

Toledo City Hall  
Council Chambers  
206 N Main St. Toledo OR  
May 14, 2025  
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](mailto:planning@cityoftoledo.org) or call 541-336-2247 ext. 2130 to receive the meeting login information. Participants can also visit [www.cityoftoledo.org/meetings](http://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 APRIL 9, 2025 MINUTES as circulated and reviewed by the Planning Commission
4. DISCUSSION ITEMS:
  - a. Lincoln County Natural Hazards Mitigation Plan
  - b. Updates and Reports
5. STAFF COMMENTS
6. COMMISSIONER COMMENTS
7. 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](mailto:planning@cityoftoledo.org). The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodation for persons with disabilities should be made at least 48 hours in advance of the meeting by calling the Toledo Planning Department at 541-336-2247.

## TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 6:30 pm by President Cora Warfield. Commissioners present: Brian Lundgren, Anne Learned-Ellis, Ricky Dyson, and Jonathan Mix (arrived at 6:50 pm). Excused was Dennis Sutherland.

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

VISITORS: Monique Aradoz, John Robinson, Jim Chambers, and other online attendees.

### APPROVAL OF THE FEBRUARY 12, AND MARCH 12, 2025 MINUTES:

It was moved and seconded (Learned-Ellis/Dyson) to approve the February 12, 2025, minutes as circulated and reviewed by the Planning Commission. The **motion passed**, noting the absence of Mix and Sutherland.

It was moved and seconded (Learned-Ellis/Lundgren) to approve the March 12, 2025, minutes as circulated and reviewed by the Planning Commission, with the correction to the term “flat lot” to “flag lot” on Page 3. The **motion passed**, with Warfield abstaining and noting the absence of Mix and Sutherland.

### PUBLIC HEARING: PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, LAND DIVISION ORDINANCE, LAND USE PROCEDURE ORDINANCE, AND COMPREHENSIVE LAND USE PLAN TEXT AMENDMENT TO MODIFY THE LAND USE DEVELOPMENT STANDARDS (FILE #ZOA-1-25/PA-1-25), 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 then 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 municipal codes. The Planning Commission makes a recommendation to the City Council for the legislative amendments. If a recommendation is passed tonight, the item will then be reviewed at the May 7<sup>th</sup> City Council meeting. A staff memo was distributed tonight to review comments that were submitted after the staff report was completed. In response to the comments, CP Peterson reported there are 22 lots within the Commercial Residential Overlay district. Eleven of the 22 lots are 7500 square feet or less in size.

CP Peterson reviewed the history of code updates over the last several years to address housing needs. The proposed changes include updates to the Comprehensive Plan and municipal codes, which are needed to be in compliance with HB 3395 and other state regulations. The updates in the land division ordinance provides a streamlined procedure for processing some applications. CP Peterson reviewed updates for the net buildable area formula, joint use driveway option, flag lot standards, density formula, and other updates to provide clear and objective standards for applicants.

At this time Commissioner Mix entered the meeting.

The proposal also includes moving partitions to the Type II process (staff-level review). Subdivisions would stay as a Type III process (Planning Commission review). Both applications still require notice to surrounding neighbors. The approval time period on a land division decision is updated to be valid for 18 months, up from the existing 12 months. It was noted that it takes longer to have the survey work done and extensions have been very common in recent years. There are also updates to the application process, submission requirements, phasing subdivisions, and future development considerations.

After discussions with DLCD, it was suggested that a Traffic Impact Analysis (TIA) have clear and objective standards as well. Staff provide proposed language in the supplemental memo tonight. This can be discussed in detail later in the meeting.

The land division ordinance provides guidelines for construction plan submittals, infrastructure improvements, and increased time period to submit a final plat. Language was added for middle housing land division process.

CP Peterson then reviewed proposed updates to the zoning ordinance, highlighting the updated definitions, addition of the single-room occupancy language, updating the term “single-family” to “single-unit detached”, renaming the Single-Family Residential Zone to Standard Residential Zone, providing a clear and objective path for all manufactured and site-built homes, updated sign standards, and setback changes to allow an ADA ramp within the setback yard.

The Commercial Zone would be updated to allow existing residential homes to be re-built within two years after destroyed, reducing the front setback standard, and a new Commercial Residential Overlay district in the Beech/Hwy 20 area. The overlay district already contains residential homes and it would allow flexibility to build housing and provides options for multi-unit dwellings in the district. Several chapters in the zoning ordinance have proposed updates, including off-street parking requirements, non-conforming uses, and conditional use permit deadline dates.

The land use procedures ordinance have several updates, including the timeline to notify DLCD of proposed amendments.

The Comprehensive Plan text would have updates for the new Commercial Residential Overlay.

CP Peterson reviewed the criteria for reviewing municipal code and Comprehensive Plan amendments, as listed in the Statewide Planning Goals, Comprehensive Plan, State laws, and ordinance requirements. Staff meet with DLCD to review the proposed changes and received feedback throughout the process. Commissioners discussed the mixed housing options and the use of the term ‘child lot’ versus ‘sub lot’.

Public Testimony: Jim Chambers of 565 NW Aspen Street, Toledo, stated that the notice was not clear and he was looking for information on single room occupancy, manufactured home/pre-fab structures, manufactured home parks, density standards, joint use driveways/access easements, parking requirements, public improvement language, and multi-family housing options. CP Peterson provided information on the proposed terms and updated language.

- Single Room Occupancy is a requirement from the State. This language must be added to

- both the RG and RS Zones.
- Single-unit homes include manufactured homes, site-built, and pre-fab.
  - Minimum lot size would not change. However, developers have the option to reduce the lot size in a Planned Development request.
  - Signed and recorded access easements and joint use agreements should help protect access areas, maintenance of the driveway, and clear travel for emergency vehicles with turn-around. They are not intended to serve as a street and the number of properties are limited for the shared driveway. If the shared driveways are ever proposed for the creation of a street, the driveway would have to meet City street standards for a new street.
  - The new language for the public improvement procedures provides an outline for applicants to follow, making sure they are meeting the improvement phases. The infrastructure standards are already in place, but the proposed language provides the steps for applicants to follow.
  - The R-S Zone purpose statement includes language for housing options with a discretionary pathway. This would be for multi-unit housing or cottage cluster developments as a Conditional Use in the R-S Zone.

John Robinson discussed the Commercial Residential Overlay and that he supports this overlay district for the Beech Street neighborhood. He noted that he recently built a four-plex in this area, utilizing the Conditional Use Permit process. He would like to see other middle-housing construction occurring in this area. He thanked staff and the Planning Commission for adding the overlay, listening to his March 12<sup>th</sup> comments, and adding the 7,500 square footage language for multi-family development. He is supportive of the proposed updates and expressed appreciation of the work going into the project and the proposed changes.

Questions by Commission: None.

Deliberations: The public hearing was closed and the Commission entered into deliberations. CP Peterson asked for clarity on the TIA language and what the standard should be in order to provide clear and objective standards for developers. Commissioners discussed ranges between 15-25 lots, street width, traffic patterns and daily trips. Development would also depend on the specific street, as some streets are designed to handle additional traffic, while some streets are only one-lane and could not support additional vehicles. Commissioners reviewed the Beaver Street subdivision and it was noted that the subdivision created eight lots. It was also noted that a TIA requirement for smaller subdivisions may discourage development. It was the consensus of the Planning Commission to lower the TIA requirement from the proposed 25 lots to 15 lots.

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 April 9, 2025, the Planning Commission finds that application file #ZOA-1-25 and #PA-1-25 complies with the criteria identified in TMC 19.20.070(A)-(D) and recommends approval of the proposal with the recommendation of a Transportation Impact Analysis be adjusted from 25 lots to 15 lots in TMC 16.16.050(T) and recommends approval by the City Council. 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 Sutherland.

The ordinance amendment will be scheduled for the May 7, 2025 City Council meeting.

DISCUSSION ITEMS: Updates and Reports:

None.

STAFF COMMENTS:

Commissioners were reminded to submit their annual Statement of Economic Interest report to Oregon Government Ethics Commission.

COMMISSIONER COMMENTS:

Commissioner Learned-Ellis thank City staff for their work on this project and thanked the Public Works crew for working in the rain at Memorial Field and putting in new playground equipment.

Commissioner Mix would like to plan a presentation on the fire hazard plan, however, the map was just repealed. CP Peterson noted that an update on the Natural Hazards Mitigation Plan will be provide next month.

There being no further business before the Commission, the meeting was adjourned at 7:55 pm.

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Planning Assistant

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President

TOLEDO ACTIONS 2025

Mitigation Strategies		Impacted Hazard											Implementation and Maintenance					
Action Item #	Statement	Air Quality	Coastal Erosion	Drought	Earthquake	Extreme Heat	Flood	Landslide	Tornado	Tsunami	Wildfire	Windstorm	Winter Storm	Potential Funding Resources	Lead	Partners	Timeline	Cost
1	Educate community about natural hazards preparedness and evacuation (focus on wildfire, winter storm, and earthquake/tsunami).	X		X	X	X	X	X		X	X	X	X	Local funding resources (e.g., general fund)	Fire Department	FEMA, DOGAMI, Ready.gov, OSU Extension, Oregon Department of Emergency Management	Ongoing	L
3	Seismically retrofit vulnerable facilities and infrastructure to increase their resiliency to seismic hazards. Consider both structural and non-structural retrofit options.				X									Local funding resources (e.g., general fund), Business Oregon IFA Seismic Rehabilitation Grant Program	Public Works	Finance, City Manager, Community Development, Property Management; Oregon Emergency Management, DOGAMI, IFA, SHPO, School District	Short	M to H
8	Evaluate and implement mitigation projects for areas of the city that are at risk of landslide.							X						Local funding resources (e.g., general fund), HMA	Public Works	Planning, County Emergency Management, DOGAMI, DLCD	Long	M to H
10	Relocate Police Station out of tsunami inundation zone and establish a police communications system safe from disasters.				X			X		X	X	X		Local funding resources (e.g., general fund), HMA	Police	Planning, Building; DLCD, OEM, FEMA, DOGAMI, Business Oregon	Short	H
11	Relocate Public Works out of the floodplain and the tsunami inundation zone.						X			X				Local funding resources (e.g., general fund), HMA	Public Works	Community Development and Finance; DLCD, OEM, FEMA, DOGAMI, Business Oregon	Long	H
2	Evaluate the structural integrity of the Olalla Reservoir Dam (Georgia Pacific owned/operated) and the Mill Creek Reservoir Dam.				X		X							Local funding resources (e.g., general fund), HMA	Public Works	Lincoln County, FEMA, OEM, Georgia Pacific	Short	M to H

Mitigation Strategies		Impacted Hazard											Implementation and Maintenance					
Action Item #	Statement	Air Quality	Coastal Erosion	Drought	Earthquake	Extreme Heat	Flood	Landslide	Tornado	Tsunami	Wildfire	Windstorm	Winter Storm	Potential Funding Resources	Lead	Partners	Timeline	Cost
4	Implement specific hazard objectives identified in the city's Comprehensive Plan.				X		X	X		X	X	X	X	Local funding resources (e.g., general fund), DLCDC Technical assistance grant	Planning	Lincoln County, DLCDC	Ongoing	M to H
5	Continue compliance with the National Flood Insurance Program.						X							Local funding resources (e.g., general fund)	Planning	Public Works, FEMA, DLCDC	Ongoing	L
7	Identify and address community's vulnerability to a natural gas explosion following a seismic event. May be achieved through the development of a Disaster Fuel Plan.				X		X	X		X	X	X	X	Local funding resources (e.g., general fund), ODE	Public Works	NW Natural	Medium	L
9	Work with the owners of repetitive flood loss buildings in the city (particularly along Yaquina Bay road, Business Hwy 20, and in the A Street area) to identify cost effective mitigation strategies including consideration of relocation, elevation, or buy-out.						X							Local funding resources (e.g., general fund), HMA (FMA)	Planning / Floodplain Manager	Public works, building; DLCDC, OEM, DOGAMI, FEMA	Long	H
New	Improve, maintain, and obtain resources and equipment essential for mitigating the impacts of disasters. (e.g., procure funding and purchase Sat Runners/COWS, satellite phones/Starlink, create a generator master plan, create a debris removal plan, procure funding to address communication, power, and security equipment gaps)	X			X	X	X	X		X	X	X	X	Local funding resources (e.g., general fund), HMA (FMA), OREM, PIER	Public Works	Planning; OHA ODHS/OREM	M	M-H
New	Develop fire and wildfire mitigation plans and perform mitigation actions to decrease the risk of fire and the risk of damage from wildfires at city facilities. (see Lincoln County CWPP)										X			Local funding resources (e.g., general fund), HMA	Fire District	Planning, Public Works, Lincoln County	S	L-H

Mitigation Strategies		Impacted Hazard												Implementation and Maintenance				
Action Item #	Statement	Air Quality	Coastal Erosion	Drought	Earthquake	Extreme Heat	Flood	Landslide	Tornado	Tsunami	Wildfire	Windstorm	Winter Storm	Potential Funding Resources	Lead	Partners	Timeline	Cost

Source: Toledo NHMP steering committee, 2025.

Cost: L (less than \$50,000), M (\$50,000-\$499,999), H (\$500,000-\$5 million), VH (more than \$5 million),

Potential Funding Sources: HMA=FEMA's Hazard Mitigation Assistance disaster and non-disaster grant programs

Timing: Ongoing (continuous), S=Short (1-4 years), M=Medium (4-10 years), L=Long (10 or more years)

Priority Actions: Identified with orange highlight

The actions below were previously in the County portion of the plan and included the city as a partner. We are removing this table from the City’s plan. Please identify actions from this table that you would like to add to the table above.

### County Specified Actions that the City is Partner

Action Item (2015 NHMP)	City Partner	Action Item
MH #1	Yes	Consider Local Energy Assurance Planning for critical areas countywide
MH #2	Yes	Improve technology capacity of communities, agencies and responders needed to adequately map hazard areas, broadcast warnings, inform, and educate residents and visitors of natural hazard dangers
MH #3	Yes	Develop and implement, or enhance strategies for debris management and/or removal after natural hazard events.
MH #4	Yes	Work with coastal communities, citizen groups, property owners, recreation areas, emergency responders, schools and businesses in promoting natural hazard mitigation opportunities.
MH #5		Encourage purchase of hazard insurance for business and homeowners by forming partnerships with the insurance and real estate industries.
MH #6	Yes	Integrate the NHMP into County and City comprehensive plans.
MH #7	Yes	Prepare long-term catastrophic recovery plan
MH #8		Review recommended mitigation strategies identified in DOGAMI reports (including O-19-06, O-20-03, O-20-11) and make recommendations to BOC for consideration as long-term mitigation strategies.
CE #1		Improve knowledge of effects of climate change and understanding of vulnerability and risk to life and property in hazard prone areas.
CE #2		Evaluate revising existing county coastal hazard area regulations based on the DOGAMI risk zone mapping.
EQ #1	Yes	Integrate new earthquake hazard mapping data for Lincoln County and improve technical analysis of earthquake hazards.
EQ #2	Yes	Identify, inventory, and retrofit critical facilities for seismic and tsunami rehabilitation (consider both structural and non-structural retrofit options).
TS #1		Relocate county controlled critical/essential facilities and key resources, and encourage the relocation of other critical facilities and key resources that house vulnerable populations (e.g., hospitals, nursing homes, etc.) that are within the tsunami inundation zone and likely to be impacted by tsunami.

Action Item (2015 NHMP)	City Partner	Action Item
TS #2		Implement land use strategies and options to increase community resilience
EQ #3	Yes	Stay apprised of new earthquake and landslide data and perform mitigation of infrastructure where possible to increase resilience of critical transportation links to the valley and along the coast during earthquake events.
FL #1	Yes	Explore steps needed to qualify Lincoln County for participation in the NFIP Community Rating System (CRS)
FL #2	Yes	Update the Lower Siletz Flood Mitigation Action Plan; develop flood mitigation action plan(s) for the lower Alsea and Salmon River, and Drift Creek and other areas.
FL #3	Yes	Work with affected property owners to elevate or relocate non-conforming, pre-FIRM structures in flood hazard areas
FL #4	Yes	Continue compliance with the National Flood Insurance Program (NFIP).
LS #1	Yes	Encourage construction, site location and design that can be applied to steep slopes to reduce the potential threat of landslides.
LS #2		Protect existing development in landslide-prone areas.
LS #3	Yes	Collaborate with the Oregon Department of Geology and Mineral Industries to work on landslide risk reduction.
SW #1	Yes	Develop and implement programs to keep trees from threatening lives, property, and public infrastructure during severe weather events (windstorms, tornados, and winter storms).
SW #2	Yes	Continue and enhance severe weather (windstorm, tornado, winter storm) resistant construction methods where possible to reduce damage to utilities and critical facilities from windstorms and winter storms (snow/ice). In part, this may be accomplished by encouraging electric utility providers to convert existing overhead lines to underground lines.
WF #1	Yes	Implement actions identified within the Lincoln County Community Wildfire Protection Plan (CWPP) and continue to participate with ongoing maintenance and updates.