

## TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 6:01 pm by President Anne Learned-Ellis. Commissioners present: Ricky Dyson, Brian Lundgren, Cora Warfield, Jonathan Mix, and Ruthanne Morris.

Staff present: Contract Planner (CP) Justin Peterson, City Manager (CM) Doug Wiggins, City Attorney Mike Adams, and Planning Assistant Arlene Inukai.

VISITORS: None

### APPROVAL OF THE SEPTEMBER 13, 2023, MINUTES:

It was moved and seconded (Morris/Lundgren) to approve the September 13, 2023, minutes as circulated and reviewed by the Planning Commission. The **motion passed** unanimously.

### PUBLIC HEARING: COMPREHENSIVE LAND USE PLAN AMENDMENT TO ADOPT THE 2023 TOLEDO COMPREHENSIVE LAND USE PLAN (FILE #PA-1-23), REQUESTED BY THE CITY OF TOLEDO:

President Learned-Ellis 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 noted that this is a review for a legislative amendment to adopt the updated Comprehensive Land Use Plan (Comp Plan). The Planning Commission makes a recommendation to the City Council and the Council has the final decision authority. This has been a two-year effort to update the Comp Plan, with the Planning Commission working on the updates and holding worksessions over the last couple years.

The current Comp Plan is over 20 years old, while some chapters have already had major updates, some chapters have not been updated. For example, the Housing Needs Analysis was adopted in 2022 and major revisions were made to the Housing Chapter during that adoption process. Similarly, when the Transportation System Plan and Economic Opportunities Analysis were adopted, there were major updates of their respective chapters. Small edits were made for these chapters during this review process. At this time, the Estuarine Chapter has minor revisions suggested, but when Lincoln County adopts the updated Yaquina Bay Estuary Management Plan, the chapter should have a complete update to reflect the new document. The Planning Commission packet contains a clean version of the proposed plan and a marked-up version to show the proposed revisions. A couple typos were noted and will be corrected.

CP Peterson reviewed criteria, findings, and proposed amendments, highlighted below:

- The City worked with Oregon Department of Land Conservation and Development (DLCD) for review and comments. After notices were sent, one comment was received from Fair Housing Council of Oregon, asking for a copy of the staff report for review.
- The chapters are structured to follow the Statewide Planning Goals, but there are two

chapters in the City’s plan that do not apply directly to the Statewide Planning Goals. Oregon Statewide Planning Goals for Agriculture and Forest Lands are specific to County jurisdictions, however, Toledo included goals and policies to address the two topics. They are not indented to be the same as the Statewide Planning Goals.

- Chapter 1—Citizen Involvement. The Planning Commission is the citizen involvement committee. The chapter has been updated to include hybrid meetings (options for in-person and virtual attendance), social media policy, and generally modernizes the chapter.
- Chapter 2—Land Use. A new table was added to show the Comp Plan zone designations and associated zoning ordinance designations. The City and Lincoln County have an Urban Growth Management Agreement. While this project does not update the zoning map or propose any rezones, the map is proposed for adoption to re-title the official map to “2023 Comprehensive Land Use Plan Map and Zoning Map”. Staff recently discovered a couple problems with annexations occurring in the 1990s and there may be a future map amendment that will be brought forward if corrections are needed on those properties. The corrections would need to follow the public hearing process for map amendments.
- Chapter 3—Agriculture and Chapter 4—Forested Areas are included to establish City goals and policies, but they do not address the Statewide Planning Goals since cities are exempt.
- Chapter 5—Open Spaces, Scenic and Historical Areas, and Natural Resources. Minor updates are proposed. DLCDC staff reviewed and provided comments. The City has an old wetland inventory and if the inventory is updated, Chapter 5 will need to be updated to reflect new studies. Language was also added to coordinate with Department of State Lands for the wetland land use notification process.
- Chapter 6—Air, Water, and Land Resources Quality. Updated language to meet and exceed federal/state standards. The goal is to support state/federal standards, but the City cannot change them. Commissioners discussed current Department of Environmental Quality (DEQ) processes for City to review applications and the air monitor systems in Toledo. Many of DEQ’s permit applications require a Land Use Compatibility Statement from the City. This allows the City to review the proposed permit and it’s compliance with City codes. If the City adopts standards that are more restrictive than state/federal regulations, they would be implemented through local ordinances and not the Comp Plan. There is an air monitor system at the police department. DEQ provides an interactive map and the air quality findings are available online.
- Chapter 7—Natural Hazards. The Lincoln County Natural Hazards Mitigation Plan is a working document that is updated every 5 years. There are a lot of projects identified in the mitigation plan. Commissioners discussed relocating the police department, Community Emergency Response Team (CERT) program, and floodplain mapping. It was suggested that the acronyms be spelled out for clarity. In the future, there may be an update for the Lincoln County Community Wildfire Protection Plan. Toledo Fire provides a lot of public outreach and education at events.
- Chapter 8—Recreational Needs. The City does not have a parks master plan, but the updated chapter includes a map of the parks, table of recreational opportunities, and images. Language was updated to support a recreation plan and continue to support the public library and pool programs. Updates also noted the newly formed Greater Toledo Pool Recreation District.
- Chapter 9—Economic Development. The Economic Opportunities Analysis was adopted in 2010 and several revisions were made to the chapter during that process. Some proposed updates included language for the Urban Renewal District and childcare issues. It was noted

that childcare issues reference the pandemic, but there could also be a year included in the statement. The need for workforce housing was also included in this chapter.

- Chapter 10—Housing. Minor edits were proposed to this chapter because it was revised in 2022. Language was expanded to include the need for housing for all income levels.
- Chapter 11—Public Facilities and Services. Reference was made to cite the new or updated facility plans. There were some minor edits proposed.
- Chapter 12—Transportation. The City has a Transportation System Plan. When the plan was adopted, Chapter 12 was updated. Typically, transportation plans are updated every 10-15 years and this chapter will need revised for an updated plan. Language was added to include new/diverse technologies.
- Chapter 13—Energy Conservation. Minor edits are proposed.
- Chapter 14—Urbanization and Livability. Language was added to address options for an Urban Growth Boundary swap.
- Chapter 16—Estuarine Resources and Chapter 17—Coastal Shoreland. The Yaquina Estuary Management Plan will be updated in the next 1-2 years. The plan was adopted in 1982 and the chapters should be updated when the new plan is adopted. Maps will also be modernized with the updated document.
- Chapter 17—Coastal Shorelands. The City will want to retain enough Water Dependent Zoned lots in order to provide sites for development that need water connections.

CP Peterson continued review of the criteria and noted a correction to Page 45. The title of Policy 1 under ‘Wildfire’ should be updated for “Fire Protection and Insurance”.

Public Testimony: None.

Deliberations: The public hearing was closed and the Commission entered into deliberations. Commissioners reviewed the options for the Planning Commission decision and proposed corrections to the document.

It was moved and seconded (Lundgren/Warfield) that based on the testimony received, the staff report, and the evidence and arguments before the Planning Commission at the public hearing on November 8, 2023, the Planning Commission finds that application file #PA-1-23 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 hereby adopts the staff report as findings, noting the change to the title to “Fire Protection” for Policy 1 under Wildfire polices and allowing for the correction of typographical and grammatical errors as needed. The **motion passed** unanimously.

DISCUSSION ITEM: DECEMBER PLANNING COMMISSION MEETING SCHEDULE:

CP Peterson noted that the City has not received any land use applications for a December public hearing and asked if Commissioners objected to cancelling the next meeting. Commissioners were in agreement to cancel the December meeting.

STAFF COMMENTS:

CM Wiggins introduced himself to Planning Commissioners and all welcomed him aboard.

CM Wiggins thanked the Planning Commission and staff for the work going into the Comp Plan. It is a big task and a long process to update the plan.

COMMISSIONER COMMENTS:

Commissioner Dyson inquired about the new manufactured home at Radio Court/Highway 20. CP Peterson reported that the home meets setback standards, but there are some issues with the driveway accessing Highway 20 that needs addressed. The driveway was originally proposed as a temporary driveway for use during construction, but it will need to be updated to comply with City standards if it is retained for a permanent driveway. Commissioners discussed the distances between driveways, easement to Radio Court, and garage location.

In answer to Commissioner Warfield's inquiry, it was reported that the recent election results showed that the City's bond request has failed.

There being no further business before the Commission, the meeting was adjourned at 7:15 pm.

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Planning Assistant

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President