enforce Municipal Codes regarding the proper disposal of waste materials.

Public Protection Needs – Goal 10

Provide for the public protection needs of all of Toledo's citizens by maintaining high standards of police, fire, and emergency medical services (EMS) protection in an efficient and effective manner.

Police, Fire, and EMS Protection – Goal 11

Ensure that all development can be provided with adequate police, fire, and EMS protection.

Policy 1 Regional Coordination. Work with rural, county, state, federal, and private agencies to coordinate city and county fire protection, emergency services, law enforcement, and justice services.

Policy 2 Primary Prevention Techniques. Emphasize primary prevention techniques within Toledo as a means for preventing losses due to fire and crime.

Policy 3 Law Enforcement Programs. Prevent crimes by supporting law enforcement programs such as school education and resource, neighborhood watch, Municipal Code enforcement, community policing, violence prevention, task force participation, and other programs.

Policy 4 Fire Life Safety. Prevent fires and losses from fires by ensuring adequate fire vehicle access to all new development, requiring compliance with fire and life safety codes, encouraging the use of alarm and sprinkler systems, providing fire inspection services, requiring appropriate development design, and ensuring the proper distribution of fire hydrants and water flow capabilities as part of the development review process.

Policy 5 Daily and Long-range Needs. Support the daily and long-range needs for fire, police, and EMS protection services regarding facility and equipment needs, training requirements, and strategies for program implementation.

Schools and Educational Facilities – Goal 12

Recognize and support the role schools and other educational facilities provide to effectively prepare the youth and adults of Toledo for the future demands of citizenship and an increasingly diverse and dynamic economy.

Policy 1 Elementary and Middle School Locations. Encourage the siting of future elementary and middle schools in locations that minimize the need for children to cross arterial and major collector streets.

Policy 2 School System Impacts. Review all residential proposals for safe and efficient access to school and park sites. Assure coordination of review of major residential proposals (of more than fifteen units) for potential impacts on the school system.

Policy 3 School Access Planning. Collaborate with education providers to facilitate safe routes to existing schools and to consider safety and access when determining attendance boundaries, new school locations, and school designs. Plan for safe pedestrian and bicycle routes to all schools including the consideration of crosswalk placement, traffic signals, handicapped access, footbridges, and dedicated pedestrian easements through neighborhood areas.

Policy 4 New and Expanded School Impacts. Evaluate new and expanded school and associated facilities for impacts upon the existing traffic patterns, neighborhoods, and community facilities.

Policy 5 Joint Usage. Encourage joint usage of public school and community facilities to assure the most efficient and cost-effective provision of community services such as playgrounds, parks, meeting facilities and other items that may be underutilized by a single jurisdiction or service provider.

Policy 6 Coordination. Coordinate with the Lincoln County Toledo School District in developing and updating their facility plans designed to meet enrollment increases and population growth, including land supply analysis for future school siting.

ARTICLE 11: PUBLIC FACILITIES AND SERVICES

GOALS:

1. Provide reliable, high quality, efficient, and cost effective public facilities and services for the residents of Toledo.
2. Plan, develop and maintain an orderly and efficient arrangement of public, urban-level facilities and services to serve as a framework for urban development within the City of Toledo and the Urban Growth Boundary.
3. Provide safe and reliable water in an orderly and efficient manner to the citizens of Toledo and as a water purveyor to regional or local water agencies that enter into contracts with the City of Toledo.
4. Provide the highest possible quality of water and continue to meet or exceed the Oregon and federal water quality standards.
5. Provide adequate quantities of water to meet projected demands for consumption, fire flows, and system pressures to respond to emergency conditions.
6. Provide safe and reliable wastewater collection and treatment for Toledo residents in an orderly and efficient manner.
7. Meet Oregon and federal requirements for wastewater treatment and protection of the water quality of the Yaquina River and esturine system.
8. Minimize the existing and future drainage problems within Toledo and the Urban Growth Boundary.
9. Provide energy efficient, comprehensive solid waste management programs that consider both separation for recycling purposes and treatment of mixed waste for alternative uses.
10. Provide for the public protection needs of all of Toledo's citizens by maintaining high standards of police, fire, and emergency medical services (EMS) protection in an efficient and effective manner.
11. Ensure that all development can be provided with adequate police, fire, and EMS protection.
12. Recognize and support the role schools and other educational facilities provide to effectively prepare the youth and adults of Toledo for the future demands of citizenship and an increasingly diverse and dynamic economy.

OBJECTIVES:

WATER

1. Ensure the adequacy and quality of Toledo's raw water resources, water treatment facilities and distribution system, and treated water storage facilities.
2. Encourage the use of techniques and devices to promote water conservation.
3. Service the needs of existing and projected population growth and urban development facilities by sizing the distribution and treatment systems to provide for projected growth within Toledo, the Urban Growth Boundary and the customer water agencies based upon the population projections and land use designations identified within the Comprehensive Plan and the 1998 City of Toledo Water Master Plan.
4. Implement the water system improvements identified in the 1998 City of Toledo Water Master Plan to provide appropriate services for both existing and anticipated new development being served by Toledo.
5. Continue to operate the water facilities as a service enterprise financed through the use of the services. Periodically review the water revenues, expenses, and fee schedules to maintain fee schedules which ensure that the revenues generated are adequate to meet the operating and maintenance costs of the facilities and to implement improvements needed to the facilities as identified in the 1998 City of Toledo Water Master Plan.
6. Require new development be linked with the efficient provision of water distribution and treatment facilities and that new facilities be designed and constructed to meet fire flow and pressure requirements, as-well-as water consumption requirements unless an exception is granted by the City Council for a compelling reason.
7. Require all new development be serviced by the municipal water system and that as development occurs, the water transmission lines are extended to-and-through the property to facilitate connection by the adjoining properties for efficient growth of the system unless an exception is granted by the City Council for a compelling reason.
8. Require new development requiring the extension of water distribution facilities to pay an equitable share of the costs of the extension and the use of the treatment facilities.
9. Discourage/prevent the construction of structures on top of public water lines and easements. Require or obtain easements as appropriate when land is developed or divided where new water facilities are anticipated to be located.

WASTEWATER

1. Service the needs of existing and projected population growth and urban development facilities by sizing the collection and treatment systems to provide for projected growth within Toledo and the Urban Growth Boundary based upon the population projections and land use designations identified within the Comprehensive Plan, the 1995 City of Toledo Wastewater Master Plan, the 1995 City of Toledo Wastewater Facilities Plan, and any updates to those plans.
2. Construct wet weather overflow facilities to eliminate the discharge of untreated and partially treated wastewater to the Yaquina River during storms up to the 5-year, 24-hour event as required by the Oregon Department of Environmental Quality.
3. Implement the Wastewater System Improvements identified in the 1995 City of Toledo Wastewater Master Plan and the 1995 City of Toledo Wastewater Facilities Plan to provide appropriate services for both existing and anticipated new development in Toledo.
4. Continue to operate the wastewater facilities as a service enterprise financed through the use of the services. Periodically review the sewer revenues, expenses, and fee schedule to maintain a fee schedule which ensures that the revenues generated are adequate to meet the operating and maintenance costs of the facilities and to implement improvements needed to the facilities as identified in Objective 3 above.
5. Continue to rehabilitate deteriorated sewers and manholes that admit inflow and infiltration into the collection system.
6. Require new development be linked with the efficient provision of wastewater facilities and that new facilities be designed and constructed to minimize inflow and infiltration into the collection system unless an exception is granted by the City Council for a compelling reason.
7. Require all new development be serviced with the municipal wastewater system and that, as development occurs, the collection system is extended to-and-through the property to facilitate connection by the adjoining properties and the efficient growth of the system unless an exception is granted by the City Council for a compelling reason.
8. Require new development requiring the extension of wastewater collection facilities to pay an equitable share of the costs of the extension and the use of the treatment facilities.
9. Discourage or prevent the construction of structures on top of public wastewater lines and easements. Require or obtain easements as appropriate when land is

developed or divided where new wastewater facilities are anticipated to be located.

10. Continue to utilize sludge disposal options that are cost effective, environmentally sound, provide viable long-term disposal opportunities, and use sludge productively.

STORM DRAINAGE

1. Protect properties and the natural environment through the management of storm drainage.
2. Restrict the discharge of polluted storm water into the Yaquina River and the estuarine system.
3. Minimize the infiltration and inflow of storm water into the wastewater collection and treatment systems.
4. Develop and implement a Storm Water Management Plan which inventories, assesses, and builds upon Toledo's storm drainage systems and facilities to properly service existing and future development.
5. Establish erosion control standards to minimize erosion and runoff from developing areas where the soil and/or natural vegetative ground cover has been disturbed.
6. Minimize the flow and frequency of storm water runoff from new development and direct the remaining runoff into proper drainages.
7. Encourage drainage systems which utilize natural drainageways unless it can be shown that a conventional piped drainage system is a more suitable alternative for both the property being developed and properties that may be impacted by a change in drainage patterns.
8. Design storm drainage facilities in developing areas with capacity to accommodate projected storm drainage flows from proposed development and to serve future land uses as identified in the Comprehensive Plan.
9. Protect existing and new drainage systems and easements and require appropriate easements when new land divisions or developments are reviewed.
10. Develop and implement equitable funding mechanisms for the provision and maintenance of storm drainage facilities.

SOLID WASTE

1. Ensure that any solid waste franchisees continue to provide a full range of solid waste disposal services including a recycling program.
2. Work with Lincoln, Linn, and Benton Counties and other nearby jurisdictions to assure continuous provision of regional, cost effective solid waste disposal.
3. Work with local, state, and federal agencies for the identification, clean-up and/or protection of sites containing toxic, nuisance, and visual waste material within Toledo and the Urban Growth Boundary.
4. Continue to enforce Municipal Codes regarding the proper disposal of waste materials.

PUBLIC SAFETY

1. Work with rural, county, state, federal, and private agencies to coordinate city and county fire protection, emergency services, law enforcement, and justice services.
2. Emphasize primary prevention techniques within Toledo as a means for preventing losses due to fire and crime.
3. Prevent crimes by supporting law enforcement programs such as school education and resource, neighborhood watch, Municipal Code enforcement, community policing, violence prevention, task force participation, and other programs.
4. Prevent fires and losses from fires by ensuring adequate fire vehicle access to all new development, requiring compliance with fire and life safety codes, encouraging the use of alarm and sprinkler systems, providing fire inspection services, requiring appropriate development design, and ensuring the proper distribution of fire hydrants and water flow capabilities as part of the development review process.
5. Support the daily and long-range needs for fire, police, and EMS protection services regarding facility and equipment needs, training requirements, and strategies for program implementation.

EDUCATION

1. Encourage the siting of future elementary and middle schools in locations that minimize the need for children to cross arterial and major collector streets.
2. Review all residential proposals for safe and efficient access to school and park sites. Assure coordination of review of major residential proposals (of more than fifteen units) for potential impacts on the school system.

3. Plan for safe pedestrian and bicycle routes to all schools including the consideration of crosswalk placement, traffic signals, handicapped access, footbridges, and dedicated pedestrian easements through neighborhood areas.
4. Evaluate new and expanded school and associated facilities for impacts upon the existing traffic patterns, neighborhoods, and community facilities.
5. Encourage joint usage of public school and community facilities to assure the most efficient and cost effective provision of community services such as playgrounds, parks, meeting facilities and other items that may be underutilized by a single jurisdiction or service provider.

Article 16: Estuarine Resources

An estuary is the tidal mouth of a river, where the freshwater stream is met by the tide. Estuaries are home to unique plant and animal communities that have adapted to brackish water – a mixture of fresh water draining from the land and salty seawater. Estuaries are among the most productive ecosystems in the world. Many animals rely on estuaries for food, places to breed, and migration stopovers. Estuaries are delicate ecosystems that provide essential habitat for wildlife.

Statewide Planning Goal 16 provides the principal guidance for the planning and management of Oregon's estuaries. The overall objective of Goal 16 is to "to recognize and protect the **unique environmental, economic and social values** of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long term environmental, economic and social values, diversity and benefits of Oregon's estuaries". To accomplish this, the goal establishes detailed requirements for the preparation of plans and for the review of individual development projects and calls for coordinated management by local, state and federal agencies that regulate or have an interest in activities in Oregon's estuaries.

The goal requires individual estuary plans to designate appropriate uses for different areas within each estuary based on biological and physical characteristics and features, and to provide for review of proposed estuarine alterations to assure that they are consistent with overall management objectives and that adverse impacts are minimized.

Local Context

Estuary management plans and zoning are part of coastal communities comprehensive plans. Estuary management plans allow local jurisdictions the ability to manage its estuaries for the benefit of the public and natural resources in a way that meets the needs of the community. The 1982 Lincoln County Estuary Management Plan (LCEMP) continues to be the principal document for managing the estuarine resources of the Yaquina estuary system. At almost 40 years old in most places, updating the estuary management plan is timely. **An updated plan is expected in the near future and an update process is underway. Article 16 will be updated when the estuary management plan is complete.**

The 1982 LCEMP establishes overall management policies for the entire estuary system and sub-area policies for different portions of the estuary system. Toledo is covered by the Toledo Sub-Area policies. The 1982 LCEMP divides the water surface into management units with three main classifications of development, conservation, and natural. For Toledo, the applicable management units (MU) within the Urban Growth Boundary are MU 12 (development classification – Corps authorized channel), MU 25 (conservation classification), MU 31 (development classification), MU 32 (development classification), and MU 33 (natural classification). MU 30 (conservation classification) is located south of the 1982 Urban Growth Boundary on the west side of the Yaquina River. MU 34 (conservation classification) is located upstream from the mouth of Mill Creek just outside of the 1982 Urban Growth Boundary. In 1984, the 1982 LCEMP, as adopted by the City of Toledo, was amended to include "industrial submerged crossings" as a use permitted in management units 12 and 31. The designated

management units in the 1982 LCEMP do not extend beyond the 10th Street barrier on the Olalla Slough or beyond the tidegate on Depot Slough.

The 1982 LCEMP also identified potential areas that may be suitable for mitigation or restoration projects. The 1982 LCEMP should be relied upon for descriptions and limitations.

The City of Toledo anticipates working with the Port of Toledo, the Army Corps of Engineers, and other governmental agencies in developing a new or revised dredged material disposal plan in the future.

Environmental, Economic and Social Values– Goals 1 and 2

Recognize and protect the unique environmental, economic and social values of the Yaquina River Estuary and the associated wetlands.

Protect, maintain, appropriately develop, and appropriately restore the long-term environmental, economic and social values, diversity, and benefits of the estuary.

Policy 1 Regional Planning. Continue to participate in the regional approach to estuary planning and management and to support and update the Lincoln County Estuary Management Plan.

Policy 2 Compliance with the Estuary Management Plan. Ensure that properties along the estuary are managed in compliance with the Lincoln County Estuary Management Plan.

Policy 3 Adequate Provision for Development. Ensure adequate provision for development consistent with the Overall Oregon Estuary Classification and according to the following general priorities (highest to lowest):

- a. Uses which maintain the integrity of the estuarine ecosystem.
- b. Water dependent uses requiring an estuarine location.
- c. Water related uses which do not degrade or reduce natural estuarine resources and values.
- d. Non-dependent, non-related uses which do not alter, degrade or reduce estuarine resources or values and are compatible with existing and committed uses.

Policy 4 Conservation and Preservation of Natural Resources. Provide adequate provision for both conservation and preservation of natural resources when managing the estuary and lands adjacent to the estuary.

Policy 5 Public Access. Protect recreational values and ensure adequate public access to the estuary.

Policy 6 Dredge, Fill or other Degradation of Natural Values. Allow dredge, fill or other reduction or degradation of natural values of the estuary by human development activities only:

- a. If required for navigation or other water-dependent uses that require an estuarine location.
- b. If a public need is demonstrated.
- c. If no alternative upland locations exist.
- d. If adverse impacts are minimized and/or mitigated as much as possible.

ARTICLE 16: ESTUARINE RESOURCES

GOALS:

1. Recognize and protect the unique environmental, economic and social values of the Yaquina River Estuary and the associated wetlands.
2. Protect, maintain, appropriately develop, and appropriately restore the long-term environmental, economic and social values, diversity, and benefits of the estuary.

OBJECTIVES:

1. Continue to participate in the regional approach to estuary planning and management and to support and update the Lincoln County Estuary Management Plan.
2. Ensure that properties along the estuary are managed in compliance with the Lincoln County Estuary Management Plan.
3. Ensure adequate provision for development consistent with the Overall Oregon Estuary Classification and according to the following general priorities (highest to lowest):
 - a. Uses which maintain the integrity of the estuarine ecosystem.
 - b. Water dependent uses requiring an estuarine location.
 - c. Water related uses which do not degrade or reduce natural estuarine resources and values.
 - d. Non-dependent, non-related uses which do not alter, degrade or reduce estuarine resources or values and are compatible with existing and committed uses.
4. Provide adequate provision for both conservation and preservation of natural resources when managing the estuary and lands adjacent to the estuary.
5. Protect recreational values and ensure adequate public access to the estuary.
6. Allow dredge, fill or other reduction or degradation of natural values of the estuary by human development activities only:
 - a. If required for navigation or other water-dependent uses that require an estuarine location.
 - b. If a public need is demonstrated.
 - c. If no alternative upland locations exist.
 - d. If adverse impacts are minimized and/or mitigated as much as possible.

Article 17: Coastal Shorelands

Our Oregon Coastal Shorelands protect our water quality, and fish and wildlife habitat. They have value for our state that is economic, recreational, and aesthetic. Because they have such a strong nexus with the coastal waters beyond, and the estuarine resources in and among the coastal shorelands, Goal 17 seeks to conserve and protect them, while directing development to the places that are most appropriate and present the lowest risk to human life or property.

Statewide Planning Goal 17 outlines planning and management requirements for the lands bordering estuaries (as well lands bordering the ocean shore and coastal lakes). In general, the requirements of Goal 17 apply in combination with other planning goals to direct the appropriate use of shoreland areas. Provisions in Goal 17 specifically focus on the protection and management of resources unique to shoreland areas; examples of such resources include areas of significant shoreland habitat, lands especially suited for water dependent uses, lands providing public access to coastal waters, and potential restoration or mitigation sites.

The goal focuses on the management of shoreland areas and resources in a manner that is compatible with the characteristics of the adjacent coastal waters. Goal 17 requirements are implemented primarily through local comprehensive plans and zoning.

Local Context

The Coastal Shorelands planning area as defined by Oregon's Statewide Planning Goal 17 includes all lands within an area defined by a line measured horizontally 1000 feet from the shoreline of estuaries. Coastal Shorelands are also defined by Statewide Planning Goal 17 and are identified within the Toledo Urban Growth Boundary on both the 1982 Toledo Shoreland Inventory Map (for coastal shorelands within the city limits) and on the Lincoln County Comprehensive Plan and Zoning Map (for coastal shorelands within the Urban Growth Boundary).

The 1982 Toledo Shoreland Development Plan identified suitable sites for water dependent and water-related development. When the 1982 Lincoln County Estuary Management Plan (1982 LCEMP) is updated, it is anticipated that the 1982 Toledo Shoreland Development Plan (and related Shoreland Development Plan Map) will also be updated. The identification of suitable sites for water-dependent and water-related uses and the identification of industrial uses on existing sites with water development potential on the 1982 Toledo Shoreland Development Plan Map is still accurate to the extent that the sites are suitable for water-dependent uses. The 1982 LCEMP management unit designations of MU 31 and MU 32 are development classifications and maintaining suitable shoreland sites with water-dependent zone classifications is necessary to implement the development classifications.

Environmental, Economic and Social Values– Goals 1

Conserve, protect, restore and, where appropriate, develop coastal shorelands recognizing the valuable roles that coastal shorelands have in protecting coastal estuary ecosystems and in providing water access for water-dependent uses important to a marine industrial economy. Protect, maintain, appropriately develop, and appropriately restore the long-term environmental, economic and social values, diversity, and benefits of the estuary.

Coastal Shorelands Compatibility with Nearby Coastal Waters – Goal 2

Manage the coastal shorelands in a manner compatible with the characteristics of the nearby coastal waters.

Water Quality Protection – Goal 3

Reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

Policy 1 Coordinate with State and Federal Agencies. Protect inventoried and identified major marshes, significant wildlife habitats, and exceptional aesthetic resources by requiring the compliance of land use permits with state and federal law and by coordinating permit review with responsible state and federal agencies.

Policy 2 Protect water-dependent uses. Protect coastal shorelands suitable for water-dependent industrial, commercial, and recreational uses from uses that would prevent water-dependent uses by identifying those shorelands in accordance with Statewide Planning Goal #17 and by designating appropriate lands with a water-dependent zone designation. Coastal shorelands currently committed to non-water-dependent uses shall be evaluated for suitability for water-dependent use during proposed land use actions on the coastal shoreland. Plans for coastal shoreland areas shall, where appropriate, allow for a mix of water-dependent, water-related, and water oriented nondependent uses and shall provide for public access to the shoreline.

Policy 3 Preservation of Estuaries. Pursue a program including obtaining grant funding for purchasing coastal shorelands or acquiring easements for preservation of the environmental qualities of coastal estuaries and for public access. Uses which maintain the integrity of the estuarine ecosystem.

Policy 4 Mitigation Requirements. Identify and protect coastal shoreland areas which may be used to fulfill the mitigation requirement of the Estuarine Resources Goal from new uses and activities which would prevent their ultimate restoration or addition to the estuarine ecosystem.

Policy 5 Riparian Vegetation Protection. Because of the importance of the vegetative fringe adjacent to coastal waters to water quality, fish and wildlife habitat, recreational use and aesthetic resources, riparian vegetation shall be maintained; and where appropriate, restored and enhanced, consistent with water-dependent uses.

Policy 6 Non-Structural Solutions to Erosion. Land-use management practices and non-structural solutions to problems or erosion and flooding shall be preferred to structural solutions. Where

shown to be necessary, water and erosion control structures, such as jetties, bulkheads, seawalls, and similar protective structures; and fill, whether located in the waterways or on shorelands above ordinary high water mark, shall be designed to minimize adverse impacts on water currents, erosion, and accretion patterns.

Policy 7 Public Access. The City of Toledo, in coordination with the Oregon Parks and Recreation Division, shall develop and implement a program to provide increased public access. Existing public ownerships, rights of way, and similar public easements in coastal shorelands which provide access to, or along coastal waters shall be retained or replaced if sold, exchanged or transferred. Rights of way may be vacated to permit redevelopment of shoreland areas provided public access across the site is retained.

ARTICLE 17: COASTAL SHORELANDS

GOALS:

1. Conserve, protect, restore and, where appropriate, develop coastal shorelands recognizing the valuable roles that coastal shorelands have in protecting coastal estuary ecosystems and in providing water access for water-dependent uses important to a marine industrial economy.
2. Manage the coastal shorelands in a manner compatible with the characteristics of the nearby coastal waters.
3. Reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

OBJECTIVES:

1. Protect inventoried and identified major marshes, significant wildlife habitats, and exceptional aesthetic resources by requiring the compliance of land use permits with state and federal law and by coordinating permit review with responsible state and federal agencies.
2. Protect coastal shorelands suitable for water-dependent industrial, commercial, and recreational uses from uses that would prevent water-dependent uses by identifying those shorelands in accordance with Statewide Planning Goal #17 and by designating appropriate lands with a water-dependent zone designation. Coastal shorelands currently committed to non-water-dependent uses shall be evaluated for suitability for water-dependent use during proposed land use actions on the coastal shoreland. Plans for coastal shoreland areas shall, where appropriate, allow for a mix of water-dependent, water-related, and water oriented nondependent uses and shall provide for public access to the shoreline.
3. Pursue a program including obtaining grant funding for purchasing coastal shorelands or acquiring easements for preservation of the environmental qualities of coastal estuaries and for public access.
4. Identify and protect coastal shoreland areas which may be used to fulfill the mitigation requirement of the Estuarine Resources Goal from new uses and activities which would prevent their ultimate restoration or addition to the estuarine ecosystem.
5. Because of the importance of the vegetative fringe adjacent to coastal waters to water quality, fish and wildlife habitat, recreational use and aesthetic resources, riparian vegetation shall be maintained; and where appropriate, restored and enhanced, consistent with water-dependent uses.

6. Land-use management practices and non-structural solutions to problems of erosion and flooding shall be preferred to structural solutions. Where shown to be necessary, water and erosion control structures, such as jetties, bulkheads, seawalls, and similar protective structures; and fill, whether located in the waterways or on shorelands above ordinary high water mark, shall be designed to minimize adverse impacts on water currents, erosion, and accretion patterns.
7. The City of Toledo, in coordination with the Oregon Parks and Recreation Division, shall develop and implement a program to provide increased public access. Existing public ownerships, rights of way, and similar public easements in coastal shorelands which provide access to or along coastal waters shall be retained or replaced if sold, exchanged or transferred. Rights of way may be vacated to permit redevelopment of shoreland areas provided public access across the site is retained.