



CITY OF SWEET HOME PLANNING COMMISSION AGENDA

December 07, 2020, 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.

The Planning Commission will hold a Regular Planning Commission meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. In order to protect residents, staff, and elected officials due to the novel COVID-19 virus, the frequency and length of public meetings, including the Planning Commission, boards and City Council, will be minimized. Non-urgent and non-essential City business with expected public feedback will be postponed whenever possible. Individuals attending public meetings in person will be limited to the first six people, required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home Planning Commission 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 Planning Commission 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 and you'll be asked to choose option #1 to be logged in to the call.

This video stream and call in options are allowed under Planning Commission rules, meet the requirements for Oregon public meeting law, and has been approved by the Mayor as Chairperson of the meeting. All votes will be conducted by Roll Call Vote.

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: November 2, 2020

Public Hearings

Application SD20-02: The applicant is requesting to subdivide an approximately 8.76-acre property into forty-six lots ranging from 5,006 to 13,644 square feet. The proposed subdivision's average lot size is 6,221 square feet. The applicant will complete the subdivision in two phases of development. Approximately 1.71 acres shall be dedicated as public right-of-way for new local streets to serve the proposed subdivision. An additional 0.41 acres will be reserved as Tracts for stormwater detention facilities. The proposed subdivision is in the Residential High Density (R-2) Zone per Zone Map Amendment Application ZMA 20-01 approved by City Council Ordinance Bill No. 9 for 2020, Ordinance No. 1288, dated June 23, 2020.

Application ZMA20-04: The applicant is proposing to change the Zoning Map in an area consisting of approximately 87,962 square feet (1.96 acres) located approximately 300 feet north of the Main Street and 9th Avenue intersection, Sweet Home, OR 97386 (13S01E31BD Tax Lot 401). The Sweet Home Zoning Map is proposed to change from the Highway Commercial (C-1) Zone to the Residential High Density (R-2) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application. Application ZMA20-04 is being filed simultaneously with Application PD20-02. Application PD20-02 is pending the approval of Application ZMA20-04.

Application PD20-02: The applicant is requesting a Planned Development Overlay Zone on an approximately 87,962 square foot (1.96-acre) property. Access to the subject property from 9th

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.

Avenue will be through a proposed access easement across Tax Lot 303, which is also owned by the applicant. The applicant is proposing to develop 7 single-family lots on the subject property (see the attached site plans). Through the planned development process, the applicant is proposing to modify the minimum lot size, minimum lot width, front setback, and street yard setback standards shown on the attached site plans. A Planned Development zone is an overlay zone that can be applied in conjunction with any other zone designation. Although this overlay designation permits modifications to the site development standards of the underlying zone standards, it does not permit changes in uses specified by the underlying zone [SHMC 17.48.020]. As proposed, Tract 'A' will protect environmentally sensitive areas of the site and provide common open space amenities for the planned development. The subject property is in the Highway Commercial (C-1) Zone. Application PD20-02 is pending the approval of Application ZMA20-04 amending the zoning designation from Highway Commercial (C-1) zone to the Comprehensive Plan Map designation of Residential High Density (R-2) zone. Application ZMA20-04 will be filed simultaneously.

Staff Updates on Planning Projects:

Code Revision Update

Pending Applications

2021 Planning Commission Meeting Schedule and Deadlines

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.