

**Toledo City Hall
Council Chambers
206 N Main St. Toledo OR
July 12, 2023
6:30 pm**

AGENDA

TOLEDO PLANNING COMMISSION

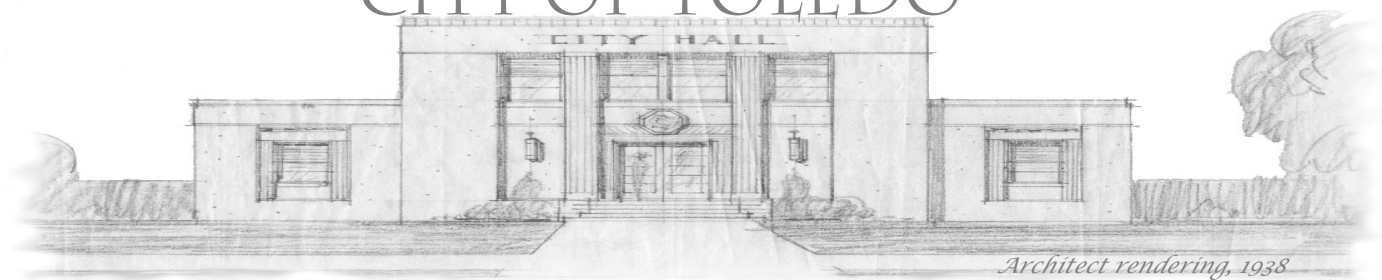
The Planning Commission will hold an in-person meeting in City Hall Council Chambers.

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. ELECTION OF OFFICERS for the 2023-2024 fiscal year
3. VISITORS: (A time set aside to speak with the Planning Commissioners about issues not on the agenda)
4. APPROVAL OF THE JUNE 14, 2023 MINUTES as circulated and reviewed by the Planning Commission
5. PUBLIC HEARING: Minor Partition to create two parcels for property located at 560/566 NE Lormax Place (File #MP-1-23), requested by Daren Clowser and James Hurley (Stephen Swinehart authorized agent)
6. PRESENTATION: Yaquina Bay Estuary Management Plan project update, presented by Brett Estes, Department of Land Conservation and Development
7. WORKSESSION: Comprehensive Land Use Plan Update – Introduction Chapter (Attached)
8. DISCUSSION ITEMS:
 - a. Updates and Reports
 - i. Building Permit and Land Use Application Updates (Attached)
9. STAFF COMMENTS
10. COMMISSIONER COMMENTS
11. ADJOURNMENT

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

CITY OF TOLEDO



TO: Toledo Planning Commissioners

FROM: Arlene Inukai, Planning Assistant

DATE: July 6, 2023

RE: Election of Officers

The July 12th agenda contains the election of officers for the 2023-2024 fiscal year.

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

TOLEDO PLANNING COMMISSION MINUTES

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

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

VISITORS: Sheila Stiley, Robert Bare, Samantha Hergenroeder, Brian Ludwig, Candy Ludwig, Norman Thompson, Tony Reed

APPROVAL OF THE MAY 10, 2023, MINUTES:

It was moved and seconded (Dyson/Mix) to approve the May 10, 2023, minutes as circulated and reviewed by the Planning Commission. The **motion passed** unanimously, noting the absence of Neimann, Morris, and Warfield

PUBLIC HEARING: CONDITIONAL USE PERMIT FOR A MULTI-FAMILY RESIDENTIAL USE IN THE SINGLE-FAMILY RESIDENTIAL ZONE AND VARIANCE TO THE REAR PROPERTY LINE STANDARDS, FOR PROPERTY LOCATED AT SE STURDEVANT ROAD (FILE #CU-2-23/VAR-2-23), REQUESTED BY NORTHWEST COASTAL HOUSING AND CITY OF TOLEDO:

President Learned-Ellis opened the public hearing by stating the nature and purpose.

Commissioners Mix and Learned-Ellis reported they each viewed the property, but there were no declarations of ex parte contact, bias, or conflict of interest. The statements of rights and relevances and rights to appeal were then read.

Staff Report: CP Peterson reviewed the staff report as on file at City Hall. He reported that the request is for a conditional use for a 30-unit apartment in the RS Zone and variance to the rear setback standards. The 1.7 acre property is shown as the newly approved partitioned parcel, which is currently being finalized. The proposed building location is in the RS Zone and is outside of the adjacent NR Zone. There is a conservation easement and wetlands on the NR Zoned property and is not the building site. The project will also be outside of the floodplain. A future lot line adjustment may be necessary in order to remove any floodplain from the property. DSL has been notified of the project and the applicant will need to coordinate the project with the State to show the work is outside of the wetland area. The property has sewer, power, and water line easements crossing the site. The structures will avoid the easement areas. City water and sewer services are available to the property.

CP Peterson reported that comments from Lincoln County Public Works were included in the staff report. The applicant must continue to work with Lincoln County for the final access design because Sturdevant Road is a County road. The proposal shows two access points to serve the property, but the layout and directional restrictions must be approved by Lincoln County. There is

also an option to establish one driveway for property. Toledo Fire Department noted a fire access lane and hydrant requirements. One comment was received from the neighbor expressing concerns with safety at Sturdevant Road and impacts to the wildlife at the area. One comment was submitted after the staff report was completed and was distributed for review tonight.

The RS Zone allows multi-family residential with a conditional use permit. This same request was reviewed and approved by the Planning Commission in 2021. The conditional use and variance policies only allow one extension to the deadline date and the 2021 approval would expire July, 2023. If approved, this provides the applicant one more year to break ground.

CP Peterson reviewed criteria for the request, the Comprehensive Plan housing policies, and proposed findings listed in the staff report. The applicant would need to follow the building permit process, fire code requirements, and stormwater standards. The existing barn would be removed. The applicant will also need an approved access permit from Lincoln County, which may also include some street or guardrail improvements for the project. The site plan shows 59 parking spaces for the project. The zoning ordinance requires 47 spaces, based on the number of units. The structures will be 26' in height, which is less than the maximum height standard. The applicant must protect all of the easement areas on the site. If the slope is 25% or more, a geo-tech report is required. There should be no impacts to the wetlands, as the project is not located in the NR Zone area. The property was rezoned in 2001 through the Periodic Review process. The current application does not propose a rezone of the property. The City received approval to partition the 22 acre site into two parcels. The partition plat is still being finalized and the City expects to submit the final plat to be recorded soon. The project would be on Parcel 1. Staff included a maximum size limit of 32 square feet for signs at the site.

CP Peterson explained that the variance request is for the rear setback standard. The applicant's original application from 2021 asked for a reduction from the 15' minimum standard to 1'. Since that time, the zoning ordinance was amended and the current minimum rear yard setback is 5'. The applicants are now asking for a reduction from the minimum 5' rear yard setback to 1'. CP Peterson reviewed variance criteria and the facts/findings listed in the staff report.

Staff recommends approval of the requests, with the adoption of the recommended conditions of approval. The applicant would need to have an approved Lincoln County Access Permit, a landscape and stormwater plan must be submitted, 'no trespass' sign posted along the western property line, and possible geo-tech report. The partition plat would need to be recorded prior to development.

Applicant Testimony: Sheila Stiley of Northwest Coastal Housing reported that it has been a good partnership working with the City to get this project in Toledo. There would be 22 one-bedroom units and 8 two-bedroom units. She clarified that they are working with Lincoln County on the access plan and are open to restricting ingress/egress to right-turn only on the northern driveway. They prefer the two-driveway approach, because a significant amount of fill and retaining wall work would be needed to expand the driveway for a single approach.

Ms. Stiley provided the following information, in response to Commissioner questions:

- It was not been determined yet, but the northern driveway could be limited to the access point for southbound lane. The southern driveway for the northbound lane.
- They have a geo-tech report prepared for the project. There were no issues of concerns for the

- project.
- Some fill would be needed to level the area.

Proponent Testimony: None

Opponent Testimony: Brian Ludwig of 1310 SE Sturdevant Road, stated he is not against the project, but expressed concerns with the added traffic. He stated that his driveway is difficult because of the blind corner and lack of vision of on-coming traffic. There have been a lot of near misses. Most vehicles are travelling too fast, exceeding the speed limit. The proposal includes 59 parking spaces, but this is concerning for the neighbors. He suggested a mirror may improve safety along the road.

President Learned-Ellis suggested Mr. Ludwig speak with Lincoln County about the existing safety concerns and thought a mirror would be a good idea. Commissioners discussed the existing concerns and the need to work with the County to mitigate the current issues. They may need to review the speed limits in the area.

Norman Thompson of 1681 SE Sturdevant Road, reported he lives next to the subject project and stated he was opposed to the site being rezoned. He asked for clarity if the City would continue to own the property or sell. CM Adams reported that they are working on a 99-year lease with the option to purchase.

Mr. Thompson expressed his opposition to the project and the City's handling of the property. He noted that he was opposed to several changes at the site during the last 20 years. Several years ago, the voters were asked for an advisory vote if it the City should purchase the property. There are concerns with the safety of Sturdevant Road. A lot of wildlife visit the site. Since the dike was removed, water has washed away his property, including two trees lost due to erosion.

Other Interested Parties: None.

Applicant Rebuttal: Ms. Stiley reported that Lincoln County Public Works discussed the option of a traffic study, which could cause a reduction to the speed. Safety improvements in the area would be beneficial. A mirror would also be helpful. She recognizes the concerns and wants to make the project safe. There may be road, guardrail, turn lane improvements that could improve safety.

Questions by Commission: Commissioners discussed the option to reach out to Lincoln County to move forward with a traffic study and encourage safety improvements that benefit the area.

Deliberations: The public hearing was closed and the Commission entered into deliberations. Commissioners noted the written comments handed out tonight and they are part of the record. Commissioners discussed impacts to Sturdevant Road, supporting a traffic study of the area, and reviewed the process for a speed zone review. The applicant can also reach out to Lincoln County to support a traffic and speed zone study. It was clarified that the applicant will need to work with Lincoln County to determine the best access option and street improvement standards.

It was moved and seconded (Mix/Lundgren) that based on the testimony received, the staff report, and the evidence and arguments before the Planning Commission at the public hearing on June 14, 2023, the Planning Commission finds that the request by the City of Toledo and Northwest Coastal

Housing, (CU-2-23 and VAR-2-23) complies with the criteria identified in Toledo Municipal Code 17.64.050 and 17.68.050. The Planning Commission hereby adopts the staff report as findings, as well as the proposed conditions of approval for CU-2-23 and VAR-2-23, and allowing for the correction of typographical and grammatical errors. The **motion passed** unanimously, noting the absence of Neimann, Morris, and Warfield.

The Planning Commission took a brief recess and the meeting was resumed at 7:45.

WORKSESSION: COMPREHENSIVE LAND USE PLAN UPDATE – INTRODUCTION
CHAPTER UPDATES:

CP Peterson reported that draft updates will be reviewed over the next few months in detail. In July, the Planning Commission will get an update from DLCD on the Yaquina Bay Estuary Management Plan project. Planning Commissioners were asked to review the draft Introduction Chapter and return comments or updates to staff.

STAFF COMMENTS: CP Peterson announced that City Manager Judy Richter’s retirement party will be held June 21st at 4:30pm. CM Richter noted that next Wednesday will be her last day in the office, but she will continue to work remotely for a couple months. She will continue to attend Planning Commission meetings through Zoom. The Commission wished CM Richter well in retirement.

CM Richter announced National Night Out will be held August 1st at Memorial Field.

COMMISSIONER COMMENTS: None.

There being no further business before the Commission, the meeting was adjourned at 7:50 pm.

Planning Assistant

President

TOLEDO PLANNING COMMISSION

STAFF REPORT

PROPERTY: Identified on Lincoln County Assessor's Map # 11-10-8 CA as Tax Lot 5400, also known as 560 and 566 NW Lormax Place

APPLICATION #: MP-1-23

AUTHORIZED AGENT: Stephen Swinehart

PROPERTY OWNERS: Daren Clowser and James Hurley (Applicants)

APPLICATION DATE: June 13, 2023

HEARING DATE: Planning Commission – July 12, 2023

REQUEST: The request is for a Minor Partition of approximately 1.04 acres (45,442 square feet) to create two parcels. Proposed Parcel 1 would be approximately 19,856 square feet and Proposed Parcel 2 would be approximately 25,586 square feet. The applicant is requesting a minor partition, as marked on the attached Exhibit A to this staff report.

LOCATION: The property is identified as Lincoln County Assessor's Map #11-10-8 CA Tax Lot 5400 also known as 560 and 566 NW Lormax Place.

PARCEL SIZE: Tax Lot 5400 is approximately 1.04 acres. Proposed Parcel 1 would be approximately 19,856 square feet and proposed Parcel 2 would be approximately 25,586 square feet.

I. REPORT OF FACTS:

1. Plan Designation: Residential Single (R-S)
2. Zone Designation: Residential Single (R-S)
3. Existing Structures: Two single-family homes and two garages are located on the property.
4. Topography: Proposed Parcel 1 has some slopes of the western portion of the parcel. Proposed Parcel 2 is relatively flat.
5. Development Constraints: Parcel 1 is developed with a single-family home and garage. Parcel 2 is developed with a single-family home and garage.
6. City water: City water is available.
7. City sewer: City sewer is available.
8. Notice of Public Hearing: Notices mailed to 20 property owners and 19 public/service agencies on June 22, 2023. A wetland land use notification was

- submitted to the Department of State Lands (DSL).
9. Notice Published: June 30, 2023 and July 7, 2023
10. Comments Received: Public Works Director, Fire Chief, and Police Chief all reviewed the application. Staff comments are included in the Application form (Exhibit B).
11. Attachments to Staff Report: A. Exhibit A - Map showing Parcels after partition
B. Application with supporting information
C. Zoning Map
D. Aerial Map

II. APPLICABLE CRITERIA FOR EVALUATING THE MINOR PARTITION

REQUEST AND STAFF ANALYSIS: The following comprehensive plan and ordinance standards apply to this request. The standards are listed below in regular type. Staff analysis including facts and findings are highlighted below each comprehensive plan and ordinance standard in an italicized font.

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

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

Low-Density Residential -This designation provides for lower density housing with a focus on single-family housing 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.

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

Single-family Residential (R-S) - The purpose of the R-S zone is to 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.

3. **TMC Sections 17.08.20 – 17.08.050 – R-S Zone.**

TMC Section 17.08.020 – R-S Zone – Uses permitted outright.

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

A. Single-family dwellings* and their accessory uses.

- B. Home occupations which comply with Chapter 17.46
- C. Manufactured dwellings.*
- D. Accessory use structures.*
- E. Accessory dwelling units.*
- F. Transportation facilities (operation, maintenance, preservation, and construction in accordance with the Toledo Transportation System Plan).
- I. Duplexes

TMC Section 17.08.030 – R-S Zone – Conditional uses permitted.

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

TMC Section 17.08.050 – R-S Zone – Lot size.

The minimum lot area shall be seven thousand (6,000) square feet.

Staff Analysis: The subject property is approximately 1.04 acres. The applicant is requesting to divide the property into two parcels, resulting in proposed Parcel 1 being approximately 19,856 square feet and proposed Parcel 2 being approximately 25,586 square feet. Proposed Parcel 1 and 2 are zoned R-S and meet the minimum lot size standard for the R-S Zone as it is over 6,000 square feet.

4. **2000 Toledo Comprehensive Land Use Plan – Article 10, Goal 1 – Housing:**

1. Encourage development of a mixture of housing stock in terms of design, type, cost, and location that meets the housing needs of all Toledo citizens.

...

10. Encourage residential development on vacant or re-developable lots in areas already serviced or where services can be economically provided.

Staff Analysis: The applicant stated that, “the two homes are on separate sections on this lot and this division allows the two properties to be utilized to their max capacity of providing housing in Toledo”. The existing structures on the subject property area include two single-family homes and two garages. Future development of proposed Parcels 1 and 2 must comply with TMC 17.08 (Single-Family Residential Zone) standards. The R-S Zone allows various residential uses, specifically, single-family

homes (both site built and manufactured) and accessory dwelling units are allowed outright. Multifamily dwellings units are permitted through a conditional use process. This request meets additional housing needs for Toledo residents in terms of type, creating an additional location for housing, and developing in an area where public service already exists.

5. **2000 Toledo Comprehensive Land Use Plan – Article 14, Goal 1 and 3 – Urbanization and Livability:**

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

Objective:

1. Encourage urban level development which is properly serviced with public facilities to locate within the city limits.
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.

Staff Analysis: Approval of this application encourages an attractive, livable, and sustainable city by encouraging efficient land use patterns. The proposed partition is adjacent to existing city streets (NE Lormax Place and Business Highway 20) minimizing the need for additional infrastructure. This application has been reviewed in compliance with and processed consistent with Toledo's Comprehensive Plan goals and policies and Municipal Code and standards.

GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS

6. TMC Sections 16.04.20 – 16.04.050 – General Provisions.

TMC 16.04.020 - Purpose.

The purpose of this title is to prescribe standards and procedures for minor and major partitions and subdivisions of land and planned development within the city of Toledo and to aid in the implementation of the Toledo Comprehensive Land Use Plan.

TMC 16.04.050 (A) Conformity to the Comprehensive Plan.

Conformity to the Comprehensive Plan. All partitions and subdivisions shall conform with all adopted portions of the comprehensive plan, transportation system plan, and all applicable

ordinances and design standards of the city. Traffic facilities (including streets, pedestrian paths and bicycle paths), community and neighborhood facilities and recreational areas should be placed in approximately the same locations designated by the comprehensive plan and transportation system plan.

Staff Analysis: Based upon the information received by City staff through July 5, 2023, the minor partition appears to conform to relevant provisions of the City's plans and ordinances as described herein.

TMC 16.04.050 (B) Access.

The partitioning and subdividing of land shall provide each lot or parcel, by means of a fully developed city street, satisfactory vehicular access to an existing street pursuant to Chapter 16.06 of this Code. The city street for the entire length which is adjacent to the parcel or lot which is being partitioned or subdivided must be a fully developed city street unless an exception is granted as per the following standards and procedures:

1. Partitions and subdivision of land that require the creation of a public street to serve the proposed lots shall comply with the requirements of the adopted street standards and shall include the public dedication of the required right-of-way in the adopted street standards, except as varied under Section 16.30;
2. Partitions and subdivision of land with frontage along an existing city, county, or state street or that are accessed via an existing city, county, or state street shall be required to make such improvements as necessary to address the impacts of the proposed development on those streets provided the required improvements are roughly proportional to the impacts created by the proposed development. If the required improvements are roughly proportional to the impacts created by the proposed development, but the planning commission determines that because of the existing street conditions, topography, or other similar factor that requiring the improvements to be completed prior to platting the property is an inefficient method of obtaining the improvements, the planning commission can allow the applicant to provide a deferred improvement agreement, bond, irrevocable petition for public improvements, or similar mechanism for obtaining the completion of the required improvements at a later date.

Staff Analysis: Proposed Parcel 1 would have adequate frontage on Business Highway 20, a city street. Proposed Parcel 2 would have adequate frontage along NW Lormax Place, a city street. Both properties will use NE Lormax Place for access and the applicant has proposed an easement for Parcel 1 to cross Parcel 2.

Any driveway modifications adjacent to NE Lormax Place shall be reviewed and approved by the City of Toledo Public Works Department. Staff recommends that this is listed as a condition of approval.

Proposed Parcels 1 and 2 have driveway access to NE Lormax Place (see the proposed easement). Any driveway modification to NE Lormax Place or Business Highway 20, in accordance with the standards specified in the Public Infrastructure Design Standards Manual, may be required as determined by the Public Works Director. If required, it shall be completed within one year of approval of this application, or a deferred development agreement entered into, to address this requirement. Determination will be made when a construction permit has been submitted that identifies the location of proposed construction and length of its driveway, to ensure that any future development will comply with Public Infrastructure Design Standards and Fire, Life, Safety

standards. Any required easements shall be noted on the plat and will be listed as a condition of approval.

The applicable development standards for the driveways and sidewalks are found in City of Toledo's approved Public Infrastructure Design Standards Manual. Other standards apply, but some are included below.

Paragraph 3.9 provides development standards as to driveways:

- (1) Driveways shall conform to standard details (3.9.1);
- (2) Driveways may be deferred until lots are built upon, if approved by the City Planning Commission or City Council (3.9.2);
- (3) If the developer chooses to delay the installation of a driveway approach, additional repair of curb and gutter, sidewalk, and other facilities may be required when the driveway is installed (3.9.2.(A));
- (4) The costs of installing a driveway approach and associated repairs to curb and gutter, sidewalk and other facilities will be borne, solely, by the developer.

Paragraph 3.9.5 provides residential driveway approach standards as follows:

- (1) A residential driveway approach shall be constructed of Portland cement concrete, minimum of 6-inches in thickness, 3,000 psi filed strength, with 2-inches (minimum) compacted $\frac{3}{4}$ "-0" crushed rock base. No rebar or wire mesh is required for residential approaches (3.9.5(A)); and
- (2) Transition flares shall be constructed to the same standards for residential driveway approaches (3.9.5(B)).

Paragraph 3.11 provides development standards for sidewalks as follows:

- (1) All development for which land use applications are required must include sidewalks adjacent to public streets. This requirement also applies to new single-family houses and duplexes if they are located on arterial or collector streets or on curbed local streets if there is an existing sidewalk within 500 feet on the same side of the street (3.11.1);
- (2) The provision of sidewalks may be waived where the street serves a use or combination of uses which generate fewer than fifty trips a day (based on ITE standards) and cannot be continued or extended to other properties. A waiver shall only be granted upon review of the Public Works Director or designee (3.11.3);
- (3) Sidewalks along residential and other local streets must be a minimum of five (5) feet in width. Sidewalk design may be a setback or integral as determined by the developer, Public Works Director, or funding agency (3.11.4(C)).

Staff analysis: Proposed Parcel 1 is adjacent to Business Highway 20 and Proposed Parcel 2 is adjacent to NE Lormax Place. Road improvements may be required by the City of Toledo Public Works Department if the parcel is redeveloped. Staff recommends that this is listed as a condition of approval.

Unless waived by the Public Works Director, or designee, all land use applications are required to include curb and gutter and sidewalks adjacent to public streets. Sidewalks are located on NE Canyon Drive and are within 500 feet. The provision for sidewalks may be waived where the street serves a use or combination of uses which will generate fewer than fifty trips a day and cannot be continued or extended to other properties. Lormax also provides access to the property to the south that has a single-family home. Based on the ITE manual three single-family homes would generate

about 30 trips a day. Lormax is not proposed to be extended to other properties. As such sidewalks have been waived, the installation of 5-foot-wide sidewalks along NE Lormax Place are not required, nor is a deferred development agreement required, because sidewalks have been waived.

TMC 16.04.050 (C) Relation to the Adjoining Street System.

Major partitions and subdivisions shall provide for the continuation of the city streets existing in the adjoining neighborhood and for the proper street extensions when the adjoining properties are divided or developed. If the city adopts a plan for the neighborhood or area of which the partition or subdivision is a part, the partition or subdivision shall conform to such neighborhood or area plan. If the topographical conditions make such continuation or conformity impractical, adjustments or variances may be approved under Section 16.30.

Staff Analysis: The application is for a minor partition and not a major partition or subdivision. No new streets are required or proposed by the proposed partition.

TMC 16.04.050 (D) Density.

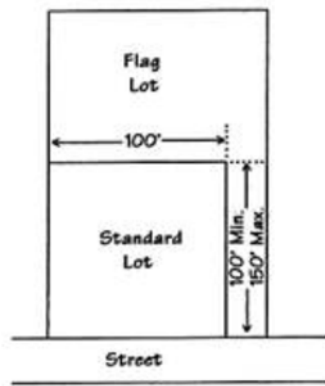
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4. All partitions within residential zones where the subject parcel can be further partitioned, shall be partitioned in a manner that does not preclude the efficient division of land in the future.

Staff Analysis: The proposed partition generally follows the existing development on the lot. The proposed partition does not preclude the efficient division of land in the future. Proposed Parcels 1 and 2 are large enough to be partitioned again based on the minimum lot size requirements, however the proposed Parcels 1 and 2 are unlikely to be partitioned again due to the development constraints including slopes and existing development. Proposed Parcels 1 and 2 are anticipated to be kept as single-family lots. The applicant may be able to build an Accessory Dwelling Unit (ADU) on a portion of Parcels 1 or 2. The current request does not preclude the efficient division of land in the future.

TMC 16.04.050 (E). Lots, Parcels, Topography, or Past Development Patterns.

1. Every lot and parcel shall abut and take primary ingress and egress from a city street, county road, or state highway and the frontage of each shall not be less than twenty-five (25) in nonresidential zones, twenty (20) feet in the R-G zone and R-S zone;
2. Lots and parcels with double frontage shall not be permitted unless, in the opinion of the planning commission, an odd-shaped tract, existing street layout, or existing topography makes such a lot or parcel unavoidable;
3. Each side line shall be as close to perpendicular to the adjacent street line or radial to a curved street line as possible;
4. Flag lots shall not have an interior flag portion measurement of more than one hundred (100) feet in length or a "pole" less than twenty (20) feet wide for residential and twenty-five (25) feet for non-residential. See illustration.



5. The pole portion of a flag lot shall be a minimum of one hundred (100) feet long and a maximum of one hundred fifty (150) feet long. Existing circumstances that make this minimum and maximum impossible can be considered as a variance by the planning commission as set forth in the zoning ordinance;
6. Lots and parcels under twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of two and one-half to one. Lots and parcels over twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of three and one-half to one;
7. Flag lots may not be created such that more than two driveways for individual lots are in less than seventy-five (75) foot of street frontage;
8. Existing natural and piped drainages must be preserved or replaced on the site and easements must be granted for drainage as long as the easements required are roughly proportional to the impact of the proposed development.

Staff Analysis: TMC 16.04.050 (E)(1) provides that each of the two parcels shall abut and take primary ingress and egress from a city street and the frontage of each shall not be less than twenty (20) feet in the R-S zone. Proposed Parcel 1 will have over 20 feet of frontage onto Business Highway 20 (City Street). Proposed Parcel 2 will have 20 feet of frontage onto NE Lormax Place (City Street).

Staff Analysis: TMC 16.04.050 (E)(2) provides that parcels with double frontage shall not be permitted unless an odd-shaped tract, existing street layout, or existing topography makes such a parcel unavoidable. The existing Parcel (Tax Lot 5400) is a double frontage lot. The result of the partition will be one parcel with frontage on Business Highway 20 and one parcel with frontage on NE Lormax Place.

Staff Analysis: TMC 16.04.050 (E)(3) provides that each side line be as close to perpendicular to the adjacent street line as possible. The proposed property line configuration for Parcels 1 and 2 will be close to perpendicular to NE Lormax Place. The proposed lot line is not perfectly perpendicular due to existing development on the lot.

Staff Analysis: TMC 16.04.050 (E)(4) provides that flag lots shall not have an interior flag portion measurement of more than one hundred (100) feet in length, or a "pole" less than twenty (20) feet wide for residential. The proposed parcels are not flag lots.

Staff Analysis: TMC 16.04.050 (E)(5) provides that the pole portion of a flag lot shall be a minimum of one hundred (100) feet long and a maximum of one hundred fifty (150) feet long. The proposed

parcels are not flag lots.

Staff Analysis: TMC 16.04.050 (E)(6) provides that lots and parcels under twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of two and one-half to one. Further, that lots and parcels over twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of three and one-half to one. Proposed Parcel 1 would be approximately 19,856 square feet and proposed Parcel 2 would be approximately 25,586 square feet. Proposed Parcel 1 would be under twenty-five thousand square (25,000) feet and must not exceed a depth to width ratio of two and one-half to one. Proposed Parcel 2 would be over twenty-five thousand (25,000) square feet and must not exceed a depth to width ratio of three and one-half to one. As to Parcel 1, the depth of the parcel is approximately 130 feet and width is approximately 180 feet, so it does not exceed a depth to width ratio of two and one-half to one. As to Parcel 2, the depth of the parcel is approximately 135 feet and width is approximately 180 feet, so it does not exceed a depth to width ratio of three and one-half to one. Therefore, as drawn on the proposed map, both parcels will not exceed a depth to width ratio of three and one-half to one.

Staff Analysis: TMC 16.04.050 (E)(7) provides that flag lots may not be created such that more than two driveways for individual lots are in less than seventy-five (75) foot of street frontage. The proposed parcels are not flag lots.

Staff Analysis: TMC 16.04.050 (E)(8) provides that existing natural and piped drainages must be preserved or replaced on the site and easements must be granted for drainage as long as the easements required are roughly proportional to the impact of the proposed development. No existing drainage easements were identified on the parcel. The Statewide wetlands map identified a potential riverine wetland and staff notified the Department of State Lands (DSL) by submitting a wetland land use notification (WN2023-0504). The property is developed and no development is proposed as part of this partition. It appears the drainage location is to the north of the existing development based on aerial images. The applicant shall protect any natural or piped drainages. In addition, the applicant shall obtain any required permits from the Department of State lands and/or the US Army Corps of Engineers (USACE).

TMC 16.04.050 (F) All parcels and lots in partitions and subdivisions shall be served by a public water system. No plat of a partition or subdivision shall be approved unless the city has received and accepted:

1. A certification by the public works director that water will be available from the nearest point of supply; and
2. A performance agreement, bond, contract or other assurance that a water supply system will be installed by or on behalf of the partitioner to the boundary line of each and every lot or parcel depicted on the proposed partition or subdivision.

TMC 16.04.050 (G) All parcels and lots in partitions and subdivisions shall be served by a public sewer system unless in possession of a sewer exception stipulated in writing by the public works director and city council (Public Improvement Requirements and Design Standards). No plat of a partition or subdivision shall be approved unless the city has received and accepted:

1. A certification by the director of public works that sewage service will be available at the nearest point of collection;
2. A performance agreement, bond, contract or other assurance that sewage disposal lines will be

installed by or on behalf of the partitioner to the boundary line of each and every lot or parcel depicted in the proposed partition.

Staff Analysis: The Public Works Director reviewed the proposed partition and indicated that water and sewer are currently available to both parcels. Any sewer line and water line easement areas should be noted on the partition plat and protected from damage. The public water line is located in the NE Lormax Place right-of-way and the public sewer line is located in the NE Lormax Place right-of-way. Utility connections to water and sewer will be required. The applicant submitted a water and sewer application to create separate sewer connections for each parcel.

The applicant should agree that the final plat will include water, sewer, and/or other utility easements, as appropriate, for any service lines to Parcel 1 that may cross proposed Parcel 2.

IMPROVEMENTS

10. TMC Sections 16.08.040 Improvements.

A. The applicant shall improve or agree to improve lands dedicated for roads, alleys, pedestrian or bicycle ways, drainage channels, private easements for access, and other rights-of-way or public open space as condition preceding the acceptance and approval of the partition.

B. Prior to final approval of the partition, the applicant shall either install all required improvements to city standards and repair existing roads and other public facilities damaged in the development of the partition or shall execute and file with the city manager an agreement between the applicant and the city specifying the period within which all the required improvements and repairs shall be completed. The agreement shall provide that if all of the required work is not completed within the time specified, the city may complete the work and recover the full cost and expense from the applicant. If the applicant so requests, the planning commission may grant not more than one extension of time for a period not to exceed one year to complete the required improvements.

Staff Analysis: Driveway, utility and street development specifications are currently contained in the Public Works Infrastructure Design and Standards Manual and are not part of TMC Title 16 or 17 at this time. Prior to final approval of the partition, the applicant shall either install all required improvements to City standards and repair existing roads and other public facilities damaged in the development of the partition or shall execute and file with the City Manager an agreement between the applicant and the City specifying the period within which all the required improvements and repairs shall be completed.

EVALUATION CRITERIA

11. TMC 16.08.070 Criteria for evaluation.

In reviewing applications for minor and major partitions, all of the following criteria shall be met before the planning commission may approve the proposed partition:

- A. The division of land complies with applicable ordinances and public improvement design standards adopted by the city;
- B. The applicant has filed all the necessary information required by the land division Title 16;
- C. If the application is for a minor partition, the division of land will not constitute a major partition or a subdivision pursuant to the definitions in this title;
- D. If the application is for a major partition, the division of land will not constitute a subdivision and the street design has received approval from the director of public works;

- E. The applicant has demonstrated that each lot will be served with city sewer and water and that the city has the capacity to provide those services;
- F. The infrastructure designs have received approval from the public works department and if a bond is required to be posted for any infrastructure improvements, the applicant has agreed in writing to do so;
- G. The applicant has demonstrated that adequate precautions have been taken to prevent damage or injury resulting from natural hazards;
- H. The division of land will not affect a designated dredged material disposal site or mitigation site as designated in the Lincoln County estuary management plan.
- I. The division of land will not result in any newly created parcels or lots which are entirely zoned for natural resources or which become one hundred (100) percent un-developable due to splitting off the buildable land unless owned, created, or proposed to be used by a public utility.

Staff Analysis: The proposed minor partition does not involve the development or extension of any streets and will create parcels that are served by City water and sewer service. Easements are needed based on standards in the Public Infrastructure Design Standards Manual. The division of land complies with applicable ordinances and public improvement design standards adopted by the City. The division of land will not constitute a major partition or a subdivision pursuant to the definitions in Title 16. The street design has received approval from the Director of Public Works. The division of land has received approval from the Public Works Director. Each lot will be served with City sewer and water and the City has the capacity to provide those services. If a bond is required to be posted for any infrastructure improvements, the applicant should agree in writing to do so. The applicant has demonstrated that adequate precautions have been taken to prevent damage or injury resulting from natural hazards. The division of land will not affect a designated dredged material disposal site or mitigation site as designated in the Lincoln County Estuary Management Plan.

Staff Analysis: The City Public Works Director, Police and Fire Chief have all reviewed the application and have indicated their approval in relation to their respective departments. Their approvals coincide with the applicant's assertion that the requested partition will not cause a significant adverse impact on the livability, value or appropriate development of the surrounding neighborhood.

III. FURTHER STAFF ANALYSIS:

The current owner has correctly indicated that the minor partition would create two lots. The applicant's request would be compatible with surrounding land uses. Single-family Residential zoning is located to the south and east. The commercial zone is located to the north and west (across Business Highway 20). See Zoning Map attachment C.

The applicant's site plan shows that the proposed partition line would comply with setback standards. Proposed Parcel 1 would be approximately 28 feet from the front yard meeting the 15-foot front yard requirement. Proposed Parcel 2 would be approximately 6 feet from the rear yard meeting the 5-foot rear yard requirement. Staff recommends that the buildings shall meet the setback standard in the R-S Zone.

The City Public Works Department has been advised of the proposal and has indicated that both water and sewer services would be available to both Parcels 1 and 2.

The objective of the Low-Density Residential designation as contained in the Comprehensive Plan is to provide for lower density housing with a focus on single-family housing. This designation shall be implemented through the zoning map's Single-family Residential (R-S) zone designation, which the current maps indicate.

FINDINGS:

The applicant is requesting approval of a minor partition to divide a parcel of land that is approximately 1.04 acres in size into two parcels. Based upon the information received by city staff through July 5, 2023, the minor partition appears to conform with relevant provisions of the City's plans and ordinances as described below. The following findings support approval of the requested partition:

1. Tax Lot 5400 appears to be a lawfully created unit of land and, according to the Lincoln County Assessor's records and aerial photographs, the site has two single-family homes and two garages.
2. The subject property is approximately 1.04 acres. The applicant is requesting to divide the property into two parcels, resulting in proposed Parcel 1 being approximately 19,856 square feet and proposed Parcel 2 being approximately 25,586 square feet. Proposed Parcel 1 and 2 are zoned R-S and meet the minimum lot size standard for the R-S Zone as it is over 6,000 square feet.
3. The applicant stated that, "the two homes are on separate sections on this lot and this division allows the two properties to be utilized to their max capacity of providing housing in Toledo". The existing structures on the subject property area include two single-family homes and two garages. Future development of proposed Parcels 1 and 2 must comply with TMC 17.08 (Single-Family Residential Zone) standards. The R-S Zone allows various residential uses, specifically, single-family homes (both site built and manufactured) and accessory dwelling units are allowed outright. Multifamily dwellings units are permitted through a conditional use process. This request meets additional housing needs for Toledo residents in terms of type, creating an additional location for housing, and developing in an area where public service already exists.
4. Approval of this application encourages an attractive, livable, and sustainable city by encouraging efficient land use patterns. The proposed partition is adjacent to existing city streets (NE Lormax Place and Business Highway 20) minimizing the need for additional infrastructure. This application has been reviewed in compliance with and processed consistent with Toledo's Comprehensive Plan goals and policies and Municipal Code and standards.
5. Based upon the information received by City staff through July 5, 2023, the minor partition appears to conform to relevant provisions of the City's plans and ordinances as described herein.
6. Proposed Parcel 1 would have adequate frontage on Business Highway 20, a city street. Proposed Parcel 2 would have adequate frontage along NW Lormax Place, a city street. Both properties will use NE Lormax Place for access and the applicant has proposed an easement for Parcel 1 to cross Parcel 2.

7. Any driveway modifications adjacent to NE Lormax Place shall be reviewed and approved by the City of Toledo Public Works Department. Staff recommends that this is listed as a condition of approval.
8. Proposed Parcels 1 and 2 have driveway access to NE Lormax Place (see the proposed easement). Any driveway modification to NE Lormax Place or Business Highway 20, in accordance with the standards specified in the Public Infrastructure Design Standards Manual, may be required as determined by the Public Works Director. If required, it shall be completed within one year of approval of this application, or a deferred development agreement entered into, to address this requirement. Determination will be made when a construction permit has been submitted that identifies the location of proposed construction and length of its driveway, to ensure that any future development will comply with Public Infrastructure Design Standards and Fire, Life, Safety standards. Any required easements shall be noted on the plat and will be listed as a condition of approval.
9. Proposed Parcel 1 is adjacent to Business Highway 20 and Proposed Parcel 2 is adjacent to NE Lormax Place. Road improvements may be required by the City of Toledo Public Works Department if the parcel is redeveloped. Staff recommends that this is listed as a condition of approval.
10. Unless waived by the Public Works Director, or designee, all land use applications are required to include curb and gutter and sidewalks adjacent to public streets. Sidewalks are located on NE Canyon Drive and are within 500 feet. The provision for sidewalks may be waived where the street serves a use or combination of uses which will generate fewer than fifty trips a day and cannot be continued or extended to other properties. Lormax also provides access to the property to the south that has a single-family home. Based on the ITE manual three single-family homes would generate about 30 trips a day. Lormax is not proposed to be extended to other properties. As such sidewalks have been waived, the installation of 5-foot-wide sidewalks along NE Lormax Place are not required, nor is a deferred development agreement required, because sidewalks have been waived.
11. The proposed partition generally follows the existing development on the lot. The proposed partition does not preclude the efficient division of land in the future. Proposed Parcel 1 is large enough to be partitioned again based on the minimum lot size requirements, however the proposed Parcel 1 is unlikely to be partitioned again due to the development constraints including slopes. Proposed Parcel 2 is unlikely to be partitioned again and is anticipated to be kept as a single-family lot. The current request does not preclude the efficient division of land in the future.
12. The request meets TMC 16.04.050(E)(1-8), as provided below:
 - a. TMC 16.04.050 (E)(1) provides that each of the two parcels shall abut and take primary ingress and egress from a city street and the frontage of each shall not be less than twenty (20) feet in the R-S zone. Proposed Parcel 1 will have over 20 feet of frontage onto Business Highway 20 (City Street). Proposed Parcel 2 will have 20 feet of frontage onto NE Lormax Place (City Street).
 - b. TMC 16.04.050 (E)(2) provides that parcels with double frontage shall not be permitted unless an odd-shaped tract, existing street layout, or existing topography makes such a parcel unavoidable. The existing Parcel (Tax Lot

5400) is a double frontage lot. The result of the partition will be one parcel with frontage on Business Highway 20 and one parcel with frontage on NE Lormax Place.

- c. TMC 16.04.050 (E)(3) provides that each side line be as close to perpendicular to the adjacent street line as possible. The proposed property line configuration for Parcels 1 and 2 will be close to perpendicular to NE Lormax Place. The proposed lot line is not perfectly perpendicular due to existing development on the lot.
- d. TMC 16.04.050 (E)(4) provides that flag lots shall not have an interior flag portion measurement of more than one hundred (100) feet in length, or a "pole" less than twenty (20) feet wide for residential. The proposed parcels are not flag lots.
- e. TMC 16.04.050 (E)(5) provides that the pole portion of a flag lot shall be a minimum of one hundred (100) feet long and a maximum of one hundred fifty (150) feet long. The proposed parcels are not flag lots.
- f. TMC 16.04.050 (E)(6) provides that lots and parcels under twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of two and one-half to one. Further, that lots and parcels over twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of three and one-half to one. Proposed Parcel 1 would be approximately 19,856 square feet and proposed Parcel 2 would be approximately 25,586 square feet. Proposed Parcel 1 would be under twenty-five thousand square (25,000) feet and must not exceed a depth to width ratio of two and one-half to one. Proposed Parcel 2 would be over twenty-five thousand (25,000) square feet and must not exceed a depth to width ratio of three and one-half to one. As to Parcel 1, the depth of the parcel is approximately 130 feet and width is approximately 180 feet, so it does not exceed a depth to width ratio of two and one-half to one. As to Parcel 2, the depth of the parcel is approximately 135 feet and width is approximately 180 feet, so it does not exceed a depth to width ratio of three and one-half to one. Therefore, as drawn on the proposed map, both parcels will not exceed a depth to width ratio of three and one-half to one.
- g. TMC 16.04.050 (E)(7) provides that flag lots may not be created such that more than two driveways for individual lots are in less than seventy-five (75) foot of street frontage. The proposed parcels are not flag lots.
- h. TMC 16.04.050 (E)(8) provides that existing natural and piped drainages must be preserved or replaced on the site and easements must be granted for drainage as long as the easements required are roughly proportional to the impact of the proposed development. No existing drainage easements were identified on the parcel. The Statewide wetlands map identified a potential riverine wetland and staff notified the Department of State Lands (DSL) by submitting a wetland land use notification (WN2023-0504). The property is developed and no development is proposed as part of this partition. It appears the drainage location is to the north of the existing development based on aerial images. The applicant shall protect any natural or piped drainages. In addition, the applicant shall obtain any required permits from the Department

of State lands and/or the US Army Corps of Engineers (USACE). No new streets are required or proposed by the proposed partition. Proposed Parcels 1 and 2 will have access to NE Lormax Place.

13. The City Public Works Director, Police and Fire Chief have all reviewed the application and have indicated their approval in relation to their respective departments. Their approvals coincide with the applicant's assertion that the requested partition will not cause a significant adverse impact on the livability, value or appropriate development of the surrounding neighborhood.
14. The proposed minor partition does not involve the development or extension of any streets and will create parcels that are served by City water and sewer service. Easements are needed based on standards in the Public Infrastructure Design Standards Manual. The division of land complies with applicable ordinances and public improvement design standards adopted by the City. The division of land will not constitute a major partition or a subdivision pursuant to the definitions in Title 16. The street design has received approval from the Director of Public Works. The division of land has received approval from the Public Works Director. Each lot will be served with City sewer and water and the City has the capacity to provide those services. If a bond is required to be posted for any infrastructure improvements, the applicant should agree in writing to do so. The applicant has demonstrated that adequate precautions have been taken to prevent damage or injury resulting from natural hazards. The division of land will not affect a designated dredged material disposal site or mitigation site as designated in the Lincoln County Estuary Management Plan. The minor partition criteria for evaluation in TMC 16.08.070 has been met.
15. The applicant's site plan shows that the proposed partition line would comply with setback standards. Proposed Parcel 1 would be approximately 28 feet from the front yard meeting the 15-foot front yard requirement. Proposed Parcel 2 would be approximately 6 feet from the rear yard meeting the 5-foot rear yard requirement.
16. The Public Works Director reviewed the proposed partition and indicated that water and sewer are currently available to both parcels. Any sewer line and water line easement areas should be noted on the partition plat and protected from damage. The public water line is located in the NE Lormax Place right-of-way and the public sewer line is located in the NE Lormax Place right-of-way. Utility connections to water and sewer will be required. The applicant submitted a water and sewer application to create separate sewer connections for each parcel. The applicant should agree that the final plat will include water, sewer, and/or other utility easements, as appropriate, for any service lines to Parcel 1 that may cross proposed Parcel 2.
17. Notification to 20 surrounding property owners, 19 public/service agencies, and publication of the proposed minor partition were completed in accordance with the TMC requirements. As of July 5, 2023, no comments have been received.

Staff would direct the Planning Commission to evaluate the applicant's proposal and all testimony presented to them in order to make findings that demonstrate the applicable criteria in the TMC can be satisfied. The decision of the Planning Commission should be based on the report of facts and analysis contained within the Staff Report, as well as the facts and testimony presented by the applicant and those

who support or oppose the request given at the public hearing. Any action on the application should address the applicable criteria as contained in the TMC. The decision of the Planning Commission on City Case File #MP-1-23 will become final unless appealed to the City Council.

IV. STAFF RECOMMENDATION:

Based on the staff report, testimony received and analysis of the applicable code and land use planning goals, staff recommends the Planning Commission approve the minor partition, pursuant to the criteria in TMC Section 16.08.070.

Staff further recommends approval of the request, subject to the following conditions:

1. Partitioning of the property shall be in compliance with the proposed partition plan as described in the application, plan and drawings submitted and included in Exhibit A of this report.
2. The buildings shall meet the setback standards of the R-S zone.
3. The applicant shall provide a final minor partition plat prepared by a registered surveyor and meeting the plat standards of the City of Toledo and including an approval signature line for the City Manager's signature. The applicant shall submit the final plat to the Lincoln County Surveyor for review, and to the City of Toledo to review for compliance with conditions of approval prior to recording. The applicant shall record the approved final plat with the Lincoln County Surveyor. A copy of the recorded plat shall be submitted by the applicant to the City of Toledo.
4. In accordance with TMC Chapter 16, the final partition plat shall be recorded within one year from the effective date of the Planning Commission approval. One extension of time, not to exceed one year, may be granted to complete the partition if an application for an extension of time is made in writing prior to the expiration date.
5. Protect all existing easements (in addition to being noted on the plat) and, as appropriate, record any new easements to serve the proposed parcels for driveway access and utilities, and comply with the Public Infrastructure Design Standards Manual, before construction permits will be issued.
6. Any driveway modifications adjacent to NE Lormax Place or Business Highway 20 shall be reviewed and approved by the City of Toledo Public Works.
7. Future development shall be reviewed by the Toledo Public Works Department and any applicable road improvements shall be made by the applicant.
8. Any driveway modification onto a city street, in accordance with the standards specified in the Public Infrastructure Design Standards Manual, may be required as determined by the Public Works Director. If required, it shall be completed within one year of approval of this application, or a deferred development agreement entered into, to address this requirement. Determination will be made when a construction permit has been submitted that identifies the location of proposed construction and length of its driveway, to ensure that the development will comply with Public Infrastructure Design Standards and Fire, Life, Safety

- standards.
9. The recording of easements (in addition to being noted on the plat) as required and as appropriate by the Public Works Director to serve the interior properties for driveway access and utilities, including water and sewer, in accordance with the minimum width and other standards in the Public Infrastructure Design Standards Manual, before construction permits will be issued.
 10. The applicant shall obtain any required permits from the Department of Statelands and/or USACE.
 11. All standards and requirements in the Infrastructure Design Standards Manual, TMC Chapter 16 and 17 are met, as to both parcels marked on Exhibit A.

PLANNING COMMISSION DECISION

PROPOSED MOTION (MP-1-23):

BASED ON THE TESTIMONY RECEIVED, THE STAFF REPORT, AND THE EVIDENCE AND ARGUMENTS BEFORE THE PLANNING COMMISSION AT THE PUBLIC HEARING ON JULY 12, 2023, THE PLANNING COMMISSION FINDS THAT THE REQUEST BY DAREN CLOWSER AND JAMES HURLEY, AND STEPHEN SWINEHART (AUTHORIZED AGENT) (MP-1-23) COMPLIES WITH THE CRITERIA IDENTIFIED IN TOLEDO MUNICIPAL CODE, TITLES 16 AND 17, INCLUDING THE CRITERIA IDENTIFIED IN TOLEDO MUNICIPAL CODE, SECTION 16.08.070. THE PLANNING COMMISSION HEREBY ADOPTS THE STAFF REPORT AS FINDINGS, AS WELL AS ANY CONDITIONS OF APPROVAL FOR MP-1-23, AND ALLOWING FOR THE CORRECTION OF TYPOGRAPHICAL AND GRAMMATICAL ERRORS.

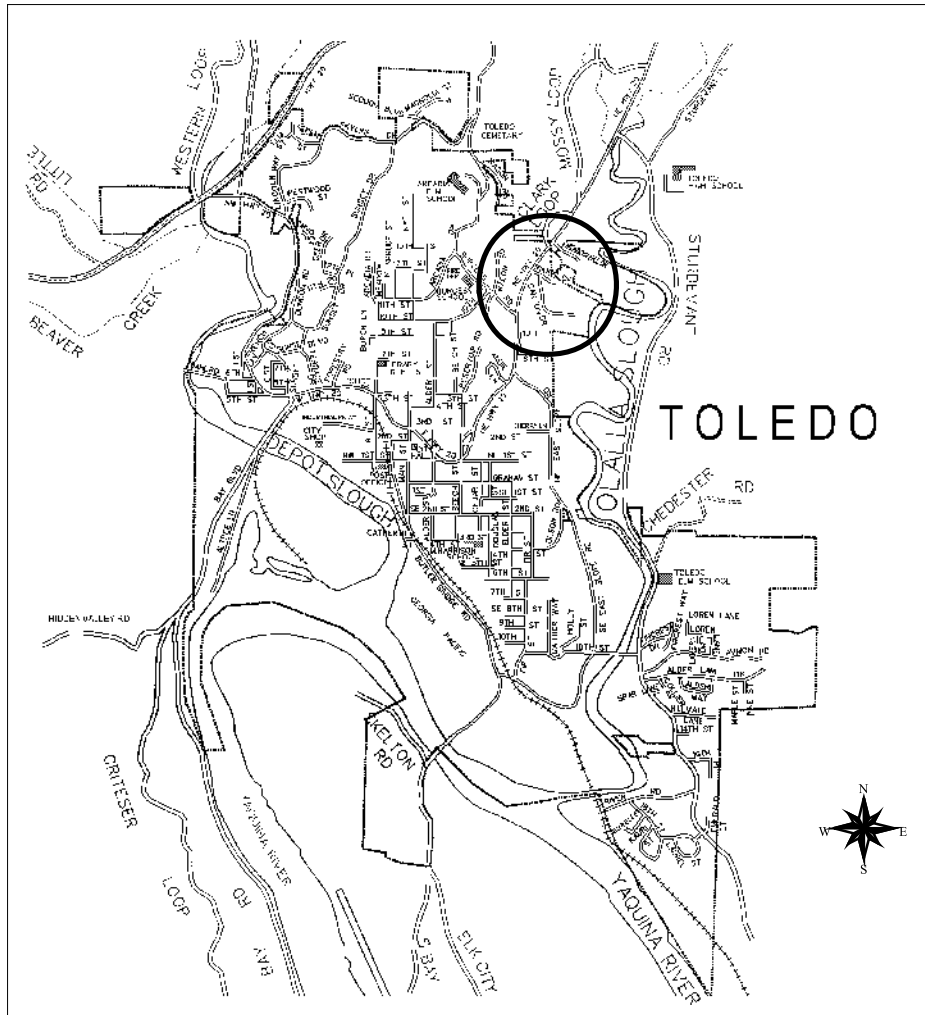
V. PLANNING COMMISSION ROLE:

The Planning Commission should evaluate the applicant's proposal and all testimony presented to them in order to make findings which demonstrate that the applicable criteria in the Toledo Municipal Code and Comprehensive Plan can be satisfied. The decision of the Planning Commission should be based on the report of facts and analysis contained within the Staff Report, as well as the facts and testimony presented by the applicant and those who support or oppose the request given at the public hearing. Any action on the application should address the applicable criteria as contained in the Toledo Municipal Code. The decision of the Planning Commission shall be final unless appealed to the City Council.

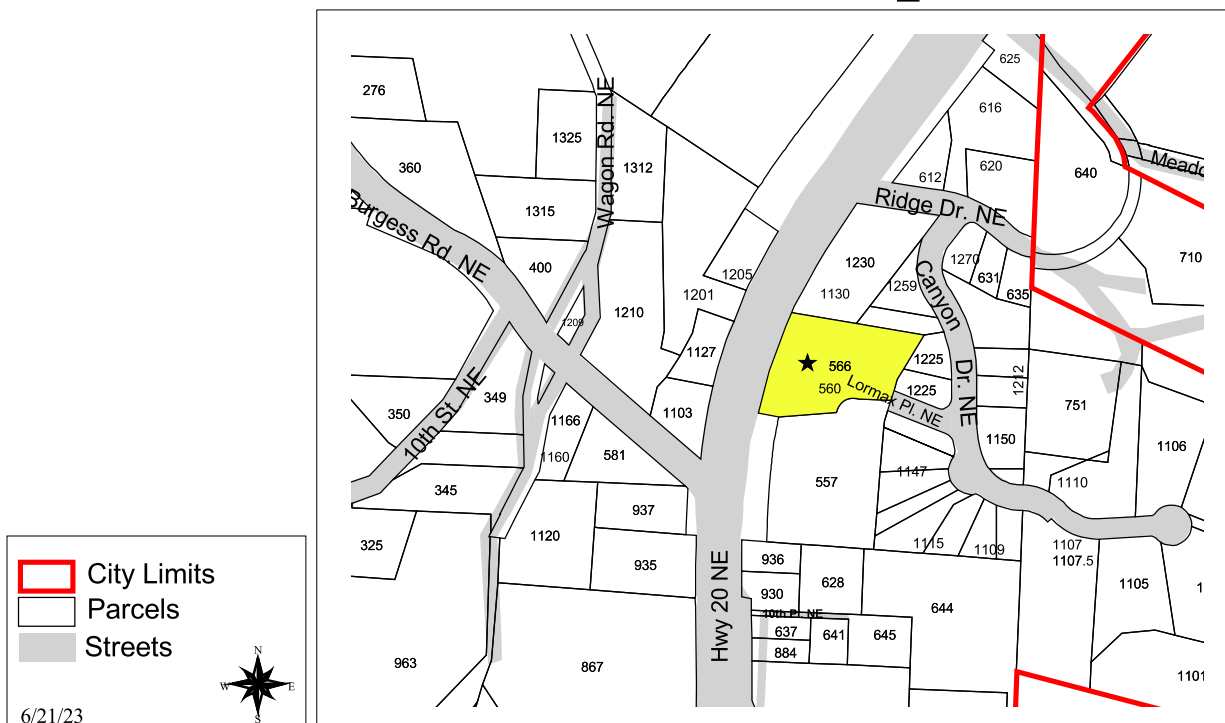
Prepared by,

Justin Peterson
Contract Planner

Location Map

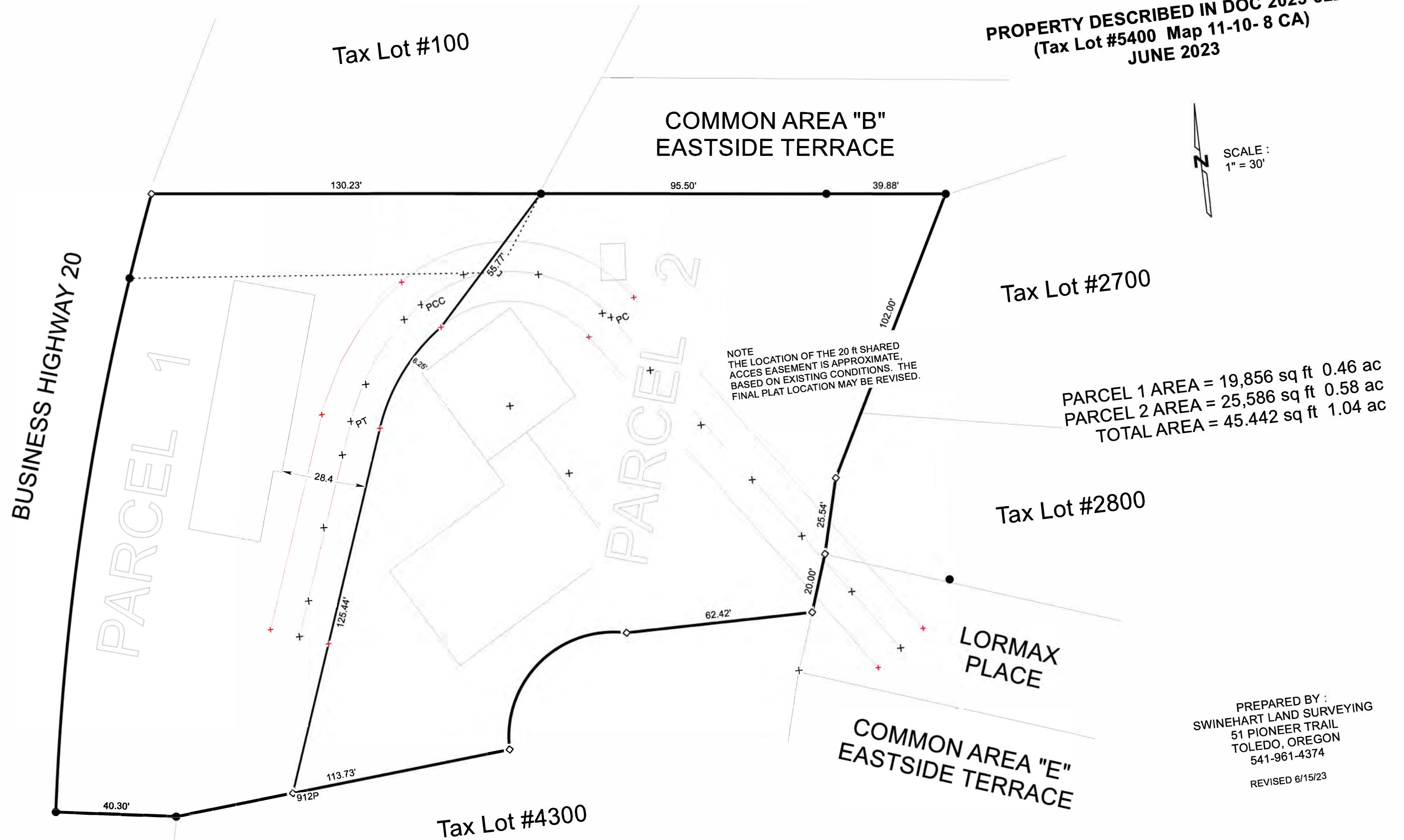


Site Map



**Exhibit A - Map Showing Parcels After Partition
(City of Toledo File #MP-1-23)**

**TENTATIVE PLAN for CLOUSER & HURLEY
showing a
PROPOSED PARTITION
of
PROPERTY DESCRIBED IN DOC 2023-3224
(Tax Lot #5400 Map 11-10- 8 CA)
JUNE 2023**



ATTACHMENT B

Application with Supporting Information

(City of Toledo File #MP-1-23)



Date 5/25/2023

Property Owner Daren Clouser & James Hurley
Mailing Address 230 Lyon St S Apt 15
Albany, OR 97321

Telephone 503-679-6988
Email dc14ccc@yahoo.com

Authorized Agent Stephen Swinehart
Mailing Address 51 Pioneer Trail
Toledo, OR 97391

Telephone 541-961-4374
Email SL551ptgps@hotmail.com

Property Address 560 NE Lufmax Place
Property Location Toledo OR 97391
Assessors Map No. 11-10-08-CA-05400-00

Property Size 1.06 acres

Tax Lot No. 05400

Present Zoning R-S
Comprehensive Plan Designation R-S
Current Use of Property RCSidential
Existing Structures (if any) 2 homes with garages

Proposed Change Lot Division

Proposal for which this request is being made (attach additional sheets if needed) Separate the two houses into 2 separate lots

The following must be submitted with this application:

- ☐ Deed description and proof of ownership interest.
- ☐ Site plan drawn to scale which shows property lines, access, existing buildings, other relevant features or conditions, the property's relationship to the surrounding neighborhood, and the location of existing and proposed development.
- ☐ Description of the proposed land use action, including information on how the proposal might impact surrounding property and how the request meets the decision criteria.
- ☐ Supplemental information form (if required).
- ☐ Application fee.

☐ Annexation/Rezone (\$1,500)*	☐ Expedited Land Division (\$2,000)*	☐ Riparian Modification Permit (\$200)
☐ Appeal, Land Use Misc (\$535)*	☐ Lot Line Adjustment (\$135)	☐ Similar Use, Planning Comm (\$535)
☐ Appeal, Type II (\$260)*	☐ Modification of Approval (75% of fee)	☐ Subdivision (\$930+\$20/lot)*
☐ Appeal, Type III (\$535)*	☐ Partition, Major (\$930)*	☐ UGB Amendment (\$2,660)
☐ Code Amendment (\$930)	☒ Partition, Minor (\$535)*	☐ Vacation (\$2,000)*
☐ (if requires M56 notice \$930+mailing)	☐ Planned Unit Development	☐ Variance, Type I (\$65)*
☐ Comp. Plan Amendment (\$930)	☐ (\$930+\$20/unit)*	☐ Variance, Type II (\$260)*
☐ (if requires M56 notice \$930+mailing)	☐ Replat, Major (\$930)	☐ Variance, Type III (\$535)*
☐ Code Interpretation, official (\$170)	☐ Replat, Minor (\$535)	☐ Zone Change (\$930)
☐ Conditional Use (\$535)	☐ Restrictive Lot Line Covenant	
☐ Exception to Statewide Goal (\$2,660)	☐ (\$100+admin fee)	

*Supplemental forms are required

If filing multiple Land Use Applications, the highest tier application will be assessed and 75% of each additional land use application when submitted together. If filing multiple Type I permits, staff can waive some fees where overlapping permits do not need significant additional review.

For Office Use Only

Date Received _____ By _____ Fee Paid _____ Complete Application Date _____ City File No. _____

I understand that I am responsible for addressing the legal criteria relevant to my application and that the burden of proof justifying an approval of my application is with me. I also understand that I must present sufficient factual evidence to show that this application complies with the Toledo Zoning Ordinance, Comprehensive Plan, and other applicable regulations. This responsibility is independent of any opinions expressed in the Planning Department Staff Report concerning the applicable criteria. I certify that, to the best of my knowledge, all information contained in this application is accurate.

My signature below shows that I have thoroughly discussed this application with the City Planner, City Manager, or designee and I am fully aware of my responsibilities as the applicant. A pre-application meeting with City staff was held on or around _____.

I understand that the Planning Commission will hold a public hearing for this application (Type III) ☐ yes
I understand that the City Council will hold a public hearing for this application (Type IV) ☐ yes
I understand that this is a City of Toledo staff-level decision (Type I and Type II) ☐ yes
Other _____ ☐ yes


Applicant(s) Signature

6-13-23
Date


Property Owner (if different)

13 Jun 23
Date


51 POWER TRAIL
TOLEDO 97391

Public Works

1. Is City sewer available? Yes____ No____
Where _____

Will a connection have to be constructed? Yes____ No____
What size of a line is required _____
2. Is City water available? Yes____ No____
Where _____

Meter size _____
Estimated installation cost _____
3. Are there any public works improvements necessary? Yes____ No____
If yes, describe _____

4. Is there proper access? Yes____ No____
Are there proper easements? Yes____ No____

Curb cuts and property entrances must be constructed to City specifications. Permit and specifications are available through the Public Works Department.
5. Are there any special access requirements? Yes____ No____
If yes, describe _____
Is a state access permit required? Yes____ No____
Is a county permit required? Yes____ No____
6. Are stormwater improvements needed? Yes____ No____
If yes, describe _____

Is an erosion control plan needed? Yes____ No____
7. Is a plan review by Public Works required? Yes____ No____
8. Is this application ready to be approved? Yes____ No____
Explain modifications or revisions needed for the application _____

Comments _____

REVIEWED AND APPROVED BY:

Public Works Director

Date

Fire Department

1. Does the proposal meet the safety requirements of the IFC? Yes ☒ No ☐
2. Is this application ready to be approved? Yes ☒ No ☐
Explain modifications or revisions needed for the application _____

Comments NO Comments

REVIEWED AND APPROVED BY:

Greg Mudi
Fire Chief Captain/Fire Inspector

6/22/2023
Date

Police Department

1. Is this application ready to be approved? Yes ☐ No ☐
Explain modifications or revisions needed for the application _____

Comments _____

REVIEWED AND APPROVED BY:

Chief of Police

Date

Planning Department

1. Is this application ready to be approved? Yes ☐ No ☐
Explain modifications or revisions needed for the application _____

Comments _____

REVIEWED AND APPROVED BY:

City Planner

Date

June 4, 2023

Toledo City Hall
Attn: Planning Department
206 N Main Street Toledo, OR
541-336-2247
Planning@cityoftoledo.org

To Whom it May Concern,

I am writing to request the consideration from the Planning Department to approve a minor partition located at 560 NE Lormax Place Toledo, OR 97391. There are two existing houses on one lot; our proposal is to separate the two houses into two separate lots with a house on each lot.

This minor partition request complies to the requirements from the City of Toledo Planning Department. This division complies with the ordinances and public improvement design standards adopted by the city. There are two homes in very separate sections on this lot and this division allows the two properties to be utilized to their max capacity of providing housing opportunity in Toledo.

I have filed all necessary information required by Land Division Title 16. My request and this application for a minor partition will not constitute a major partition or a subdivision pursuant to definitions in this title.

This partition does not effect the city sewer and water capacity. Each lot is already serviced by city water and sewer and the city has already been providing the capacity for decades.

There are no infrastructure changes or designs for this partition.

During this partition all adequate precautions would be taken to prevent damages or injury resulting from natural hazards.

This division of lots will not affect a designated dredge material disposal site or mitigation site designated in the Lincoln County estuary management plan..

My requested division will not result in any new created parcels or lots which are zoned for natural resources or which become 100% undevelopable due to splitting off the buildable land unless owned, created or proposed to be used by a public utility.

Please let me know if you have any questions. Thank you greatly for your consideration.

Warmest Regards,

Daren Clowser
503-679-6988
dc14ccc@yahoo.com

CONTACT

TOLEDO CITY HALL | 206 N MAIN STREET | TOLEDO, OR 97391 | 541-336-2247 | WWW.CITYOFTOLEDO.ORG

Tax Lot #100

COMMON AREA "B"
EASTSIDE TERRACE

BUSINESS HIGHWAY 20

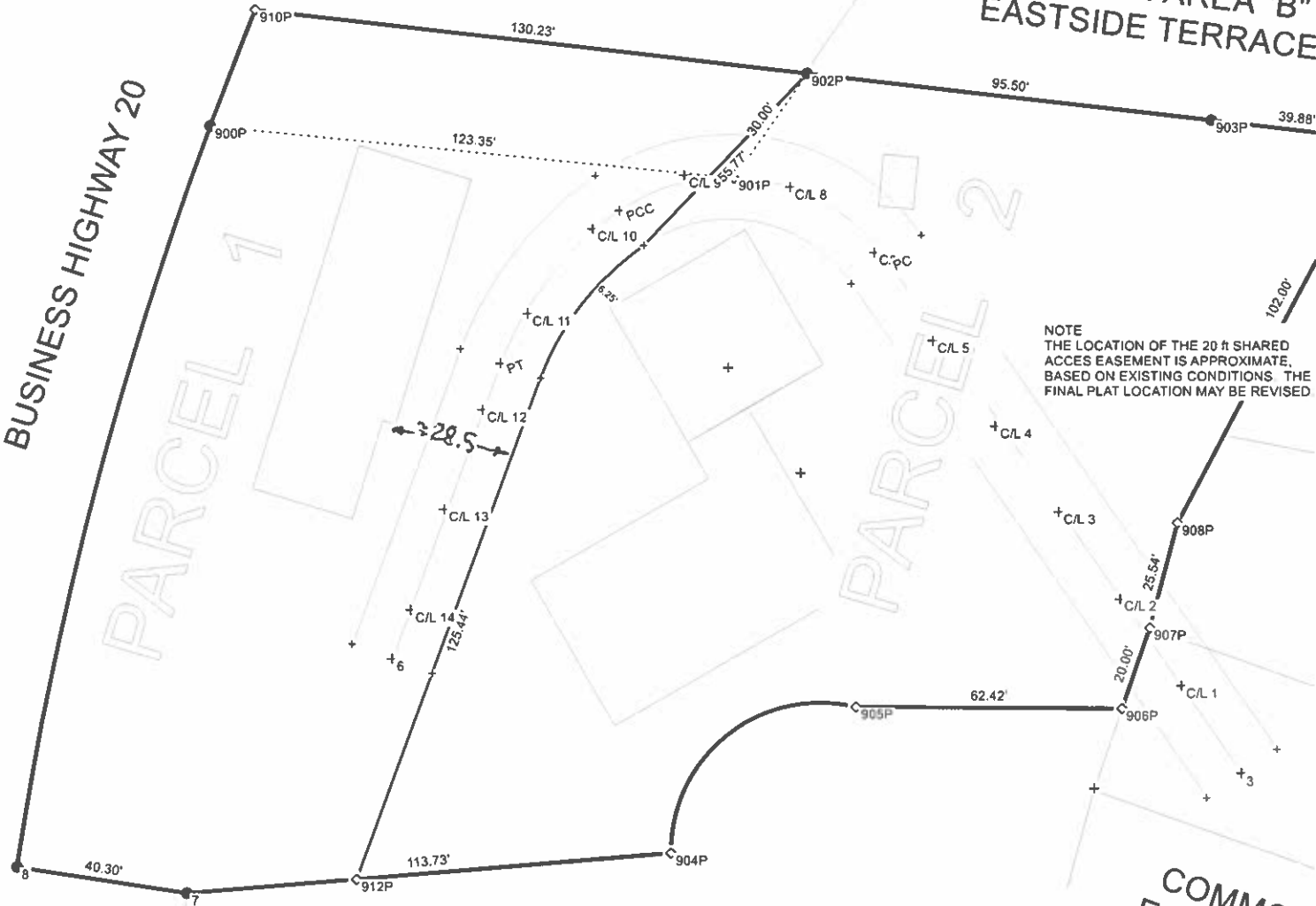
PARCEL 1

PARCEL 2

NOTE
THE LOCATION OF THE 20 ft SHARED
ACCESS EASEMENT IS APPROXIMATE,
BASED ON EXISTING CONDITIONS. THE
FINAL PLAT LOCATION MAY BE REVISED

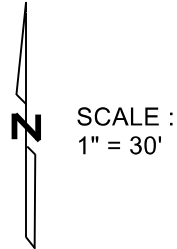
COMMON
EASTSIDE

Tax Lot #4300



Tax Lot #100

TENTATIVE PLAN for CLOUSER & HURLEY
showing a
PROPOSED PARTITION
of
PROPERTY DESCRIBED IN DOC 2023-3224
(Tax Lot #5400 Map 11-10- 8 CA)
JUNE 2023



BUSINESS HIGHWAY 20

COMMON AREA "B"
EASTSIDE TERRACE

Tax Lot #2700

PARCEL 1 AREA = 19,856 sq ft 0.46 ac
PARCEL 2 AREA = 25,586 sq ft 0.58 ac
TOTAL AREA = 45.442 sq ft 1.04 ac

Tax Lot #2800

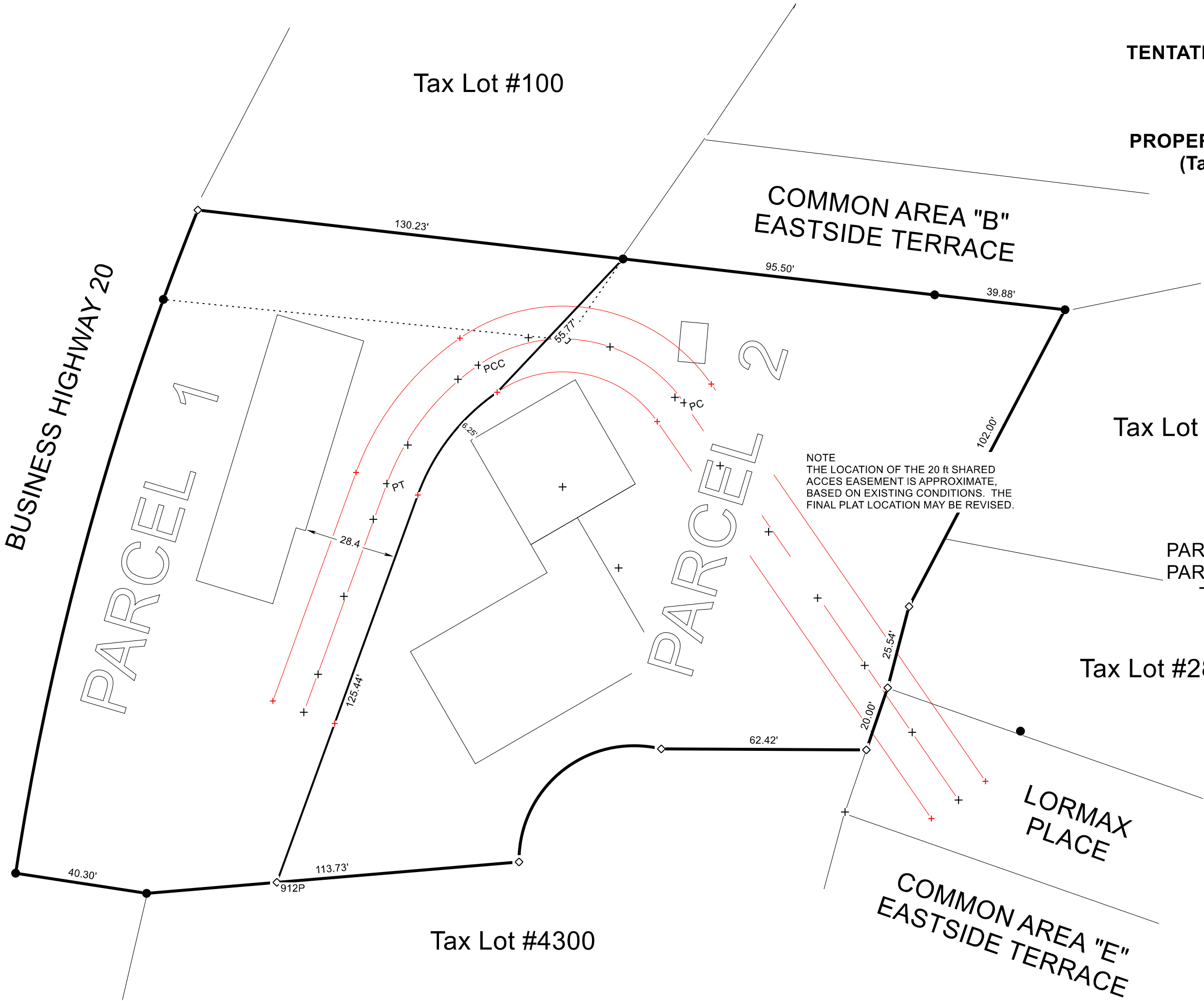
LORMAX
PLACE

COMMON AREA "E"
EASTSIDE TERRACE

Tax Lot #4300

PREPARED BY :
SWINEHART LAND SURVEYING
51 PIONEER TRAIL
TOLEDO, OREGON
541-961-4374

REVISED 6/15/23



Chicago Title 47252300186

RECORDING REQUESTED BY:



10151 SE Sunnyside Road, Ste 300
Clackamas, OR 97015

GRANTOR'S NAME:

Billy Bearden and Julie Bearden

GRANTEE'S NAME:

James Hurley and Daren Clowser

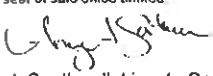
AFTER RECORDING RETURN TO:

Order No.: 472523001186-TW
James Hurley and Daren Clowser
P.O. Box 903a
Albany, OR 97321

SEND TAX STATEMENTS TO:

James Hurley
P.O. Box 903a
Albany, OR 97321

APN: R229416

Lincoln County, Oregon	2023-03224
05/19/2023 01:42:01 PM	
DOC-WD	Cnt=1 Pgs=4 Str=10
\$20.00 \$11.00 \$10.00 \$60.00 \$7.00	\$108.00
I, Amy A Southwell, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.	
	
Amy A Southwell, Lincoln County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Billy Bearden and Julie Bearden, as tenants by the entirety, Grantor, conveys and warrants to James Hurley and Daren Clowser, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Lincoln, State of Oregon:

See Attached Exhibit A

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00). (See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Western Title WT0249849

STATUTORY WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 5/13/2023

Billy Bearden
Billy Bearden

Julie Bearden
Julie Bearden

State of Oregon
County of LINCOLN

This instrument was acknowledged before me on May 13, 2023 by Billy Bearden and Julie Bearden.

Deborah Lynne Grigsby
Notary Public - State of Oregon

My Commission Expires: 02/17/2025

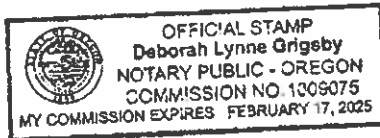


EXHIBIT "A"
Legal Description

PARCEL I:

Parcel 1 of MINOR PARTITION 1993-3 filed for record February 5, 1993, Plat Records of Lincoln County, Oregon, in the City of Toledo, County of Lincoln and State of Oregon.

PARCEL II:

A parcel of land lying in the Northeast quarter of the Southwest quarter of Section 8, Township 11 South, Range 10 West of the Willamette Meridian, in Lincoln County, Oregon, more particularly described as follows:

Beginning at the West corner of Lot 6, Block 3, Eastside Terrace Phase Two; thence South 83° 56' 12" East, 123.49 feet along the Northerly line of said Lot 6, to a point in the Westerly line of Lot 5 of said Block 3; thence North 35° 09' 41" East, along said Lot 5, a distance of 30.00 feet to the Southwest corner of common area "B" in Block 3 of the Plat of Eastside Terrace; thence North 83° 04' 42" West on an extension of the Northerly line of Lot 5, 132.43 feet, more or less, to the Easterly line of that tract conveyed to the State of Oregon, by and through its State Highway Commission in deed recorded July 9, 1936 in Volume 72, page 532, Deed Records; thence in a generally Southerly direction along said State of Oregon tract to the point of beginning.

RECORDING REQUESTED BY:

Chicago Title
 10151 SE Sunnyside Road, Ste 300
 Clackamas, OR 97015

GRANTOR'S NAME:
 Billy Bearden and Julie Bearden
 560 NE Lormax Place
 Toledo, OR 97391

GRANTEE'S NAME:
 Billy Bearden and Julie Bearden
 560 NE Lormax Place
 Toledo, OR 97391

AFTER RECORDING RETURN TO:
 Billy Bearden and Julie Bearden
 560 NE Lormax Place
 Toledo, OR 97391

SEND TAX STATEMENTS TO:
 Billy Bearden and Julie Bearden
 560 NE Lormax Place
 Toledo, OR 97391

R229416, and
 560 NE Lormax Place, Toledo, OR 97391-2334

Lincoln County, Oregon
 05/19/2023 01:42:01 PM
 DOC-BSD
 \$10.00 \$11.00 \$10.00 \$60.00 \$7.00

2023-03223

Cnt=1 Pgs=2 Stn=10

\$98.00

I, Amy A Southwell, County Clerk, do hereby certify that the
 within instrument was recorded in the Lincoln County Book
 of Records on the above date and time. WITNESS my
 hand and seal of said office affixed.

Amy A Southwell, Lincoln County Clerk



SPACE ABOVE THIS LINE FOR RECORDER'S USE

BARGAIN AND SALE DEED - STATUTORY FORM
 (INDIVIDUAL or CORPORATION)

Cynthia Jeanne Hoefer, Grantor, conveys to Billy Bearden and Julie Bearden, as tenants by the entirety,
 Grantee, the following described real property, situated in the County of Lincoln, State of Oregon,

See Attached Exhibit "A"

ZERO DOLLARS AND NO/100

The true consideration for this conveyance was ~~Two Hundred Fifty Thousand and No/100 Dollars (\$0.000)~~ (See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: May 13, 2023

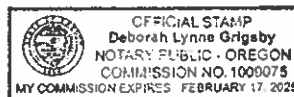
Cynthia J. Hoefer
 Cynthia Jeanne Hoefer

State of Oregon
 County of Lincoln

This instrument was acknowledged before me on May 13, 2023 by Cynthia Jeanne Hoefer.

Deborah Lynne Grigsby
 Notary Public - State of Oregon

My Commission Expires: 02/17/2025



CHICAGO TITLE 472523001186

EXHIBIT "A"
Legal Description

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Exhibit "B"

Rights of the public to any portion of the Land lying within the area commonly known as roads and highways.

Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance

Recording Date: September 4, 1992
Recording No: Book 249, page 2338

Corrected by Instrument, including the terms and provisions thereof.

Recording Date: February 2, 1993
Recording No: Book 258, page 1719

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: as set forth therein
Recording Date: September 20, 1948
Recording No: Book 113, page 641

Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Easement for Drainage Facility
In favor of: State of Oregon, by and through its State Highway Commission
Purpose: as set forth therein
Recording Date: October 11, 1968
Recording No: Book 2, page 733

Boundary Line Agreement, including the terms and provisions thereof.

Recording Date: April 9, 1981
Recording No.: Book 123, page 149

Easements, conditions, restrictions and notes as delineated on the official plat of Eastside Terrace Subdivision (Phase Two).

Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: December 5, 1984
Recording No: Book 156, page 819

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: as set forth therein
Recording Date: February 21, 1991
Recording No: Book 226, page 1864

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

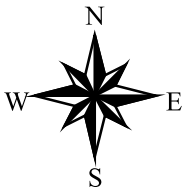
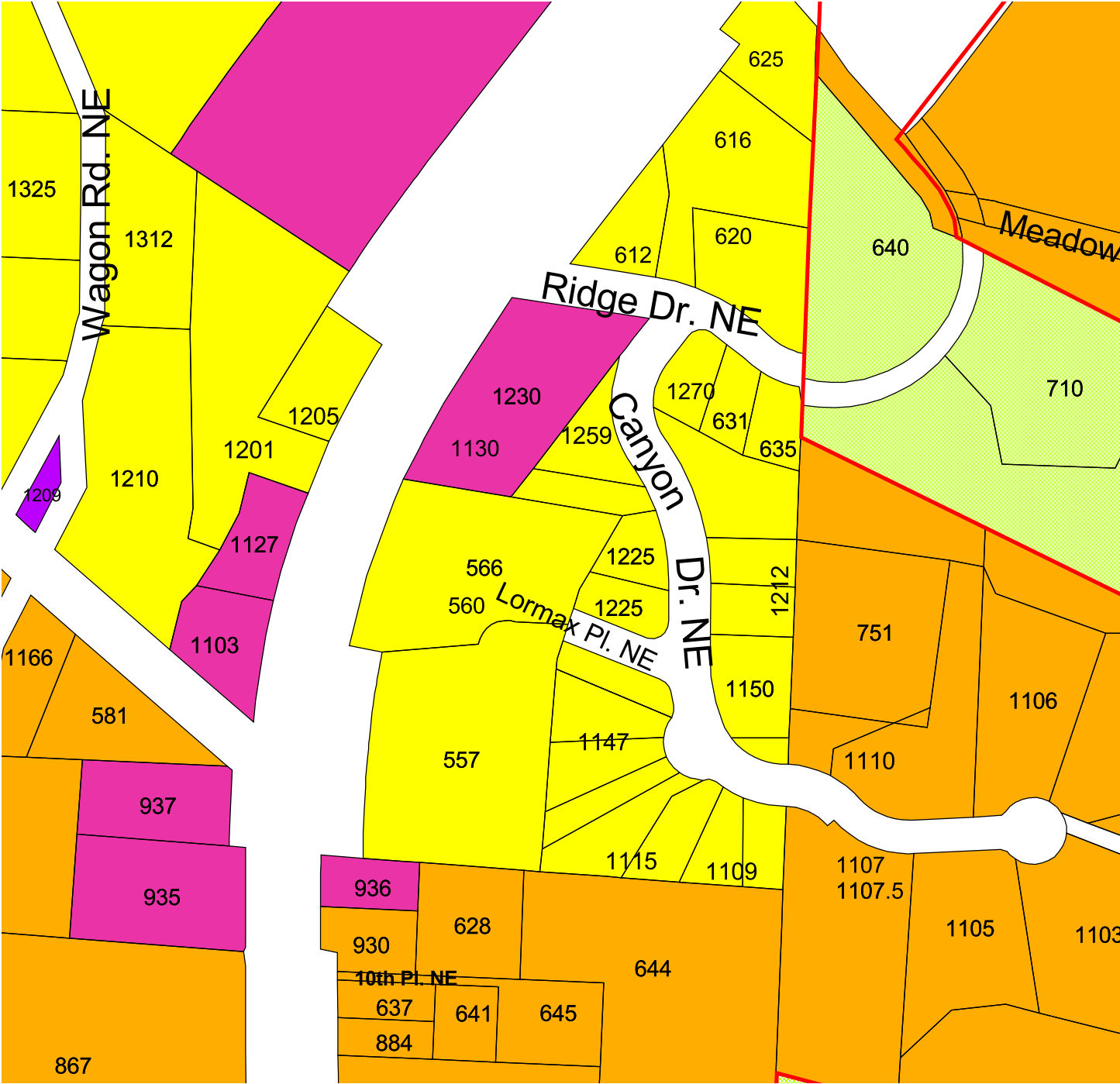
Granted to: Central Lincoln People's Utility District
Purpose: as set forth therein
Recording Date: February 21, 1991
Recording No: Book 226, page 1868

Easements, conditions, restrictions and notes as delineated on the official Minor Partition 1993-3.

ATTACHMENT C

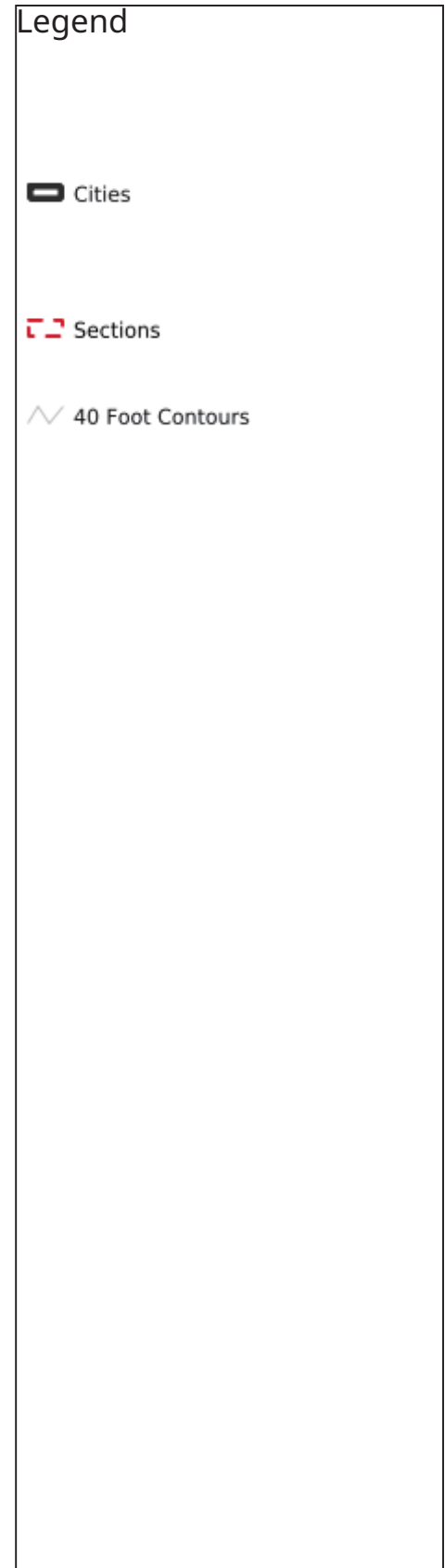
Zoning Map

(City of Toledo File #MP-1-23)



- City Limits
- Parcels
- Comprehensive Plan
- Commercial
- Industrial
- Light Industrial
- Natural Resources
- Public Lands
- Residential General
- Residential Single
- Water Dependent
- Outside UGB
- UGB Commercial
- UGB Industrial
- UGB Low Density Residential
- UGB Medium Density Residential
- UGB Natural Resources
- UGB Public Lands
- UGB Water Dependent
- Waterways

ATTACHMENT D
Aerial Map
(City of Toledo File #MP-1-23)

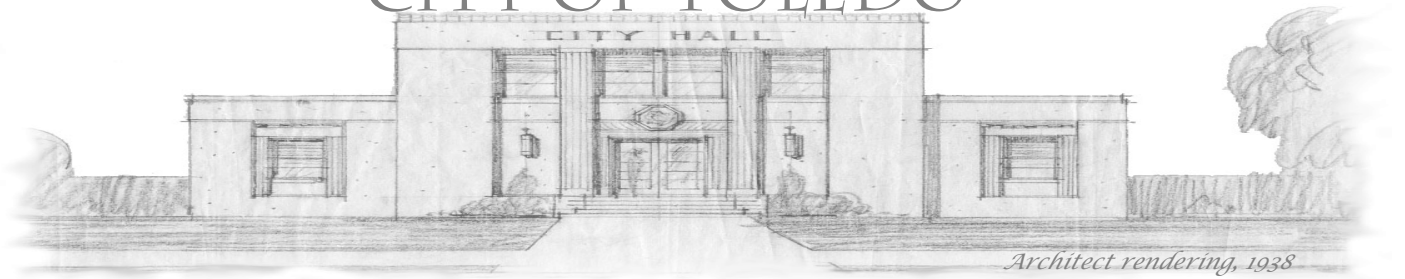


Printed on 7 / 6 / 2023

Lincoln County Government Use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users should review the primary information sources to ascertain their usability.



CITY OF TOLEDO



To: Toledo Planning Commission

From: Justin Peterson, Oregon Cascades West Contract Planner

Date: July 6, 2023

Re: Comprehensive Plan Update – Introduction

Background

Based on the May 2023 Planning Commission meeting staff made updates to the introduction section of the Toledo Comprehensive Plan.

Introduction Updates

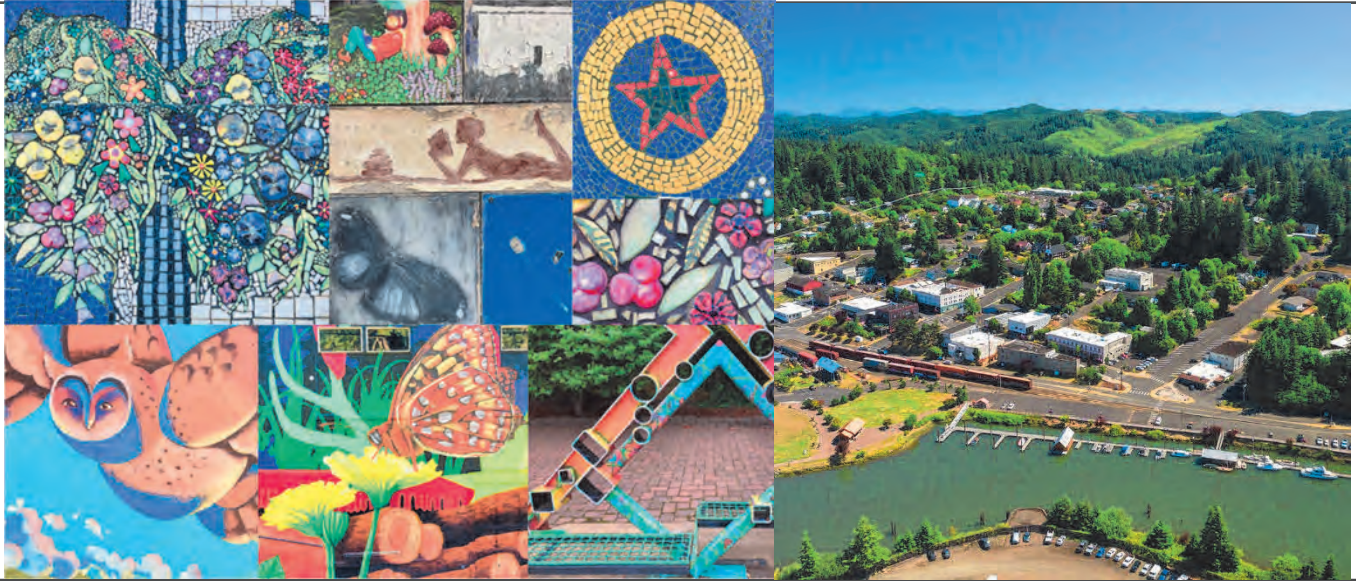
- Updated to Toledo 2043 vision.
- Added library events and disc golf.
- Added Toledo history museum and Toledo Library as project partners.
- Juno description updated – removed specific percentage that is recyclable (may change in the future).
- Georgia pacific recycling update – industry leader.
- Updated vision statement.
- Added key projects completed in the last 20 years.
- Added to Toledo by the numbers.

Attachments

- Toledo Comprehensive Plan Introduction Draft July 6, 2023



2043 Vision for Toledo, Oregon



Photos courtesy of Katy Kueter RARE Participant and Oregon Coast Visitors Association

December 2023

The 2023 Toledo Comprehensive Land Use Plan

Acknowledgements

This update of the Toledo Comprehensive Plan represents over a year of work by City Staff, the Toledo Planning Commission, and broad participation from the local and regional partners.

Planning Commission

Anne Learned-Ellis – President
Cora Warfield – Vice President
Brian Lundgren
Jonathan Mix
Terri Neimann
Frederick “Ricky” Dyson

Mayor and City Council

Rod Cross – Mayor
Betty Kamikawa – Council President
Tracy Mix
Kim Bush
Jackie Kauffman
Wade Carey

City Staff

Arlene Inukai, Planning Assistant
Justin Peterson, Oregon Cascades West Council of Governments Contract Planner
Judy Richter, City Manager
Katy Kueter, RARE Participant

Regional Partners and State Partners

Bret Estes, DLCD, North Coast Regional Rep.

Community Partners

Table of Contents

2043 Vision for Toledo, Oregon i

Acknowledgements ii

Table of Contents iii

Chapter 1: Introduction 1

Toledo History 4

Vision 13

Comprehensive Plan Chapters 16

Article 1: Citizen Involvement 16

Local Context 16

Article 2: Land Use Planning 20

Local Context 20

Article 3: Agriculture [Not Intended to be the same as Statewide Planning Goal 3] 28

Article 4: Forested Areas [Not Intended to be the same as Statewide Planning Goal 4] 30

Article 5: Open Spaces, Scenic and Historical Areas, and Natural Resources 31

Article 6: Air, Water, and Land Resources Quality 35

Article 7: Natural Hazards 42

Article 8: Recreational Needs 50

Article 9: Economic Development 58

Article 10: Housing 64

Article 11: Public Facilities and Services 68

Article 12: Transportation 75

Article 13: Energy Conservation 85

Article 14: Urbanization and Livability 87

Article 16: Estuarine Resources 91

Article 17: Coastal Shorelands 93

Appendix A: Comprehensive Plan Inventory 96

Appendix B: Reference Documents 1

Appendix C: Amendment History 2

Chapter 1: Introduction

Toledo's last 20 plus years have brought change, success, and challenges. The last update to the Toledo Comprehensive Plan was in 2001 after the timber decline of the 1980s and 1990s, and before the 2008 Great Recession and 2020 COVID 19 Pandemic. Overall, much has happened in the last 20 years, and it is time to update the Comprehensive Plan to reflect the community's current vision. We turned to the community for guidance and input which will shape how Toledo grows and develops in the future. The Comprehensive Plan or "The Plan" is an expression of the community's values. The Plan reflects what we learned from comments gathered during the Toledo Comprehensive Plan Survey, as well as the time we spent with residents, community partners, and many others. This document lays the groundwork for Toledo to grow and develop in a way that is consistent with the community's shared priorities. Collectively, The City created a plan that will be front and center in making day-to-day land use decisions, a plan that will be kept relevant and useful through adjustment and refinement. This is a plan that will guide Toledo's evolution over the next 20 years and beyond. This is our plan.

By the year 2043, it is projected that 3,872 people will live in Toledo (PSU Estimates). However, Elected Officials and City Staff expect the population to grow by more than the projected estimates. New residents will live, work, shop, and recreate in the Toledo area. What do people want Toledo to be like in five years? or in twenty years? How will the community respond to the changes and challenges Toledo faces? How can the community shape and guide the development of Toledo in a positive and productive manner? Toledo's Comprehensive Plan, 2043 Vision for Toledo, has been written to help Toledo's citizens and leaders envision and achieve the community's desired future.

Introduction to Our City

The City of Toledo is situated seven miles inland from the Pacific Ocean on the scenic Yaquina Bay is located between the Coast Range and the Pacific Coast. Toledo's inland location combines proximity to the ocean with weather that is frequently warmer and sunnier than that of its coastal neighbors.

Toledo is a rural community with a 2022 population of 3,840 (PSU Estimates). The 1999 population was 3,605 which means the population increased by about 235 people in the last 22 years. The 2000 Toledo Comprehensive Plan projected that between 5,000 and 5,600 people would live in Toledo. We now know that is not the case. Nevertheless, the population of Toledo has grown in the last 20 years and the Housing Needs Analysis/Buildable Lands Inventory (Attachment A) discusses the city's demographic changes in detail.

Toledo expresses a "small town" feeling to the people who live here. With its quaint downtown, steep hillsides, narrow streets, forested neighborhoods, and scenic waterways, Toledo is a charming community. The community offers a wide variety of housing types and styles. Toledo is a popular area because of accessibility to a variety of sports and recreational activities including fishing, canoeing, sailing, hunting, hiking, and scenic drives. The area also offers an indoor swimming pool, tennis courts, bowling alley, disc golf, historic museums, well-kept parks, and a library. Many churches of various denominations provide opportunities for worship and community events. Toledo's citizens are active in community organizations and enjoy school functions and community festivals. Each year there are many joint events with the Toledo Pool District, Port of Toledo, Toledo Chamber of Commerce, Toledo Rotary, Toledo Library, Toledo History Museum, and the city. Events such as, the Wooden Boat Show, Cycle Oregon – Gravel, Thursday Waterfront Market, Thursday Free Boating at the Port, National Night Out, Lights of Hope, Trick or Treat Mainstreet, Cornhole Classic, annual tree lighting and umbrella parade, and so much more bring visitors and locals together to enjoy Toledo.

Toledo is truly where "Art Meets Industry". With many galleries and a thriving art community Toledo has murals, metal sculptures, and phantom art galleries throughout the area. Art Toledo brings events such as Art, Oysters and Brews, Chalk a Block, and the Art Walk to the city.

Transportation routes to Toledo include rail, air, marine, and U.S. Highway 20. Many communities including Toledo suffered economic declines as resource-based industries declined in Oregon. Fortunately, Toledo retains an industrial base with the largest industrial employer in Lincoln County, Georgia Pacific LLC. Toledo is poised to be on the leading edge of environmental improvements with Georgia Pacific's addition of the Juno technology which is innovative technology designed to convert household paper waste into reusable fiber for container board. Dahl Disposal's waste bundling system makes it possible for waste from throughout Lincoln County to be sorted and bundled for use in JUNO, thereby removing paper waste from the landfill.

Over the last 20 plus years the City of Toledo and its partners have accomplished a lot. Key projects completed in the last 20 years include the Port of Toledo's mobile lift, multiple code updates including housing amendments, establishing an urban renewal district, 2022 housing capacity analysis, 2013 transportation system plan update, 2012 economic opportunities analysis, new 2006 Fire Department building, 2014 water storage on Skyline, 2014 Siletz River intake, Port of Toledo Waterfront park, Toledo History center, city dog park, city mural expansion project, and Georgia Pacific's Juno project.

The mission of the Toledo City Government is to provide efficient and necessary public service that protect and enhance the quality of life in Toledo, now and in the future, as determined by our citizens, the law, and available economic resources. City Council and staff strive to meet this mission and follow this value statement set forth by the city council:

- Respect - We embrace the worth and dignity of everyone.



- Integrity - We earn trust with honesty and transparency.
- Accountability - We own our words, actions, successes, and failures.

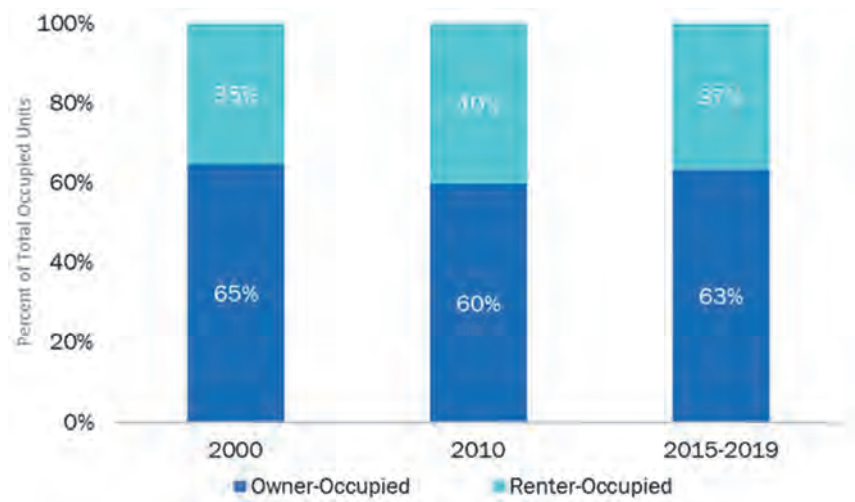
Toledo by the Numbers

The City of Toledo recently completed a Housing Capacity Analysis ([Attachment A](#)) that includes additional demographic data.

This section is meant to highlight some recent housing mix trends in Toledo.

- **Toledo's housing stock is predominantly single-family detached housing units.** Eighty-three percent of Toledo's housing stock is single-family detached; 7 percent is multifamily (with 5 or more units per structure); 5 percent is duplexes, triplexes, or quadplexes; and 4 percent is single-family attached (e.g., town houses). Toledo's mix of housing has not changed substantially since 2000.
- **Single-family detached housing accounted for a little over a third of new housing permitted in Toledo between 2010 and 2022.** About 65 percent of new units permitted were for single-family units or manufactured homes, 30 percent were for multifamily units, and 5 percent were accessory dwelling units.
- **Toledo's housing is older on average.** Nearly half of Toledo's housing was built before 1959, compared with one-quarter of the county's or state's housing stock.

Exhibit X: Tenure, Occupied Units, Toledo, 2000, 2010, 2015-2019



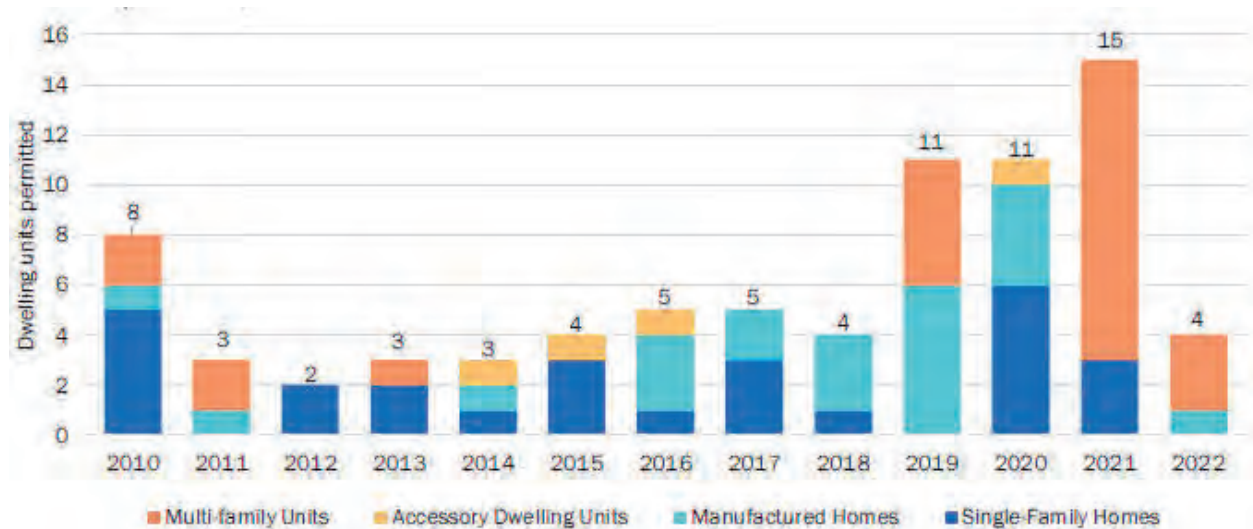
Source: US Census Bureau, 2000 Decennial Census SF1 Table H004, 2010 Decennial Census SF1 Table H4, 2015-2019 ACS Table B25003.

This section shows two key characteristics of Toledo's population, with implications for future housing demand in Toledo:

- Toledo's senior population grew between 2000 and 2019 and is expected to continue to increase.
- Toledo has a slightly larger proportion of younger people than Lincoln County and Oregon.
- Toledo's household average size was slightly larger than Oregon's and significantly larger than Lincoln County's.
- Toledo has a slightly higher share of households with children than Oregon.
- Over the 2015-2019 period, Toledo's median household income was above that of the county but below that of the state.

Building permit activity increased from 2019-2021 compared to past years.

Exhibit X: Building Permits Issued for New Residential Construction by Type of Unit



Source: City of Toledo, Permit Database

Toledo History

European-American settlement in Toledo began in 1866, when John Graham, his son Joseph, and William Mackey claimed land made available by the Homestead Act of 1862. The men continued down river until they came to the mouth of Depot Slough. Graham took the land adjacent to the slough and Mackey took a claim across from where the river curved. This area was later called Mackey's Point. Originally the site was named "Graham's Landing". Two years later a post office was created at Mackey's Point. The post office was named after Toledo, Ohio because Joseph Graham was homesick. The first postmaster for the Toledo post office was William Mackey. In 1882, the first townsite was laid out along Depot Slough, Toledo's waterfront.

The city was initially incorporated in 1893 and reincorporated in 1905. Toledo became the county seat of Lincoln County in 1893. Toledo was picked as the temporary county seat. It was later picked as the permanent county seat in an 1896 election. The county courthouse was built in Toledo in 1899 where the Toledo Elks Lodge is today. Charles Barton Crosno became the first mayor of Toledo. Toledo City Hall was built in 1930.

A 20-mile stretch of the Siletz Indian Reservation had been opened for white settlement in 1866. Three soldiers from Fort Yamhill made a claim three miles up from the mouth of Depot Slough and started the Premier Mill. The soldiers were positive that the Yaquina Bay area, including Toledo, would experience rapid growth. And that was mostly due to the upper bay being only 14 river miles from the mouth of the harbor at Newport.

Georgia Pacific Plan in Toledo, Oregon, 1958



Photo Courtesy of Ben Maxwell, Salem Public Library Historic Collections

Street View in Toledo, Oregon 1958



Photo Courtesy of Ben Maxwell, Salem Public Library Historic Collections

In 1870 the population figures show there were 200 residents. During the year of 1900 population had reached 302. The Corvallis and Yaquina Bay Railroad Company was incorporated in 1872. Thirteen years later the last spike was driven to complete the railroad line. On July 4th, 1885, the first excursion train from the Willamette Valley came through Toledo. The railroad provided a boost to the economy and Toledo started growing rapidly.

Port of Toledo History

The leaders in Toledo obtained voter's permission to form a port district in 1910. The importance of this was that ports could tax, borrow, buy and operate property in order to promote business and to obtain public access to waterways. The original appointed commissioners were able to commission initially \$50,000 in bonds backed by a tax on property owners. This allowed them to purchase property along Depot Slough on the south edge of town. A wharf was built and dredging was completed from Depot Slough a mile down the Yaquina River. During the year 1914, the port secured federal dredging of Depot Slough and the Yaquina River shoal. In the early years, cargo made of mostly forest products, traveled down the newly cleared waterway. In 2008 the Port took a step forward and expanded its infrastructure. There was a privately owned boatyard that was planning to close. The Port knew that it was necessary to have a haul out facility which was critical to the local fishing fleet. With support from the State of Oregon, the Port purchased the boatyard. With the boatyard acquisition, the course of the Port of Toledo was changed. A Connect Oregon V grant of \$4.6 million was awarded in 2014 which allowed the Port to purchase a 660-ton mobile lift. This purchase enabled the Port to service the local and distant water fishing fleet. With the growth the new lift presented, in 2016 another Connect Oregon VI grant and Special Public Works Fund Loan allowed the Port to expand and construct a 20,000 square foot building. This allowed boats to be worked on indoors instead of completely outdoors. The Port of Toledo has since partnered with Oregon Coast Community College, the Lincoln County School District and Maritime Administration to launch a welding program for students.

Georgia Pacific History

The Georgia Pacific paper mill in Toledo was opened in 1957. In the early years, the Port of Toledo leased land to the Spruce Production Division for a sawmill to cut airplane frames for World War 1. But, before any production happened, the war ended. CD Johnson and his associates purchased the mill and related equipment. By 1923 the mill was processing logs that were shipped to Toledo by rail. Georgia Pacific purchased the mill in 1951 and turned it into a pulp mill. Georgia Pacific built a kraft pulp and linerboard mill which opened in 1957.

As the community has grown, the Georgia-Pacific paper mill and the timber industry have continued to play important roles in sustaining the local and regional economy. Georgia-Pacific is an industry leader in the recycling industry and is working on innovative technology to advance the industry. This includes the Juno project that can process waste and recover and sanitize valuable raw materials.



Purpose of the Plan

What is a Comprehensive Plan?

The Comprehensive Plan is the guiding document—or “blueprint”—for how our community will grow and develop over the next 20 years.

The Toledo Comprehensive Plan provides a framework for making better decisions regarding the use of land and community resources. The plan is a means of controlling the urban environment, conserving Toledo's existing values and guiding growth in the desired directions. The plan is a policy statement based upon the existing assets, problems and needs within the community. It predicts future conditions and sets forth City policies in an effort to guide the development of Toledo in a positive and productive manner. The plan is designed to help Toledo to know its past and present and to develop a future which reflects the community's values and goals. The plan is a guideline for both short- and long-term development and is written to assure a comprehensive view of how individual projects can contribute to the community as a whole.

Change is an inherent part of the community. The purpose of the Comprehensive Plan is to help the community adjust to changing circumstances in a manner which reflects the community's desires. It is a tool designed to:

- be comprehensive,
- be long range,
- be general,
- focus on physical development,
- be related to the social and economic forces that the plan proposes to accommodate, and
- to be adopted and used by the City of Toledo to guide land development and use.

Why is it Needed?

The City of Toledo last updated its Comprehensive Plan in 2001. Since then, there has been new commercial and residential growth in Toledo. While the Comprehensive Plan has been amended to satisfy pressing needs as necessary in the past, this update positions the city to address the change Toledo has experienced in a comprehensive way. Updating the Plan provides a great opportunity to look at where we have come from, where we are now, and where we want to be in the next 20 years.

When and How is it Used?

Our goal through this process was to create a Comprehensive Plan that best serves the community. The plan is intended for use by local officials, people with development interests,

neighborhood and community groups, state and federal agencies, special districts, and citizens of all interests. It provides information about the community and how future land use development should be balanced to meet the overall needs of the community. The Plan is comprehensive and should not be viewed in parts without consideration of the interrelationships with other aspects of the Plan.

Oregon Statewide Planning Compliance

The Toledo Comprehensive Plan was also written in compliance with the Oregon Planning Act and addresses the Oregon Statewide Planning Goals. The framework of the plan is based upon the Oregon goals with adjustments to assure a comprehensive review of Toledo's specific characteristics and needs. This comprehensive policy plan is the central, but not only, document for directing Toledo's future. Other planning documents are equally important. Many of these have been used as background reports or inventory documents providing specific and detailed information on each of the statewide land use planning goals applicable to Toledo. Others include the specific facts regarding Toledo from which the Comprehensive Plan statements, policies and objectives are derived. Summaries and references to the relevant background materials are referenced or included as attachments.

Planning is a continuous, not a static, process. Over time, the Comprehensive Plan must incorporate new values, concerns and opportunities. Periodically (approximately every 5 to 7 years) the plan should be revised to reflect the needs, goals and desires of Toledo's residents.

Oregon Statewide Planning Goals

All Oregon cities and counties are required to have a comprehensive plan that is consistent with 19 Statewide Planning Goals established by the Legislature. These goals set broad statewide POLICY goals for land use planning, citizen involvement, housing supply, economic development, transportation systems, public facilities and services, natural resources management, recreation, and more. They also direct the content within comprehensive plans. Under State law, all community plans, zoning codes, permits, and public improvements must be consistent with the comprehensive plan. This structure ensures that cities implement the State's POLICY goals first through the comprehensive plan, and then by more detailed supporting and implementing documents, such as development codes and community plans, which are in turn consistent with the Comprehensive Plan.

Once the comprehensive plan has been developed and adopted, the Department of Land Conservation and Development (DLCD), which is the administrative branch of the State Land Conservation and Development Commission (LCDC), reviews the Plan for consistency with state law and the Statewide Planning Goals, as set forth in Senate Bill 100 in 1973. Once a Plan is determined to be consistent, DLCD "acknowledges" or approves the plan.



The following is complete list of the Oregon Statewide Planning Goals (“Oregon Goals”). The highlighted goals are goals applicable to Toledo. The Comprehensive Plan follows the general outline of the goals but also includes changes to the format of the goals.

GOAL 1: CITIZEN INVOLVEMENT

GOAL 2: LAND-USE PLANNING

GOAL 3: AGRICULTURAL LANDS

GOAL 4: FOREST LANDS

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

GOAL 6: AIR, WATER, AND LAND RESOURCES QUALITY

GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

GOAL 8: RECREATIONAL NEEDS

GOAL 9: ECONOMIC DEVELOPMENT

GOAL 10: HOUSING

GOAL 11: PUBLIC FACILITIES AND SERVICES

GOAL 12: TRANSPORTATION

GOAL 13: ENERGY CONSERVATION

GOAL 14: URBANIZATION

GOAL 15: WILLAMETTE RIVER GREENWAY

GOAL 16: ESTUARINE RESOURCES

GOAL 17: COASTAL SHORELANDS

GOAL 18: BEACHES AND DUNES

GOAL 19: OCEAN RESOURCES

DEVELOPING AND MANAGING THE PLAN

The Comprehensive Plan update occurred over a two-year period and was designed to leverage community engagement gathered during the update process, as well as contributions from the city staff and community representatives. The topics covered in the plan reflect State requirements and community feedback. Each of the topics in the Comprehensive Plan was developed by following an iterative, consistent process that involved City staff, community representatives, elected and appointed officials, and the general public. Following this process ensured that the background research and proposed goals and policies were thoroughly vetted and refined to consider the perspectives of everyone affected by the plan—staff, partners, developers, and residents across our community. The Comprehensive Plan is explicitly designed to be a living document written with implementation, evaluation, and revision in mind. As community needs evolve, the Plan will be periodically reviewed and revised.

BACKGROUND RESEARCH & DEVELOPMENT

Background research into each topic identified specific Federal, State, or regional regulatory requirements, the historical context for the topic in Toledo, and specific issues or opportunities that should be addressed. The research was vetted by Toledo’s City staff which included subject matter experts from the City, County, and State. This background research served as the basis for developing initial drafts of goals and policies, which were also vetted and reviewed by the Planning Commission.

HOW IS THE COMPREHENSIVE PLAN WRITTEN?

There are no formal guidelines on how to write a Comprehensive Plan, however it is recommended the Plan include and comply with applicable Statewide Planning Goals (mentioned above), adopted by the LCDC, and pertain to the City of Toledo. The Plan should also reflect the comments, suggestions, and vision of Toledo residents and express that vision in its land use policies, regulations, and map designations. Beyond the inclusion of applicable Statewide Planning Goals and Toledo’s Vision, there is no set template on how to write the Plan. How the Toledo Planning Commission and the City Staff, with help from DLCD and Oregon Cascades West Council of Governments (OCWCOG), prepared to write this plan was by reviewing existing plans in neighboring cities, cities with similar population size, or cities that recently updated their plans. Also, in drafting the plan, the Toledo Planning Commission acknowledges this initially adopted Comprehensive Plan will still have some gaps due to the lack of capacity, funds available, knowledge, and experience needed for such a tremendous undertaking. Once the Plan is adopted by Toledo City Council, the City and Planning Commission will prioritize updating the Plan, on a timely basis, and ensure that all gaps are addressed, which will be discussed further in the “Updating the Plan Moving Forward” section.

PLANNING COMMISSION

The Toledo Planning Commission, Planning Department, and City Manager play key roles in reviewing background research and refining draft goals and policies. The Plan’s partners consist of City staff, the Planning Commission, Lincoln County, and representatives from the State of Oregon.

OUTREACH

Add outreach effort information

- Community Survey – Summer 2022
- Planning Commission Meetings Once a Month
- Joint Work Sessions
- Open House on April 26th, 2023
 - Marketed at the Toledo Library



- Flyers distributed at city hall and the library
- Shared on social media
- Announced open house on City's and Library's Facebook page
- Shared information with business owners
- Final Joint Work Session Fall 2023

April 2023 Open House



ADOPTION PROCESS

The majority of the work to develop the Comprehensive Plan update was completed in informal public processes before formal adoption began in **November 2023**. Adopting a new Comprehensive Plan is a legislative procedure which requires the Planning Commission to begin the process by approving an order initiating a public amendment to the existing Comprehensive Plan. Initiation is followed by one or more public hearings at the Planning Commission, which then forwards a recommendation to the City Council to adopt or reject the Plan. The City Council then takes that recommendation into account when considering an ordinance to formally adopt the Comprehensive Plan.

UPDATING THE PLAN MOVING FORWARD

The Comprehensive Plan is intended to be a living document. The Plan was designed with the flexibility for revisions reflecting changing circumstances, with two key paths for maintaining the plan:

- Goals and policies for each topic, while clearly interrelated, are developed in a modular, self-contained manner to allow for easy amendment. Each POLICY was developed, wherever possible, to address a single POLICY subject, making policies easy to understand, apply, and refine where needed.
- Implementation measures for each of the new policies are developed and maintained outside of the Comprehensive Plan document. These implementation measures can be

frequently reviewed, updated, and reprioritized to ensure that the city can be responsive to changing needs of the community, while also maintaining a solid connection to our collective vision. As implementation measures are maintained outside of the Comprehensive Plan document, updates can be made without the need to follow formal adoption processes.

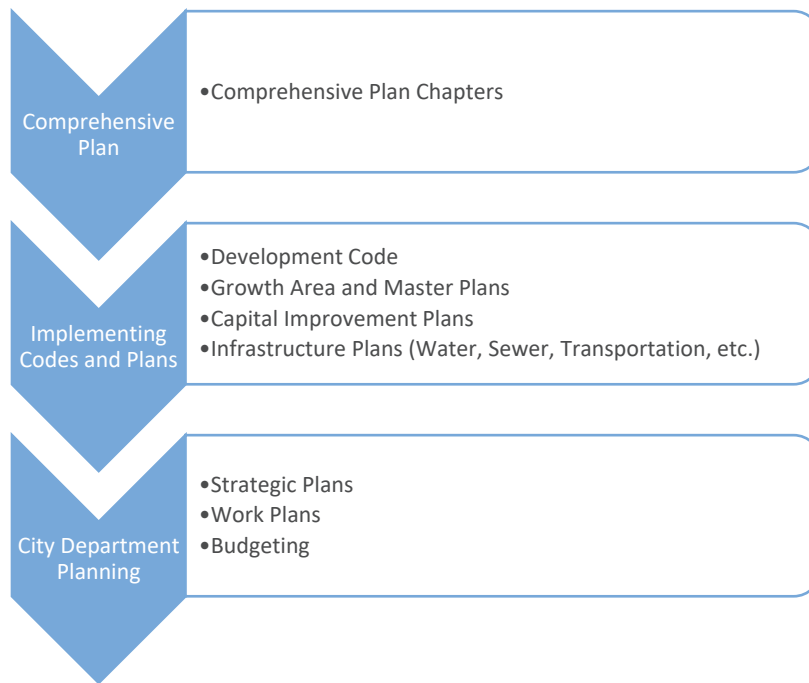
OVERVIEW OF THE IMPLEMENTATION PROGRAM

Implementation measures are the specific, concrete, and measurable actions that apply policies as part of on-the-ground City operations. Traditionally, comprehensive plans include long lists of implementation measures alongside the goals and policies without a strategy for putting those measures to work. Since any modifications to the Comprehensive Plan must go through an amendment procedure including public notices, public hearings, and State review, even simple revisions to address changes in existing conditions or shifting priorities must be completed through a cumbersome process. As part of Toledo's Comprehensive Plan update, implementation measures have been split out into a separate, living document in order to provide more flexibility in their use as a city work program. Progress will be tracked periodically to ensure that implementation is ongoing.

Implementation measures will be assigned to the City Council and the City Manager to identify any costs and provide a timeline for action. This approach goes above and beyond the base level requirement to create a tool that will increase transparency and accountability in planning activities to help our community thrive in the long term.

Within the implementation program, State law requires local governments to provide implementation tools adequate to fulfill the purpose of the Comprehensive Plan. Implementation tools are another important component of the comprehensive planning process. The Comprehensive Plan informs the development of zoning codes, development and annexation agreements, urban renewal plans, service coordination agreements, master plans, and other City plans. These tools play a key role in applying the broad goals and policies of the Comprehensive Plan to specific land use and administration decision-making. As with all other components, implementation tools and measures must be consistent with the Comprehensive Plan.





Organization of this Report

Each topic opens with a statement articulating the important role that the subject matter plays in the function of our community and is followed by a short summary providing context and information about the City’s POLICY strategy going forward. The Goals & Policies document is organized in a way and includes features that maximize its ease and efficiency of use in land use planning practice. It aspires to present information in a way that is clear and accessible, avoiding the use of jargon where possible and providing definitions where specific terms are necessary, in order to provide a tool that is useful to the community as well as the City. The policies contained within the document will direct decisions shaping the form and function of the City.

- Goal statement. A goal is a broad statement of purpose that defines our community’s ideal future. Goals are advisory.
- POLICY statement. A policy is a clear statement guiding a specific course of action for decision makers to achieve a desired goal. Policies are regulatory.

Vision

The City of Toledo will be a leader in transformative efforts that make Toledo a choice for people to live, work, and play as a result of our safety, vibrant neighborhoods, local businesses, and public services.

Aspirations

The Toledo Comprehensive Plan includes seven guiding aspirational statements to recognize that implementation of this Plan must be balanced, integrated and multi-disciplinary. The influence of our aspirations is seen throughout the Plan as they shape many of the individual policies and projects.

Business Community

We aspire to have a thriving business community catering to the needs and desires of our residents and attracting visitors. Toledo supports small businesses, home-based businesses, and creative entrepreneurs. Furthermore, Toledo supports the continued innovation.

Housing

We aspire to provide a wide range of economic housing options for all who value our community's wonderful quality of life and make Toledo home.

Quality of Life

We aspire to have our quality of life nourished by our city's strong economic, organizational, cultural, and transportation connections throughout Lincoln County. Our combination of physical and cultural advantages exemplify why Toledo is a wonderful place to settle down, raise a family, or start a business.

Infrastructure

We aspire to build, maintain, and upgrade our transportation, parks, water, sewer, stormwater, and public safety systems to ensure residents receive high quality, reliable essential services.

Locational Advantage

We aspire to be a community maximizing the benefits of our location: inland from the coast on the beautiful Yaquina River, surrounded by estuaries, forested areas, and a rural landscape. Location was one of the top answers on the Comprehensive Plan survey's favorite thing about Toledo question.

Art District

We aspire to have vibrancy within the Toledo downtown and Art District. Art Toledo and Downtown Toledo are a source of pride for the whole community, as well as a significant attraction for visitors.

Balance of Business Support and Ecosystem Maintenance



We aspire to balance business needs of the estuary and protecting and maintaining its ecosystem. The city is located adjacent to the Yaquina River and associated estuaries. The estuary provides essential business and provides valuable ecosystem services to Toledo's air, water and land.

City of Toledo

2023 Building Permit and Land Use Activity

Building Activity						
Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Approved
1/3/2023	Work in Right-of-Way Permit	Toledo Food Share Pantry	139 S Main Street		Convert parking space to loading zone	denied
1/12/2023	Building Permit	Candace Rogers	157 NW 10th Street	11-10-08-33-03300-00	Install new windows	1/18/2023
2/22/2023	Work in Right-of-Way Permit	NW Natural	625 NW Westwood Street	11-10-07-14-01700-00	Install new service	2/22/2023
2/27/2023	Building Permit	American Tower	255 NE Magnolia Street	11-10-08-22-00200-00	Add antenna, generator, etc	3/9/2023
2/27/2023	Work in Right-of-Way Permit	Lumen	330 E Graham Street	11-10-17-21-03500-00	Remove retaining wall and reslope	3/6/2023
3/2/2023	Building Permit	Pacific One Bank/Integrity Sign	112 S Main Street	11-10-17-23-04800-00	Sign	3/9/2023
3/6/2023	Excavation/Fill	Georgia Pacific Toledo LLC	1400 SE Butler Bridge Road	11-10-17-00-01400-00	Soil excavation from diesel spill	3/9/2023
3/7/2023	Work in Right-of-Way Permit	Charter/HHS Construction	163 NE Hwy 20	11-10-17-22-11300-00	Install two new vaults	3/9/2023
3/13/2023	Building Permit	Richard Wolff/Bighorn Const	925 SE Beaver Street	11-10-17-13-01000-00	House	3/22/2023
3/13/2023	Water/Sewer Connection	Robert Galbreath	416 NW 12th Place	11-10-07-41-04300-00	Relocate water meter	completed
3/16/2023	Water/Sewer Connection	Richard Wolff/Bighorn Const	925 SE Beaver Street	11-10-17-13-01000-00	New water/sewer connections	completed'
3/16/2023	Work in Right-of-Way Permit	Steven Swank	749 SE 8th Street	11-10-17-31-05700-00	Remove curb	3/20/2023
3/20/2023	Work in Right-of-Way Permit	Charter/HHS Construction	NE 10th Street/Burgess Rd/Hwy 20		New aerial and bore	3/20/2023
3/20/2023	Work in Right-of-Way Permit	Jerry Howe	768 SE 8th Street	11-10-17-31-03000-00	Trench for power service	3/20/2023
3/22/2023	Building Permit	Pacific Fire & Safety/Let R Buck	722 W Hwy 20	11-10-07-43-03500-00	Fire suppression system	3/22/2023
3/29/2023	Work in Right-of-Way Permit	Charter/HHS Construction	112 S Main Street		Aerial and trench work	3/31/2023
4/6/2023	Work in Right-of-Way Permit	USPS	Various locations		Install cluster mailboxes	4/7/2023
4/12/2023	Work in Right-of-Way Permit	Bill and Leslie Zuspan	515 NW Radio Court	11-10-07-41-07400-00	Driveway	pending
4/18/2023	Building Permit	Richard Wolff/Bighorn Const	815 SE Beaver Street	11-10-17-13-00700-00	House	4/27/2023
4/18/2023	Demolition Permit	Lisa Daniel	1253 NW Spruce Street	11-10-08-32-03900-00	Demolish home	5/4/2023
4/19/2023	Building Permit	Sawmark Saloon LLC	160 N Main Street	11-10-17-22-13300-00	Roof	4/19/2023
4/19/2023	Building Permit	City of Toledo	840 NW A Street	11-10-08-33-11100-00	Public restroom	4/27/2023
5/1/2023	Building Permit	HRB Investments	170 N Main Street	11-10-17-22-13200-00	Roof	5/3/2023
5/2/2023	Water/Sewer Connection	Richard Wolff/Bighorn Const	815 SE Beaver Street	11-10-17-13-00700-00	New water/sewer connections	pending
5/2/2023	Water/Sewer Connection	Bill and Leslie Zuspan	515 NW Radio Court	11-10-07-41-07400-00	New water/sewer connections	pending
5/8/2023	Work in Right-of-Way Permit	NW Natural	359 SE 5th Street	11-10-17-24-18200-00	Abandon service line	5/9/2023
5/9/2023	Work in Right-of-Way Permit	Sawmark Saloon LLC	160 N Main Street	11-10-17-22-13300-00	Close parking/sidewalk for exterior pair	5/9/2023
5/10/2023	Building Permit	Randall and Cicely Hanson	1530 N Nye Street	11-10-08-23-02500-00	ADU and garage	5/18/2023
5/11/2023	Work in Right-of-Way Permit	Alex Marquez/Kevin Nelson	170 N Main Street	11-10-17-22-13200-00	Close parking/sidewalk for roof project	5/11/2023
5/15/2023	Work in Right-of-Way Permit	Robert Eisler/Underground Tech	1511 SE Alder Way	11-10-17-44-02700-00	Sewer repair	5/15/2023
5/22/2023	Building Permit	Sawmark Saloon/Ace Alarms	160 N Main Street	11-10-17-22-13300-00	Update fire alarm system	5/31/2023
5/22/2023	Work in Right-of-Way Permit	Truax Corp	254 W Hwy 20	11-10-07-44-03500-00	Tank replacement	5/22/2023
5/22/2023	Water/Sewer Connection	Joe Steenkolk		11-10-17-13-00405-00	Water service	pending
5/31/2023	Work in Right-of-Way Permit	Port of Toledo/Astound Broadband	Bus. Hwy 20/N Bay Blvd		New fiber lines	5/31/2023
6/6/2023	Building Permit	Ken Brophy	132 NW 10th Street	11-10-08-33-02100-00	Room addition	6/14/2023
6/7/2023	Building Permit	Janice Swanson	750 NW Forestry Road	11-10-07-44-04600-00	Room addition	6/14/2023
6/7/2023	Building Permit	Bill Zuspan	515 NW Radio Court	11-10-07-41-07400-00	Garage	6/14/2023
6/13/2023	Building Permit	Russell Johnson	461 SE 7th Street	11-10-17-31-09300-00	Home remodel	pending
6/20/2023	Building Permit	Sawmark Saloon	160 N Main Street	11-10-17-22-13300-00	Change of occupancy	6/21/2023
6/20/2023	Building Permit	Joe and Janyce Steenkolk	Olson Road	11-10-17-13-00405-00	Manufactured home	pending

Land Use						
Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Status
3/8/2023	Conditional Use Permit	David Neal/Roman Sorokin	340 NE Hwy 20	11-10-17 BA TL 400	Food production in the Com Zone	PC = Approved 4/12/23
5/17/2023	Conditional Use Permit	Northwest Coastal Housing/City of Toledo		11-10-17 TL 800	Conditional Use Permit for a multi-family residential use in the Single-Family Residential Zone	PC = Approved 6/14/23
	Floodplain Development Permit	Georgia-Pacific			Tidegate	pending
1/10/2023	Floodplain Development Permit	Port of Toledo	367 SE Butler Bridge Rd		Transient Dock Dredging	Staff = Approved 1/13/23
4/19/2023	Floodplain Development Permit	Port of Toledo	1000 Altree Lane	11-10-18D TL 400	Quonset roof over storage containers	pending
4/19/2023	Floodplain Development Permit	City of Toledo	840 NW A Street	11-10-08 CC TL 11100	Restrooms at Arcadia Park	Staff = Approved 4/26/23
6/13/2023	Minor Partition	Daren Clowser and James Hurley	560/566 NE Lormax Pl	11-10-8 CA TL 5400	Partition 1.06 acres to create two parcels	pending
2/8/2023	Temporary Trailer Permit	Vincent Vitale	927 SE 7th Street	11-10-17DB TL 300	Reside in RV for medical hardship	CC = Approved 3/15/23
4/18/2023	Temporary Trailer Permit	Lisa Daniel	1259 NW Meadow Lane	11-10-8CB TL 4000	Reside in RV during demolition and rebuild	Staff = Approved 5/4/23
6/13/2023	Temporary Trailer Permit	Russell Johnson	461 SE 7th Street	11-10-17 CA TL 9300	Reside in RV during renovation	pending
5/10/2023	Variance	Bill and Leslie Zuspan	515 Radio Court	11-10-7DA TL 7400	Variance to the front garage setback standard	Applicant withdrew app
5/17/2023	Variance	Northwest Coastal Housing/City of Toledo		11-10-17 TL 800	Variance to the rear yard setback standards in the RS Zone	PC = Approved 6/14/23
6/7/2023	Variance	Dustin and Elizabeth Seifert	930 NE Alder Street	11-10-8 CC TL 6300	Variance to the side yard setback standard	Staff = Approved 7/6/23