

TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 6:00 pm by President Anne Learned-Ellis. Commissioners present: Ricky Dyson, Cora Warfield, Dennis Sutherland, and Jonathan Mix (arrived at 6:14 pm). Excused were Brian Lundgren and Ruthanne Morris.

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

VISITORS: Dustin Capri, Dave Larmouth, Taylor Krueger, Sheila Stiley, Robert Bare

APPROVAL OF THE APRIL 10, 2024, MINUTES:

It was moved and seconded (Dyson/Warfield) to approve the April 10, 2024, minutes as circulated and reviewed by the Planning Commission. The **motion passed**, noting the absence of Mix, Lundgren, and Morris.

DECISION ITEM: EXTENSION TO THE DEADLINE DATE FOR THE CONDITIONAL USE PERMIT AND VARIANCE APPROVAL (FILE #CU-2-23/VAR-2-23), REQUESTED BY NORTHWEST COASTAL HOUSING AND CITY OF TOLEDO:

CP Peterson reported that the request is for an extension to the deadline dates on the approvals issued last year. Northwest Coastal Housing submitted an extension request prior to the deadline date.

Northwest Coastal Housing, City of Toledo, and Lincoln County Public Works recently met to review the next steps for the development project. The minor partition plat was recorded and the barn is getting asbestos testing so it can be removed. There will be one access point and the City received State funding for infrastructure upgrades in the area. There has been progress, but additional time is requested to keep the project moving forward.

The application was originally approved in 2021, with an extension granted in 2022. The original approval expired in 2023 and a new application was submitted and approved in 2023. The current request is for an extension to the 2023 application. If the extension is granted, the approval will expire in June, 2025 if development has not started or a building permit submitted. It is the goal to have a building permit submitted in early 2025. There are a lot of coordinating partners and items to complete the project. The property is City-owned and a lease agreement is still pending. The minor partition plat took some time to record. Currently, the City hired a wetland consultant to review the site for a wetlands determination. Also, a small area of the property is in the floodplain and there will need to be a lot line adjustment to the boundaries so the property is located outside of the floodplain.

Commissioners discussed the property location, minor partition at the site, and wetland mitigation project area.

Sheila Stiley, Executive Director of Northwest Coastal Housing reported there are a lot of moving

parts to the project and it is difficult because they do not own the property. Northwest Coastal Housing has invested approximately \$40,000-\$50,000 for the pre-development work on the project. The State changed their funding cycle and submittal process. Northwest Coastal Housing expects to begin the permitting phase in March, 2025 and it will be close, but they are on track to begin construction before the June 2025 deadline date. If they find that there are delays in 2025, they will need to re-apply for the land use applications.

Commissioner Mix entered the meeting at this time.

Commissioner Dyson asked about the access options along Sturdevant Road. CA Adams reported that they met with Lincoln County Road Department to discuss the project and Lincoln County would like to see one access point at the south end of the property and potential widening of the corner. The City and County will be holding discussions about the possible jurisdictional transfer of Sturdevant Road and lowering the posted speed limits.

It was moved and seconded (Sutherland/Dyson) to grant an extension for Variance and Conditional Use #CU-2-23 and VAR-2-23 with a deadline date updated to June 20, 2025. The **motion passed** unanimously, noting the absence of Lundgren and Morris.

PUBLIC HEARING: MODIFICATION TO A CONDITIONAL USE PERMIT TO AMEND A CONDITION OF APPROVAL FOR AN APPROVED EXPANSION OF THE WASTE TRANSFER/RECYCLING FACILITY FOR PROPERTY LOCATED AT 5441 HWY 20 (FILE #CU-2-21MOD2), REQUESTED BY DAHL & DAHL INC. (RYAN CROTTY AUTHORIZED AGENT):

President Learned-Ellis opened the public hearing by stating the nature and purpose. After calling for declarations of ex parte contact, bias, or conflict of interest, Commissioner Dyson reported his neighbor is employed by the applicant. 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 reported that the request is to modify an existing Conditional Use Permit condition of approval to allow a membrane structure as a permanent structure.

The original use went through the Conditional Use process because of the expansion of the waste transfer facility to allow the baler facility. In May, 2022, a condition of approval was modified to allow the temporary structure to be used through March 31, 2026, subject to review by Lincoln County Building Official and a valid Certificate of Occupancy. The applicant is requesting this second amendment to change the temporary status of the membrane structure to a permanent building.

CP Peterson reviewed the recommended conditions of approval and noted that the Lincoln County Building Official does not have a problem with the proposal. It was noted that the recent City water line project included a new fire hydrant closer to the subject property.

Applicant Testimony: Dave Larmouth of Dahl & Dahl introduced himself and reported he was available to answer questions. President Learned-Ellis noted that the owners offered a site tour to the Planning Commissions at the last hearing and asked if a tour could be provide. Mr. Larmouth stated that a tour can be arranged.

Proponent Testimony: None.

Opponent Testimony: None.

Other Interested Parties: None.

Questions by Commission: None.

Deliberations: The public hearing was closed and the Commission entered into deliberations. It was moved and seconded (Warfield/Mix) that based on the testimony received, the staff report, and the evidence and arguments before the Planning Commission at the public hearing on May 8, 2024, the Planning Commission finds that the request by Dahl & Dahl Inc. and authorized agent Ryan Crotty, Maul Foster & Alongi, Inc., (CU-2-21(mod#2)) complies with the criteria identified in Toledo Municipal Code 17.64.050. The Planning Commission hereby adopts the staff report as findings, as well as the proposed conditions of approval for CU-2-21(mod#2), and allowing for the correction of typographical and grammatical errors. The **motion passed** unanimously, noting the absence of Lundgren and Morris.

CP Peterson noted that staff will try and coordinate a time for Commissioners to tour the facility and can post the notice for a potential quorum.

WORKSESSION: PARTITION AND SUBDIVISION CHAPTER UPDATES:

CP Peterson reviewed proposed updates for the major and minor partition standards. Based on earlier discussions on the definition of serial partitions, staff provided updates to the language to clarify the timing between filing partition applications. The density regulations can catch the ability for property to be divided in the future.

Commissioners discussed the access requirements based on ‘dwelling units’ or ‘lots’. The terms were updated to allow multiple lots, which will not limit the use of residential units. Updating the term allows the option for multi-family housing uses and Accessory Dwelling Units.

The minor partition procedures can be updated for a staff-level decision. Language needs to be updated to remove any reference to ‘public hearing’. Another proposed update that may streamline the process allows 24 months to record the partition plat with an option for a one-year extension to the deadline date. This would provide three years to finalize the plat (if the extension is granted), rather than the current two year requirements. There are a limited number of surveyors in the area and it is becoming increasingly difficult to finalize a plat within one year. The Planning Commission reviews several deadline extension requests. The subdivision phasing timeline can also be expanded to allow two years to finalize Phase 1, four years for Phase 2, and six years for Phase 3.

DISCUSSION ITEM: UPDATES AND REPORTS: None.

STAFF COMMENTS: None.

COMMISSIONER COMMENTS: Commissioner Mix apologized for arriving late and asked if the Planning Commission meetings can be on a summer schedule with a start time of 6:30 pm. Commissioners discussed the 6:00 pm start time for winter months, starting in October or

November and having a 6:30 pm start time during the summer months.

It was moved and seconded (Mix/Warfield) to begin the Planning Commission meetings at 6:30 pm during the summer months. The **motion passed** unanimously, noting the absence of Lundgren and Morris.

There being no further business before the Commission, the meeting was adjourned at 6:55 pm.

Planning Assistant

President