



CITY OF SWEET HOME PLANNING COMMISSION AGENDA

May 03, 2021, 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.

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) 2021-04-05 Planning Commission Meeting Minutes
- b) 2021-04-19 Planning Commission Meeting Minutes

Public Hearings

Application LA21-01: This legislative amendment, LA 21-01, consists of text amendments to Chapters 17.24, Residential Low-Density Zone; 17.28, Residential High-Density Zone; and 17.30, Medium Density Residential Zone, of the Sweet Home Municipal Code (SHMC). The proposed text amendments were identified by City Staff, based on feedback from the Planning Commission and City Council, as a method for improving the quality of housing within the City. This proposal includes amendments to following sections of the SHMC 17.24: 17.24.090 Homes on individual lots. SHMC 17.28: 17.28.090 Homes on individual lots. SHMC 17.30: 17.30.090 Standards for homes on individual lots.

Application CU21-04: The applicant has requested a Conditional Use Permit to establish a retail marijuana store in an existing building. The subject property contains approximately 23,015 square feet and is in the Commercial Highway (C-2) Zone. Tax Lot 800 is a legal lot of record per survey CS 26417, dated April 10, 2018. A marijuana retailer or medical dispensary is permitted through a conditional use permit [SHMC 17.36.030 (J)].

Application CU21-05: The applicant is requesting a conditional use permit to establish a home occupation (home business) on their property. The home occupation would consist of a notary service for residential home loan document applicants, operated by a resident of the property, within the dwelling located on the property. The applicant expects to see between 1 to 2, but potentially up to 6 clients per day with hours ranging from 1 to 2 per client. The applicant will contain all parking on the subject property. The applicant will be the only employee. The subject property contains approximately 19,222 square feet and is in the Residential Low Density (R-1) Zone.

Application CU21-06: The applicant is requesting a conditional use permit to allow for a single-family dwelling. In the Recreation Commercial (RC) Zone a residential use not related to or in conjunction with a recreational development is allowed per a conditional use. [SHMC 17.60.030 (D)]. The subject property contains approximately 4,997 square feet and is in the Recreation Commercial (RC) Zone.

Application VR21-01: The applicant is seeking a variance to allow for a front setback of 15 feet instead of the required 20 feet. A front yard abutting a residential zone shall be a minimum of 20 feet per SHMC

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.

17.32.040. The western property line of the proposed parcel abuts a residential zone. The reduction of the front setback is due to the Sweet Home Fire District requiring additional square footage for a fire apparatus turnaround. The southern portion of the proposed parcel is within the 50-foot riparian zone, is designated as a natural resource zone and is a significant wetland (see Attachment C).. Streets, roads, driveways, or paths are exceptions in the riparian zone per SHMC 17.72.050. The property is in the Commercial Central (C-1) Zone.

Application SD21-01: The applicant is requesting to subdivide an approximately 6.50-acre property into twenty-six lots ranging from approximately 8,226 to approximately 9,950 square feet. The proposed subdivision's average lot size is approximately 8,932 square feet. Approximately 8,226 square feet shall be reserved for a storm water detention area. The proposed subdivision is in the Residential Low Density (R-1) Zone.

- a) LA21-01 Staff Report and Ordinance
- b) CU21-04 Staff Report
- c) CU21-05 Staff Report
- d) CU21-06 Staff Report
- e) VR21-01 Staff Report
- f) SD21-01 Staff Report

Staff Updates on Planning Projects:

Staff Updates on Planning Projects: This is an opportunity for Planning Commissioners to address topics that are not listed on the agenda.

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.