

**CITY OF TOLEDO  
ORDINANCE NO. 1398**

**AN ORDINANCE OF THE TOLEDO CITY COUNCIL AMENDING ORDINANCE NO 1285 (TOLEDO MUNICIPAL CODE CHAPTER 1.08) TO UPDATE THE 2000 TOLEDO COMPREHENSIVE LAND USE PLAN AND POLICIES, AND AMENDING ORDINANCE NO 1286 (TOLEDO MUNICIPAL CODE TITLE 17) TO ADD DEFINITIONS, REVISE SINGLE-FAMILY RESIDENTIAL ZONE, GENERAL RESIDENTIAL ZONE, COMMERCIAL ZONE, OFF-STREET PARKING AND LOADING, AND MAIN STREET DISTRICT OVERLAY CHAPTERS**

**WHEREAS**, the City of Toledo adopted Ordinance No. 1285, adopting the 2020 Vision for Toledo (The 2000 Toledo Comprehensive Land Use Plan) and 2000 Toledo Comprehensive Land Use Plan Inventory documents on April 4, 2001, and acknowledged by the State of Oregon Department of Land Conservation and Development on June 19, 2002; and

**WHEREAS**, the 2000 Toledo Comprehensive Land Use Plan allows for text amendments, when consistent with Oregon Statewide Planning Goals and Guidelines; and

**WHEREAS**, the City of Toledo adopted Ordinance No. 1286, the Toledo Zoning Ordinance codified as Title 17 of the Toledo Municipal Code, on April 4, 2001, and acknowledged by the State of Oregon Department of Land Conservation and Development on June 19, 2002; and

**WHEREAS**, Ordinance No. 1286 allows for amendments that may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law; and

**WHEREAS**, the Planning Commission reviewed the draft amendments to remove barriers for residential development in the Single-Family Residential Zone, General Residential Zone, Main Street Overlay, and Commercial Zone; and

**WHEREAS**, notice of the proposed amendments were provided in accordance with procedures established in the Toledo Municipal Code and Oregon Revised Statutes; and

**WHEREAS**, the Toledo Planning Commission held a duly notice Public Hearing on the proposed ordinance revision on September 8, 2021, and sent forward the ordinance containing the proposed zoning and comprehensive plan amendments to the City Council for a public hearing and adoption; and

**WHEREAS**, the City Council held a public hearing after proper notification on the proposed ordinance revisions on October 6, 2021, and the City Council has determined that a zoning ordinance and comprehensive plan amendment in in the best interest of the citizens of Toledo.

**NOW, THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:**

Section 1. Subsection (A) of §1.08.010 of the Toledo Municipal Code is amended to read as follows (with the Comprehensive Land Use Plan text language amended by the City Council on October 6, 2021 attached as Exhibit A of this ordinance for reference):

1.08.010 Documents adopted

A. The 2020 Vision for Toledo (The 2000 Toledo Comprehensive Land Use Plan) dated April 4, 2001, as amended November 7, 2012, by Ordinance 1345; amended December 4, 2013, by Ordinance 1352; amended November 2, 2016, by Ordinance 1364, and amended October 6, 2021 by Ordinance No. 1398.

Section 2. The following definitions are added to §17.04.020(B) of the Toledo Municipal Code, in alphabetical order, to read as follows:

"Live Work Accessory Dwelling Unit" means an interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a commercial use with an active business license.

"Cottage" means a detached, single-family dwelling unit that is part of a cottage housing development and that shall enclose an area of not more than twelve hundred (1,200) square feet.

"Cottage Cluster" means a group of three (3) to twelve (12) cottages, arranged around a common open space.

"Common open space" means an area improved for recreational use or gardening that all owners in the cottage cluster own and maintain in common through a homeowners' association, condominium association, or similar mechanism.

Section 3. Section §17.04.020(B) of the Toledo Municipal Code is amended to replace the following term and definition to read as follows:

"Manufactured dwelling" means:

(a) A residential trailer, mobile home or manufactured home.

(b) "Manufactured dwelling" does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code, the Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.100 (Duties of director) to 455.450 (Prohibited acts) and 455.610 (Low-Rise Residential Dwelling Code) to 455.630 (Enforcement) or the Small Home Specialty Code adopted under section 2, chapter 401, Oregon Laws 2019.

Section 4. Section §17.08.010 of the Toledo Municipal Code is amended to read as follows:

17.08.010 - Purpose

The purpose of the R-S zone is to promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of the zone. The R-S Zone is primarily for single-family homes, accessory dwelling units, duplexes, and their accessory uses. In addition, multifamily dwellings and some other uses may be evaluated as a conditional use.

Section 5. Subsection G is added to Section §17.08.020 of the Toledo Municipal Code to read as follows:

G. Duplexes

Section 6. Subsections K and L are added to Section §17.08.030 of the Toledo Municipal Code to read as follows:

K. Single Family Homes that do not meet the minimum standards set in Sections 17.08.090(A)-(B).

L. Cottage Clusters\*

Section 7. Section §17.08.050 of the Toledo Municipal Code is amended to read as follows:

17.08.050 - Lot size.

The minimum lot area shall be six thousand (6,000) square feet. The criteria for the conditional use or planned unit development approval process may authorize other use types at a density at or above the density level authorized in the R-S zone under the uses permitted outright. Density in the R-S zone discretionary conditional use development process shall not exceed twenty-five (25) units per acre.

Section 8. Section §17.08.060 of the Toledo Municipal Code is amended to read as follows:

17.08.060 - Setback requirement.

In an R-S zone the yards shall be as follows:

- A. The front yard shall be a minimum of fifteen (15) feet.
- B. The side yard shall be a minimum of five (5) feet on both sides except that on corner lots the setback for all buildings shall be a minimum of ten (10) feet on the side abutting a street.
- C. The rear yard shall be a minimum of five (5) feet.
- D. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least twenty (20) feet from the access street not including alleys.

Section 9. Section §17.08.070 of the Toledo Municipal Code is amended to read as follows:

17.08.070 – Height of building

In an R-S zone no principal building shall exceed a height of thirty-five (35) feet. An accessory building with an Accessory Dwelling Unit over a garage shall not exceed twenty-five (25) feet. All other accessory buildings shall not exceed a height of two stories or twenty-two (22) feet, whichever is less.

Section 10. Section §17.08.080 of the Toledo Municipal Code is amended to read as follows:

17.08.080 - Lot coverage

In an R-S zone buildings shall not occupy more than an accumulative sixty (60) percent of the lot area. An additional 10% of lot coverage is allowed for Accessory Dwelling Units and Duplexes.

Section 11. Subsection A of Section §17.08.090 of the Toledo Municipal Code is amended to read as follows:

A. Design Features for Single-Family Dwellings in a Single-Family Residential Zone.

1. All single-family dwellings located within a single-family residential zone, except for manufactured dwellings located within a mobile home or manufactured home park, shall utilize at least three of the following design features, or other design features as approved by the planning commission:
  - a. Dormers;
  - b. Recessed entries;
  - c. Cupolas;
  - d. Bay or bow windows;
  - e. Window shutters;
  - f. Off-set on building face or roof (minimum twelve (12) inches);
  - g. Gables;
  - h. Covered porch entry or enclosed deck;
  - i. Pillars or posts;
  - j. Tile, wood shake, three-tab composite material, or wood shingle roof;
  - k. Horizontal lap siding or shakes;
  - l. Perimeter foundation of surfaced concrete or masonry;
  - m. Window trim (minimum four inches wide);
  - n. Balconies/decks;
  - o. Decorative pattern on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features);
  - p. An alternative feature providing visual relief similar to above options;
  - q. Six inch minimum eaves plus gutters and downspouts.

2. All single-family dwellings will meet the minimum requirements for energy efficiency, as set by the building codes as adopted by the city, excepting manufactured dwellings which shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards previously stated. Evidence demonstrating that the manufacture dwelling meets "Super Good Cents" energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturers certification shall not be required.
3. All driveways shall have an all-weather surface as approved by the Public Works Department.
4. Erosion control plans must be submitted prior to issuance of a building permit.
5. Single-family dwellings and other improvements shall be developed in compliance with all other applicable provisions set forth in the city zoning ordinance and the Building Codes.

Section 12. Subsection B of Section §17.08.090 of the Toledo Municipal Code is amended to read as follows:

B. Manufactured Dwellings. In addition to compliance with the provisions set forth above in Section 17.08.090(A), a manufactured dwelling shall be permitted outright subject to the following standards:

1. The manufactured dwelling must show compliance with Oregon Manufactured Dwelling Installation Specialty Code.

Section 13. Subsection D of Section §17.08.090 of the Toledo Municipal Code is amended to read as follows:

D. Accessory dwelling units, where allowed, are subject to review and approval through a Type I procedure, pursuant to TMC Section 19.08, and shall conform to all of the following standards:

1. One Unit. A maximum of one Accessory Dwelling Unit is allowed per legal single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).
2. Floor Area
  - a. A detached Accessory Dwelling Unit shall not exceed 850 square feet of floor area, or 80 percent of the primary dwelling's floor area, whichever is smaller.
  - b. An attached or interior Accessory Dwelling Unit shall not exceed 850 square feet of floor area, or 80 percent of the

primary dwelling's floor area, whichever is smaller. However, Accessory Dwelling Units that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling Unit would be more than 850 square feet.

3. Other Development Standards. Accessory Dwelling Units shall meet all other development standards (e.g. height, setbacks, lot coverage, etc.) for buildings in the zoning district except that:
  - a. Conversion of an existing legal non-conforming structure to an Accessory Dwelling Unit is allowed, provided that the conversion does not increase the non-conformity.
  - b. No off-street parking is required for an Accessory Dwelling Unit.
4. Design Standards
  - a. Accessory Dwelling Units shall comply with fire and life-safety codes.

Section 14. Subsection F is added to Section §17.08.090 of the Toledo Municipal Code as follows:

F. Cottage Clusters

1. Purpose. A cottage housing development is a small cluster of dwelling units appropriately sized for smaller households and available as an alternative to the development of typical detached single-family homes. Cottage housing is intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.
2. Ownership. Cottage housing developments may be sited on one commonly owned parcel with individual cottages owned in a condominium, cooperative, or similar arrangement, or cottages may be on individual lots with shared amenities and facilities owned in common.
3. Standards. Cottage housing developments are subject to the following standards:
  - a. Maximum Floor Area. A cottage shall enclose an area of not more than twelve hundred (1,200) square feet.
  - b. Setbacks. The setbacks from adjacent property lines along the perimeter of the cottage housing development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code

- requirements.
- c. Maximum Height shall not exceed twenty five (25) feet.
  - d. A minimum of 75% of the cottages front entrances must face the common open space or a street.
  - e. Orientation of Cottages. Cottages shall be clustered around the common open space.
  - f. Minimum lot size for a cottage cluster shall be ten thousand (10,000) square feet.
  - g. Fire access. No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access.
- 4. Community Buildings. Cottage housing developments may include community buildings that provide space for accessory uses such as community meeting rooms, exercise rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet and may not exceed one story in height.
  - 5. Common Open Space. Each cottage cluster shall have common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:
    - a. Each cottage cluster shall contain at least 1,500 square feet of common open space regardless of the number of cottages in the cluster.
    - b. Parking areas, required yards, private open space, and driveways do not qualify as common open space.
  - 6. Parking. Cottage housing developments shall have at least one space for each cottage.
  - 7. Interior Fences. Fences on the interior of the cottage housing development shall not exceed three feet in height and shall not consist of solid board fencing.
  - 8. Existing Structures. On a lot or parcel to be used for a cottage housing development, an existing detached single-family dwelling that may be nonconforming with respect to the requirements of this section may remain, but the extent of its nonconformity may not be increased. Such dwellings shall count towards the number of cottages allowed in the cottage housing development.
  - 9. Sewer connection. Each cottage in a cottage housing development must be connected to a city sewer system. No cottage in a cottage housing development may use a septic system.

Section 15. Section §17.12.010 of the Toledo Municipal Code is amended to read as follows:

17.12.010 - Purpose.

The purpose of the R-G zone is to encourage a wide range of housing types, including, multi-family, single-family, accessory dwelling units, and cottage clusters. In addition, some other uses may be evaluated as a conditional use.

Section 16. Subsection I is added to Section §17.12.020 of the Toledo Municipal Code to read as follows:

I. Cottage Clusters\*

Section 17. Subsection A of Section §17.12.040 of the Toledo Municipal Code is amended to read as follows:

A. Accessory dwelling units, where allowed, are subject to review and approval through a Type I procedure, pursuant to TMC Section 19.08, and shall conform to all of the following standards:

1. Two Units. A maximum of two Accessory Dwelling Units are allowed per legal single-family dwelling. One unit must be a detached Accessory Dwelling, or in a portion of a detached accessory building (e.g., above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).
2. Floor Area
  - a. A detached Accessory Dwelling Unit shall not exceed 850 square feet of floor area, or 80 percent of the primary dwelling's floor area, whichever is smaller.
  - b. An attached or interior Accessory Dwelling Unit shall not exceed 850 square feet of floor area, or 80 percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwelling Units that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling Unit would be more than 850 square feet.
3. Other Development Standards. Accessory Dwelling Units shall meet all other development standards (e.g. height, setbacks, lot coverage, etc.) for buildings in the zoning district except that:
  - a. Conversion of an existing legal non-conforming structure to an Accessory Dwelling Unit is allowed, provided that the conversion does not increase the non-conformity.
  - b. No off-street parking is required for an Accessory Dwelling Unit.
4. Design Standards
  - a. Accessory Dwelling Units shall comply with fire and life-safety codes.

Section 18. Subsection B of Section §17.12.040 of the Toledo Municipal Code is amended to read as follows:

B. Manufactured dwellings shall:

1. The manufactured dwelling must comply with Oregon Manufactured Dwelling Installation Specialty Code.



Section 19. Subsection D is added to Section §17.12.040 of the Toledo Municipal Code to read as follows:

D. Cottage Clusters

1. Purpose. A cottage housing development is a small cluster of dwelling units appropriately sized for smaller households and available as an alternative to the development of typical detached single-family homes. Cottage housing is intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.
2. Ownership. Cottage housing developments may be sited on one commonly owned parcel with individual cottages owned in a condominium, cooperative, or similar arrangement, or cottages may be on individual lots with shared amenities and facilities owned in common.
3. Standards. Cottage housing developments are subject to the following standards:
  - a. Maximum Floor Area. A cottage shall enclose an area of not more than twelve hundred (1,200) square feet.
  - b. Setbacks. The setbacks from adjacent property lines along the perimeter of the cottage housing development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements.
  - c. Maximum Height shall not exceed twenty five (25) feet.
  - d. A minimum of 75% of the cottages front entrances must face the common open space or a street.
  - e. Orientation of Cottages. Cottages shall be clustered around the common open space.
  - f. Minimum lot size for a cottage cluster shall be ten thousand (10,000) square feet.
  - g. Fire access. No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access.
4. Community Buildings. Cottage housing developments may include community buildings that provide space for accessory uses such as community meeting rooms, exercise rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet and may not exceed one story in height. Their design, including the roof lines, shall be similar to and compatible with that of the

- cottages within the cottage housing development.
5. Common Open Space. Each cottage cluster shall have common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:
    - a. Each cottage cluster shall contain at least 1,500 square feet of common open space regardless of the number of cottages in the cluster.
    - b. Parking areas, required yards, private open space, and driveways do not qualify as common open space.
  6. Parking. Cottage housing developments shall have at least one space for each cottage.
  7. Interior Fences. Fences on the interior of the cottage housing development shall not exceed three feet in height and shall not consist of solid board fencing.
  8. Existing Structures. On a lot or parcel to be used for a cottage housing development, an existing detached single-family dwelling that may be nonconforming with respect to the requirements of this section may remain, but the extent of its nonconformity may not be increased. Such dwellings shall count towards the number of cottages allowed in the cottage housing development.
  9. Sewer connection. Each cottage in a cottage housing development must be connected to a city sewer system. No cottage in a cottage housing development may use a septic system.

Section 20. Section §17.12.060 of the Toledo Municipal Code is amended to read as follows:

17.12.060 - Lot size.

The minimum lot area shall be fifty five hundred (5,500) square feet for a single-family dwelling. Density in the R-G zone shall not exceed thirty two (32) units per acre.

Section 21. Subsection D of Section §17.12.070 of the Toledo Municipal Code is amended to read as follows:

- D. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least twenty (20) feet from the access street not including alleys.

Section 22. Section §17.12.080 of the Toledo Municipal Code is amended to read as follows:

17.12.080 – Height of Buildings

In an R-G zone no principal building shall exceed a height of thirty-five (35) feet. An accessory building with an Accessory Dwelling Unit over a garage shall not exceed twenty-five (25) feet. All other accessory buildings shall not exceed a height of two stories or twenty-two (22) feet, whichever is less.

Section 23. Section §17.12.090 of the Toledo Municipal Code is amended to read as follows:

17.12.090 - Lot coverage.

In an R-G zone buildings shall not occupy more than an accumulative sixty-six (66) percent of the lot area. An additional 4% of lot coverage is allowed for Accessory Dwelling Units and Duplexes.

Section 24. Section §17.16.010 of the Toledo Municipal Code is amended to read as follows:

17.16.010 - Purpose.

The purpose of the C zone is to provide for retail and service commercial uses. It is also intended that these uses will supply personal services or goods to the average person and that a majority of the floor space will be devoted to that purpose. Compatible uses including public, civic, and institutional uses are also allowed. Residential use above the commercial main floor, separate and distinct from the commercial main floor, or a residential live work unit is allowed, subject to inspection and approval by the City for fire and life safety and are allowed only where there is a commercial use and the business has obtained a business license from the City of Toledo.

Section 25. Subsection K of Section §17.16.020 of the Toledo Municipal Code is amended to read as follows:

K. One live work accessory dwelling unit that meets applicable code requirements.

Section 26. Subsection N is added to Section §17.16.030 of the Toledo Municipal Code to read as follows:

N. Cottage Clusters

Section 27. Section §17.40.010 of the Toledo Municipal Code is amended to read as follows:

17.40.010 Purpose and Definition

The purpose of the Main Street District Overlay is to recognize the unique attributes and development pattern of the Toledo Main Street area. In the event of a conflict between the entitlements, regulations or standards established in this Chapter and the equivalent provisions in the underlying zoning districts, the provisions of this Chapter shall govern. For the purpose of this ordinance the Main Street District is defined as the commercially zoned real property fronting the following streets:

- A. Main Street from Highway 20 south to Butler Bridge Road;
- B. Main Street from Highway 20 north to NE 4th Street;
- C. 2nd Street North from the Southern Pacific Railroad tracks east to Highway 20;
- D. 1st Street North from the Southern Pacific Railroad tracks east to Highway 20;

- E. Graham Street from the Southern Pacific Railroad tracks east to Alder Street;
- F. Alder Street from Business Highway 20 south to Graham Street; and
- G. The south side of Highway 20 from Main Street southeast to Alder Street.

Section 28. Subsection B of Section §17.40.020 of the Toledo Municipal Code is amended to read as follows:

- B. Parking requirements of Section 17.44.030. Parking for residential uses is not allowed on Main Street.

Section 29. Section §17.40.030 is added to Chapter 17.40 of the Toledo Municipal Code to read as follows:

**17.40.030 Requirement for Commercial Storefronts Abutting Main Street**

- A. Lots abutting Main Street shall reserve the ground floor for commercial uses unless residential on the ground floor is approved through the Conditional Use Process. Building entrances on Main Street that access a second story and occupy no other street frontage are exempt from the ground floor residential Conditional Use standard.
- B. The ground floor is defined as the level at the same grade as Main Street. Floors below Main Street grade shall be defined as the basement level. Floors above the ground level shall be defined as the second story, third story, etc.

Section 30. Section §17.40.040 is added to Chapter 17.40 of the Toledo Municipal Code to read as follows:

**17.40.040 Requirement for Residential Uses in the Main Street District Overlay**

- A. Lots abutting Main Street and located in the Main Street District Overlay may have multi-family dwelling units on an upper floor or basement level subject to TMC 17.40.040(D). The ground floor shall meet the standards in TMC 17.40.030. Multi-family dwelling units meeting this standard are exempt from the multi-family conditional use requirement.
- B. Lots not abutting Main Street and located in the Main Street District Overlay may have multi-family on any floor subject TMC 17.40.040(D). Multi-family dwelling units meeting this standard are exempt from the multi-family conditional use requirement.
- C. Existing ground floor residential units abutting Main Street shall be considered a legal non-conforming use.
- D. Residential Uses shall comply with building codes, and fire and life safety codes.
- E. Cottage Clusters are not permitted in the Main Street District Overlay.

Section 31. Subsection 7 is added to Section §17.44.030(A) of the Toledo Municipal Code to read as follows:

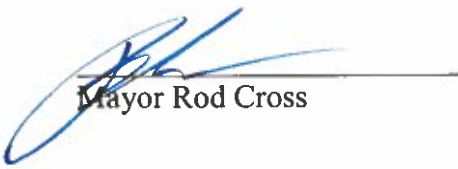
7. Cottage Clusters. 1.0 space/unit

Section 32. This Ordinance is effective 30 days upon passage by the Toledo City Council.

This Ordinance is hereby adopted by the Toledo City Council this 6<sup>th</sup> day of October, 2021.

APPROVED:

ATTEST:



Mayor Rod Cross



City Recorder Lisa Figueroa

## **EXHIBIT "A"**

**WHEREAS**, in order to be consistent with the Toledo Zoning Ordinance, the City of Toledo must make text amendment changes to the 2000 Toledo Comprehensive Land Use Plan purpose statements in Article 2 (Land Use Planning) and Article 10 (Housing) Chapters;

**WHEREAS**, the proposed text amendment is in compliance with the Oregon Statewide Planning Goals and Guidelines, and conforms with the amendment requirements in the Toledo Municipal Code and Comprehensive Land Use Plan.

**NOW, THEREFORE**, the following amendments are adopted into the Toledo Comprehensive Land Use Plan:

### **SECTION 1:**

Toledo Comprehensive Land Use Plan; Article 2, Land Use Planning, Objectives: (2)(A) Comprehensive Plan Map Designation, Low-Density Residential, is amended to read as follows:

Low-Density Residential – This designation provides for lower density housing with a focus on single-family housing, accessory dwelling units, and duplexes. This designations allows for other types of housing including cottage clusters and multi-family. This designation shall be implemented through the zoning map's Single-Family Residential (R-S) zone designation.

### **SECTION 2:**

Toledo Comprehensive Land Use Plan; Article 2, Land Use Planning, Objectives: (2)(B) Zoning Map Designations, Single-Family Residential, General Residential, and Commercial, are amended to read as follows:

Single-family Residential (R-S) – The purpose of the R-S zone is to promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of the zone. The R-S Zone is primarily for single family homes, accessory dwelling units, duplexes, and their accessory uses. In addition, multifamily dwellings and some other uses may be evaluated as a conditional use.

General Residential (R-G) – The purpose of the R-G zone is to encourage a wide range of housing types, including, multi-family, single-family, accessory dwelling units, and cottage clusters. In addition, some other uses may be evaluated as a conditional use.

Commercial (C) – The purpose of the C zone is to provide for retail and service commercial uses. It is also intended that these uses will supply personal services or goods to the average person and that a majority of the floor space will be devoted to that purpose. Compatible uses including public, civic, and institutional uses will also be allowed. Residential use above the commercial main floor use shall be allowed and encouraged especially in the Main Street District area, residential live work units are allowed, and multi-family outside

the Main Street District area may be evaluated as a conditional use.

### **SECTION 3:**

Toledo Comprehensive Land Use Plan; Article 10, Housing, Objectives are amended to read as follows:

1. Ensure that the City has an adequate housing supply and adequate supply of residentially zoned land within the Urban Growth Boundary to provide a variety of choices regarding the type, location, density, and cost of housing units commensurate with the needs of the community's residents to support the community's growth.
2. Support the development of affordable housing to address housing needs that are not met by the market.
3. Partner with the Housing Authority of Lincoln County and other agencies, nonprofits, and other groups to help meet the housing needs of low and moderate income households.
4. Ensure an adequate supply of residentially zoned land within the city limits that is accessible to employment centers, public utilities, and public services and provides a variety of choices regarding the type, location, density, and cost of housing units commensurate with the needs of the city's residents.
5. Encourage a mix of housing types and residential densities within the Urban Growth Boundary and the city limits that conforms with the population and density projections adopted by the City of Toledo.
6. Comply with federal, state, and local fair housing laws which affirm access to housing for all persons in Toledo and employ strategies that support the Fair Housing Act and affirmatively further fair housing.
7. Recognize groups needing specialized housing such as the elderly, handicapped, homeless, and other disadvantaged groups when identifying housing programs and opportunities.
8. Encourage the provision of quality housing units through either the rehabilitation or replacement of substandard units. Rehabilitation should be the primary goal with a recognition that units which are not financially feasible to rehabilitate should be demolished and replaced.
9. Encourage innovation in housing types, densities, and design to promote a variety of housing choices and prices through actions that:
  - a. Allow manufactured homes on individual lots and within manufactured home parks.
  - b. Allow use of the upper floors of retail and office buildings for residences, particularly in the downtown area of Toledo.
  - c. Allow accessory dwelling units in existing residential neighborhoods.
  - d. Provide innovative development code regulations which allow for creative project designs that conform with the Comprehensive Plan.
  - e. Allow (albiet limited) opportunities for alternative housing choices, such as mobile home parks and on-board marine housing units.
  - f. Allow the establishment of bed and breakfast facilities in existing

- residential areas when it can be determined that the use will be compatible with the surrounding neighborhood in terms of traffic generation, parking, use intensity, size of structure, and property appearance.
- g. Control the number and location of vacation rentals to preserve adequate housing for residents and protect the quality of life in the City's residential neighborhoods. Ensure the use will be compatible with the surrounding neighborhood in terms of traffic generation, parking, use intensity, size of structure, and property appearance.
10. Preserve and enhance Toledo's historic housing as a valuable resource. Encourage the rehabilitation of the historic housing stock and residential neighborhoods.
  11. Encourage the development of higher (quality) standard housing types and residential neighborhoods that assist to:
    - a. Attract new businesses and keep local businesses within the community.
    - b. Ensure that moderate, middle, and high income families can continue to live in Toledo.
    - c. Ensure the economic viability of the community and support the tax base and schools.
    - d. Maintain the quality of life in Toledo.
  12. Encourage residential development on vacant or re-developable lots in areas already serviced or where services can be economically provided.
  13. Provide maximum choices for the client residents and minimal disturbance to the existing neighborhoods by dispersing multi-family and low and moderate income housing units through the community with small scale projects rather than aggregated into large complexes or single purpose neighborhoods.
  14. Allow large complexes to feasibly provide needed services, such as dining areas, health care facilities, and on-site services, for client groups with special needs, such as the elderly. In such cases the complexes should be designed and located to provide mitigation features or buffers to the adjoining neighborhoods.