



CITY OF SWEET HOME PLANNING COMMISSION AGENDA

March 03, 2022, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Meeting Information

The Planning Commission will hold a meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. Individuals attending public meetings in person will be required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet, you can call in to 541-367-5128, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: 947 077 522. This video stream and call-in options meet the requirements for Oregon public meeting law.

Call to Order and Pledge of Allegiance

Roll Call of Commissioners

Public Comment. This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.

Meeting Minutes:

- a) 2022-01-06 Planning Commission Meeting Minutes

Public Hearings

Application CU22-01: The applicant is requesting a conditional use permit to allow for Property Line Adjustments of a Public School in a residential zone. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: A use permitted as a conditional use in a R-1 zone [SHMC 17.28.030.A]. In an R-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: Public school and private school offering curricula similar to public school [SHMC 17.24.030.G]. Modification to approved plans and developments and transfers: Proposed changes that do not meet the above criteria (in section A of 17.80.060) shall be processed as a new application [SHMC 17.80.060.B]. The subject properties are in the Residential High Density (R-2) and the Residential Low Density (R-1) Zones. Conditional Use Application CU22-01 is pending the approval of Property Line Adjustment Applications PLA22-01, PLA22-02 and PLA22-03. Applications PLA22-01, PLA22-02 and PLA22-03 were approved by the Community and Economic Development Director on January 24, 2022. The appeal period ends at 5:00 PM on February 5, 2022.

Application CU22-03: The applicant is requesting a conditional use permit to allow for a drive-in service facility in the Commercial Central (C-1) Zone. In a C-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: Any use permitted in a C-1 zone with customer drive-in service facilities [SHMC 17.32.030(E)]. The subject property is in the Central Commercial (C-1) Zone.

Application CU22-02: The applicant is requesting a conditional use permit to allow residential uses not related to or in conjunction with a recreational development. The proposal is for a Subdivision and Planned Development in the Recreation Commercial (RC) Zone. The subject property is in the Recreation Commercial (RC) Zone. Planned Development application PD22-01 and Subdivision

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

application SD22-01 are pending the approval of application CU22-02. Application CU22-02 is being filed simultaneously with application PD22-01 and SD22-01.

Application PD22-01: The applicant is requesting a Planned Development (PD) overlay to an approximately 790,718 square foot (18.14-acre) property located to the northeast of the Zelkova Street and Clark Mill Road intersection. The Planned Development is requested for the subject property which is identified as 1400 Clark Mill Road and Linn County Tax Assessor's Map No. 13S01E29 Tax Lot 3502. The proposal includes a preliminary plan to subdivide approximately 582,397 square feet (13 acres) into 42 residential lots and four tracts. The remaining approximate 208,321 square feet (5 acres) are proposed to be developed later. As proposed, the subdivision lots would range in size from 8,032 square feet to 12,290 square feet. Tract A shall be approximately 2,271 square feet, Tract B shall be approximately 3,857 square feet, Tract C shall be approximately 2,223 square feet, and Tract D shall be approximately 70,378 square feet including a pond. The purpose of the request is to allow single-family residential uses permitted conditionally via SHMC 17.60.030(D) to be developed in accordance with the development standards of SHMC 17.60.040(B). All lots would be eligible to be developed with single, two-family, and/or single-family attached dwellings and accessory uses with approval of a conditional use permit allowing residential uses not related to or in conjunction with a recreational development [SHMC 17.60.030(D)]. The subject property is in the Recreation Commercial (RC) Zone and the Planned Development Overlay. Application PD22-01 is pending the approval of Conditional Use application CU22-02. Application PD22-01 is being filed simultaneously with application CU22-02 and SD22-01.

Application SD22-01: The applicant is requesting to subdivide an approximately 13.37-acre site into 42 residential lots and four tracts including an existing single-family residential dwelling that will be retained with the proposed development. The subject property is to the northeast of the Zelkova Street and Clark Mill Road intersection and is identified by 1400 Clark Mill Road and Linn County Tax Assessor's Map No. 13S01E29 Tax Lot 3502. Lots sizes would range in size from 8,032 square feet to 12,290 square feet. All lots would be eligible to be developed with single, two-family, and/or single-family attached dwellings and accessory uses with approval of a conditional use permit allowing residential uses not related to or in conjunction with a recreational development [SHMC 17.60.030(D)]. The subject property is in the Recreation Commercial (RC) Zone. Application SD22-01 is pending the approval of Conditional Use application CU22-02 and Planned Development Overlay application PD22-01. Application SD22-01 is being filed simultaneously with application CU22-02 and PD22-01.

- a) CU22-01 Staff Report
- b) CU22-03 Staff Report
- c) CU22-02 Staff Report
- d) PD22-01 Staff Report
- e) SD22-01 Staff Report

Staff Updates on Planning Projects:

March 17, 2022 Meeting - Draft Code Revision Updates

Adjournment

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at

no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
 - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:
READ: "The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue."
- Declarations by the Commission:
 - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
 - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
 - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
 - Review of application
 - Discussion of relative Criteria that must be used
 - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
 - Applicant's Testimony
 - Proponents' Testimony
 - Testimony from those wishing to speak in favor of the application
 - Opponents' Testimony
 - Testimony from those wishing to speak in opposition of the application
 - Neutral Testimony
 - Testimony from those that are neither in favor nor in opposition of the application.
 - Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
 - Motion
 - Approval
 - Denial
 - Approval with Conditions
 - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
 - Recommendation made by Planning Commission—City Council makes final decision.

If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.