

**Toledo City Hall
Council Chambers
206 N Main St. Toledo OR
January 8, 2025
6:00 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. Participants can also visit www.cityoftoledo.org/meetings for meeting details.

1. CALL TO ORDER AND ROLL CALL
2. VISITORS: (A time set aside to speak with the Planning Commissioners about issues not on the agenda)
3. APPROVAL OF THE NOVEMBER 13, 2024 MINUTES as circulated and reviewed by the Planning Commission
4. WORKSESSION:
 - a. Land Division Code Update
 - b. House Bill 3395 Updates
5. DISCUSSION ITEMS:
 - a. Updates and Reports
 - i. Building Permit and Land Use Application Updates
6. STAFF COMMENTS
7. COMMISSIONER COMMENTS
8. ADJOURNMENT

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

TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 6:07 pm by President Cora Warfield. Commissioners present: Brian Lundgren, Anne Learned-Ellis, Jonathan Mix, Ricky Dyson, and Dennis Sutherland (arrived at 6:24pm). Excused was Ruthanne Morris.

Staff present: Contract Planner (CP) Justin Peterson and Planning Assistant Arlene Inukai.

VISITORS: Helen Denton, Zeke Wander, Eric Bohne, and Tracy Mix.

Helen Denton asked for clarity on the proposed rezone, which will be presented at tonight's meeting. CP Peterson stated that during the public hearing, he will provide information on the request, the applicant can also provide testimony, and other parties can then provide public comments.

APPROVAL OF THE OCTOBER 9, 2024, MINUTES:

It was moved and seconded (Learned-Ellis/Mix) to approve the October 9, 2024, minutes as circulated and reviewed by the Planning Commission. The **motion passed**, with Dyson and Warfield abstaining and noting the absence of Morris and Sutherland.

PUBLIC HEARING: COMPREHENSIVE LAND USE PLAN MAP AND ZONING MAP AMENDMENT TO REZONE PROPERTY AT 161 SE 2ND STREET FROM GENERAL RESIDENTIAL ZONE TO COMMERCIAL ZONE (FILE #PA-1-24/RZ-1-24), REQUESTED BY ERIC BOHNE:

President Warfield opened the public hearing by stating the nature and purpose. After calling for declarations of ex parte contact, bias, or conflict of interest, Commissioners Mix, Learned-Ellis, and Dyson reported they viewed the SE 2nd Street site. 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 application is for a Comprehensive Plan map amendment and rezone property at 161 SE 2nd Street from General Residential (RG) to Commercial (C). The site is the former Eagles Lodge. The eastern half of the former Eagles building is included in the request, along with two vacant lots which were used as parking lots for the lodge. The remaining western half of the building and western tax lots are currently in the C Zone. The existing building is split zoned.

CP Peterson stated there are some development restraints at the site, including slopes. The existing building is connected to water and sewer and, if developed, the vacant lots have access to City water and sewer services. The Planning Commission will review the request and make a recommendation to the City Council. CP Peterson reviewed criteria for a quasi-judicial map amendment, uses allowed in the RG and C Zones, Comprehensive Plan goals/policies, and statewide planning goals.

Commissioner Sutherland entered the meeting at this time

CP Peterson reviewed the proposed facts and findings presented in the staff report. The applicant's goal is to bring the entire property under the commercial designation. The Eagles Lodge was built in 1954 and is inconsistent with the zoning map. Half of the building is in the RG Zone and did not contain a residential component. The building is considered a legal, non-conforming use. The current owner has been renovating the building for a bar and restaurant, which is consistent with the previous use. CP Peterson reviewed surrounding zone designations and uses in the area. He made a correction to the staff report to clarify the City Council hearing date. The 2022 housing capacity analysis determined that the City has an adequate supply of residential lands for the planning period. The C Zone creates economic opportunities. The rezone area is .6 acres, with .2 acres containing the existing building and .4 acres for the vacant parking lot. The properties have access to SE 2nd Street. One lot has frontage on SE Alder Street, however, the slope to Alder Street may prevent direct access. Both streets are considered local roads in the Transportation System Plan.

CP Peterson reported that staff received a letter which was distributed to Planning Commissioners tonight. Staff also prepared and distributed an update to the proposed findings in order to address the comments. The supplemental findings included the applicant's intent to keep the existing building as a restaurant/bar. Trip counts were discussed for comparison to a medical clinic and apartment building to show the range of vehicles expected for various uses. The owner has not provided a specific proposal for re-development of the site. Any new development would have to meet City standards.

Applicant Testimony: Eric Bohne of Portland, Oregon, reported he would like to eventually use the vacant lots for a cluster housing development. Residential use would be the goal, but the type of housing units he would like to see are not allowed in the residential zones. Development of Tax Lots 7900 and 8200 (parking lot site) would add to Toledo's charm. Tax Lot 7800 contains the former Eagles building and will remain the same. In referencing Laura LaRoque/Pacific Inland Holdings' letter, the rezone to a Commercial Zone would not create a new commercial building. It opens up the potential, but that should not be the issue. The letter also expressed concerns with having a zero setback and no height limits, however, because of slopes, buildings cannot be placed along the property lines. Development must also meet parking requirements. Mr. Bohne expressed that the residential zone designation was a mistake or inconsistent with the actual use of the building as an Eagles Lodge. According to the residential inventory, there is enough residential lands available in Toledo. His application does not contain a specific use at this time, but the goal is to create a small cluster housing project.

Commissioner Sutherland asked about the retaining wall at Tax Lot 7800/7900. Mr. Bohne reported that he is aware of the geo-tech issues and pilings with the wall.

Proponent Testimony: None.

Opponent Testimony: None.

Other Interested Parties: Helen Denton, SE 2nd Street, Toledo, asked for clarification on the cluster housing term. Mr. Bohne reported that the cluster housing is a collection of small homes. His proposal would contain 5-6 small homes with a small community/utility room. It would be similar to the tiny home development, Tiny Tranquility in Waldport. The former Eagles building will remain open and remains similar to the former Eagles Lodge operation. He has a tenant in the building who hosts events in the building. Updates to the structure are ongoing, including a new

ADA ramp and painting. Ms. Denton voiced that she would be supportive of a project similar to Tiny Tranquility at the site.

Tracy Mix of SE 7th Street, Toledo, reported as a Toledo citizen, it would be nice to see a tiny home village in Toledo and it is an exciting idea.

Questions by Commission: None.

Deliberations: The public hearing was closed and the Commission entered into deliberations. Commissioners discussed the split-zone situation of the existing building and retaining wall at the site. It's good that the property owner is aware of potential geo-tech issues for future development.

It was moved and seconded (Learned-Ellis/Lundgren) that based on the staff report and attachments, testimony and evidence presented to the Planning Commission at the public hearing on November 13, 2024, the Toledo Planning Commission recommends approval of the Comprehensive Plan amendment and rezone request as meeting the applicable criteria including the 2023 Toledo Comprehensive Land Use Plan, Toledo Municipal Code Section 17.80.050 and the Statewide Planning Goals and the Commission adopts the proposed facts and findings presented in the staff report, allowing for the correction of typographical and grammatical errors. The **motion passed** unanimously, noting the absence of Morris.

The rezone request will be scheduled for the December 4, 2024 City Council meeting.

PUBLIC HEARING: ZONING ORDINANCE AMENDMENT TO MODIFY REGULATIONS IN THE COMMERCIAL ZONE, LIGHT-INDUSTRIAL ZONE, HOME OCCUPATION USES, AND CONDITIONAL USE STANDARDS FOR PSILOCYBIN SERVICES (FILE #ZOA-1-24), REQUESTED BY THE CITY OF TOLEDO:

President Warfield opened the public hearing by stating the nature and purpose. There were no declarations of ex parte contact, bias, or conflict of interest. The statements of rights and relevances and rights to appeal were previously read.

Staff Report: CP Peterson reviewed the staff report as on file at City Hall. He reported that this request is for an amendment to the zoning ordinance. The Planning Commission makes a recommendation to the City Council for the amendment. The proposal provides updates to the Commercial (C) and Light-Industrial (LI) Zones, adds definitions, updates home occupation regulations, and establishes conditional use criteria for psilocybin services within Toledo. Notices of the proposal have been mailed to property owners within the C and LI Zone districts and published in the newspaper. Two calls were received for information, but no comments have been submitted.

CP Peterson provided history on the psilocybin service act:

- In November 2020, Oregon Ballot Measure 109 was passed by Oregon voters to allow psilocybin services to begin operating in January, 2023.
- City of Toledo residents voted to approve the “opt-out” option to delay implementing the use until December 31, 2024.
- The City did not put a new ballot measure out to Toledo citizens to extend the “opt-out” deadline. Therefore, the December 31st deadline approaches and the City should establish time/place/manner standards for the new use.

CP Peterson noted that the City does not have a current application for the use, but needs to establish a process if an application is submitted. Oregon Health Authority oversees the psilocybin service licensing, but the City needs to establish the appropriate zones for the business. CP Peterson reviewed the proposed definitions, conditional use permit requirements in the C and LI Zones, and prohibits the use as a home occupation. The uses are not allowed in the residential zones. The proposed locations and criteria are similar to marijuana uses within Toledo. The use cannot be 1000' from a school or another psilocybin facility, no drive-through or outdoor storage, and must follow all state/federal requirements. Manufacturing would only be allowed in the LI Zone and a service center would only be within the C Zone. Both uses would still require a conditional use permit.

Commissioner Mix asked for information on the 1000' distance from another facility. CP Peterson clarified that this was included in the marijuana section and was also included for psilocybin facilities.

CP Peterson reviewed the amendment criteria and proposed findings included in the staff report. If the City does not adopt time/place/manner standards, it would be very difficult to regulate the new use. This would establish the zoning guidelines if an application is submitted after December 31st.

Commissioner Mix asked if the 1000' separation standard could be removed if it is not required by the State. This would encourage free-enterprise among the service providers. He also asked if the 1000' distance could be removed for marijuana facilities. CP Peterson voiced that the marijuana code standards cannot be modified within this application, but Planning Commission could make a recommendation for staff to research the distance requirements.

Public Testimony: None.

Questions by Commission: Commissioner Learned-Ellis asked if the City could choose to 'opt-out' in the future or if the only opportunity has passed. CP Peterson reported that many communities extended the ban. Toledo citizens would have to vote on a full ban of the services within the City limits.

Deliberations: The public hearing was closed and the Commission entered into deliberations. Commissioners discussed the 1000' distance between facilities and if the distance could be reduced or removed. It was noted that ORS 475A.305 requires 1000' from a school, but it does not mention another psilocybin facility. Staff will have to research the distance requirement further. Commissioners agreed that if it is not a State requirement it could be removed.

It was moved and seconded (Learned-Ellis/Dyson) that based on the testimony received, the staff report, and the evidence and arguments before the Planning Commission at the public hearing on November 13, 2024, the Planning Commission finds that application file #ZOA-1-24 complies with the criteria identified in TMC 19.20.070(A)-(D) and recommends approval of the proposal by the City Council. The Planning Commission also requests that City staff review the 1000' restriction between licensed facilities and amend that section if possible (Section 17.64.050(B)(5)(f)). The Planning Commission hereby adopts the staff report as findings, allowing for the correction of typographical and grammatical errors as needed. The **motion passed** unanimously, noting the absence of Morris.

The ordinance amendment will be scheduled for the December 4, 2024 City Council meeting.

DISCUSSION ITEM: UPDATES AND REPORTS:

CP Peterson stated work will continue on the housing code updates in December. In response to President Warfield's inquiry, he reported that the City was awarded an Oregon Parks and Recreation grant to prepare a parks master plan. This project should begin in 2025 and all of the City's parks will be evaluated for improvements. Community outreach will be performed. The plan will inventory the parks, determine how existing parks are used, identify needs and improvements, and provide funding options. Commissioners discussed area parks and involving community members and high school students in the upcoming master plan project. Commissioner Sutherland reported that the tire swing at Arcadia Park is in poor condition and the new restrooms are not open.

STAFF COMMENTS: None.

COMMISSIONER COMMENTS:

Commissioner Mix asked if staff could review the 1000' distance between marijuana facilities and if that could be updated in the future.

Commissioner Sutherland apologized for arriving late. His packet did not arrive until late Tuesday night. Commissioners discussed the mail delivery issues and staff offered to have packets available at City Hall if Commissioners would like to pick-up versus mailing out.

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

Planning Assistant

President



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MEMORANDUM

DATE: December 31, 2024
TO: Toledo Planning Commission
FROM: Justin Peterson
RE: Partition and Subdivision Code Updates

Today's meeting will focus on a summary of all of the proposed updates that have been discussed. The updates are very close to complete, and we hope to go to adoption as the next step. Detailed notes about the updates are in the attached code audit.

Summary of Updates reviewed by the Planning Commission:

Chapter 16.04 - GENERAL PROVISIONS

- Changes discussed and reviewed at the March/April Planning Commission meeting.
- Continuing conversation about serial partitions at the May Planning Commission Meeting.
- Added 16.04.055 Improvement procedures.
- Density standards updates
- Added pedestrian connectivity language.

Chapter 16.06 - TRANSPORTATION FACILITY STANDARDS

- Minor changes proposed. Will be reviewed when the Transportation System Plan (TSP) is updated.

Chapter 16.08 - MINOR AND MAJOR LAND PARTITIONS

- Changes discussed and reviewed at the May Planning Commission meeting.

Chapter 16.12 - SUBDIVISIONS

- Changes discussed and reviewed at the May Planning Commission meeting.

Chapter 16.16 - PLANNED DEVELOPMENT PROCEDURES

- Changes discussed and reviewed at the June Planning Commission meeting.

Chapter 16.20 - EXPEDITED LAND DIVISIONS

- Updated based on new language in ORS 197.360

Chapter 16.24 - REPLATTING WITHIN SUBDIVISIONS AND PARTITIONS

- Changes to move the decision authority to the City Manager.

Chapter 16.28 - LOT LINE ADJUSTMENTS

- Minor changes proposed.

Chapter 16.30 - ADJUSTMENTS AND VARIANCES

- Minor changes proposed.
- The variance section was not removed.

Chapter 16.32 - LEGAL FRAMEWORK

- Minor changes proposed.

Staff are reaching out to DLCD staff for final comments on the proposed changes.

Attachment: Code Audit with summarized edits.

City of Toledo- Code Audit and Analysis – Partition and Subdivision

Chapter	Section	Current Code Language	Analysis / Proposed Code Language
16.04 General Provisions	16.04.020 Purpose	Code addresses only partitions and subdivisions and does not mention the other types of applications covered by this Title	Amendments clarify purpose of the title and describe review procedures for each type of possible application.
	16.04.040 Definitions		Delete definitions of “flooding,” “manufactured dwelling,” and “structure;” and add a new definition of “net buildable area.” Amend definition of “partitioning or partitioned land” to better align with definition in ORS 92.010
	16.04.050 General Requirements and minimum standards of design and development	Code includes requirements to conform with comprehensive plan, establishes standards for access to public streets; establishes a minimum density standard for subdivisions; standards for lot layout; and provisions for public water and sewer connectivity	Language is simplified and made more concise by referring to “divisions of land” instead of partitions and subdivisions; superfluous parenthetical language that is included in definitions is deleted; reference to utility master plans is included; standards for private access easements are established; proper reference to the city’s public works design standards is made; Density standards are simplified by establishing minimum density in each of the residential zones, based on net residential acreage. Pedestrian street connectivity language added.

	16.04.055 Public Infrastructure Design Standards	No language	Proposed Engineering design standards for improvements.
	16.04.060 Approval of expedited land divisions, partitions, subdivisions and major replats	Code requires partitions and subdivisions to be approved by Planning Commission	Amendments propose partitions be approved by city manager and subdivisions be approved by Planning Commission.
	16.04.070 Notice for public hearings	Code requires Type II procedures for all applications	Amendments establish Type II procedure for partitions and retain Type III procedure for subdivisions. Details of notice for hearing are deleted, as they appear elsewhere in the municipal code.
	16.04.080 Appeals	Code only allows appeals by someone who received written notice of the proceeding but did not participate.	Amendment requires that a person participated in the proceeding and be substantially affected by the decision in order to have standing to appeal.
	16.04.090 Amendments	Code specifies procedures for future amendment.	No amendments proposed
16.06 Transportation Facility Standards	16.06.010 Purpose	Code states purpose of standards for transportation improvements.	No amendments proposed

	16.06.020 Street and Multi-Use Path Design Standards	Code includes standards for new streets and multi-use paths	Only minor editing amendments proposed; no policy amendments
	16.06.030 Summary of Transportation Facility Standards	Code includes a tabulation of dimensional standards for various street classifications and multi-use paths.	No amendments proposed
	16.06.040 Bikeway Standards	Code includes standards for bikeways	No amendments proposed
	16.06.050 Street Cross Section Figures	Code includes graphical presentation of street improvements standards.	No amendments proposed
	16.06.060 Street Intersection Spacing Standards	Code includes standards for spacing of street intersections.	No amendments proposed
	16.06.070 Grades and Curves	Code includes standards for street grades curve radii.	No amendments proposed
Chapter 16.08 Land Partitions	16.08.010 Purpose	Code requires Planning Commission approval of partitions	Amendment gives city manager approval authority for partitions
	16.08.020 Approval required	Code requires Planning Commission approval prior to division	Amendment gives city manager approval authority for partitions
	16.08.030 Application process	Code spells out the submission requirements and approval procedures for an application for partitioning.	Amendments makes minor changes to information to be included in application; clarifies that partitions create parcels; requires submission of a future development plan if the property can be further divided

	16.08.040 Improvements	Code requires any required street or other public improvements either be completed prior to approval of final plat or performance guarantee be approved by the city.	Minor editing to make more concise
	16.08.050 Performance bond	Code describes types of acceptable performance guarantees.	No amendments proposed
	16.08.060 City Manager	Code requires public hearing held by Planning Commission	Amendment requires notice to public of pending decision, but removes requirement for a hearing; designates the city manager as the decision authority.
	16.08.070 Criteria for approval	Code includes list of criteria for approval of an application for partitioning.	Amendments change title of section to clarify these are approval criteria; requires city manager to make findings and determine all criteria are met;
	16.08.080 City Manager action	Code establishes timeframe for planning commission action on an application and the length of time the approval is valid.	Amendments change title of section; make reference to city manager approval rather than planning commission; extend approval period of preliminary plat from 12 months to 18 months
	16.12.100 Submission of final plat	No language	Amendments establish the procedures and standards for submittal of a final plat following approval of the preliminary plat by the city manager. Establishes that approval of the final plat is a routine administrative action and not a limited land use decision.
Chapter 16.12 Subdivisions	16.12.010 Purpose	Code describes purpose of chapter	Minor editing
	16.12.020 Approval required	Code requires planning commission approval before subdivision of land	No amendments proposed
	16.12.030 Preapplication conference	Code requires a preapplication conference with city staff prior to submission of application for subdivision approval.	No amendments proposed
	16.12.040 Filing preliminary plat	Code requires applicant submit 10 copies of the application at least 10 days prior to the planning commission public hearing.	Amendments reduce number of copies to be submitted to 3; require submission of electronic versions of all submissions; increase time of submission from 10 to 30 days before a hearing.

	16.12.050 Preliminary plat information	Code includes a list of information to be shown on the preliminary subdivision plat	Minor editing; require submission of a Traffic Impact Analysis, if required by the Public Works Department
	16.12.060 Supplementary information	Code includes a list of additional information to be submitted with the application.	Amendments require submittal of evidence of right, title or interest if applicant is not the property owner; requires submission of a future development plan if the property can be further divided
	16.12.070 Subdivision phasing	Code includes a schedule by which various phases of a subdivision must be completed.	Amendments extend the time for the recording of the final plat for each phase of a subdivision; establish a standard that each phase must be functional without future phases.
	16.12.080 Public hearing	Code requires planning commission to hold a public hearing on the application for subdivision approval.	Minor editing
	16.12.090 Criteria for approval	Code includes the criteria for approval of an application for subdivision	Amendments change section title; refer to density standards in 16.04.050; establish standards to be met by the traffic impact analysis, if one is required; add a requirement to extend streets to serve adjacent property.
	16.12.100 Planning commission action	Code requires planning commission action on application within 45 days of hearing and that approval is valid for 12 months.	Amendments extend time of approval of preliminary plat from 12 to 18 months
	16.12.112 Submission and Approval Procedures for Construction Plans	No language	Amendments establish submission requirements and approval procedures for construction plans for infrastructure in a subdivision. Construction plans must be submitted to the public works department within 18 months of planning commission approval
	16.12.120 Submission of final plat	Code requires submission of final plat within 12 months of preliminary plat approval; final plat is submitted to city manager who forwards to planning commission for approval.	Amendments require submittal of final plat within 24 months of approval of construction plans; removes need to forward final plat to planning commission.

	16.12.130 Final plat information	Code lists requirements for preparation of final plat.	Amendments add requirement that final plat meet Lincoln County Surveyor's standards
	16.12.140 Supplementary information	Code lists information to be submitted with the final plat	No amendments proposed
	16.12.150 Agreement for improvements	Code requires that public improvements be completed prior to acceptance of final plat or that performance guarantee be approved by the city.	No amendments proposed
	16.12.160 Performance bond	Code lists types of acceptable performance guarantees.	No amendments proposed
	16.12.170 Final plat approval and recording	Code requires planning commission review a final plat and allows a public hearing	Amendments change decision authority over final plat from planning commission to city manager; establish that approval is a routine administrative action; establish standards for approval of final plat.
Chapter 16.16 Planned Development Procedures	16.16.010 Purpose	Code establishes the purposes of planned developments.	Minor editing
	16.16.015 Objectives	No language	Amendments establish objectives for planned development to preserve natural features and avoid environmentally sensitive areas with new development.
	16.16.020 Preapplication conference	Code requires a conference with city staff prior to submittal of application for planned development.	Minor editing
	16.16.030 Preliminary plat and plan filing	Code requires submittal of application and materials at least 30 days prior to planning commission meeting.	No amendments proposed
	16.16.040 Zoning and Phasing	Code allows planned developments in in residential, commercial and industrial developments.	Change title of Section; add reference to Sect 16.12.070 regarding phasing.

	16.16.050 Information in preliminary plat	Code specifies same information required for other subdivisions is required for planned developments.	No amendments proposed
	16.16.060 Information in the development plan	Code specifies the supplementary information to be included with the application.	Add submission requirement for a Transportation Impact Analysis, if required by Public Works;
	16.16.070 Public hearing	Code requires a public hearing be scheduled upon a determination the application is complete.	Minor editing
	16.16.080 Allowable variations from title requirements	Code specifies the extent to which a planned development may be allowed to vary from the lot size, density, building height, and lot coverage standards otherwise in the municipal code.	Amendments increase allowed density bonus; remove standards that are not clear and objective
	16.16.090 Criteria for preliminary evaluation of a planned development	Code establishes criteria for approval of a planned development.	Minor editing; add standards for traffic impacts; add standard for extending streets to property line to serve adjacent properties.
	16.16.100 Planning commission action	Code describes actions planning commission may take on an application for planned development.	Remove ability of planning commission to table action on an application
	16.16.110 Approval of the final plat	Code describes the procedures for final plat submission and approval for a planned development	No amendments proposed
Chapter 16.20 Expedited Land Divisions	16.20.010 Purpose	Code establishes purpose is to comply with ORS 197.360 – 380.	No amendments proposed
	16.20.020 Approval required	Code requires city manager approval prior to division of land.	No amendments proposed

	16.20.030 Application process	Code describes types of division that qualify for expedited review.	Amends criteria for expedite approval to track ORS 197.360 et seq.
	16.20.040 Notice requirements and application procedures	Code cites ORS 197.365 and 370 for notice requirements and application procedure.	No amendments proposed
	16.20.050 Appeals	Code establishes process for appeal of city manager's decision.	No amendments proposed
Chapter 16.24 Replatting Within Subdivisions and Partitions	16.24.010 Purpose	Code establishes planning commission as decision authority for replats.	Amendment changes decision authority from planning commission to city manager
	16.24.020 Approval required	Code requires planning commission approval prior to replat.	Amendment changes decision authority from planning commission to city manager.
	16.24.030 Major and minor replat application fees	Code establishes fee for application	No amendments proposed
	16.24.040 Major replats	Code requires major replat to follow procedures for subdivision.	Minor editing
	16.24.050 Minor replat application process	Code establishes procedure and submission requirements for minor replat.	No amendments proposed
	16.24.060 Minor replat public hearing and notice	Code requires planning commission to hold public hearing on application for replat.	Amendments reflect approval by city manager and notice to public, without a public hearing.
	16.24.070 Minor replat criteria for approval	Code establishes criteria for approval of replat.	No amendments proposed

	16.24.080 Planning commission action on a minor replat	Code establishes time frame for planning commission action on application and length of time approval is valid.	Amendments reflect approval by city manager and notice to public, without a public hearing.
	16.24.090 Recording approved minor replats	Code establishes requirements for recording replat.	No amendments proposed
Chapter 16.28 Lot Line Adjustments	16.28.010 Purpose	Code establishes purposes	Minor editing
	16.28.020 Submission requirements	Code lists information to be submitted with application for lot line adjustment.	No amendments proposed
	16.28.030 Approval process	Code establishes procedure for processing application for lot line adjustment.	Minor editing
	16.28.040 Approval criteria	Code establishes criteria for approval of application.	No amendments proposed
	16.28.050 Minimum conditions	Code includes requirements for filing of deed and plat, with submittal to city after recording.	No amendments proposed
	16.28.060 Recording lot line adjustments	Code requires recorded lot line adjustment be filed with County within 1 year of approval.	No amendments proposed
	16.28.070 Extension	Code allows an extension of the deadline to record the lot line adjustment.	No amendments proposed
Chapter 16.30 Adjustments		Current Chapter Title is Chapter 16.30 Adjustments and Variances	No amendments proposed
	16.30.010 Adjustment – Purpose	Code describes the types of modifications that may be	Amendments require that variances be processed under Chapter 17.68 in the zoning title of the municipal code.

		processed as an adjustment and which require a variance.	
	16.30.020 Adjustment – Procedure	Code specifies that adjustments are a Type II procedure.	No amendments proposed
	16.30.030 Adjustment – Review Criteria	Code establishes the criteria for approval of an adjustment.	
	16.30.040 Variances – Purpose	Code describes the purposes of a variance in the land variances division process.	No amendments proposed
	16.30.050 Variances – Procedure	Code specifies that adjustments are a Type II procedure.	No amendments proposed
	16.30.060 Regulations which may and may not be varied	Code describes which standards may be modified and which may not be modified as a variance.	No amendments proposed
	16.30.070 Variances – Review Criteria	Code establishes the criteria for review a request for a variance.	No amendments proposed
	16.30.080 Appeals of Adjustment and Variance Decisions	Code establishes procedure for appeals.	No amendments proposed
	16.30.090 Time limit on approval of a variance	Code establishes a one-year deadline for improvements authorized by an variance.	No amendments proposed
Chapter 16.32 Legal Framework	16.32.010 Enforcement	Code empowers city manager to enforce the chapter.	Amendments apply these provisions to Title 16, not just this chapter.
	16.32.020 Interpretation	Code establishes provision that more restrictive provisions apply.	Amendments apply these provisions to Title 16, not just this chapter.

	16.32.030 Severability	Code includes standard severability clause.	Amendments apply these provisions to Title 16, not just this chapter.
	16.32.040 Penalty	Code establishes penalty for violations.	Amendments apply these provisions to Title 16, not just this chapter.



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MEMORANDUM

DATE: December 31, 2024
TO: Toledo Planning Commission
FROM: Justin Peterson, OCWCOG
RE: Housing Code Updates

The City of Toledo has made several updates to the Development Code to support increased housing and is interested in additional housing updates. The city has a limited number of housing units that are developed each year and wants to encourage additional housing development.

Current Efforts

Staff started working with the Planning Commission to update the Partition and Subdivision standards. The city received two grants from DLCD to work on housing code updates 1) HB3395 and 2) Subdivision and Partition standards.

Below is a summary of the proposed updates related to HB3395 and other housing updates to the Toledo development code.

HB3395 Required Zoning Updates

- Requires non-Metro cities between 2,500 – 10,000 residents to adopt ordinances allowing duplexes on any lot zoned for residential use that allows single family detached housing by June 30, 2025.
 - *The current Toledo Code allows Duplexes outright in the R-S and R-G zone, no proposed changes.*
- In areas within UGB boundaries and zoned for commercial use, directs local governments to allow housing units available to those households making 60% of area median income, or allow mixed use structures with ground floor commercial for those households with moderate incomes as defined in ORS 456.270 (80-120% AMI). This provision takes effect as of January 1, 2024.
 - Proposed section 17.38. Staff will bring this back to Planning Commission next month.
- Provides local governments flexibility on their required timelines for final action on an application for a permit, limited land use decision or zone change. Specifically, when a local government tentatively approves an application for the development of a residential structure within an urban growth boundary, they may extend the deadline (100 days for counties, 120 days for cities) by up to seven days to ensure sufficiency of the final order. Additionally, it provides local and state government agencies the ability to withdraw final decisions for reconsideration on appeal for an application relating to the development of a residential structure. Collectively, these provisions are intended to reduce appeals that can substantially delay the development of housing by providing local governments more time and ability to address issues before they are appealed. These provisions take effect as of January 1, 2024.
 - See Title 19 Updates TMC19.24.010(A)
- Precludes local governments from reviewing and approving condominium plats, and prohibits any zoning, subdivision, building code or other regulation that imposes a tax or fee, approval process or permitting requirements upon any development or property proposed as



condominium not also imposed on a different form of ownership. This provision takes effect as of January 1, 2024.

- *Toledo does not have a separate zoning process or other regulation that imposes a tax or fee on the condo approval process.*
- Requires local governments to approve Single Room Occupancy development with up to 6 units on each lot zoned for single family detached housing and, if the lot allows the development of 5 or more units, then the SRO development must be approved up to the number of units allowed by the underlying density standard. This provision takes effect as January 1, 2024.
 - *Added single-room occupancy development as permitted outright. Added definition of single room occupancy development and unit.*

Proposed changes

Cleaned up any minor text edits. Specifically, anywhere the code referred to single-family homes the language was updated to single-unit dwelling.

Chapter 17.04 Definitions

Removed definition of babysitting and family.

“Condominium” means a type of residential development utilizing zero lot lines, individual ownerships of units and common ownership of open space and other facilities, and which are regulated, in part by O.R.S. Chapter 100. (Updated Definition)

“Dwelling Unit – Multiple” means two or more dwelling units on one property or development site, attached or detached, including a building or collection of buildings. (Updated Definition)

“Dwelling – Single Unit Detached” means a single detached building containing one dwelling unit on a lot. This includes prefabricated dwelling units and modular homes. Dwelling units on individual lots that are part of a cottage cluster are not single-dwelling unit detached for the purposes of this Code. (Updated Definition)

“Dwelling Unit” A building, or a portion thereof that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. (Source: DLCD Model code)

“Duplex” means two dwelling units on a lot or parcel in any configuration. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU. (Updated Definition)

“Triplex” means a single detached building containing three dwelling units. All dwelling units are located on a single lot, except where a land division has been approved. (Updated Definition)



"Fourplex" means a single detached building containing four dwelling units. All dwelling units are located on a single lot, except where a land division has been approved. (Updated Definition)

"Home occupation" means an occupation carried on within a dwelling by residents occupying the dwelling with no servant, employee, or other persons being engaged at the home occupation site, provided the residential character of the building is maintained and the occupation is conducted in such a manner as not to give an outward appearance or manifest any characteristic of a business in the ordinary meaning of the term unless specifically authorized by the zoning code or infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their homes. A city of Toledo business license is required for all home occupations. (Updated definition)

"Hostel" means a single building containing a single dwelling unit where four individuals but not more than twenty (20) individuals may live for not more than thirty (30) continuous days. A hostel may be occupied and managed by a manager in addition to the four to twenty (20) persons renting facilities. (Updated Definition)

Hotel (Motel, Motor Hotel, Tourist Court): A building or group of buildings with six or more guest rooms that provide lodging to the public for compensation. (Source City of Albany, updated definition)

Lot of Record: A lot shown as part of a recorded subdivision or approved partition map; or any parcel of land described by metes and bounds in a recorded deed, record of survey, or other appropriate document recorded in the Office of the County Recorder prior to the adoption of the original Partition and Subdivision Ordinance. No lot or parcel of land created without complying with the provisions of the Land Division Requirements of the State of Oregon and the City Subdivision Ordinance is recognized as a lot of record. (Updated Definition)

"Manufactured Dwelling" means (Updated Definition)

1. Manufactured Home - A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.
2. Mobile Home - A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
3. Residential (Travel) Trailer - A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

"Middle housing" means the following housing types: duplexes, triplexes, fourplexes, townhouses, and cottage clusters. (New definition)

"Modular Home" means a structure for residential use that has sleeping, cooking, and plumbing facilities, and is constructed off-site in compliance with the Uniform Building Code (Oregon State Structural Code) and designed to be transported to a site for installation and/or assembly of modular components to form a permanent structure. (New definition)



“Prefabricated Dwelling Unit” means A building or subassembly that has been in whole or substantial part manufactured or assembled using closed construction at an off-site location to be wholly or partially assembled on-site and is used as a dwelling unit. A prefabricated dwelling unit does not mean a “manufactured dwelling” (a dwelling built to federal HUD standards) as defined in ORS 446.003, or a “small home” (400 square feet or less built to a residential code) as defined in ORS 455.616 (referenced as “Section 2, Chapter 401, Oregon Laws 2019” or House Bill 2423 (2019)). (New definition)

“Residential Care Facility” means any private or public institution or facility maintained and operated for the care, boarding, housing, training, or rehabilitation of six or more physically, mentally, or socially handicapped or delinquent, elderly, or drug or alcohol dependent persons in one or more buildings on contiguous properties. See ORS Chapter 443. (Updated definition)

“Residential Care Home or Group Home” means any privately-owned or public institution-owned home that is maintained and operated for the care, boarding, housing, or training of five or fewer physically, mentally, or socially handicapped or delinquent, elderly or dependent persons by a person who is not the parent or guardian of, and who is not related by blood, marriage, or legal adoption of such persons. These homes are regulated the same as single-dwelling unit detached. See Oregon Revised Statutes Chapter 443. (Source City of Albany, Updated definition)

“Single-Room Occupancy (SRO) Development” means a building with no less than four attached but separate single room occupancy units and shared kitchen or food preparation facility(ies). Sanitary facilities (bathrooms) may be shared or may be provided within or between SRO units. See definition for a Single Room Occupancy Unit. (New Definition)

“Single Room Occupancy (SRO) Unit” means an Area within an SRO Development that is independently rented and lockable and provides living and sleeping space for the exclusive use of the unit occupant(s). The living and sleeping space may or may not include sanitary facilities. See definitions for SRO Development. (New Definition)

TMC 17.04.050 Zoning Map, boundaries, designation after annexation and planned developments.

Added subsection “F. Any reference to Single-Family Residential shall be considered Standard Residential.”

17.08 R-S Updates

- Updated to Standard Residential Zone (R-S)
- Removed Conditional Use subsection F and K. Manufactured or Single family homes that do not meet the minimum standards set in Sections 17.08.090(A)-(B).
- Added Single room occupancy development as permitted.
- Signs – added language for multi-unit dwellings and subdivisions.
- Added language to allow ADA ramps in the front yard setback.
- Removed the design feature standards for single-unit homes.



17.12 R-G Updates

- Added Single room occupancy development as permitted.
- Signs – added language for multi-unit dwellings and subdivisions.
- Added language to allow ADA ramps in the front yard setback.

17.16 Commercial Updates

- Reduced the front yard setback standard.

Chapter 17.38 RELIGIOUS OWNED AFFORDABLE HOUSING and AFFORDABLE HOUSING LAND USE (New)

Updates attached that clarify the code language to meet state rules.

TMC Chapter 17.42 Commercial Residential Overlay Zone (New)

Updated language based on Planning Commission discussion. New commercial residential overlay zone to allow residential uses outright.

17.56 Nonconforming uses, structures and lots

- Updated language for clarity

17.64 Conditional uses

- Updated time limit for approval.
 - A. Except as provided in subsection B of this section, authorization of a conditional use shall be void after two years if a building permit has not been issued or development has not begun.
 - B. The authorization may be extended by the planning commission for an additional period of one year if the request is made in writing prior to the expiration of the original authorization. Conditional uses approved prior to this ordinance may apply for 1 additional year for a total of 3-year approval.

19.24.010 - 120-day rule.

The city shall take final action on permit applications which are subject to this title, including resolution of all appeals, within one hundred twenty (120) days from the date the application is deemed as complete. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (The one hundred twenty (120) day rule does not apply to Type IV legislative decisions-plan and code amendments under ORS 227.178.)

- A. A decision involving an application for the development of residential structures within the urban growth boundary, where the City has tentatively approved the application and extends the 120 days by no more than seven days in order to assure the sufficiency of its final action. (in compliance with HB3395)



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Next Steps

Due to the timelines of getting the contracts signed the project was delayed by approximately 3-months. We had hoped to adopt by the end of the year. However, we are now aiming for March/April 2025 for adoption.

Staff are in contact with DLCD and waiting for assistance with a code audit. Additional recommendations may be provided by DLCD.

Chapter 17.38 RELIGIOUS OWNED AFFORDABLE HOUSING and AFFORDABLE HOUSING LAND USE

17.38.010 Purpose.

To enhance affordable housing opportunities in Toledo, consistent with the Toledo comprehensive plan. In addition, open opportunities for land not currently zoned residentially for affordable housing developments consistent with ORS 197A.445 and this chapter.

17.38.020 Applicability.

Affordable housing defined below will be permitted through Site Plan Review when the following standards are met.

- A. The development is on property zoned for commercial uses, religious assembly, or public lands OR is owned by one of the following:
 - a. A local, state, or special government body, as defined in ORS Chapter 174; or
 - b. A nonprofit corporation that is organized as a religious corporation or is organized as a public benefit corporation whose primary purpose is the development of affordable housing; or
 - c. A housing authority as defined in ORS 456.005; or
 - d. A manufactured dwelling park nonprofit cooperative, as defined in ORS 62.803.
- B. As used in this section, “affordable housing” means residential dwellings that are subject to an affordable housing covenant as provided in ORS 456.270 to 456.295 for a duration of no less than 30 years and meet either a, b, or c below.
 - a. Each unit on the property is made available to own or rent to households with incomes of 80 percent or less of the area median income (AMI); or
 - b. All units on the property are made available to rent or own to households with incomes with a collective average of 60 percent or less of the AMI; or
 - c. A manufactured dwelling park that serves only households with incomes of 120 percent or less of the AMI.
- C. Does not apply on lands where:
 - a. The development cannot be adequately served by water, sewer, storm water drainage or streets; or
 - b. The property contains a slope of 25 percent or greater; or
 - c. The property is within a 100-year floodplain; or

d. The development of the property is constrained by land use regulations based on statewide land use planning goals relating to: natural disasters and hazards; or natural resources, including air, water, land, or natural areas, but not including open spaces or historic resources.

17.38.030 Review and approval standards.

Housing developed under this chapter shall be reviewed through the Type II process. Approval criteria shall be as set forth in Oregon statutes and this code.

The site, when developed, shall meet all State and County requirements for public safety, health, and habitability, and as well as City utility, street, and water drainage requirements.

affordable to moderate income households with income between 80 and 120 percent of area median income, as defined in ORS 456.270.

b. Development under this section does not apply on lands where the City determines that:

i. The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;

ii. The property contains a slope of 25 percent or greater;

iii. The property is within a 100-year floodplain; or

iv. The development of the property is constrained by land use regulations based on statewide land use planning goals relating to:

(A) Natural disasters and hazards; or

(B) Natural resources, including air, water, land or natural areas, but not including open spaces.

c. Development under this section does not apply on lots or parcels that are vacant at the time of development application submittal, or that were added to the urban growth boundary within the 15 year period immediately preceding the date of development application submittal.

2. **Permitted Zoning Districts.** Commercial and Mixed-Use Districts.

3. **Density.**

a. Minimum Density. The minimum density standards of the Medium Density Residential (RM) Zone apply, except there is no minimum residential density standard for a “vertical” mixed use building or development.

b. Maximum Density. There is no maximum density.

4. **Development Standards.** Development is subject to the standards of the Mixed-Use Neighborhood (MN) District.

B. Income Qualified Housing Allowed Outright The purpose of this section is to allow the development of income qualified housing consistent with the requirements of ORS 197A.445. (Implements SB 8, HB 2984 and HB 3151 and ORS 197A.445)

1. **Affordability.** As used in this section:

a. “Income qualified housing” means residential property whose affordability, including affordability under an affordable housing covenant as provided in ORS 456.270 to 456.295, is enforceable for a period of no less than 30 years, and:

- i. Each unit on the property is made available to own or rent to households with incomes of 80 percent or less of the area median income; or
 - ii. The average of all units on the property is made available to households with incomes of 60 percent or less of the area median income; or
 - iii. The property is a manufactured dwelling park that serves only households with incomes of 120 percent or less of the area median income.
- b. “Area median income” means the median income for the metropolitan statistical area in which housing is located as determined by the Oregon Housing and Community Services Department and adjusted for household size based on information from the United States Department of Housing and Urban Development.

2. Applicability.

- a. An income qualified housing development is permitted if the proposed development is on property that is:
- i. Owned by a public body as defined in ORS 174.109, a nonprofit corporation that is organized as a religious corporation, a nonprofit corporation that is organized as a public benefit corporation whose primary purpose is the development of affordable housing, a housing authority as defined in ORS 456.005, or a manufactured dwelling park nonprofit cooperative as defined in ORS 62.803; or
 - ii. Located in a Residential, Commercial or Mixed-Use Zoning District or Public Facilities (PF) Zoning District.
 - iii. Located in the Light Industrial (IL) District and the property is:
 - (A) Publicly owned; and
 - (B) Adjacent to lands zoned to allow residential uses or schools.
- b. Development under this section does not apply on lands where the City determines that:
- i. The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;
 - ii. The property contains a slope of 25 percent or greater;
 - iii. The property is within a 100-year floodplain; or
 - iv. The development of the property is constrained by land use regulations based on statewide land use planning goals relating to:
 - (A) Natural disasters and hazards; or

(B) Natural resources, including air, water, land or natural areas, but not including open spaces or historic resources.

3. **Density and Height Bonus.** Development of income qualified housing under this section may comply with the following density and height requirements, at the greater of:

- a. The density bonus for affordable housing in compliance with BDC 3.6.250(C), Affordable Housing Strategies; or
- b. The following density and height bonuses:
 - i. For property zoned RL, RS or RM-10, 200 percent of the existing maximum density and 12 additional feet above the height of the underlying zone;
 - ii. For property zoned RM, 150 percent of the existing maximum density and 24 additional feet above the height of the underlying zone; or
 - iii. For property zoned RH, or Commercial or Mixed-Use Districts, 125 percent of the existing maximum density and 36 additional feet above the height of the underlying zone.
- c. The Review Authority may reduce the density or height of the density bonus allowed under this section as necessary to address a health, safety or habitability issue, including fire safety, or to comply with a protective measure adopted pursuant to a statewide land use planning goal. If the City of Bend utilizes this reduction authority, the City will adopt findings supported by substantial evidence demonstrating the necessity of the reduction.

C. Affordable Housing Strategies. The City of Bend provides an incentive program to developers to assist in the development of affordable housing.

- 1. For the purposes of the incentive program, the City defines affordable housing as housing with a sales price or rental amount that is within the means of a household that may occupy moderate- and low-income housing, meeting one of the thresholds defined below:
 - a. In the case of dwelling units for sale, “affordable” means housing in which the mortgage, amortized interest, taxes, insurance, and condominium or association fees, if any, constitute no more than 30 percent of such gross annual household income for a family at 80 percent of the area median income, based upon most recent HUD income limits for the Bend Metropolitan Statistical Area (Bend MSA).
 - b. In the case of dwelling units for rent, “affordable” means housing for which the rent and utilities constitute no more than 30 percent of such gross annual household income for a family at 60

City of Toledo

2024 Building Permit and Land Use Activity

Building Activity						
Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Approved
1/3/2024	Work in the Right-of-Way	Carol Edwards/Eric Chambers	542 NW Aspen Street	11-10-07-10-00402-00	Driveway access	1/8/2024
1/8/2024	Work in the Right-of-Way	Charter Communication	160 N Main Street	right-of-way	Install aerial line	1/22/2024
1/8/2024	Building Permit	Adam McKenzie	150 NW 5th Street	11-10-08-33-13500-00	Manufactured home	2/8/2024
1/22/2024	Building Permit	Lincoln County School District	1811 NE Arcadia Drive	11-10-08-23-00400-00	Replace siding and windows	1/31/2024
1/24/2024	Building Permit	Lindsay Atkinson	630 NE Alder Street	11-10-08-33-09600-00	Foundation	2/1/2024
1/31/2024	Building Permit	Omar Galicia	235 S Main Street	11-10-17-23-06500-00	Roof	1/31/2024
1/31/2024	Work in the Right-of-Way	Omar Galicia	235 S Main Street	11-10-17-23-06500-00	Close parking/sidewalk for roofing project	2/1/2024
2/5/2024	Work in the Right-of-Way	Nate Burke/Ports Construction	791 SEFir Street	11-10-17-31-00800-00	Sewer line repair	2/14/2024
2/20/2024	Water/Sewer Connection	Lorna Henarie/Henarie Trucking	1785 NW Hwy 20	11-10-07-10-02602-00	Water meter install	completed
3/7/2024	Building Permit	TD Enterprises	412 NW Industrial Park Way	11-10-18-11-00900-00	Office	4/11/2024
3/11/2024	Water/Sewer Connection	TD Enterprises	412 NW Industrial Park Way	11-10-18-11-00900-00	New water/sewer service	completed
3/11/2024	Work in the Right-of-Way	Bill Zuspan	515 NW Radio Court	11-10-07-41-07400-00	Driveway	3/22/2024
3/11/2024	Excavation/Fill	TD Enterprises	412 NW Industrial Park Way	11-10-18-11-00900-00	Fill to elevate building	4/11/2024
3/12/2024	Building Permit	Timothy Ward	600 NE Beech Street	11-10-08-33-08900-00	Manufactured home	4/10/2024
3/14/2024	Building Permit	Lincoln County School District	1811 NE Arcadia Drive	11-10-08-23-00400-00	Replace siding and windows	3/20/2024
3/18/2024	Water/Sewer Connection	Summer Pilgrim	180 SE 2nd Street	11-10-17-23-02901-00	New wate/sewer service	completed
3/18/2024	Work in the Right-of-Way	Charter/Cablecom	560 NE Lormax Place	11-10-08-31-05400-00	Service installation	3/21/2024
3/19/2024	Water/Sewer Connection	Adam McKenzie/3A Construction	150 NW 5th Street	11-10-08-33-13500-00	New water/sewer service	completed
3/22/2024	Building Permit	Stacey Ames	549 SE 4th Street	11-10-17-24-09000-00	Foumdation	4/3/2024
4/3/2024	Work in the Right-of-Way	Astound Broadband	199 W Hwy 20	right-of-way	Aerial line work	4/8/2024
4/9/2024	Work in the Right-of-Way	Luckini Investments	195 N Main Street	11-10-17-22-14000-00	Pressure wash and paint building	4/10/2024
4/10/2024	Work in the Right-of-Way	Tyson Mekemson	459 NE Andie Lane	11-10-08-34-03100-00/5501	Driveway	pending
4/14/2024	Excavation/Fill	Timothy Graham	N Main Street/NW 5th Street	11-10-08-33-14000-00	Excavate/fill for driveway	4/19/2024
4/14/2024	Work in the Right-of-Way	Timothy Graham	N Main Street/NW 5th Street	11-10-08-33-14000-00	Driveway work	4/19/2024
4/15/2024	Building Permit	American Tower	255 Magnolia Street	11-10-08-22-00200-00	Modify tower equipment	4/18/2024
4/15/2024	Work in the Right-of-Way	Charter/Cablecom	515 NW Radio Court	11-10-07-41-07400-00	Boring and set pedestal	4/16/2024
4/25/2024	Work in the Right-of-Way	NW Natural	344 W Hwy 20	11-10-07-44-03800-00	Replace gas service	4/25/2024
4/29/2024	Demolition Permit	Janet Anderson	1562 NW Spruce Street	11-10-08-23-01800-00	Remove carport	5/1/2024
5/2/2024	Building Permit	Bruce Parsons	680 W Hwy 20	11-10-07-43-03600-00	Conversion to apartment	7/2/2024
5/6/2024	Building Permit	Denise Mabe	564 SE 6th Street	11-10-17-24-12400-00	Foundation	5/8/2024
5/6/2024	Building Permit	Michael Fontazia	1103 NW A Street	11-10-07-41-01100-00	Foundation	5/30/2024
5/9/2024	Work in the Right-of-Way	Teddy Murphy	331/305 SE Elder Street	11-10-17-24-05200-00	Driveway work	5/20/2024
5/28/2024	Building Permit	Ramiel Papish	750 NE Meadow Hill Drive	11-10-08-40-03700-00	Patio cover	5/30/2024
5/30/2024	Building Permit	Northwest Coastal Homes/Foreess Sig	740 SE 6th Street	11-10-17-24-11600-00	Sign	6/11/2024
6/4/2024	Work in the Right-of-Way	Jesus Ardrade/Adam McKenzie	150 NW 5th Street	11-10-08-33-13500-00	Trench for utilities	6/4/2024
6/10/2024	Work in the Right-of-Way	JSC Contracting/Bob Edenfield	1901/1905 SE Kauri Street	11-10-20-11-01800-00/1900	Widen and resurface driveway	6/12/2024
6/25/2024	Water/Sewer Connection	Eric Chambers	536 NW Aspen Street	11-10-07-10-00403-00	Water amd sewer services	completed
6/25/2024	Building Permit	Eric Chambers	536 NW Aspen Street	11-10-07-10-00403-00	House	7/2/2024
7/2/2024	Building Permit	Tony and Traci Wisniewski	1356 NW Deer Dirve	11-10-07-41-03300-00	Room addition	7/9/2024
7/2/2024	Building Permit	Galen Farrel	1746 NE Arcadia Drive	11-10-08-24-01101-00	Reconstruct shear wall	7/3/2024
7/9/2024	Demolition Permit	Chet and Debra Lee	122 NE 10th Street	11-10-08-33-01500-00	Demolish home	7/15/2024
7/10/2024	Building Permit	Lincoln County School District	1811 NE Arcadia Drive	11-10-08-23-00400-00	Siding	7/18/2024
7/16/2024	Building Permit	Chet Lee	122 NE 10th Street	11-10-08-33-01500-00	Manufactured home	7/18/2024
7/16/2024	Demolition Permit	Georgia Pacific Toledo	1400 SE Butler Bridge Road	11-10-17-00-01400-00	Demolish guard shack	7/31/2024
7/23/2024	Work in the Right-of-Way	Port's Contracting/Megan Miller	534 SE 4th Street	11-10-17-24-08300-00	Sewer line repair	7/24/2024
7/29/2024	Building Permit	Thomas Wilson/Mike Hagen	1235 NE Arcadia Drive	11-10-08-32-06300-00	Garage addition	9/4/2024

Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Approved
7/29/2024	Work in the Right-of-Way	NW Natural	380 NW 1st Street	11-10-18-10-01300-00	New gas service	7/30/2024
8/2/2024	Building Permit	Krause Family Trust	395 N Main Street	11-10-17-22-09400-00	Roof	8/8/2024
8/5/2024	Work in the Right-of-Way	Roger Wells/Reed's Painting	334 N Main Street	11-10-17-22-09300-00	Painting building	8/5/2024
8/13/2024	Building Permit	Doug Gibson	1138 NW Dundon Road	11-10-07-44-05202-00	Garage	8/15/2024
8/15/2024	Building Permit	Oregon CWCOG	203 N Main Street	11-10-17-22-11101-00	Update fire alarm panel	8/16/2024
8/26/2024	Building Permit	Christopher Johnston	736 SE 8th Street	11-10-17-31-03200-00	Garage roof and enclose breezeway	9/4/2024
8/30/2024	Building Permit	Thomas Boor	404 N Main Street	11-10-17-22-04800-00	Siding	9/12/2024
9/5/2024	Building Permit	Georgia Pacific LLC	1400 SE Butler Bridge Road	11-10-17-00-01400-00	Guard shack	11/15/2024
9/24/2024	Work in the Right-of-Way	Martin Fine Homes/Eric Chambers	536 WN Aspen Street	11-10-07-10-00403-00	Bore for sewer	9/24/2024
9/30/2024	Work in the Right-of-Way	Anne Navarti/Roper Construction	147 NW 1st Street	11-10-17-22-15200-00	Sidewalk repair	9/30/2024
10/22/2024	Building Permit	Retherford Bros LLC	406 NW Industrial Park Way	11-10-18-11-00800-00	Storage building	12/10/2024
10/22/2024	Building Permit	Michael Fontazia	1103 NW A Street	11-10-07-41-01100-00	Repair framing, siding, roof, etc	11/1/2024
11/6/2024	Building Permit	City of Toledo	860 NE Reservoir Road	11-10-08-34-04500-00	Roof	11/21/2024
11/15/2024	Building Permit	Wayne Burkland	1109 SE 1st Street	11-10-17-23-03800-00	Replace siding and sheathing	11/20/2024
11/19/2024	Building Permit	Retherford Bros LLC	406 NW Industrial Park Way	11-10-18-11-00800-00	4 storage buildings	pending
11/19/2024	Excavation/Fill	Retherford Bros LLC	406 NW Industrial Park Way	11-10-18-11-00800-00	Fill for storage building	pending
11/25/2024	Work in the Right-of-Way	Charter Communications	SE 10th Street/Sturdevant Road		Overhead fiber installation	12/5/2024
11/26/2024	Excavation/Fill	Georgia Pacific LLC	1400 SE Butler Bridge Road	11-10-17-00-01400-00	Install stormwater lines	pending
11/27/2024	Building Permit	Georgia Pacific LLC	1400 SE Butler Bridge Road	11-10-17-00-1400-00	2 buildings	pending
11/27/2024	Building Permit	City of Toledo	385 NW A Street	11-10-18-11-01600-00	Replace restroom building	pending
11/27/2024	Building Permit	TD Enterprise	412 NW Industrial Park Way	11-10-18-11-00900-00	3 storage buildings	pending
12/10/2024	Demolition Permit	Matt Moore	270 NE 6th Street	11-10-08-33-08400-00	Remove manufactured home	12/19/2024
12/16/2024	Work in the Right-of-Way	Mark Sinclair/Joe Howry	1440 SE 18th Street	11-10-20-11-00103-00	Replace sewer line	12/16/2024
12/19/2024	Building Permit	Russell Cabal	1737 NE Arcadia Drive	11-10-08-24-01200-00	Shed	pending
12/26/2024	Building Permit	Sawmark Saloon Holdings LLC	144 E Graham Street	11-10-17-22-13400-00	Conversion to create 10 apartments and com space	pending
12/31/2024	Work in the Right-of-Way	Adrianne Rogers/J&J Residential Services	SE Fir Street	11-10-17-24-07800-00	New driveway	pending
12/31/2024	Excavation/Fill	Adrianne Rogers/J&J Residential Services	SE Fir Street	11-10-17-24-07800-00	Excavate for new home	pending
12/31/2024	Water/Sewer Connection	Adrianne Rogers/J&J Residential Services	SE Fir Street	11-10-17-24-07800-00	New water/sewer connections	pending
12/31/2024	Building Permit	Adrianne Rogers	SE Fir Street	11-10-17-24-07800-00	Manufactured home and garage	pending

Land Use						
Date	Type of Application	Applicant	Address	Map and Tax Lot	Description	Status
4/8/2024	Conditional Use Permit	Dahl & Dahl Inc	5441 Hwy 20	11-10-7 TL 600	Modify Conditional Use Permit CU-2-21 condition of approval to allow permanent placement of a membrane structure	PC = Approved modified condition 5/8/2024
4/8/2024	Floodplain Development Permit	TD Enterprises (Toledo Storage)	412 NW Industrial Park Way	11-10-18AA TL 900	New structures and fill in the floodplain	Staff: Approved 4/11/2024
9/15/2024	Floodplain Development Permit	Georgia Pacific	1400 Butler Bridge Rd	11-10-17 TL 1400	New structure in the floodplain	Staff: Preliminary Approval 11/15/2024
10/24/2024	Floodplain Development Permit	Retherford Bros LLC	406 NW Industrial Park Way	11-10-18AA TL 800	New structure in the floodplain	Staff: Preliminary Approval 12/10/2024
11/19/2024	Floodplain Development Permit	Retherford Bros LLC	406 NW Industrial Park Way	11-10-18AA TL 800	Four new structures in the floodplain	pending
11/26/2024	Floodplain Development Permit	Georgia Pacific	1400 Butler Bridge Rd	11-10-17 TL 1400	Install stormwater system	pending
11/27/2024	Floodplain Development Permit	Georgia Pacific	1400 Butler Bridge Rd	11-10-17 TL 1400	Two buildings for chip scanning equipment	pending
11/27/2024	Floodplain Development Permit	City of Toledo	385 NW A Street	11-10-18 AA TL 1600	Replace fire damaged restroom building	pending
11/27/2024	Floodplain Development Permit	TD Enterprises (Toledo Storage)	412 NW Industrial Park Way	11-10-18AA TL 900	Construct three new structures in the floodplain	pending
5/20/2024	Lot Line Adjustment	City of Toledo	1585 SE Sturdevant Rd	11-10-17 TL 800/801	Property line adjustment of 1500 sq ft between TLs 800 and 801	Staff: Approved 6/28/24
9/11/2024	Plan Amendment	Eric Bohne	161 SE 2nd Street	11-10-17BC TL 7800, 7900, 8200	Comp Plan Map amendment from RG designation to Commercial	PC = Rec. approval CC = Adopted Ord 1424
9/11/2024	Rezone	Eric Bohne	161 SE 2nd Street	11-10-17BC TL 7800, 7900, 8200	Rezone 3 lots from General Residential to Commercial	PC = Rec. approval CC = Adopted Ord 1424
4/11/2024	Temporary Trailer Permit	Jodi Gibson and Judy West	878 SE Gaither Way	11-10-17 DB TL 1600	Reside in RV up to one year	Staff: Approved 4/24/2024
4/18/2024	Tree Permit	Tiimothy Graham		11-10-8 CC TL 14000	Remove fir trees in the right-of-way	Staff: Approved 5/14/2024
6/17/2024	Variance	Clifford Abbas	122 NE 10th Street	11-10-8 CC TL 1500	Variance to the front yard setback	Staff: Approved 7/11/24
9/26/2024	Zoning Ordinance Amendment	City of Toledo			Adopt standards for psilocybin services	PC = Rec. approval CC = Adopted Ord 1425
10/30/2024	Zoning Ordinance Amendment	City of Toledo			Amend flood hazard ordinance for FEMA PICM	CC = Adopted Ord 1426

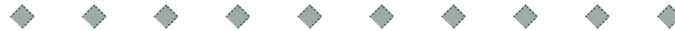
TOLEDO PLANNING COMMISSION SCHEDULE

2025 MEETING DATES



JANUARY 8 - 6PM
FEBRUARY 12 - 6PM
MARCH 12 - 6PM
APRIL 9 - 6PM
MAY 14 - 6:30PM
JUNE 11 - 6:30PM

JULY 9 - 6:30PM
AUGUST 13 - 6:30PM
SEPTEMBER 10 - 6:30PM
OCTOBER 8 - 6:30PM
NOVEMBER 12 - 6PM
DECEMBER 10 - 6PM



Planning Commission meetings begin at 6:00 pm during winter months and 6:30 pm during the summer. Unless indicated, meetings will be held in the City Hall Council Chambers, 206 N Main Street, Toledo. visit www.cityoftoledo.org/meetings for updated information

Worksessions/Special Meetings: The Planning Commission may conduct worksessions and/or special meetings throughout the year. These meetings will be scheduled as necessary and notice will be sent in advance of the meeting date. Unless otherwise noted, worksessions and special meetings will be held in the City Hall Council Chambers, 206 N Main Street, Toledo. Times may vary.