

*******NOTE THE NEW MEETING TIME - 6:00 PM*******

**Toledo City Hall
Council Chambers
206 N Main St. Toledo OR
January 10, 2024
6:00 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 or call 541-336-2247 ext. 2130 to receive the meeting login information.

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 NOVEMBER 8, 2023 MINUTES as circulated and reviewed by the Planning Commission
4. DECISION ITEM: Extension to the deadline date for the Minor Partition approval (File MP-3-22), requested by Joshua Lightner (Nathan Lightner, Authorized Agent)
5. DISCUSSION ITEMS:
 - a. Title 16 – Subdivisions – Project Kick-off: Subdivision Chapter Updates (See https://library.municode.com/or/toledo/codes/municipal_code?nodeId=TIT16SU for existing standards)
 - b. Building Permit and Land Use Application Updates (See Attachment)
 - c. Updates and Reports
6. STAFF COMMENTS
7. COMMISSIONER COMMENTS
8. 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. 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 6:01 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. DLCD 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.

Planning Assistant

President



TO: Toledo Planning Commissioner Members
FROM: Justin Peterson, Contract Planner
DATE: January 4, 2024
RE: Request to amend the Deadline Date for MP-3-22

Attached is a request to extend the deadline dates for a land use decision issued in December 2022.

Joshua Lightner is requesting extension to the deadline date to file the Partition application in the Single Family Residential (R-S) zone, for the property located at 11-10-08 BC Tax Lot 2800 (1950 NW Sunset Drive). In December 2022, the Planning Commission reviewed and approved the partition application to create two parcels. In accordance with the municipal code and conditions of approval, approval shall be valid for twelve (12) months after the effective date of the approval. The decision Order is attached for your review.

Joshua Lightner submitted a written request for an extension to the deadline on December 13, 2023. The request was submitted prior to the deadline of December 15, 2023.

The relevant Toledo Municipal Code sections authorizing extensions are noted below:

TMC CHAPTER 17.08

16.08.08 Planning Commission Action

- A. The planning commission is authorized to approve, conditionally approve, or deny the application and shall take action within forty-five (45) days of the first public hearing on the application. Approval of an application shall be valid for twelve (12) months after the effective date of the approval. If the improvements are not completed and the real property partitioned within that time, the approval is void.
- B. If the applicant requests an extension in writing before the required time elapses, the planning commission may grant not more than one extension of time for a period not to exceed one year to complete the required improvements.

Staff recommends granting an extension for Partition #MP-3-22 with a deadline date updated to December 15, 2024.

Attachments:

Joshua Lightner Extension Request Letter
MP-3-22 Order

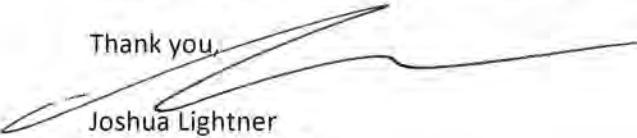
To whom it may concern:

12/13/23

I am writing this to request an extension to my partition plat (MP-3-22) at 1950 NW Sunset Dr in Toledo OR. We had it submitted, but it was kicked back due to improper verbiage or description. Having a hard time communicating with surveyor to correct.

Please let me know if there is anything else needed to help you accept this request.

Thank you,



Joshua Lightner
1950 NW Sunset Dr.
Toledo, OR 97391
503.475.0081

BEFORE THE PLANNING COMMISSION OF THE CITY OF TOLEDO, OREGON

In the matter of a request for a Minor Partition)
to divide property into two parcels of land.) **ORDER**
Property is identified on Assessor’s Map No.) City of Toledo File #MP-3-22
11-10-8 BC Tax Lot 2800, 1950 NW Sunset Drive)

Joshua Lightner, Property Owner
Nathan Lightner, Authorized Agent

This matter came before the Planning Commission on December 14, 2022. The Commission held a public hearing, allowing for testimony and introduction of evidence from proponents, opponents, and others. The Planning Commission evaluated the application based on the applicable criteria. Approval of the application is based on the Staff Report and attachments, testimony presented at the public hearing, and the following Criteria, Facts, Findings and Conditions of Approval as adopted by the Planning Commission:

APPLICABLE CRITERIA FOR EVALUATING THE MINOR PARTITION REQUEST AND STAFF ANALYSIS:

The following comprehensive plan and ordinance standards apply to this request. The standards are listed below in regular type. Staff analysis including facts and findings are highlighted below each comprehensive plan and ordinance standard in an italicized font.

1. 2000 Toledo Comprehensive Land Use Plan – Article 2, Objective 2(A) – Comprehensive Plan Map Designations:

Comprehensive Plan Map designations are intended to guide development by designating appropriate areas for each particular type of development use. Additional uses within each designation may be allowed as either uses permitted outright or as conditional uses when the city determines that such uses are either consistent with the general use or can be reviewed for compatibility through the conditional use process. The map designations and the uses allowed in the designations should reflect the applicable goals and objectives of the Toledo Comprehensive Land Use Plan.

Low-Density Residential – This designation provides for lower density housing with a focus on single-family housing accessory dwelling units, and duplexes. This designation 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.

2. 2000 Toledo Comprehensive Land Use Plan – Article 2, Objective 2(B) – Zoning Map Designations:

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.

3. **TMC Sections 17.08.20 – 17.08.050 – R-S Zone.**

TMC Section 17.08.020 – R-S Zone – Uses permitted outright.

In the R-S Zone, the following uses and their accessory uses are permitted outright. Special standards for certain uses, marked with an asterisk (*), are found in Section 17.08.090.

- A. Single-family dwellings* and their accessory uses.
- B. Home occupations which comply with Chapter 17.46
- C. Manufactured dwellings.*
- D. Accessory use structures.*
- E. Accessory dwelling units.*
- F. Transportation facilities (operation, maintenance, preservation, and construction in accordance with the Toledo Transportation System Plan).
- G. Duplexes

TMC Section 17.08.030 – R-S Zone – Conditional uses permitted.

- A. Religious use.
- B. Governmental structure or land use including but not limited to a public park, playground, fire station, library, or museum.
- C. Hospital, sanitarium, rest home, home for the aged, nursing home, convalescent home, group care center, residential care facility, residential care home, or medical clinic.
- D. School: nursery, primary, elementary, junior high, or senior high.
- E. Pumping station and utility substation.
- F. Manufactured dwellings that do not meet the minimum standards set in Sections 17.08.090(A)—(B).
- G. Boarding house, bed and breakfast facility, hostel, or residency hotel.
- H. Multifamily dwelling units.
- I. Commercial use in conjunction with a planned development under the Toledo Land Division Ordinance.
- J. Child day care center.*
- K. Single-Family Homes that do not meet the minimum standards set in Sections 17.08.090(A)-(B).
- L. Cottage Clusters*

TMC Section 17.08.050 – R-S Zone – 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.

Staff Analysis: The subject property is approximately 216,603 square feet (4.97 acres) in size pending the completion of LLA-2-22. Staff recommends a condition of approval that proposed LLA-2-22 is completed prior to the finalization of MP-3-22. The applicant is requesting to divide the property into two parcels, resulting in proposed Parcel 1 being approximately 80,650 square feet (1.85 acres) and proposed Parcel 2 being approximately 135,953 square feet (3.12 acres). The proposal meets the minimum lot

size standard for the R-S Zone as both parcels are over 6,000 square feet.

4. 2000 Toledo Comprehensive Land Use Plan – Article 10, Goal 1 – Housing:

1. Encourage development of a mixture of housing stock in terms of design, type, cost, and location that meets the housing needs of all Toledo citizens.

...

10. Encourage residential development on vacant or redevelopable lots in areas already serviced or where services can be economically provided.

Staff Analysis: The subject property currently has a single-family home and a garage. Future development of proposed Parcels 1 and 2 must comply with TMC 17.08 (Single-Family Residential Zone) standards. The R-S Zone allows various residential uses, specifically, single-family homes (both site built and manufactured), duplexes, and accessory dwelling units are allowed outright. The applicant has tentative plans to build a single-family home on proposed Parcel 1. This request meets additional housing needs for Toledo residents in terms of type, creating an additional location for housing, and developing in an area where public service already exists.

5. 2000 Toledo Comprehensive Land Use Plan – Article 14, Goal 1 and 3 – Urbanization and Livability:

1. Build Toledo as a small, cost-effective, attractive, livable, and sustainable city by encouraging efficient land use patterns.

...

3. Ensure that all new developments are reviewed expeditiously and thoroughly and result in compliance with the comprehensive Plan goals and policies and Toledo's Municipal Code and standards.

Objective:

1. Encourage urban level development which is properly serviced with public facilities to locate within the city limits.
5. Encourage compact development and the use of already serviced vacant and underdeveloped land through effective zoning, land division, and development standards and through the prioritization of public expenditures for municipal services.
6. Encourage land use patterns and development plans that take advantage of density and location to reduce the need for travel and the extension of public services but are also designed around the natural features and constraints of Toledo's topography and environmentally sensitive areas.

Staff Analysis: Approval of this application encourages an attractive, livable, and sustainable city by encouraging efficient land use patterns. The proposed partition is adjacent to an existing city street (NW Sunset Drive) minimizing the need for additional infrastructure. This application has been reviewed in compliance with and processed consistent with Toledo's Comprehensive Plan goals and policies and Municipal Code standards.

GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS

6. TMC Sections 16.04.20 – 16.04.050 – General Provisions.

TMC 16.04.020 - Purpose.

The purpose of this title is to prescribe standards and procedures for minor and major partitions and subdivisions of land and planned development within the city of Toledo and to aid in the implementation of the Toledo Comprehensive Land Use Plan.

TMC 16.04.050 (A) Conformity to the Comprehensive Plan.

Conformity to the Comprehensive Plan. All partitions and subdivisions shall conform with all adopted portions of the comprehensive plan, transportation system plan, and all applicable ordinances and design standards of the city. Traffic facilities (including streets, pedestrian paths and bicycle paths), community and neighborhood facilities and recreational areas should be placed in approximately the same locations designated by the comprehensive plan and transportation system plan.

Staff Analysis: Based upon the information received by City staff through December 7, 2022, the minor partition appears to conform to relevant provisions of the City's plans and ordinances as described herein.

TMC 16.04.050 (B) Access.

The partitioning and subdividing of land shall provide each lot or parcel, by means of a fully developed city street, satisfactory vehicular access to an existing street pursuant to Chapter 16.06 of this Code. The city street for the entire length which is adjacent to the parcel or lot which is being partitioned or subdivided must be a fully developed city street unless an exception is granted as per the following standards and procedures:

1. Partitions and subdivision of land that require the creation of a public street to serve the proposed lots shall comply with the requirements of the adopted street standards and shall include the public dedication of the required right-of-way in the adopted street standards, except as varied under Section 16.30;
2. Partitions and subdivision of land with frontage along an existing city, county, or state street or that are accessed via an existing city, county, or state street shall be required to make such improvements as necessary to address the impacts of the proposed development on those streets provided the required improvements are roughly proportional to the impacts created by the proposed development. If the required improvements are roughly proportional to the impacts created by the proposed development, but the planning commission determines that because of the existing street conditions, topography, or other similar factor that requiring the improvements to be completed prior to platting the property is an inefficient method of obtaining the improvements, the planning commission can allow the applicant to provide a deferred improvement agreement, bond, irrevocable petition for public improvements, or similar mechanism for obtaining the completion of the required improvements at a later date.

Staff Analysis: Proposed Parcels 1 and 2 would have adequate frontage along NW Sunset Drive, a city street. The applicant is proposing an access easement for proposed Parcel 1 across proposed Parcel 2.

Improvements as necessary to address the impacts of the proposed development on those streets provided the required improvements are roughly proportional to the impacts created by the proposed development. Any driveway modification, in accordance with the standards specified in the Public Infrastructure Design Standards Manual, may be required as determined by the Public Works Director. If required, it shall be completed within one year of approval of this application, or a deferred development agreement entered into, to address this requirement. Determination will be made when a construction permit has been submitted that identifies the location of proposed construction and length of its driveway, to ensure that the development will comply with Public Infrastructure Design Standards and Fire, Life, Safety standards. The improvements will be along the frontage of the property only and roughly proportional to the development. Staff recommends allowing the applicant to provide a deferred improvement agreement, bond, irrevocable petition for public improvements, or similar mechanism for obtaining the completion of the required improvements at a later date.

The applicable development standards for the driveways and sidewalks are found in City of Toledo's approved Public Infrastructure Design Standards Manual. Other standards apply, but some are included below.

Paragraph 3.9 provides development standards as to driveways:

- (1) Driveways shall conform to standard details (3.9.1);
- (2) Driveways may be deferred until lots are built upon, if approved by the City Planning Commission or City Council (3.9.2);
- (3) If the developer chooses to delay the installation of a driveway approach, additional repair of curb and gutter, sidewalk, and other facilities may be required when the driveway is installed (3.9.2.(A));
- (4) The costs of installing a driveway approach and associated repairs to curb and gutter, sidewalk and other facilities will be borne, solely, by the developer.

Paragraph 3.9.5 provides residential driveway approach standards as follows:

- (1) A residential driveway approach shall be constructed of Portland cement concrete, minimum of 6-inches in thickness, 3,000 psi filed strength, with 2-inches (minimum) compacted ¾"-0" crushed rock base. No rebar or wire mesh is required for residential approaches (3.9.5(A)); and
- (2) Transition flares shall be constructed to the same standards for residential driveway approaches (3.9.5(B)).

Paragraph 3.11 provides development standards for sidewalks as follows:

- (1) All development for which land use applications are required must include sidewalks adjacent to public streets. This requirement also applies to new single-family houses and duplexes if they are located on arterial or collector streets or on curbed local streets if there is an existing sidewalk within 500 feet on the same side of the street (3.11.1);
- (2) The provision of sidewalks may be waived where the street serves a use or combination of uses which generate fewer than fifty trips a days (based on ITE standards) and cannot be continued or extended to other properties. A waiver shall only be granted upon review of the Public Works Director or designee (3.11.3);
- (3) Sidewalks along residential and other local streets must be a minimum of five (5) feet in width. Sidewalk design may be a setback or integral as determined by the developer, Public Works Director, or funding agency (3.11.4(C)).

Staff analysis: Proposed Parcels 1 and 2 are adjacent to NW Sunset Drive. Road improvements may be required by the City of Toledo Public Works Department when the parcel is developed. Staff recommends that this is listed as a condition of approval.

Unless waived by the Public Works Director, or designee, all land use applications are required to include curb and gutter and sidewalks adjacent to public streets. As sidewalks have been waived, the installation of 5-foot-wide sidewalks along NW Sunset Drive are not required, nor is a deferred development agreement required, because no sidewalks are within 500 feet of the subject property.

TMC 16.04.050 (C) Relation to the Adjoining Street System.

Major partitions and subdivisions shall provide for the continuation of the city streets existing in the adjoining neighborhood and for the proper street extensions when the adjoining properties are divided or developed. If the city adopts a plan for the neighborhood or area of which the partition or subdivision is a part, the partition or subdivision shall conform to such neighborhood or area plan. If the topographical conditions make such continuation or conformity impractical, adjustments or variances may be approved under Section 16.30.

Staff Analysis: The application is for a minor partition and not a major partition or subdivision. No new streets are required or proposed by the proposed partition.

TMC 16.04.050 (D) Density.

...

4. All partitions within residential zones where the subject parcel can be further partitioned, shall be partitioned in a manner that does not preclude the efficient division of land in the future.

Staff Analysis: Proposed Parcels 1 and 2 could be further divided based on the minimum lot size requirement in the R-S Zone. Proposed Parcels 1 and 2 are unlikely to be further divided because of the existing conditions on the lot including slopes. The current request does not preclude the efficient division of land in the future.

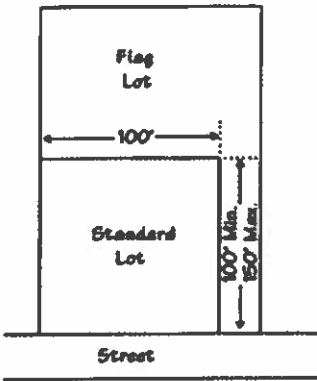
TMC 16.04.050 (E). Lots, Parcels, Topography, or Past Development Patterns.

1. Every lot and parcel shall abut and take primary ingress and egress from a city street, county road, or state highway and the frontage of each shall not be less than twenty-five (25) in nonresidential zones, twenty (20) feet in the R-G zone and R-S zone;

2. Lots and parcels with double frontage shall not be permitted unless, in the opinion of the planning commission, an odd-shaped tract, existing street layout, or existing topography makes such a lot or parcel unavoidable;

3. Each side line shall be as close to perpendicular to the adjacent street line or radial to a curved street line as possible;

4. Flag lots shall not have an interior flag portion measurement of more than one hundred (100) feet in length or a "pole" less than twenty (20) feet wide for residential and twenty-five (25) feet for non-residential. See illustration.



5. The pole portion of a flag lot shall be a minimum of one hundred (100) feet long and a maximum of one hundred fifty (150) feet long. Existing circumstances that make this minimum and maximum impossible can be considered as a variance by the planning commission as set forth in the zoning ordinance;
6. Lots and parcels under twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of two and one-half to one. Lots and parcels over twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of three and one-half to one;
7. Flag lots may not be created such that more than two driveways for individual lots are in less than seventy-five (75) foot of street frontage;
8. Existing natural and piped drainages must be preserved or replaced on the site and easements must be granted for drainage as long as the easements required are roughly proportional to the impact of the proposed development.

Staff Analysis: TMC 16.04.050 (E)(1) provides that each of the two parcels shall abut and take primary ingress and egress from a city street and the frontage of each shall not be less than twenty (20) feet in the R-S zone. Proposed Parcel 1 will have more than 20 feet of frontage onto NW Sunset Drive (a city street). Proposed Parcel 1 will take access across Parcel 2. Proposed Parcel 2 will have more than 20 feet of frontage onto NW Sunset Drive (a city street).

Staff Analysis: TMC 16.04.050 (E)(2) provides that parcels with double frontage shall not be permitted unless an odd-shaped tract, existing street layout, or existing topography makes such a parcel unavoidable. The result of the partition will be two parcels with single frontage. The existing parcel has double frontage and the property is being divided in a way that removes the double frontage. The proposal will not create a double frontage lot.

Staff Analysis: TMC 16.04.050 (E)(3) provides that each side line be as close to perpendicular to the adjacent street line as possible. The proposed property line configuration for Parcels 1 and 2 will be close to perpendicular to NW Sunset Drive.

Staff Analysis: TMC 16.04.050 (E)(4) provides that flag lots shall not have an interior flag portion measurement of more than one hundred (100) feet in length, or a "pole" less than twenty (20) feet wide for residential. The proposed parcels are not flag lots. Flag lots are not defined in the Toledo Municipal code and only a diagram is provided. Other codes often define a flag as a pole that a parcel takes access from. Proposed Parcel 1 is not considered a flag lot because access will be taken across proposed Parcel 2 using an easement. Furthermore, the proposed Parcel 1 is different than the flag lot diagram in the Toledo Code.

Staff Analysis: TMC 16.04.050 (E)(5) provides that the pole portion of a flag lot shall be a minimum of one hundred (100) feet long and a maximum of one hundred fifty (150) feet long. The proposed parcels are not flag lots. See above for flag lot analysis.

Staff Analysis: TMC 16.04.050 (E)(6) provides that lots and parcels under twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of two and one-half to one. Further, that lots and parcels over twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of three and one-half to one. Proposed Parcel 1 would be approximately 80,850 square feet and proposed Parcel 2 would be approximately 135,953 square feet. Accordingly, proposed Parcels 1 and 2 exceed twenty-five thousand (25,000) square feet in area and must not exceed a depth to width ratio of three and one-half to one. As to Parcel 1, the depth of the parcel is approximately 519 feet and width is approximately 221 feet, so does not exceed a depth to width ratio of three and one-half to one. As to Parcel 2, the depth of the parcel is approximately 492 feet and width is approximately 356 feet, so it does not exceed a depth to width ratio of three and one-half to one. Therefore, as drawn on the proposed map, the proposed parcels will not exceed a depth to width ratio of three and one-half to one.

Staff Analysis: TMC 16.04.050 (E)(7) provides that flag lots may not be created such that more than two driveways for individual lots are in less than seventy-five (75) foot of street frontage. The proposed parcels are not flag lots as discussed above. Furthermore, the driveway will be a shared use driveway.

Staff Analysis: TMC 16.04.050 (E)(8) provides that existing natural and piped drainages must be preserved or replaced on the site and easements must be granted for drainage as long as the easements required are roughly proportional to the impact of the proposed development. An existing natural drainage is located near the eastern edge of the property, any identified drainage must be preserved or replaced on the site.

TMC 16.04.050 (F) All parcels and lots in partitions and subdivisions shall be served by a public water system. No plat of a partition or subdivision shall be approved unless the city has received and accepted:

1. A certification by the public works director that water will be available from the nearest point of supply; and
2. A performance agreement, bond, contract or other assurance that a water supply system will be installed by or on behalf of the partitioner to the boundary line of each and every lot or parcel depicted on the proposed partition or subdivision.

TMC 16.04.050 (G) All parcels and lots in partitions and subdivisions shall be served by a public sewer system unless in possession of a sewer exception stipulated in writing by the public works director and city council (Public Improvement Requirements and Design Standards). No plat of a partition or subdivision shall be approved unless the city has received and accepted:

1. A certification by the director of public works that sewage service will be available at the nearest point of collection;
2. A performance agreement, bond, contract or other assurance that sewage disposal lines will be installed by or on behalf of the partitioner to the boundary line of each and every lot or parcel depicted in the proposed partition.

Staff Analysis: The Public Works Director reviewed the proposed partition and indicated that water and sewer are currently available to the parcels. The public water line is located in the NW Sunset Drive right-of-way and the public sewer line cuts across Tax Lot 2800 as indicated on the survey. Private water service lines and other utility lines should be identified and easements recorded if utilities for Parcel 1 cross Parcel 2.

When Parcel 1 is developed, separate utility connections to water and sewer will be required.

The applicant should agree that the final plat will include water, sewer, and/or other utility easements, as appropriate, for any service lines that may cross proposed parcels.

IMPROVEMENTS

7. TMC Sections 16.08.040 Improvements.

- A. The applicant shall improve or agree to improve lands dedicated for roads, alleys, pedestrian or bicycle ways, drainage channels, private easements for access, and other rights-of-way or public open space as condition preceding the acceptance and approval of the partition.
- B. Prior to final approval of the partition, the applicant shall either install all required improvements to city standards and repair existing roads and other public facilities damaged in the development of the partition or shall execute and file with the city manager an agreement between the applicant and the city specifying the period within which all the required improvements and repairs shall be completed. The agreement shall provide that if all of the required work is not completed within the time specified, the city may complete the work and recover the full cost and expense from the applicant. If the applicant so requests, the planning commission may grant not more than one extension of time for a period not to exceed one year to complete the required improvements.

Staff Analysis: Driveway, utility and street development specifications are currently contained in the Public Works Infrastructure Design and Standards Manual and are not part of TMC Title 16 or 17 at this time. Prior to final approval of the partition, the applicant shall either install all required improvements to City standards and repair existing roads and other public facilities damaged in the development of the partition or shall execute and file with the City Manager an agreement between the applicant and the City specifying the period within which all the required improvements and repairs shall be completed.

EVALUATION CRITERIA

8. TMC 16.08.070 Criteria for evaluation.

In reviewing applications for minor and major partitions, all of the following criteria shall be met before the planning commission may approve the proposed partition:

- A. The division of land complies with applicable ordinances and public improvement design standards adopted by the city;
- B. The applicant has filed all the necessary information required by the land division Title 16;
- C. If the application is for a minor partition, the division of land will not constitute a major partition or a subdivision pursuant to the definitions in this title;
- D. If the application is for a major partition, the division of land will not constitute a subdivision and the street design has received approval from the director of public works;

- E. The applicant has demonstrated that each lot will be served with city sewer and water and that the city has the capacity to provide those services;
- F. The infrastructure designs have received approval from the public works department and if a bond is required to be posted for any infrastructure improvements, the applicant has agreed in writing to do so;
- G. The applicant has demonstrated that adequate precautions have been taken to prevent damage or injury resulting from natural hazards;
- H. The division of land will not affect a designated dredged material disposal site or mitigation site as designated in the Lincoln County estuary management plan.
- I. The division of land will not result in any newly created parcels or lots which are entirely zoned for natural resources or which become one hundred (100) percent un-developable due to splitting off the buildable land unless owned, created, or proposed to be used by a public utility.

Staff Analysis: The proposed minor partition does not involve the development or extension of any streets and will create parcels that are served by City water and sewer service. Utility easements may be needed based on standards in the Public Infrastructure Design Standards Manual. The division of land complies with applicable ordinances and public improvement design standards adopted by the City. The division of land will not constitute a major partition or a subdivision pursuant to the definitions in Title 16. The division of land will not constitute a subdivision and the street design has received approval from the Director of Public Works. The division of land has received approval from the Public Works Director. Each lot will be served with City sewer and water and the City has the capacity to provide those services. If a bond is required to be posted for any infrastructure improvements, the applicant should agree in writing to do so. The applicant has demonstrated that adequate precautions have been taken to prevent damage or injury resulting from natural hazards. The division of land will not affect a designated dredged material disposal site or mitigation site as designated in the Lincoln County Estuary Management Plan. The division of land will not result in any newly created parcels or lots which are entirely zoned for Natural Resources or which become one hundred (100) percent un-developable due to splitting off the buildable land unless owned, created, or proposed to be used by a public utility.

Staff Analysis: The City Public Works Director, Police and Fire Chief have all reviewed the application and have indicated their approval in relation to their respective departments.

FURTHER STAFF ANALYSIS:

The current owners, Joshua Lightner (Authorized Agent Nathan Lightner), have correctly indicated that the minor partition would create two lots. The applicant's request would be compatible with surrounding land uses. Single-family Residential zoning is located to the north, south, west, and east. In addition, a portion of the Northeast corner of the property touches a Public Lands zoned parcel. See Zoning Map attachment C.

NW Sunset Drive is a paved street currently without curbs or sidewalks adjacent to the subject property.

The objective of the Low-Density Residential designation as contained in the Comprehensive Plan is to provide for lower density housing with a focus on single-family housing accessory

dwelling units, and duplexes. This designation shall be implemented through the zoning map's Single-family Residential (R-S) zone designation, which the current maps indicate.

As mentioned above, the subject property slopes downhill to the southeast. Future development of the parcels may require a geo-tech report as defined in TMC 15.20.050. Staff Recommends that this is listed as a condition of approval.

FINDINGS:

The applicant is requesting approval of a minor partition to divide a parcel of land that is approximately 4.97 acres in size into two parcels. Based upon the information received by city staff through December 7, 2022, the minor partition appears to conform with relevant provisions of the City's plans and ordinances as described below. The following findings support approval of the requested partition:

1. Tax Lot 2800 appears to be a lawfully created unit of land and, according to the Lincoln County Assessor's records.
2. The subject property is approximately 216,603 square feet (4.97 acres) in size pending the completion of LLA-2-22. Staff recommends a condition of approval that proposed LLA-2-22 is completed prior to the finalization of MP-3-22. The applicant is requesting to divide the property into two parcels, resulting in proposed Parcel 1 being approximately 80,650 square feet (1.85 acres) and proposed Parcel 2 being approximately 135,953 square feet (3.12 acres). The proposal meets the minimum lot size standard for the R-S Zone as both parcels are over 6,000 square feet.
3. The subject property currently has a single-family home and a garage. Future development of proposed Parcels 1 and 2 must comply with TMC 17.08 (Single-Family Residential Zone) standards. The R-S Zone allows various residential uses, specifically, single-family homes (both site built and manufactured), duplexes, and accessory dwelling units are allowed outright. The applicant has tentative plans to build a single-family home on proposed Parcel 1. This request meets additional housing needs for Toledo residents in terms of type, creating an additional location for housing, and developing in an area where public service already exists.
4. Approval of this application encourages an attractive, livable, and sustainable city by encouraging efficient land use patterns. The proposed partition is adjacent to an existing city street (NW Sunset Drive) minimizing the need for additional infrastructure. This application has been reviewed in compliance with and processed consistent with Toledo's Comprehensive Plan goals and policies and Municipal Code standards.
5. Based upon the information received by City staff through December 7, 2022, the minor partition appears to conform to relevant provisions of the City's plans and ordinances as described herein.
6. Proposed Parcels 1 and 2 would have adequate frontage along NW Sunset Drive, a city street. The applicant is proposing an access easement for proposed Parcel 1 across proposed Parcel 2.
7. The minor partition criteria for evaluation in TMC 16.08.070 has been met.
8. Improvements as necessary to address the impacts of the proposed development on those streets provided the required improvements are roughly proportional to the impacts created by the proposed development. Any driveway modification, in accordance with the

standards specified in the Public Infrastructure Design Standards Manual, may be required as determined by the Public Works Director. If required, it shall be completed within one year of approval of this application, or a deferred development agreement entered into, to address this requirement. Determination will be made when a construction permit has been submitted that identifies the location of proposed construction and length of its driveway, to ensure that the development will comply with Public Infrastructure Design Standards and Fire, Life, Safety standards. The improvements will be along the frontage of the property only and roughly proportional to the development. Staff recommends allowing the applicant to provide a deferred improvement agreement, bond, irrevocable petition for public improvements, or similar mechanism for obtaining the completion of the required improvements at a later date.

9. Proposed Parcels 1 and 2 are adjacent to NW Sunset Drive. Road improvements may be required by the City of Toledo Public Works Department when the parcel is developed. Staff recommends that this is listed as a condition of approval.
10. Unless waived by the Public Works Director, or designee, all land use applications are required to include curb and gutter and sidewalks adjacent to public streets. As sidewalks have been waived, the installation of 5-foot-wide sidewalks along NW Sunset Drive are not required, nor is a deferred development agreement required, because no sidewalks are within 500 feet of the subject property. Proposed Parcels 1 and 2 could be further divided based on the minimum lot size requirement in the R-S Zone. Proposed Parcels 1 and 2 are unlikely to be further divided because of the existing conditions on the lot including slopes. The current request does not preclude the efficient division of land in the future.
11. The request meets TMC 16.04.050(E)(1-8), as provided below:
 - a. TMC 16.04.050 (E)(1) provides that each of the two parcels shall abut and take primary ingress and egress from a city street and the frontage of each shall not be less than twenty (20) feet in the R-S zone. Proposed Parcel 1 will have more than 20 feet of frontage onto NW Sunset Drive (a city street). Proposed Parcel 1 will take access across Parcel 2. Proposed Parcel 2 will have more than 20 feet of frontage onto NW Sunset Drive (a city street).
 - b. TMC 16.04.050 (E)(2) provides that parcels with double frontage shall not be permitted unless an odd-shaped tract, existing street layout, or existing topography makes such a parcel unavoidable. The result of the partition will be two parcels with single frontage. The existing parcel has double frontage and the property is being divided in a way that removes the double frontage. The proposal will not create a double frontage lot.
 - c. TMC 16.04.050 (E)(3) provides that each side line be as close to perpendicular to the adjacent street line as possible. The proposed property line configuration for Parcels 1 and 2 will be close to perpendicular to NW Sunset Drive.
 - d. TMC 16.04.050 (E)(4) provides that flag lots shall not have an interior flag portion measurement of more than one hundred (100) feet in length, or a "pole" less than twenty (20) feet wide for residential. The proposed parcels are not flag lots. Flag lots are not defined in the Toledo Municipal code and only a diagram is provided. Other codes often define a flag as a pole that a parcel takes access from. Proposed Parcel 1 is not considered a flag lot because access will be taken across proposed Parcel 2 using an easement. Furthermore, the proposed Parcel 1 is different than the flag lot diagram in the Toledo Code.
 - e. TMC 16.04.050 (E)(5) provides that the pole portion of a flag lot shall be a minimum of one hundred (100) feet long and a maximum of one hundred fifty (150) feet long.

The proposed parcels are not flag lots. See above for flag lot analysis.

- f. TMC 16.04.050 (E)(6) provides that lots and parcels under twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of two and one-half to one. Further, that lots and parcels over twenty-five thousand (25,000) square feet in area must not exceed a depth to width ratio of three and one-half to one. Proposed Parcel 1 would be approximately 80,850 square feet and proposed Parcel 2 would be approximately 135,953 square feet. Accordingly, proposed Parcels 1 and 2 exceed twenty-five thousand (25,000) square feet in area and must not exceed a depth to width ratio of three and one-half to one. As to Parcel 1, the depth of the parcel is approximately 519 feet and width is approximately 221 feet, so does not exceed a depth to width ratio of three and one-half to one. As to Parcel 2, the depth of the parcel is approximately 492 feet and width is approximately 356 feet, so it does not exceed a depth to width ratio of three and one-half to one. Therefore, as drawn on the proposed map, the proposed parcels will not exceed a depth to width ratio of three and one-half to one.
 - g. TMC 16.04.050 (E)(7) provides that flag lots may not be created such that more than two driveways for individual lots are in less than seventy-five (75) foot of street frontage. The proposed parcels are not flag lots as discussed above. Furthermore, the driveway will be a shared use driveway.
 - h. TMC 16.04.050 (E)(8) provides that existing natural and piped drainages must be preserved or replaced on the site and easements must be granted for drainage as long as the easements required are roughly proportional to the impact of the proposed development. An existing natural drainage is located near the eastern edge of the property, any identified drainage must be preserved or replaced on the site.
12. The Public Works Director reviewed the proposed partition and indicated that water and sewer are currently available to the parcels. The public water line is located in the NW Sunset Drive right-of-way and the public sewer line cuts across Tax Lot 2800 as indicated on the survey. Private water service lines and other utility lines should be identified and easements recorded if utilities for Parcel 1 cross Parcel 2.
 13. When Parcel 1 is developed, separate utility connections to water and sewer will be required.
 14. The City Public Works Director, Police and Fire Chief have all reviewed the application and have indicated their approval in relation to their respective departments.
 15. Driveway, utility and street development specifications are currently contained in the Public Works Infrastructure Design and Standards Manual and are not part of TMC Title 16 or 17 at this time. Prior to final approval of the partition, the applicant shall either install all required improvements to City standards and repair existing roads and other public facilities damaged in the development of the partition or shall execute and file with the City Manager an agreement between the applicant and the City specifying the period within which all the required improvements and repairs shall be completed.
 16. The proposed minor partition does not involve the development or extension of any streets and will create parcels that are served by City water and sewer service. Easements are needed based on standards in the Public Infrastructure Design Standards Manual. The division of land complies with applicable ordinances and public improvement design standards adopted by the City. The division of land will not constitute a major partition or a subdivision pursuant to the definitions in Title 16. The division of land will not constitute a subdivision and the street design has received approval from the Director of Public Works. The division of land has received approval from the Public Works Director. Each lot will

be served with City sewer and water and the City has the capacity to provide those services. If a bond is required to be posted for any infrastructure improvements, the applicant should agree in writing to do so. The applicant has demonstrated that adequate precautions have been taken to prevent damage or injury resulting from natural hazards. The division of land will not affect a designated dredged material disposal site or mitigation site as designated in the Lincoln County Estuary Management Plan. The division of land will not result in any newly created parcels or lots which are entirely zoned for Natural Resources or which become one hundred (100) percent un-developable due to splitting off the buildable land unless owned, created, or proposed to be used by a public utility.

17. The current owners, Joshua Lightner (Authorized Agent Nathan Lightner), have correctly indicated that the minor partition would create two lots. The applicant's request would be compatible with surrounding land uses. Single-family Residential zoning is located to the north, south, west, and east. In addition, a portion of the Northeast corner of the property touches a Public Lands zoned parcel. See Zoning Map attachment C.
18. The objective of the Low-Density Residential designation as contained in the Comprehensive Plan is to provide for lower density housing with a focus on single-family housing accessory dwelling units, and duplexes. This designation shall be implemented through the zoning map's Single-family Residential (R-S) zone designation, which the current maps indicate.
19. NW Sunset Drive is a paved street currently without curbs or sidewalks adjacent to the subject property.
20. Notification to 34 surrounding property owners, 19 public/service agencies, and publication of the proposed minor partition were completed in accordance with the TMC requirements. As of December 7, 2022, no comments have been received.

CONDITIONS OF APPROVAL:

1. Partitioning of the property shall be in compliance with the proposed partition plan as described in the application, plan and drawings submitted and included in Exhibit A of this report.
2. Proposed LLA-2-22 shall be completed prior to the completion of the proposed partition plat.
3. The applicant shall provide a final minor partition plat prepared by a registered surveyor and meeting the plat standards of the City of Toledo and including an approval signature line for the City Manager's signature. The applicant shall submit the final plat to the Lincoln County Surveyor for review, and to the City of Toledo to review for compliance with conditions of approval prior to recording. The applicant shall record the approved final plat with the Lincoln County Surveyor. A copy of the recorded plat shall be submitted by the applicant to the City of Toledo.
4. In accordance with TMC Chapter 16, the final partition plat shall be recorded within one year from the effective date of the Planning Commission approval. One extension of time, not to exceed one year, may be granted to complete the partition if an application for an extension of time is made in writing prior to the expiration date.
5. The applicant of property owner shall obtain a geo-tech report for any development on a geo-hazard area defined by TMC 15.20.050. Development not on a geo-hazard area defined by TMC 15.20.050 would not be required to submit a geo-hazard report.
6. Protect all existing easements (in addition to being noted on the plat) and, as appropriate,

record any new easements to serve the proposed parcels for driveway access and utilities, and comply with the Public Infrastructure Design Standards Manual, before construction permits will be issued.

7. Any driveway modification, in accordance with the standards specified in the Public Infrastructure Design Standards Manual, may be required as determined by the Public Works Director. If required, it shall be completed within one year of approval of this application, or a deferred development agreement entered into, to address this requirement. Determination will be made when a construction permit has been submitted that identifies the location of proposed construction and length of its driveway, to ensure that the development of Parcel 1 will comply with Public Infrastructure Design Standards and Fire, Life, Safety standards.
8. The recording of easements (in addition to being noted on the plat) as required and as appropriate by the Public Works Director to serve the interior properties for driveway access and utilities, including water and sewer, in accordance with the minimum width and other standards in the Public Infrastructure Design Standards Manual, before construction permits will be issued.
9. All standards and requirements in the Infrastructure Design Standards Manual, TMC Chapter 16 and 17 are met, as to both parcels marked on Exhibit A.
10. The applicant shall obtain any required state or federal permits.

Based on the testimony received, the staff report, and the evidence and arguments before the Planning Commission at the public hearing on December 14, 2022, the Planning Commission finds that the request by Joshua Lightner (Authorized Agent Nathan Lightner) (MP-3-22) complies with the criteria identified in Toledo Municipal Code, Titles 16 and 17, including the criteria identified in Toledo Municipal Code, Section 16.08.070. The Planning Commission hereby adopts the staff report as findings, as well as the conditions of approval for MP-3-22, and allowing for the correction of typographical and grammatical errors.

IT IS ORDERED that the request for a Minor Partition in this matter is granted.



PLANNING COMMISSION PRESIDING OFFICER

12-14-22

DATE



TO: Toledo Planning Commissioner Members
FROM: Justin Peterson, Contract Planner
DATE: January 4, 2024
RE: Discussion Items for January 10, 2024 Meeting

The January 10th agenda has two discussion items for review.

- 1) Title 16 – Subdivisions – Project Kick-Off
The Subdivision chapter is the land division ordinance for the City of Toledo. This chapter has not been comprehensively updated since 2004 and updates are required to improve the land division process in the city. At this meeting we will discuss high level challenges to the existing code and next steps in the update process. Existing subdivision standards can be viewed at:
https://library.municode.com/or/toledo/codes/municipal_code?nodeId=TIT16SU
- 2) Attached is the Building Permit and Land Use Application update for 2023. The City reviewed 4 site-built single family homes, 2 manufactured homes and 1 accessory dwelling unit in 2023.

City of Toledo
2023 Building Permit and Land Use Activity

Building Activity						
Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Approved
1/3/2023	Work in Right-of-Way Permit	Toledo Food Share Pantry	139 S Main Street		Convert parking space to loading zone	denied
1/12/2023	Building Permit	Candace Rogers	157 NW 10th Street	11-10-08-33-03300-00	Install new windows	1/18/2023
2/22/2023	Work in Right-of-Way Permit	NW Natural	625 NW Westwood Street	11-10-07-14-01700-00	Install new service	2/22/2023
2/27/2023	Building Permit	American Tower	255 NE Magnolia Street	11-10-08-22-00200-00	Add antenna, generator, etc	3/9/2023
2/27/2023	Work in Right-of-Way Permit	Lumen	330 E Graham Street	11-10-17-21-03500-00	Remove retaining wall and reslope	3/6/2023
3/2/2023	Building Permit	Pacific One Bank/Integrity Sign	112 S Main Street	11-10-17-23-04800-00	Sign	3/9/2023
3/6/2023	Excavation/Fill	Georgia Pacific Toledo LLC	1400 SE Butler Bridge Road	11-10-17-00-01400-00	Soil excavation from diesel spill	3/9/2023
3/7/2023	Work in Right-of-Way Permit	Charter/HHS Construction	163 NE Hwy 20	11-10-17-22-11300-00	Install two new vaults	3/9/2023
3/13/2023	Building Permit	Richard Wolff/Bighorn Const	925 SE Beaver Street	11-10-17-13-01000-00	House	3/22/2023
3/13/2023	Water/Sewer Connection	Robert Galbreath	416 NW 12th Place	11-10-07-41-04300-00	Relocate water meter	completed
3/16/2023	Water/Sewer Connection	Richard Wolff/Bighorn Const	925 SE Beaver Street	11-10-17-13-01000-00	New water/sewer connections	completed
3/16/2023	Work in Right-of-Way Permit	Steven Swank	749 SE 8th Street	11-10-17-31-05700-00	Remove curb	3/20/2023
3/20/2023	Work in Right-of-Way Permit	Charter/HHS Construction	NE 10th Street/Burgess Rd/Hwy 20		New aerial and bore	3/20/2023
3/20/2023	Work in Right-of-Way Permit	Jerry Howe	768 SE 8th Street	11-10-17-31-03000-00	Trench for power service	3/20/2023
3/22/2023	Building Permit	Pacific Fire & Safety/Let R Buck	722 W Hwy 20	11-10-07-43-03500-00	Fire suppression system	3/22/2023
3/29/2023	Work in Right-of-Way Permit	Charter/HHS Construction	112 S Main Street		Aerial and trench work	3/31/2023
4/6/2023	Work in Right-of-Way Permit	USPS	Various locations		Install cluster mailboxes	4/7/2023
4/12/2023	Work in Right-of-Way Permit	Bill and Leslie Zuspan	515 NW Radio Court	11-10-07-41-07400-00	Driveway	pending
4/18/2023	Building Permit	Richard Wolff/Bighorn Const	815 SE Beaver Street	11-10-17-13-00700-00	House	4/27/2023
4/18/2023	Demolition Permit	Lisa Daniel	1253 NW Spruce Street	11-10-08-32-03900-00	Demolish home	5/4/2023
4/19/2023	Building Permit	Sawmark Saloon LLC	160 N Main Street	11-10-17-22-13300-00	Roof	4/19/2023
4/19/2023	Building Permit	City of Toledo	840 NW A Street	11-10-08-33-11100-00	Public restroom	4/27/2023
5/1/2023	Building Permit	HRB Investments	170 N Main Street	11-10-17-22-13200-00	Roof	5/3/2023
5/2/2023	Water/Sewer Connection	Richard Wolff/Bighorn Const	815 SE Beaver Street	11-10-17-13-00700-00	New water/sewer connections	completed
5/2/2023	Water/Sewer Connection	Bill and Leslie Zuspan	515 NW Radio Court	11-10-07-41-07400-00	New water/sewer connections	completed
5/8/2023	Work in Right-of-Way Permit	NW Natural	359 SE 5th Street	11-10-17-24-18200-00	Abandon service line	5/9/2023
5/9/2023	Work in Right-of-Way Permit	Sawmark Saloon LLC	160 N Main Street	11-10-17-22-13300-00	Close parking/sidewalk for exterior pair	5/9/2023
5/10/2023	Building Permit	Randall and Cicely Hanson	1530 N Nye Street	11-10-08-23-02500-00	ADU and garage	5/18/2023
5/11/2023	Work in Right-of-Way Permit	Alex Marquez/Kevin Nelson	170 N Main Street	11-10-17-22-13200-00	Close parking/sidewalk for roof project	5/11/2023
5/15/2023	Work in Right-of-Way Permit	Robert Eisler/Underground Tech	1511 SE Alder Way	11-10-17-44-02700-00	Sewer repair	5/15/2023
5/22/2023	Building Permit	Sawmark Saloon/Ace Alarms	160 N Main Street	11-10-17-22-13300-00	Update fire alarm system	5/31/2023
5/22/2023	Work in Right-of-Way Permit	Truax Corp	254 W Hwy 20	11-10-07-44-03500-00	Tank replacement	5/22/2023
5/22/2023	Water/Sewer Connection	Joe Steenkolk	490 SE Olson Rd	11-10-17-13-00405-00	Water service	pending
5/31/2023	Work in Right-of-Way Permit	Port of Toledo/Astound Broadband	Bus. Hwy 20/N Bay Blvd		New fiber lines	5/31/2023
6/6/2023	Building Permit	Ken Brophy	132 NW 10th Street	11-10-08-33-02100-00	Room addition	6/14/2023
6/7/2023	Building Permit	Janice Swanson	750 NW Forestry Road	11-10-07-44-04600-00	Room addition	6/14/2023
6/7/2023	Building Permit	Bill Zuspan	515 NW Radio Court	11-10-07-41-07400-00	Garage	6/14/2023
6/13/2023	Building Permit	Russell Johnson	461 SE 7th Street	11-10-17-31-09300-00	Home remodel	8/9/2023
6/20/2023	Building Permit	Sawmark Saloon	160 N Main Street	11-10-17-22-13300-00	Change of occupancy	6/21/2023
6/20/2023	Building Permit	Joe and Janyce Steenkolk	490 Olson Road	11-10-17-13-00405-00	Manufactured home	7/20/2023
7/10/2023	Building Permit	Foursquare Church	1803 NW Lincoln Way	11-10-07-10-01400-00	Roof	7/12/2023
7/10/2023	Excavation/Fill	Jeff and Chris Lawrence	101 NE Beech Street	11-10-17-22-12100-00	Excavate for parking area	7/12/2023

7/13/2023	Water/Sewer Connection	Daren Clowser	566 NE Loramax Place	11-10-08-22-12100-00	New water/sewer service	pending
7/18/2023	Work in Right-of-Way Permit	Charter/HHS Construction	740 SE 6th Street	11-10-17-24-11600-00	Bore and new lines	7/18/2023
8/1/2023	Building Permit	Krause Family Trust	333 N Main Street	11-10-17-22-10100-00	Roof	8/9/2023
8/1/2023	Water/Sewer Connection	City of Toledo	840 NW A Street	11-10-08-33-11100-00	Water/sewer service	completed
8/3/2023	Building Permit	Leon Secrist	1650 SE 16th Place	11-10-17-44-05505-00	Room Addition	8/9/2023
8/9/2023	Work in Right-of-Way Permit	Russell Taylor	227 E Graham Street	11-10-17-23-00401-00	Sidewalk repairs	8/9/2023
8/14/2023	Building Permit	CDC of Lincoln County/Omlid Sw	740 SE 6th Street	11-10-17-24-06000-00	Sprinkler system	8/16/2023
8/30/2023	Building Permit	City of Toledo	222 NE Hwy 20	11-10-17-21-01800-00	Siding, roof, doors, windows	9/11/2023
9/6/2023	Work in Right-of-Way Permit	Hiatt Family Trust	930/936 NE Hwy 20	11-10-08-34-00500-00	Tree removal work and staggging	9/12/2023
9/6/2023	Work in Right-of-Way Permit	Northwest Coastal Housing	740 NE 6th Street	11-10-17-24-11600-00	Driveway work	10/5/2023
9/12/2023	Building Permit	Lisa Daniel	1253 NW Spruce Street	11-10-08-32-03900-00	House	9/18/2023
9/28/2023	Building Permit	Oregon Coast Bank	305 NW 1st Street	11-10-18-11-02400-00	Sign	10/25/2023
10/12/2023	Work in Right-of-Way Permit	Charter/HHS Construction	N Main, NW 6th, 250 Hwy 20		Overhead line and bore work	10/13/2023
10/23/2023	Building Permit	City of Toledo	860 NE Reservoir Road	11-10-08-34-04500-00	Generator pad	10/26/2023
10/24/2023	Building Permit	Danielle Applegate	388 NE 2nd Street	11-10-17-21-90003-00	Roof	10/26/2023
10/24/2023	Building Permit	Sawmark Saloon	144 E Graham Street	11-10-17-22-13400-00	Roof	10/31/2023
10/26/2023	Work in Right-of-Way Permit	NW Natural	600 NE Beech Street	11-10-08-33-08900-00	Cut service line	11/3/2023
11/6/2023	Building Permit	Paul and Jamie Steenkolk	1578 NW Spruce Street	11-10-08-23-01700-00	Manufactured home	pending
11/9/2023	Work in Right-of-Way Permit	Lisa Daniel	1253 NW Spruce Street	11-10-08-32-03900-00	Lane closure for tree removal	pending
11/15/2023	Water/Sewer Connection	Bruce Parsons	680 NW Hwy 20	11-10-07-43-03600-00	New water meter	completed
11/20/2023	Water/Sewer Connection	The Thirsty Fisherman	1787 NW Hwy 20	11-10-07-10-02600-00	New water/sewer service	pending
11/21/2023	Building Permit	Galen Farrel	1746 NE Arcadia Drive	11-10-08-24-01101-00	Interior renovations	11/29/2023
11/21/2023	Work in Right-of-Way Permit	Charter Communication	740 SE 6th Street	11-10-17-24-16000-00	Install pedestal and riser	11/21/2023
11/21/2023	Work in Right-of-Way Permit	Charter Communication	615 NW Hwy 20	11-10-07-43-04606-00	Bore for service line	11/21/2023
11/28/2023	Work in Right-of-Way Permit	Charter Communication	1105 SE Fir Street		Install aerial cable	11/28/2023
11/30/2023	Building Permit	Northwest Coastal Housing/Omlid	740 SE 6th Street	11-10-17-24-16000-00	Sprinkler monitor system	12/14/2023
12/28/2023	Building Permit	Summer Pilgrim	180 SE 2nd Street	11-10-17-23-02901-00	House	pending

Land Use						
Date	Type of Permit	Applicant	Address	Map and Tax Lot	Description	Status
3/8/2023	Conditional Use Permit	David Neal/Roman Sorokin	340 NE Hwy 20	11-10-17 BA TL 400	Food production in the Com Zone	PC = Approved 4/12/23
5/17/2023	Conditional Use Permit	Northwest Coastal Housing/City of Toledo	Sturdevant Road	11-10-17 TL 800	Conditional Use Permit for a multi-family residential use in the Single-Family Residential Zone	PC = Approved 6/14/23
	Floodplain Development Permi	Georgia-Pacific			Tidegate	pending
1/10/2023	Floodplain Development Permi	Port of Toledo	367 SE Butler Bridge Rd		Transient Dock Dredging	Staff = Approved 1/13/23
4/19/2023	Floodplain Development Permi	Port of Toledo	1000 Altree Lane	11-10-18D TL 400	Quonset roof over storage containers	pending/ application not submitted
4/19/2023	Floodplain Development Permi	City of Toledo	840 NW A Street	11-10-08 CC TL 11100	Restrooms at Arcadia Park	Staff = Approved 4/26/23
8/14/2023	Floodplain Development Permi	Truax Corp	254 W Hwy 20	11-10-7 DD TL 3400/3500	Replace underground storage tanks	Staff: Approved 8/16/23
9/7/2023	Floodplain Development Permi	Astound Broadband	NW Hwy 20 to N Bay Blvd		Install utility lines	Staff: Approved 9/13/23
10/9/2023	Floodplain Development Permi	Oregon Coast Bank/Faster Signs	305 NW 1st Street	11-10-18AA TL 2400	Install sign	Staff: Approved 10/18/23
10/5/2023	Lot Line Adjustment	City of Toledo/ Toledo Cemetery Association	255 NE Magnolia and 2150 NE Arcadia	11-10-8BB 200 & 11-10-8BA 400	Lot line adjustment for approx. .28 acres	Staff: Approved 10/18/23
6/13/2023	Minor Partition	Daren Clowser and James Hurley	560/566 NE Lormax Pl	11-10-8 CA TL 5400	Partition 1.06 acres to create two parcels	PC = Approved 8/9/23
9/13/2023	Plan Amendment	City of Toledo			Comprehensive Land Use Plan Amendment	PC = Rec. adoption CC = Adopted Ord 1417
2/8/2023	Temporary Trailer Permit	Vincent Vitale	927 SE 7th Street	11-10-17DB TL 300	Reside in RV for medical hardship	CC = Approved 3/15/23
4/18/2023	Temporary Trailer Permit	Lisa Daniel	1259 NW Meadow Lane	11-10-8CB TL 4000	Reside in RV during demolition and rebuild	Staff = Approved 5/4/23
6/13/2023	Temporary Trailer Permit	Russell Johnson	461 SE 7th Street	11-10-17 CA TL 9300	Reside in RV during renovation	Staff = Approved 8/10/23
12/19/2023	Temporary Trailer Permit	Teddy Murphy	331 SE Elder Street	11-10-17 BD 5200	Reside in RV during construction	pending
5/10/2023	Variance	Bill and Leslie Zuspan	515 Radio Court	11-10-7DA TL 7400	Variance to the front garage setback standard	Applicant withdrew app
5/17/2023	Variance	Northwest Coastal Housing/City of Toledo		11-10-17 TL 800	Variance to the rear yard setback standards in the RS Zone	PC = Approved 6/14/23
6/7/2023	Variance	Dustin and Elizabeth Seifert	930 NE Alder Street	11-10-8 CC TL 6300	Variance to the side yard setback standard	Staff = Approved 7/6/23