Toledo City Hall
Council Chambers
January 8, 2014

TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 7:10 pm by President Jerry Seth. Commissioners present: Doug Alldridge, and Anne Learned-Ellis. Excused were Paul Schneidecker, Paul Johnson, and Mary Young.

Staff present: City Manager (CM) Michelle Amberg, City Planner (CP) Aneta Synan, and Secretary Arlene Inukai.

VISITORS: None.

Only three Planning Commissioners were present, therefore, no quorum was reached.

CM Amberg provided an update on the City Council's goal setting worksession and specific goals that will impact the Planning Commission:

- Implement the Transportation System Plan (TSP) code amendments and find funding to begin TSP projects.
- Develop an annexation strategy for properties in the Urban Growth Boundary. Commissioner Learned-Ellis asked if property owners are opposed to annexation, does the decision go out to voters? CM Amberg reported that, in many cases, there are annexation agreements for City services, which have not been honored. Some folks may not be ready to be annexed.
- Develop a goal to abate substandard housing/buildings and improve the inspection process.
- Provide housekeeping updates for the zoning ordinance and land division ordinance.

CM Amberg reported the draft goals will be presented at the City Council upcoming work session on January 14th and will be on the Council's January 15th agenda. She welcomed Planning Commissioners to attend the upcoming meetings and address the projects or add others. Commissioners asked if the Public Lands Zone project was still included as a goal. CM Amberg clarified that the Public Lands project and off-site impact ordinance are on the list from last year. There was no mention of the buffer zone/commercial zone topic.

CP Amberg reported that upcoming meetings will also have discussions for an interim City Manager. The January 15th meeting will also have an interview for a potential new Planning Commissioner. Commission Learned-Ellis stated it will be good to have a new Planning Commissioner on board.

Commissioners discussed the TSP and CM Amberg will have an opportunity to provide ODOT with an evaluation for CH2M Hill's work on the project. President Seth stated it was very good to have ODOT Transportation Planner David Helton's assistance and contribution to the plan, but he felt the consultant was obstructive in achieving Toledo's goals. He thought they refused to comply with the City's wishes, leaving a difficult situation to fight through the steps. He acknowledged both CM Amberg and Commissioner Learned-Ellis's involvement in the project. Commissioner Learned-Ellis pointed out that the early meetings went well and the consultants are

well educated and quite friendly, but found that they provided a 'cookie-cutter' approach without looking at Toledo. President Seth added the example that when City requested the street classification of Bus. Hwy 20 be changed from arterial to collector designation, the consultant fought the request and said the change was not negotiable. Commissioners thanked CP Synan for her thorough work and time with the project. CM Amberg reported that, originally, a different person was assigned to the TSP, but because of CH2M Hill changes, the primary consultant on the project changed. She added that the City did not have a lot of options, as the State funded the plan and pre-qualifies consultants. Ultimately, the consultant reports to ODOT.
President Seth voiced that the public presentations all went very well, but when it hit the paper, the document fell apart. There seemed to be a lot of 'cut-and-paste', without Toledo's influence.

President Seth thanked CM Amberg for her guidance and counsel. CM Amberg reported it has been a pleasure to work with the Planning Commission. Commissioners have done a good job and she wished them all well. Commissioner Learned-Ellis stated it would be good to have a permanent replacement follow in CM Amberg's footprints and attend future Planning Commission meetings. All agreed it is good to have the Manager's point of view and input.

After last month's meeting, President Seth encouraged everyone to talk one-at-a time. He stated it is good to have the discussions and no one should be afraid to talk, but the conversations need to be clear for everyone to hear. Commissioner Learned-Ellis stated it was nice to have the Public Works Department updates on several projects. It was good information and PW Director Anderson provided beneficial comments at the last meeting. Commissioners welcomed him at future meetings and his attendance saves time when technical questions arise.

WORKSESSION: MUNICIPAL CODE AMENDMENTS TO IMPLEMENT THE TOLEDO TRANSPORTATION SYSTEM PLAN:
CP Synan would like additional time to provide further review of the variance section. She would like to see a clear variance process for all scenerios, so she created a chart for potential variances for street improvements. The chart shows those improvements initiated by the City, private partition/subdivision development, and improvements with right-of-way limitations. CP Synan reviewed the existing zoning ordinance variance criteria. There is still confusion with the proposed language and the intent of the variances. CP Synan asked for direction from the Planning Commission on potential variances to regulate.

Commissioners discussed when variances would apply and the possibility of having 'island' sidewalks and street improvements. If improvements are in place, they could eventually lead to continuity and encourages others to continue to fill in the gaps. Commissioners discussed when the improvements are required. President Seth asked to refine the street repair definition and the intent of when the full street improvements regulations take effect. Commissioners discussed repairing existing streets should not trigger the full standard. However, if a major improvement is made to an existing street, then it would be beneficial to have the full improvements, otherwise, those upgrades may never occur. If a Class C variance is required, then it would be up to the Planning Commission's discretion for each circumstance. Commissioners discussed the level of flexibility for variances, development occurring on existing streets, and the ability to acquire right-of-way at the time of development.

Commissioners asked if a zone change would require any street improvements. The proposed language deals with subdivisions and minor partitions, but does not address rezones. Commissioners would prefer that a rezone request not be held to the same standard for

subdivisions. Commissioners have the ability to require street improvements through the conditional use permit application. Commissioner Learned-Ellis suggested clarity for existing streets and giving applicants the flexibility for the street standards. Commissioners agreed that they don't want to hold up development, but there may be proposals that could need additional review.

President Seth stated this appears more complex that he originally thought, but the matrix provides a good start. CP Synan suggested a Class C Variance for all types, but could establish different criteria for each instance. Commissioners discussed variance options related to partitions only, then for subdivisions only. Discussion was also held for waiving the improvements in exchange for right-of-way dedications.

Commissioner Learned-Ellis reported that the code will not be able to cover every circumstance. There should be some flexibility to help the process. It would be good to have more input and public comment. Commissioners discussed the variance fees and expense for noticing. Toledo's fees are fairly reasonable compared to some other communities. Commissioner Alldridge asked if this would be a Measure 56 change and if it affects property value. He urged members to break the issue up into concepts, in order to establish the goals, then define the problems for each. Commissioners asked to see an expanded matrix and have flexibility for projects. Clear variance criteria should be established, whether it is a staff-level or Planning Commission decision.

CP Synan handed out an interesting article about how planning has grown and expanded, making it hard to navigate.

The meeting was adjourned at 8:50 pm.

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Secretary President