

TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 7:00 pm by President Jerry Seth. Commissioners present: Geoffrey Wilkie, Anne Learned-Ellis, Joshua Smith, and Cora Warfield. Jeffrey Quigley was excused.

Staff present: City Planner (CP) Mike Adams and Secretary Arlene Inukai.

VISITORS: None.

APPROVAL OF THE APRIL 13, 2016, MINUTES:

It was moved and seconded (Warfield/Smith) to approve the April 13, 2016, minutes as circulated and reviewed by the Planning Commission. The **motion passed** unanimously, noting the absence of Quigley.

WORKSESSION: PUBLIC LANDS ZONE:

CP Adams explained that the Public Lands (PL) Zone has been an issue in the past and the Planning Commission asked for a review of the zone policies. A draft was prepared and submitted for discussion tonight. If it is ok, then the amendment will be scheduled for public hearing.

CP Adams stated the amendments include expanding the zone from only allowing public-ownership, to allow semi-public uses and private utilities to utilize the PL Zone if the use serves the community. Language may be revised dealing with IRS qualified non-profits, as they may not all provide a direct service to the community. Several non-profit organizations, such as a food pantry, Boys and Girls clubs, and senior centers, should qualify.

Commissioners discussed how this proposal would have worked when the old Mary Harrison School change ownership. CP Adams clarified that one-time events within the PL Zone should not be affected, only when uses change. Community centers or clubs could be allowed and if they rent out meeting room space for events, it would not affect the long term use of the facility.

The proposed amendment allows limited mixed-uses, so public and private uses can be on the same site. The public use must be the primary use of the property, but the public agency could lease space for private organizations.

CP Adams pointed out that the uses existing at the time of the ordinance passage would be allowed to continue and can be expanded. It may be beneficial to create a list of existing uses in the PL Zone. However, the language could also be revised.

The mixed-use option has potential at various sites, such as a school facility, but may not be compatible for other uses, such as the sewer plant. Commissioner Smith stressed the need to make sure proposed uses fit within a neighborhood.

If the PL zone property sells, the zone can stay the same as long as the use remains (no need to

rezone when ownership transfers). If the use stops for one year, then the property would have to be rezoned. The proposal allows private operators/owners to continue the use, for example, if the skate park or pool transfers to a private owner, the use can continue. If the use changes, the Planning Commission will review the new proposal through a Conditional Use Permit.

Commissioners discussed the Mary Harrison School rezone again, noting that it had to be rezoned because it was no longer public-owned. The site was not suitable for a residence, so the residential zone was not an option, therefore, the most appropriate zone designation was Commercial. The Commercial Zone has a lot of impacts to the neighborhood and it would have been better suited to remain in the PL Zone. At the time of transfer, the school district had no consideration of the zone or impacts to the neighbors. Commissioners voiced compassion for the impact the commercial designation has on the residential neighborhood.

Commissioner Learned-Ellis voiced that the abandoned use/transfer of ownership section is good, as it addresses what the Planning Commission asked for. She stated the proposal is better than what is currently in place. Commissioner Smith agreed that there may need to be some minor revisions, but he is comfortable with the proposal.

Commissioners discussed various scenarios where public lands could be leased to private companies, especially when they benefit the community, for example, cell towers. A lot of things should not be allowed outright and it would be good to follow the conditional use process to give neighborhood notice and the public the ability to comment.

Commissioners discussed the option of providing a list of allowed uses, but most felt that it would be better to not include a list of potential uses. Technologies, community needs, and trends change over time and it would be difficult to identify each public use beneficial to the community.

Commissioners reviewed the transportation facilities definition, noting that staff is allowed to determine if those uses meet the definition to be allowed outright. This language was added to implement the Transportation System Plan document.

Commissioners agreed that it would be good to move forward with the amendment. It clears up a problem section of the code. Commissioners then thanked staff for the proposal and voiced appreciation for the work going into the revision.

CP Adams stated there are no public hearings set for June, so this topic or tiny houses may be on the agenda. Also, Airbnbs may become an upcoming topic. Commissioners discussed the use and problems occurring in Lincoln City for vacation rentals. The current code has existing language dealing with bed and breakfast services, but the Airbnb type of rental (owner occupied and only offering one or two rooms) could be allowed outright with some regulation. It would be good to have clear criteria for this type of use. This topic will be reviewed at an upcoming City Council worksession. There could be staff-level review criteria or a Planning Commission conditional use permit. Also, the Council should consider if the transient room tax should be applicable. Based on Council discussion, a proposal will be drafted for consideration.

DISCUSSION ITEM: UPDATES AND REPORTS:

CP Adams reported he recently attended a webinar regarding the new bio-opinion from NOAA to FEMA dealing with negative impacts for endangered species and how it affects the floodplain/flood

insurance program. Because of the opinion, NOAA made suggestions that will have to be implemented. Guidance from DLCD will come out this summer, with standards to be implemented over the next two years to help salmon. Tracking, reporting, and monitoring will have to be performed by local agencies and this is considered an unfunded mandate. Commissioners discussed the floodplain map and flood insurance program.

CP Adams has worked on the agreement for riparian restoration at the Mill Creek reservoir. The project includes non-herbicide treatment, tree mats, and some limited tree removal.

STAFF COMMENTS:

CP Adams pointed out the TreeCity USA flag was posted in the Council Chambers. Commissioner Learned-Ellis suggested a list of appropriate trees to plant and to encourage native species. CP Adams stated the tree ordinance identifies a tree plan, but a plan has not been established.

Staff have received complaints about encroachments into the sidewalks. Code enforcement has been dealing with this issue. Also, code enforcement has been working on foreclosure properties which have become nuisances.

COMMISSIONER COMMENTS:

Commissioner Smith reported the first budget meeting was very quick, but interesting.

Commissioner Warfield voiced how increased federal regulations make it difficult for the banking industry as well. Regulations keep getting stricter and banks need to be suspicious of cash transactions.

Commissioner Wilkie asked about the Councilor handbook project. CP Adams noted the project is a goal, but has not moved forward.

All Commissioners filed their SEI report with the state.

President Seth reported that the Toledo pool has been presented for closure. He added he has been impressed with the way it was presented and the feedback from community. The community has six months to come up with a plan to fund the pool. If a plan is not approved, the pool is scheduled to close next year. Commissioners discussed the option of establishing a parks and recreation district to fund the pool, the need to include east County residents in the project and the amount of repairs needed at the facility. Accurate numbers must be obtained for both operating expenses, repair costs, and revenue, and how those numbers will be used for grants, bonds, and establishing a new tax district. Commissioners discussed the pool needs and potential funding options. Commissioner Warfield stressed the importance of providing swim lessons for children. President Seth added that there has been good community support for the pool.

There being no further business before the Commission, the meeting was adjourned at 8:15 pm.

Secretary

President