



CITY OF SWEET HOME PLANNING COMMISSION AGENDA

January 15, 2026, 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.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Meeting Information

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 971-203-2871 and enter the meeting ID followed by the # sign to be logged in to the call. Meeting ID: 306 824 664#

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) [2025-09-18 Planning Commission Meeting Minutes](#)

Public Hearings

- a) [Application CU25-02](#)
- b) [Application CU25-03](#)
- c) [Application CU25-04](#)

Staff Updates:

Planning Commission Business (Commission comments about topics 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.

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.

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.



**CITY OF SWEET HOME
PLANNING COMMISSION
MINUTES**

September 18, 2025, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

Call to Order

The meeting was called to order at 6:30 PM

Roll Call of Commissioners

PRESENT

Brandy Wysong Frick
Henry Wolthuis
Jamie Melcher
Laura Wood
Eva Journey
Nancy White

ABSENT

Joe Graybill, excused absent

STAFF

Angela Clegg, Planning and Building Manager
Adam Leisinger, Special Projects Manager

GUESTS

James Hurley, 35890 Santiam Highway, Albany, OR 97322

Public Comment.

None

Meeting Minutes:

2025-06-05 Planning Commission Meeting Minutes

A motion to approve the June 5, 2025, meeting minutes was made by Commissioner Melcher, seconded by Commissioner Journey.

Voting Yea: Commissioner Wysong Frick, Commissioner Wolthuis, Vice Chair Melcher, Chairwoman Wood, Commissioner White, and Commissioner Journey.

Voting Nay: None

Absent: Commissioner Graybill

Public Hearings

Partition Application P25-07 Staff Report

The Public Hearing was opened at 6:32 PM

Commission Chair Wood asked of the Commissioners if they had any personal bias, conflicts of interest, or ex parte information. There was none.

Manager Clegg presented the staff report to the Commission. The Planning Commission reviewed a request to partition an approximately 86,358 square foot lot in the R-1 zone into two parcels: Parcel 1: approximately 11,577 square feet and Parcel 2: approximately 74,781 square feet with a flagpole access strip. The application was filed concurrently with Zone Map Amendment ZMA25-01, but approval of this partition is not dependent on the zone change.

Key Findings: Lot width-to-depth ratio: Parcel 1 complies; Parcel 2 exceeds but does not increase nonconformity. Dimensional standards: A pre-existing 3.8 ft. setback (where 5 ft. is required) will remain. A private no-build/maintenance easement is proposed to address compliance.

A summary of the Conditions of Approval: Final configuration must match submitted plot plan; Separate utility connections required; Easements and no-build areas must be shown on the plat; Removal of structures identified for removal; Development agreement required before final plat; Private access, public facilities, and improvements must meet City standards; All development must comply with SHMC Title 17, Oregon Fire Code, and applicable state/federal laws; Final plat must be recorded within two years.

Staff recommended approval with the listed conditions.

Commission Action: The Planning Commission will hold a public hearing and may approve or deny the application based on review criteria. If approved, staff recommend a 12-day appeal period and preparation of an order memorializing the decision.

Motion Options

1. Move to approve application P25-07; including the conditions of approval listed in Section IV of the Staff Report; adopting the findings of fact listed in Section III of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny application P25-07; including adopting findings (specify), the setting of a 12-day appeal period from the date of mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

Manager Clegg closed the staff presentation and asked if the planning commissioners had any questions.

Questions from Commissioners: Commissioner Melcher asked why the request was not being reviewed as a variance. Manager Clegg explained that the Commission could require the applicant to submit a variance application if they felt it was necessary. She further noted that the conditions before the Commission stem from pre-existing site conditions, not from any action by the applicant. For that reason, staff determined that the Commission could make a decision based on the information provided in the staff report. Commissioner Journey asked Manager Clegg to clarify how the applications were combined. Manager Clegg explained that the partition and zone map amendment applications were submitted together and can be heard concurrently since the zone map amendment is a Type IV application. However, the two applications are not dependent on each

other for approval and must be decided upon separately. Chair Wood asked if there were any additional questions from the Commission. Commissioner Wolthuis asked whether staff considers school capacity during the review process. Manager Clegg responded that all land use applications are sent to the school district for review and comment. While the applicant has not proposed development on the larger parcel, Clegg reminded the Commission that the property to the south has been approved for a high-density apartment complex.

Applicant Testimony: James Hurley spoke on behalf of his application. Mr. Hurley explained that his surveyor discovered the existing fence line encroaches approximately 1.5 feet onto the neighboring property, creating a 1.2-foot deviation from the required south setback. To address this, he added a 1.2-foot by 5-foot no-build easement within the flagpole area.

Additional Questions from the Commissioners: Commissioner White asked whether the applicant had any current plans to develop the larger property. Mr. Hurley stated that he does not have any development plans at this time. Commissioner Wysong-Frisk asked if the applicant intended to sell the existing house. Mr. Hurley confirmed that the house is already under contract and that the sale will be finalized once the partition is complete.

Testimony in Favor: None
Testimony in Opposition: None
Neutral Testimony: None

Public hearing was closed at: 6:47 PM

Discussion by the Commissioners: Commissioner Journey noted that the Commission generally prefers not to approve flag lots but acknowledged that, in this case, there is no other viable way to access the rear property. Commissioner Melcher agreed with Chair Wood's comments and stated that the property would not be developable without the flagpole access. Commissioner White commented that the proposal aligns the property with the Comprehensive Plan zoning. Commissioner Wolthuis added that it brings the property into compliance with the Comprehensive Plan and stated that he sees no reason to deny the request at this time. Commissioner Wysong-Frisk expressed that the request is reasonable, noting that not everyone prefers large backyards and that the proposed partition provides an acceptable solution for developing the property. Chair Wood agreed with the Commissioners' comments regarding the flagpole access and the 1.2-foot setback variance. Commissioner Wolthuis also stated that he was pleased to see conditions requiring a development agreement.

A motion to approve Application P25-07 was made by Commissioner Wolthuis and was seconded by Commissioner Melcher.

Voting Yea: Commissioner Wysong Frick, Commissioner Wolthuis, Vice Chair Melcher, Chairwoman Wood, Commissioner White, and Commissioner Journey.

Voting Nay: None

Absent: Commissioner Graybill

Zone Map Application ZMA25-01 Staff Report

The Public Hearing was opened at 6:54 PM

Commission Chair Wood asked the Commissioners if they had any personal bias, conflicts of interest, or ex parte information. There was none.

Manager Clegg presented the staff report to the Commission. The applicant requested a zone change for property at 13S01E32AA Tax Lot 500 (approx. 86,358 sq. ft.) from Residential Low Density (R-1) to Residential High Density (R-3). The change would align the property with the

Comprehensive Plan designation. This request was filed concurrently with partition application P25-07 but is not dependent on it.

Key Findings: Property is outside the 100-year floodplain with no mapped wetlands or waterways; Has frontage on Clark Mill Road and existing City water and sewer services; Proposed R-3 zoning is consistent with the Comprehensive Plan and can accommodate permitted uses; Future development must comply with City standards (parking, landscaping, setbacks); Adequate public facilities and transportation access are available; and Rezoning would support identified housing needs by providing higher-density housing opportunities.

Staff Recommends approval of Application ZMA25-01, with no conditions of approval.

Commission Action: Planning Commission to hold a public hearing and recommend approval or denial to the City Council. Council will make the final decision after its own public hearing.

Motion Options

1. Recommend approval of ZMA25-01 with findings in the staff report.
2. Recommend denial (with reasons).
3. Continue the hearing.
4. Other action as determined.

Manager Clegg closed the staff presentation and ask if the planning commissioners had any questions. There were none.

Applicant Testimony: James Hurley testified on behalf of his application. He just wants to bring it into compliance with the Comprehensive Plan.

There were no questions from the Commissioners:

Testimony in Favor: None
Testimony in Opposition: None
Neutral Testimony: None

The Public Hearing was closed at 6:59 PM

Discussion by the Commissioners: Commissioner Wysong-Frisk asked if there is a limit on the number of houses that can be built. Commissioner Melcher explained that lot sizes can be smaller in the R-3 zone, allowing for multi-family development, which is appropriate for the transitional area and supports walkability to nearby commercial businesses and schools.

Chair Wood asked about the density limit for the R-3 zone. Manager Clegg responded by reading the density requirements from Sweet Home Municipal Code, Chapter 17.14.050.

A motion to approve Application ZMA25-01 was made by Commissioner Melcher and was seconded by Commissioner Journey.

Voting Yea: Commissioner Wysong Frick, Commissioner Wolthuis, Vice Chair Melcher, Chairwoman Wood, Commissioner White, and Commissioner Journey.

Voting Nay: None

Absent: Commissioner Graybill

Staff Updates:

Manager Clegg reminded the Commissioners of the Committee Media Policy and provided them with a printed copy.

Manager stated that she has been completing a lot of duplex partitions and property line adjustment. Clegg gave an update on the Coulter Subdivision.

Planning Commission Business

Manager Clegg reminded the Commissioners about the upcoming Harvest Festival, outlining the planned activities and noting where additional volunteer help is still needed.

Commissioner Wolthuis inquired about the well on the Clark Mill property, asking whether the property would connect to City water and what would happen to the existing well. Commissioner Wysong-Frisk also expressed interest in the well's status. Mr. Hurley informed the Commission that the well had been relocated to be outside of the easement area.

Manager Clegg reported that another round of code updates will be coming soon due to several recent legislative changes. She stated her goal is to have the draft updates ready for Commission review by the end of the year.

Commissioner Journey asked if any meetings were scheduled in the near future. Manager Clegg confirmed that there are no upcoming meetings at this time.

Adjournment

The meeting was adjourned at 7:08 PM

Laura Wood, Chairperson
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Planning & Building Manager



Staff Report Presented to the Planning Commission

REQUEST: The applicant is requesting a conditional use permit to construct a fuel station containing two (2) gasoline pumps, and one underground fuel storage tank in the south parking lot of the Hilltop Market, north of Highway 20. The applicant is applying for Conditional Use per SHMC 17.20.040 (I): Other uses compatible with the purpose and intent of the zone, and whose off-site impacts would not significantly exceed those of the other conditionally permitted uses listed in this section. Tax Lot 1900 contains approximately 23,522 square feet (0.54 Acres) and is located in the Commercial Highway (C-2) zone.

APPLICANT AND

PROPERTY OWNER: Grishma, Inc.

FILE NUMBER: CU25-02

PROPERTY LOCATION: 4824 Hwy 20, located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor’s Map as 27CB, Tax Lot 1900.

REVIEW AND

DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.20.040 (I), 17.104, 17.126

HEARING DATE & TIME: January 15, 2026, at 6:30 PM

HEARING LOCATION: City Hall Council Chambers at 3225 Main Street, Sweet Home, Oregon 97386

STAFF CONTACT: Angela Clegg, Planning & Building Manager
 Phone: (541) 818-8029; Email: aclegg@sweethomeor.gov

REPORT DATE: January 8, 2026

I. PROJECT AND PROPERTY DESCRIPTION

ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:

| Property | Zoning Designation | Comprehensive Plan Designation |
|------------------|--------------------------|--|
| Subject Property | Commercial Highway (C-2) | Highway Commercial |
| Property North | Commercial Highway (C-2) | Highway Commercial Low Density Residential |
| Property East | Commercial Highway (C-2) | Highway Commercial |
| Property South | Commercial Highway (C-2) | Highway Commercial High Density Residential |
| Property West | Commercial Highway (C-2) | Highway Commercial |

Floodplain Based on a review of the FEMA flood insurance rate map; Panel 41043C0916G, dated September 29, 2010, the subject property is not in the Special Flood Hazard Area.

Wetlands: Based on a review of the Statewide Wetlands Inventory and a review of the National Wetlands Inventory Map, the subject property does not contain inventoried wetlands.

Access: The subject property has frontage on Highway 20.

Services: The subject property has City water and sewer services.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: December 8, 2025

Notice Published in Newspaper: December 17, 2025

Planning Commission Public Hearing: January 15, 2026

120-Day Deadline: March 18, 2026

Notice was provided as required by SHMC 17.126.01

II. COMMENTS

Building Division: No comments as of the issuance of this Staff Report.

CEDD Engineering: No comments as of the issuance of this Staff Report.

**Blake Patterson
Public Works Dept.** Check with Building Official on storm drainage requirements. No comments from Public Works at this time.

Public Comments: No comments as of the issuance of this Staff Report.

III. REVIEW AND DECISION CRITERIA

The review and decision criteria for a conditional use permit are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

17.104.050 DECISION CRITERIA

A Conditional Use shall be approved if the applicant provides supporting evidence that all the requirements of this Development Code relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

A. The use is listed as a conditional use in the underlying district and complies with the development requirements of the underlying zone.

Staff Findings: The applicant is requesting a conditional use permit to construct a fuel station containing two (2) gasoline pumps, and one underground fuel storage tank in the south parking lot of the Hilltop Market, north of Highway 20.

The applicant is applying for a Conditional Use Permit pursuant to SHMC Chapter 17.20.040(l), Other uses compatible with the purpose and intent of the zone, and whose off-site impacts would not significantly exceed those of the other conditionally permitted uses listed in this section. The purpose of the C-2 zone is to provide areas suitable and desirable

for highway related commercial enterprises intended to meet the business needs of area residents and highway travelers. The C-2 zone is appropriate in areas along or near U.S. Highway 20 east and west of downtown Sweet Home which have developed with commercial activities, or which have potential for such activity as long as sufficient vehicular access control is maintained.

The proposed use shall be required to comply with the development standards set forth in SHMC Chapter 17.20.060. Staff finds that the proposed fuel station meets the applicable development standards and is compatible with the purpose and intent of the Commercial Highway Zone.

Based on the above findings, staff concludes that the application complies with the applicable conditional use criteria.

B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features.

Staff Findings: Unless otherwise specified by this Development Code, the following minimum dimensional standards apply to all development within the C-2 (Commercial Highway) zone. There is no minimum lot area or minimum lot width. Required setbacks in the C-2 zone are as follows: a 20-foot front yard setback, a 0-foot interior side yard setback, a 20-foot street side yard setback, and a 0-foot rear yard setback. Where a side or rear yard abuts a residential zone, a minimum 10-foot setback is required. The maximum allowed structure height is 35 feet, and the maximum lot coverage is 100 percent.

Most fuel stations within the Sweet Home city limits include convenience or mini-mart uses, and the proposed development is consistent with this pattern. Additionally, there are no fuel stations located on the east end of Sweet Home, making this an appropriate and desirable location for the proposed use

Staff finds that the site's size, shape, location, topography, existing improvements, and natural features are adequate to accommodate the proposed use.

Based on these findings, staff concludes that the application complies with the applicable approval criteria, including the requirement that the characteristics of the site are suitable for the proposed use.

C. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use.

Staff Findings: The applicant is requesting a conditional use permit to construct a fuel station containing two (2) gasoline pumps, and one underground fuel storage tank in the south parking lot of the Hilltop Market.

The proposed development is considered timely, as adequate transportation systems, public facilities, and public services currently exist or are planned to serve the subject site. The property is located within the C-2 (Commercial Highway) zone along U.S. Highway 20, an area specifically intended to accommodate highway-oriented commercial uses with sufficient vehicular access. The proposed fuel station is located within the existing parking area of an established commercial use and will utilize existing access, circulation, and infrastructure.

Therefore, staff finds that the proposed development is timely given the availability and capacity of transportation systems, public facilities, and services in the area affected by the use.

D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.

Staff Findings: The subject property abuts Commercial Highway properties on all sides. There are multi-family residential units to the northeast of the property but not directly abutting the subject property.

The proposed use is compatible with the surrounding development and will not alter the character of the area or interfere with the continued use of neighboring properties.

Based on this information, staff finds that the application meets the applicable criteria.

E. Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.

Staff Findings: Staff has not identified any negative impacts to adjacent properties. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section IV of this report.

Based on the above information, staff finds that the application complies with these criteria.

17.104.060 CONDITIONS OF APPROVAL

In approving a conditional use permit application, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this chapter, additional conditions determined to be necessary to assure that the proposed development meets the decision criteria as well as the best interests of the surrounding properties, the neighborhood, and The City as a whole.

A. These conditions may include, but are not limited to, the following:

- 1. Requiring larger setback areas, lot area, and/or lot depth or width;***
- 2. Limiting the hours, days, place and/or manner of operation;***
- 3. Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor or dust;***
- 4. Limiting the building height, size or lot coverage, or location on the site;***
- 5. Designating the size, number, locations and/or design of vehicle access points, parking areas, or loading areas;***
- 6. Increasing the number of required parking spaces;***
- 7. Requiring street rights-of-way to be dedicated and streets, sidewalks, curbs, planting strips, pathways or trails to be improved, so long as findings in the development approval indicate how the dedication and/or improvements, if not voluntarily accepted by the applicant, are roughly proportional to the impact of the proposed development;***
- 8. Limiting the number, size, location, height and lighting of signs;***
- 9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;***

10. **Requiring fencing, screening, landscaping, berms, drainage, water quality facilities or other facilities to protect adjacent or nearby property, and the establishment of standards for their installation and maintenance;**
11. **Designating sites for open space or outdoor recreation areas;**
12. **Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and historic or cultural resources;**
13. **Requiring ongoing maintenance of buildings and grounds;**
14. **Setting a time limit for which the conditional use is approved.**

B. Uses existing prior to the effective date of this Chapter and classified in Title 17 as a conditional use shall meet the criteria for modification of approved plans and developments.

C. The Planning Commission may require the applicant of an approved conditional use permit to enter into an agreement with The City for public facility improvements.

Staff Findings: This provision of the SHMC allows the Planning Commission to impose conditions of approval. This is an opportunity for the Planning Commission to determine if conditions are needed to ensure compliance with the "decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval listed in Section IV of this report. These conditions are primarily a customized list of existing local, state, and federal standards that apply to the application.

IV. CONCLUSION AND RECOMMENDATION

If the Planning Commission approves this application, staff recommend that the conditions of approval listed below be required in order to ensure that the application is consistent with the findings in the Review and Decision Criteria (Section III) and as required by the Sweet Home Municipal Code and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria contained in Section III.

Recommended Conditions of Approval for CU25-02:

1. The applicant/property owner shall show safe and adequate vehicular access on the building permit site plan.
2. The applicant/property owner shall demonstrate that their development meets fire code, environmental and hazardous materials standards.
3. The applicant/property owner shall obtain and comply with all applicable local, state, and federal permits and requirements. Copies of all required permits and licenses shall be submitted to the Sweet Home Community and Economic Development Department for inclusion in the record for CU25-02.

V. PLANNING COMMISSION ACTION

In acting on a Conditional Use permit application, the Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section IV.

Appeal Period: Pursuant to ORS 227.175, the Planning Commission may establish an appeal period of not less than 12 days from the date the written notice of the Planning Commission's

decision is mailed. Staff's recommendation is that the Planning Commission's decision on this matter be subject to a **12-day appeal period** from the date that the notice of decision is mailed.

Order: After the Planning Commission decides, staff recommend that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval if the application is approved.

Motion: After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve application CU25-02; which includes adopting the findings of fact listed in the staff report and the conditions of approval listed in Section IV of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny application CU25-02; which includes adopting the findings of fact (specify), including the setting of a 12-day appeal period from the date of mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

VI. ATTACHMENTS

- A. Subject Property Map
- B. Application



SUBJECT PROPERTY

HWY 20

49TH AVE

48TH LP



1 inch = 105 feet

Subject Property Map
CU 25-02
4824 Hwy 20

Date: 11/17/25

14



Land Use Application

- Adjustment
- Annexation
- Comprehensive Plan Map Amendment
- Conditional Use
- Home Occupation
- Interpretations
- Nonconforming Uses
- Partition
- Property Line Adjustment
- Site Development Review
- Subdivisions and Planned Developments
- Text Amendments
- Variance
- Zone Map Amendment

Date Received: 11.17.25
 Date Complete: 11.18.25
 File Number: CU25-02
 Application Fee: \$650.00
 Receipt #: 6235
 Planning Commission Hearing Date: 01.15.26
 City Council Hearing Date:

Within 30 days following the filing of this application, the Planning Department will make a determination of completeness regarding the application. If deemed complete, the application will be processed.

Applicant's Name: Grishma Inc.
 Applicant's Address: 4824 Hwy 20, Sweet Home, OR 97386

Applicant's Phone Number: 707-396-9416
 Applicant's Email Address: nc.sudip@gmail.com

Property A

Owner's Name: Grishma Inc
 Owner's Address: 4824 Hwy 20, Sweet Home, Or 97386
 Owner's Phone Number: 707-396-9416
 Owner's Email: nc.sudip@gmail.com
 Property Address: 4824 Hwy 20, Sweet Home, OR 97386
 Assessor's Map and Tax Lot: 13S01E27-CB-01900 Tax Lot 345005
 Property Size Before: 0.54 Property Size After: 0.54
 Zoning Classification: C-2 Comprehensive Plan: C-2

Property B

Owner's Name: _____
 Owner's Address: _____
 Owner's Phone Number: _____
 Owner's Email: _____
 Property Address: _____
 Assessor's Map and Tax Lot: _____
 Property Size Before: _____ Property Size After: _____
 Zoning Classification: _____ Comprehensive Plan: _____

Nature of Applicant's Request

Narrative describing the proposed land use action: Brief description on this form and attach extra sheets if needed.
Application for establishing gas station.

I certify that the statements contained on this application, along with the submitted materials, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature: Saraswati
 Property Owner's Signature: Same
 Property Owner's Signature: _____
 Property Owner's Signature: _____

Date: 11-12-2025
 Date: _____
 Date: _____
 Date: _____

Site Analysis and Site Plan for:

4824 HWY 20, SWEET HOME, OR 97386

1. Project Overview

The proposal is to develop a **modern fueling facility with an upgraded Hill-Top Market convenience store** at the existing commercial property along **Highway 20**. The attached site plan illustrates a **double fueling forecourt** between Highway 20 and the Hill-Top Market building, with **clearly separated entry/exit drives**, organized parking, and generous landscaping.

2. Site Analysis (Existing Conditions & Context)

2.1 Location & Surrounding Uses

- The site fronts directly on **Highway 20**, a primary east–west arterial serving local and regional traffic.
- Land uses along this corridor are predominantly **highway-oriented commercial**, with scattered residential properties behind or across from the corridor.
- The parcel is currently occupied by **Hill-Top Market**, an operating convenience store, with existing parking and driveway access to Highway 20.

2.2 Access & Circulation

- Highway 20 provides the only vehicular access to the property.
- The concept plan organizes access as:
 - **Entry/Exit drive on the west side** of the site (two-way traffic).
 - **Entry/Exit drive on the east side** (two-way traffic).
- This **bi-directional loop** minimizes conflict points, provides good visibility for drivers, and allows vehicles to circulate around the fueling area and market without backing into traffic.

2.3 Topography, Drainage, and Utilities

- The site is generally **flat to gently sloping**, suitable for drive aisles, parking, and fueling pavement with minor grading.

- Existing development and roadway ditches indicate that onsite drainage currently flows toward Highway 20 and/or to the rear of the property; final grading and stormwater controls will be designed to **capture and treat runoff within the site**.
- As an existing commercial use, the property is already served by **underground water, municipal sanitary sewer, electrical power, and communications**. These services will be reused and upgraded as needed to accommodate the fueling facility.

2.4 Opportunities & Constraints

Opportunities

- High visibility and direct access from Highway 20.
- Existing commercial building footprint that can be retained or upgraded.

Constraints

- Direct frontage on a state highway requires **careful driveway spacing, queuing, and sight-distance** design.
- Fuel storage and dispensing must comply with **fire code and environmental regulations**, including setbacks from property lines and buildings.

3. Conceptual Site Plan Description (Based on Drawing)

3.1 Overall Organization

From north to south (top of the drawing down):

1. **Highway 20** – existing paved roadway.
2. **15-Foot Setback towards HWY 20** – green band on the site map shows 15 feet setback that will be paved for allowing the traffic to the pump.
3. **Fueling Area (Forecourt)** – paved forecourt with canopy and pump islands.
4. **Underground Storage Tank (UST) Zone** – centered behind pumps.
5. **Hill-Top Market Building** – existing convenience store building.
6. **Customer Parking Lot** – striped parking in front of the store, including an **accessible stall near the main entrance**.

This arrangement creates a **clear, linear sequence** from street → fueling → parking → store.

3.2 Vehicular Circulation

- **Entry/Exit:**
Vehicles enters/exits from Highway 20 via the **western driveway** or the **eastern driveway** shown on the map using orange color.
- **Fueling Forecourt:**
Vehicles move into the **central fueling pad** with pump islands under a canopy. The drive aisles allow vehicles to pull forward after fueling and merge into the exit path without reversing.
- **Service & Delivery:**
The looped circulation around the site allows **vehicles** to enter, service pumps and USTs, and exit by following the same two-way system, avoiding backing movements near public areas.

3.3 Fueling Facilities & Underground Storage Tank

- **Fueling Area:**
The beige forecourt zone contains the **canopy structure** and **fuel dispensers**, centrally located between the two driveway legs. This area is designed to be **highly visible from Highway 20** while still behind the 15-ft setback.
- **UST Location:**
The **Underground Storage Tank** is shown as a clearly defined, landscaped pad **behind the pump islands** in the middle of the forecourt.
 - This keeps the tanks **away from property lines** and allows safe, direct access for tanker trucks.
 - The plan anticipates **bollards, spill containment, and oil-water separation** as part of detailed design.

3.4 Building & Parking Layout

- **Hill-Top Market Building:**
 - Located in the lower portion of the site, centered on the main axis of the fueling area.
 - The front door faces south toward the pumps and is connected by a short, direct walking path.
- **Parking Lot:**

- A row of standard stalls is provided in front of the building, with an **ADA accessible space** and striped loading aisle directly adjacent to the store entrance.
- Additional stalls can be established along the east/west side of the building.
- Drive aisles are sized to allow comfortable two-way traffic and easy backing into/out of stalls.

3.5 Pedestrian Circulation & Safety

- Pedestrians arriving from **Highway 20** or adjacent sidewalks can use:
 - A defined crossing across HWY 20 already in place by ODOT.
- The layout keeps **pedestrian paths short and direct**, minimizing conflicts with vehicle turning movements.
- The canopy and building orientation allow for **good natural surveillance and lighting** across the entire forecourt and parking area.

3.6 Landscaping & Visual Screening

- The plan includes:
 - **Perimeter planting** around the fueling area and the market building, including corner landscape beds and islands that visually break up pavement.

This landscaping improves the appearance of the facility from the highway and neighboring properties while helping with stormwater infiltration and heat-island reduction.

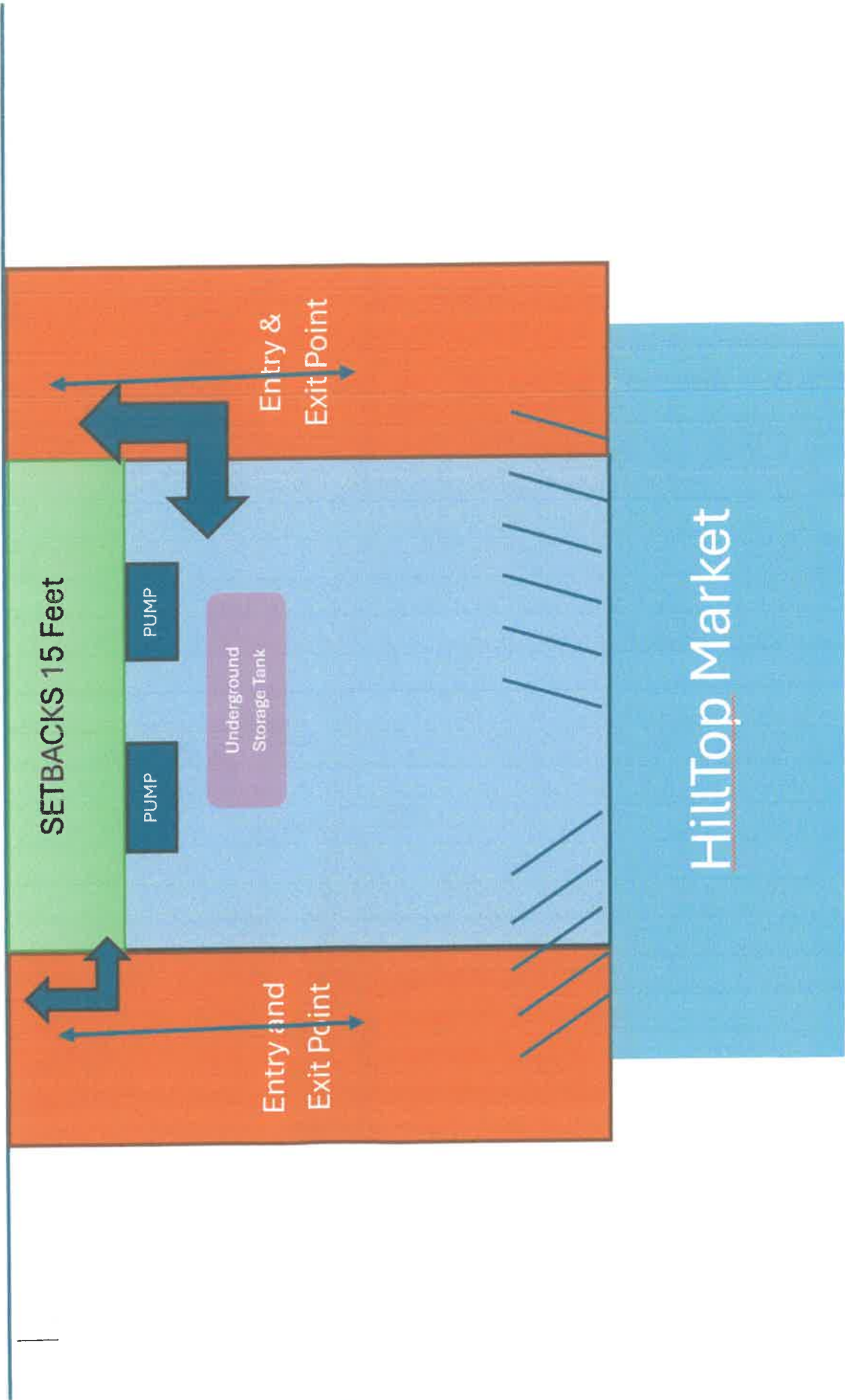
3.7 Lighting, Safety, and Operations (Conceptual)

- The canopy will have **recessed, full-cutoff LED lighting** directing light downward onto the fueling area.
- Pole lights in the parking lot will be **shielded and aimed** to avoid glare on adjacent properties and Highway 20.
- The clear, two-way circulation pattern, good sightlines, and separation of fueling/parking areas support **safe and efficient operations**.

4. Design Intent

The proposed site plan for Hill-Top Market organizes the development into a clear sequence from Highway 20 to the store: a 15-foot landscaped setback, a central fueling forecourt with canopy and dispensers, a centrally located underground storage tank area, and an upgraded Hill-Top Market convenience store with front and side parking. Vehicular access is provided by a two-way **entry/exit drive on the west and east**, creating a safe loop circulation pattern for customers and delivery trucks. The plan emphasizes safety, visibility, and compatibility with the Highway 20 corridor through generous landscaping, clear pedestrian connections, and controlled lighting, while maintaining efficient access for regional traffic and local neighborhood customers.

HWY 20





Staff Report Presented to the Planning Commission

REQUEST: The applicant is requesting a conditional use permit to construct an ADU (Accessory Dwelling Unit) approximately 800 square feet in size on the property located at 605 6th Avenue. The parcel currently contains approximately half of a 1,651 square foot preexisting, non-conforming residence that was constructed on the property line that separates the identified parcel (Tax Lot 5601), and the neighboring parcel (Tax Lot 5600). Once construction of the ADU is completed, the preexisting residence will be demolished, leaving the parcel without a primary residential use. Per SHMC Chapter 17.10.040(I) a conditional use is required for a secondary use on a lot without primary use. Tax lot 5601 contains approximately 11,960 square feet and is in the Residential Low-Density (R1) Zone.

Application CU25-03 is being filed concurrently but is not reliant on the approval of Application CU25-04.

APPLICANT AND

PROPERTY OWNER: Erin Miller

FILE NUMBER: CU25-03

PROPERTY LOCATION: 605 6th Avenue, located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor’s Map as 31CA, Tax Lot 5601.

REVIEW AND

DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.10.040(I), 17.104, 17.108, 17.126

HEARING DATE & TIME: January 15, 2026, at 6:30 PM

HEARING LOCATION: City Hall Council Chambers at 3225 Main Street, Sweet Home, Oregon 97386

STAFF CONTACT: Angela Clegg, Planning & Building Manager
 Phone: (541) 818-8029; Email: aclegg@sweethomeor.gov

REPORT DATE: January 8, 2026

I. PROJECT AND PROPERTY DESCRIPTION

ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:

| Property | Zoning Designation | Comprehensive Plan Designation |
|------------------|-------------------------------|--------------------------------|
| Subject Property | Residential Low Density (R-1) | Medium Density Residential |
| Property North | Residential Low Density (R-1) | Medium Density Residential |
| Property East | Residential Low Density (R-1) | Medium Density Residential |
| Property South | Residential Low Density (R-1) | Medium Density Residential |
| Property West | Residential Low Density (R-1) | Medium Density Residential |

Floodplain Based on a review of the FEMA flood insurance rate map; Panel 41043C0913G, dated September 29, 2010, the subject property is not in the Special Flood Hazard Area.

Wetlands: Based on a review of the Statewide Wetlands Inventory and a review of the National Wetlands Inventory Map, the subject property does not contain inventoried wetlands.

Access: The subject property has frontage on 6th Avenue and alley access from Elm Street.

Services: The subject property has City water and sewer services to the existing dwelling.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: December 8, 2025
 Notice Published in Newspaper: December 17, 2025
 Planning Commission Public Hearing: January 15, 2026
 120-Day Deadline: April 7, 2026
 Notice was provided as required by SHMC 17.126.01

II. COMMENTS

Building Division: No comments as of the issuance of this Staff Report.

CEDD Engineering: No comments as of the issuance of this Staff Report.

**Blake Patterson
Public Works Dept.** ADU must have its own sewer connection to our mainline, and a mainline water connection to the ADU must be established prior to demolition of primary structure.

Public Comments: No comments as of the issuance of this Staff Report.

III. REVIEW AND DECISION CRITERIA

The review and decision criteria for a conditional use permit are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

17.104.050 DECISION CRITERIA

A Conditional Use shall be approved if the applicant provides supporting evidence that all the requirements of this Development Code relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

A. The use is listed as a conditional use in the underlying district and complies with the development requirements of the underlying zone.

Staff Findings: The applicant is requesting a Conditional Use Permit to construct an approximately 800-square-foot Accessory Dwelling Unit (ADU) on the subject property. The parcel currently contains a 1,651-square-foot preexisting, nonconforming residence that was

constructed over the property line. Upon completion of the ADU, the existing residence will be demolished, resulting in a parcel without a primary residential dwelling.

The applicant is applying for a Conditional Use Permit pursuant to SHMC Chapter 17.10.040(I), which allows a secondary use on a lot without a primary use. The purpose of the R-1 (Residential Low Density) zone is to provide areas suitable for single-family homes, associated public service uses, and duplexes on corner lots. This zoning designation is intended for areas developed, or planned for development, with single-family residences at a density that supports public water and sewer services.

The proposed use is identified as a conditional use within the R-1 zone and is required to comply with the development standards set forth in SHMC Chapter 17.10.070. Staff finds that the proposed ADU meets the applicable development standards and is compatible with the purpose and intent of the Residential Low Density Zone.

Based on the above findings, staff concludes that the application complies with the applicable conditional use criteria.

B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features.

Staff Findings: Unless otherwise specified by this Development Code, the following minimum dimensional standards apply to all development within the R-1 zone: a minimum lot area of 7,000 square feet; a minimum lot width of 70 feet at the building line; a front yard setback of 15 feet; a garage/carport setback of 20 feet; interior side yard setbacks of 5 feet minimum with a combined total of 12 feet; a rear yard setback of 15 feet; and a maximum lot coverage of 40 percent.

There is no record of a completed property line adjustment to formally combine the subject tax lots. Staff contacted the Linn County Assessor's Office and confirmed that the lots were consolidated for tax billing purposes only. As a result, the existing residential dwelling is considered a preexisting, nonconforming structure that was constructed across the property line between Tax Lots 5600 and 5601.

The applicant applied for a tax lot segregation through Linn County, which was approved and resulted in the assignment of separate tax lots. The R-1 zone requires a minimum building line width of 70 feet; however, the building line for this lot is 65 feet. This reduced building line width is a preexisting, nonconforming condition and is permitted pursuant to SHMC 17.108.010.

An individual currently resides in the existing dwelling and will relocate to the proposed ADU upon its completion. The applicant proposes to demolish the existing residence once the ADU is constructed and resident is moved. Following demolition, a new primary dwelling is planned for construction on the site.

Staff finds that the site's size, shape, location, topography, existing improvements, and natural features are adequate to accommodate the proposed use.

Based on the above findings, staff concludes that the application complies with the applicable criteria.

C. *The proposed development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use.*

Staff Findings: The applicant is requesting a conditional use permit to construct an accessory dwelling unit (ADU) prior to the construction of a primary dwelling.

An existing primary dwelling is currently located on the property; however, it was constructed over the property line and is therefore nonconforming. An individual currently resides in this dwelling. The applicant proposes to construct the ADU first, relocate the resident into the ADU, and then demolish the existing nonconforming dwelling. A conditional use permit is required to allow a secondary dwelling in the absence of a primary dwelling.

The proposed development is considered timely. The applicant's approach allows for construction of the ADU without displacing the current resident. Additionally, adequate public services and access to the subject property currently exist.

Based on the above information, staff finds that the application complies with the applicable criteria.

D. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.*

Staff Findings: The subject property is bordered by single-family dwellings to the north, south, and west. To the east, across 6th Avenue, are additional single-family dwellings and a church. The proposed use is compatible with the surrounding development and will not alter the character of the area or interfere with the continued use of neighboring properties.

Based on this information, staff finds that the application meets the applicable criteria.

E. *Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.*

Staff Findings: Staff has not identified any negative impacts to adjacent properties. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section IV of this report.

Based on the above information, staff finds that the application complies with these criteria.

17.104.060 CONDITIONS OF APPROVAL

In approving a conditional use permit application, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this chapter, additional conditions determined to be necessary to assure that the proposed development meets the decision criteria as well as the best interests of the surrounding properties, the neighborhood, and The City as a whole.

A. *These conditions may include, but are not limited to, the following:*

- 1. Requiring larger setback areas, lot area, and/or lot depth or width;***
- 2. Limiting the hours, days, place and/or manner of operation;***

3. **Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor or dust;**
4. **Limiting the building height, size or lot coverage, or location on the site;**
5. **Designating the size, number, locations and/or design of vehicle access points, parking areas, or loading areas;**
6. **Increasing the number of required parking spaces;**
7. **Requiring street rights-of-way to be dedicated and streets, sidewalks, curbs, planting strips, pathways or trails to be improved, so long as findings in the development approval indicate how the dedication and/or improvements, if not voluntarily accepted by the applicant, are roughly proportional to the impact of the proposed development;**
8. **Limiting the number, size, location, height and lighting of signs;**
9. **Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;**
10. **Requiring fencing, screening, landscaping, berms, drainage, water quality facilities or other facilities to protect adjacent or nearby property, and the establishment of standards for their installation and maintenance;**
11. **Designating sites for open space or outdoor recreation areas;**
12. **Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and historic or cultural resources;**
13. **Requiring ongoing maintenance of buildings and grounds;**
14. **Setting a time limit for which the conditional use is approved.**

B. Uses existing prior to the effective date of this Chapter and classified in Title 17 as a conditional use shall meet the criteria for modification of approved plans and developments.

C. The Planning Commission may require the applicant of an approved conditional use permit to enter into an agreement with The City for public facility improvements.

Staff Findings: This provision of the SHMC allows the Planning Commission to impose conditions of approval. This is an opportunity for the Planning Commission to determine if conditions are needed to ensure compliance with the "decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval listed in Section IV of this report. These conditions are primarily a customized list of existing local, state, and federal standards that apply to the application.

IV. CONCLUSION AND RECOMMENDATION

If the Planning Commission approves this application, staff recommend that the conditions of approval listed below be required in order to ensure that the application is consistent with the findings in the Review and Decision Criteria (Section III) and as required by the Sweet Home Municipal Code and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria contained in Section III.

Recommended Conditions of Approval for CU25-03:

1. The applicant/property owner shall demolish the existing primary structure within 90 days of issuance of the Certificate of Occupancy for the ADU.
2. The applicant/property owner shall complete construction of the primary residential dwelling within two (2) years of issuance of the Certificate of Occupancy for the ADU. If needed, the

applicant/property owner may be granted either a one (1) year administrative extension or a two (2) year extension approved by the Planning Commission.

3. The ADU shall have its own sewer connection to the City mainline, and a mainline water connection to the ADU shall be established prior to demolition of primary structure.
4. The applicant/property owner shall obtain and comply with all applicable local, state, and federal permits and requirements. Copies of all required permits and licenses shall be submitted to the Sweet Home Community and Economic Development Department for inclusion in the record for CU25-03.

V. PLANNING COMMISSION ACTION

In acting on a Conditional Use permit application, the Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section IV.

Appeal Period: Pursuant to ORS 227.175, the Planning Commission may establish an appeal period of not less than 12 days from the date the written notice of the Planning Commission's decision is mailed. Staff's recommendation is that the Planning Commission's decision on this matter be subject to a **12-day appeal period** from the date that the notice of decision is mailed.

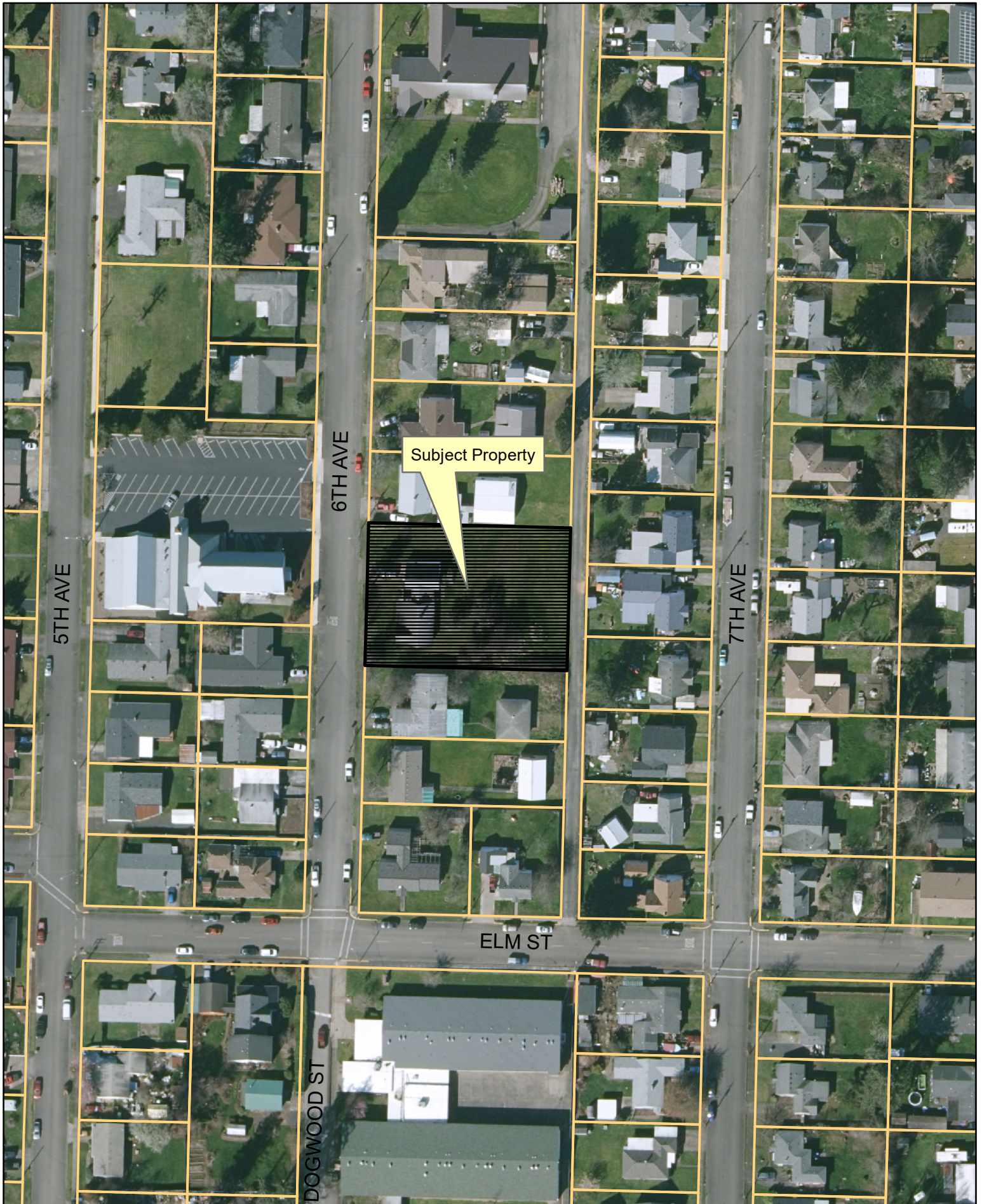
Order: After the Planning Commission decides, staff recommend that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval if the application is approved.

Motion: After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve application CU25-03; which includes adopting the findings of fact listed in the staff report and the conditions of approval listed in Section IV of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny application CU25-03; which includes adopting the findings of fact (specify), including the setting of a 12-day appeal period from the date of mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

VI. ATTACHMENTS

- A. Subject Property Map
- B. Application



Subject Property



1 inch = 111 feet

605 6th Ave

Date: 12/08/2025

28



City of Sweet Home

Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

Land Use Application

- Adjustment
- Annexation
- Comprehensive Plan Map Amendment
- Conditional Use
- Home Occupation
- Interpretations
- Nonconforming Uses
- Partition
- Property Line Adjustment
- Site Development Review
- Subdivisions and Planned Developments
- Text Amendments
- Variance
- Zone Map Amendment

Date Received: 12.01.25
 Date Complete: 12.02.25
 File Number: CU25-03
 Application Fee: \$650.00
 Receipt #: 6252
 Planning Commission Hearing Date: 01.15.26
 City Council Hearing Date: N/A

Within 30 days following the filing of this application, the Planning Department will make a determination of completeness regarding the application. If deemed complete, the application will be processed.

Applicant's Name:

Erin Miller

Applicant's Address:

900 Robbin Circle, McKinney, TX 75072

Applicant's Phone Number:

818.426.0012

Applicant's Email Address:

erinalexia@yahoo.com

Property A

Owner's Name:

Erin Miller

Owner's Address:

900 Robbin Circle, McKinney, TX 75072

Owner's Phone Number:

818.426.0012

Owner's Email:

erinalexia@yahoo.com

Property Address:

605 6th Ave., Sweet Home, OR 97386

Assessor's Map and Tax Lot:

13S01E31-CA-05601

Property Size Before:

11,960 SF

Property Size After:

11,960 SF

Zoning Classification:

R1

Comprehensive Plan:

R2

Property B

Owner's Name:

Owner's Address:

Owner's Phone Number:

Owner's Email:

Property Address:

Assessor's Map and Tax Lot:

Property Size Before:

Property Size After:

Zoning Classification:

Comprehensive Plan:

Nature of Applicant's Request

Narrative describing the proposed land use action: Brief description on this form and attach extra sheets if needed.

see attached letter and appedix

I certify that the statements contained on this application, along with the submitted materials, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature:

Erin Miller

Date:

12/01/2025

Property Owner's Signature:

Date

Property Owner's Signature:

Date

Property Owner's Signature:

Date



APPENDIX D

CONDITIONAL USE

A conditional use is one which is generally acceptable as a land use activity in a particular zone, but due to certain aspects of the activity, buffering, screening, time limitations or other conditions are necessary to ensure compatibility with adjacent property. Conditional uses are presumed to be allowed unless conditions to ensure their compatibility cannot be established. [SHMC 17.104.010]

Conditional Use shall be reviewed in accordance with the Type III review procedures specified in Chapter 17.126. [SHMC 17.104.020]

An application for a conditional use shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.126 [SHMC 17.104.030]

SHMC 17.104.040 SUBMITTAL REQUIREMENTS

The applicant is required to submit a summary for each of the following applicable criteria and submit the summary as a narrative with the Land Use Application. (Attach extra sheets, if needed)

The applicant shall prepare and submit an application, site plan, and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. The site plan shall show pertinent information to scale to facilitate the review of the proposed development.

- A. The following general information shall be shown on the site plan:
 - Vicinity map showing all streets, property lines and other pertinent data to locate the proposal.
 - North arrow and scale of drawing.
 - Tax map and tax lot number or tax account of the subject property.
 - Dimensions and size in square feet or acres of the subject property.
 - Location of all existing easements and City utilities (water, sanitary sewer, storm drainage) within the property.
 - Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.
 - A site plan clearly indicating the proposed location of the proposed conditional use including the dimensions of any existing, expanded, or new structure proposed to house the conditional use along with all site improvements including parking, lighting, screening, landscaping, etc.

B. Is the use listed as a conditional use in the underlying district and does it comply with the development requirements of the underlying zone? Explain:

(1710.04.0.1 - 2nd use without primary house) ADUs are a permitted accessory use in the zone. A conditional use permit is requested only to allow one ADU to be built before its

primary residence. The project will proceed in phases (one ADU, then one new home and the second ADU, then the final home). At completion, both lots will meet all development

standards with one primary dwelling and one ADU each.

C. Are the characteristics of the site suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features? Explain:

Yes. The site is well suited for the proposed use. It consists of a double lot with adequate size, flat topography, and existing utility access to support the planned redevelopment.

The lot configuration allows for logical placement of both primary residences and ADUs with proper setbacks, parking, and open space.

There are no natural constraints or site features that limit development, and all improvements can be constructed in compliance with the City's standards.

D. Is the proposed development timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use? Explain:

Yes. The development is timely: the site is served by existing streets, water, sewer, and storm facilities with sufficient capacity to support the proposed dwellings.

No major utility extensions or roadway upgrades are required.

The project aligns with local residential infill objectives and can be constructed without placing undue demand on public services.

E. The applicant shall address how the proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.

The proposed use will not alter the character of the surrounding area.

The project involves new single-family residences and ADUs consistent with the existing residential neighborhood.

Building scale, design, and setbacks will align with nearby homes, maintaining neighborhood character while improving overall housing quality and appearance.

F. The applicant shall address how any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.

Any potential impacts, such as construction activity or temporary access disruption, will be limited and managed through standard building and site development requirements.

All work will comply with City codes regarding noise, parking, drainage, and construction hours, ensuring compatibility with adjacent properties and minimal impact to the public.

Erin Miller

900 Robbin Circle
McKinney, TX 75072
erinalexia@yahoo.com
818.426.0012

12/01/2025

City of Sweet Home

Community and Economic Development Department
3225 Main Street
Sweet Home, OR 97386

Subject: Request for Variance and Conditional Use Permit – 605 6th Ave., Sweet Home, OR 97386

Dear Planning Department,

Project Summary

This letter serves as a formal request for approval of a variance and conditional use permit related to the redevelopment of my property located at 605 6th Ave., Sweet Home, OR 97386. The proposed project will restore the property’s original two-lot configuration and develop each lot with a new 3-bedroom, 2-bath single-family residence and a 2-bedroom, 2-bath accessory dwelling unit (ADU). The project will be completed in two phases to accommodate existing site conditions and to prevent displacement of the current tenant. Upon completion, the property will provide modern, energy-efficient housing for four families and contribute to Sweet Home’s housing supply through thoughtful infill development.

This letter is included in the submission package accompanying the **Conditional Use Permit Application** for this project.

Project Overview

The property currently consists of an existing double lot with one residential structure. I propose to replat the property back to its originally designed condition, creating two separate lots. Each lot will be improved with a new 3-bedroom, 2-bath primary residence (approx. 1,500–2,000 SF) and a 2-bedroom, 2-bath ADU (approx. 800 SF).

Due to existing conditions, the project will proceed in two phases:

- Phase 1: Construction of one (1) ADU at the rear of the property.
- Phase 2: Demolition of the existing residence and construction of one (1) new primary residence at the front of one lot and one (1) additional ADU on the other lot.

- Phase 3: Construction of the final primary residence on the remaining lot.

This phasing approach allows the existing tenant to remain housed throughout the project and ensures that construction occurs in a logical, compliant manner consistent with City requirements.

At completion, the property will provide two well-proportioned lots, each containing a main dwelling and an ADU.

Requested Approvals

1. **Conditional Use Permits:** Authorization to construct the ADUs prior to the completion of both primary residences. This sequencing is necessary to maintain tenant housing during construction and to manage the redevelopment efficiently. Once the first ADU is complete, the tenant will relocate into it, and the second ADU may be leased to help offset project costs.

Public Benefit

This project represents a significant private investment that supports the City's goals for infill housing, efficient land use, and increased housing options within the existing urban area. It will replace an aging structure with two modern, energy-efficient homes and two new ADUs, enhancing the neighborhood's appearance, livability, and long-term housing capacity.

Please advise if additional documentation, plans, or supporting materials are required to process this request. I appreciate your consideration and look forward to working with City staff to ensure the project aligns with the City's development standards and community objectives.

Sincerely,

Erin Miller

Erin Miller

Attachments:

- (2) Land Use Applications
- (2) Conditional Use Permit Applications
- (1) Tax Lot Segregation Request
- (1) Existing Site Plan
- (1) New Site Plan with Conceptual Layout



**LINN COUNTY
ASSESSMENT AND TAXATION**

P.O. Box 100; Albany, Oregon 97321
Phone: (541) 967-3808
FAX: (541) 917-7448
www.linncountyor.gov

Matt Pitcher
Assessor & Tax Collector

TAX LOT SEGREGATION REQUEST FORM

SEGREGATION REQUIREMENTS (Splitting of a tax lot into two or more lots)

This request only applies to previously platted lots (subdivisions, partition plats, etc.), and can only be created along the original lot lines of those plats.

The Assessor's Office must have this request form signed by the owner(s) (i.e. person(s) holding deeded title).

The signed request must include signatures of the majority of deeded title holders (tenants-in-common) in the parcel (i.e., if the parcel has two owners as tenants-in-common, we must have the signatures of both; if the parcel has three owners as tenants-in-common, we must have the signatures of two). Only one signature is required for property held by tenants-by-the-entirety (husband/wife).

Taxes must be paid in full; no taxes can be owing on the parcel(s) involved (ORS 308.210).

The DEADLINE for submitting segregation requests, to be worked for the coming tax roll, is in August.

I request the Assessor's Office restore lot(s) 5 & 6 Dunsmoor Addition

Of block 6th Avenue

In subdivision Dunsmoor Addition

City of Sweet Home Linn County, Oregon

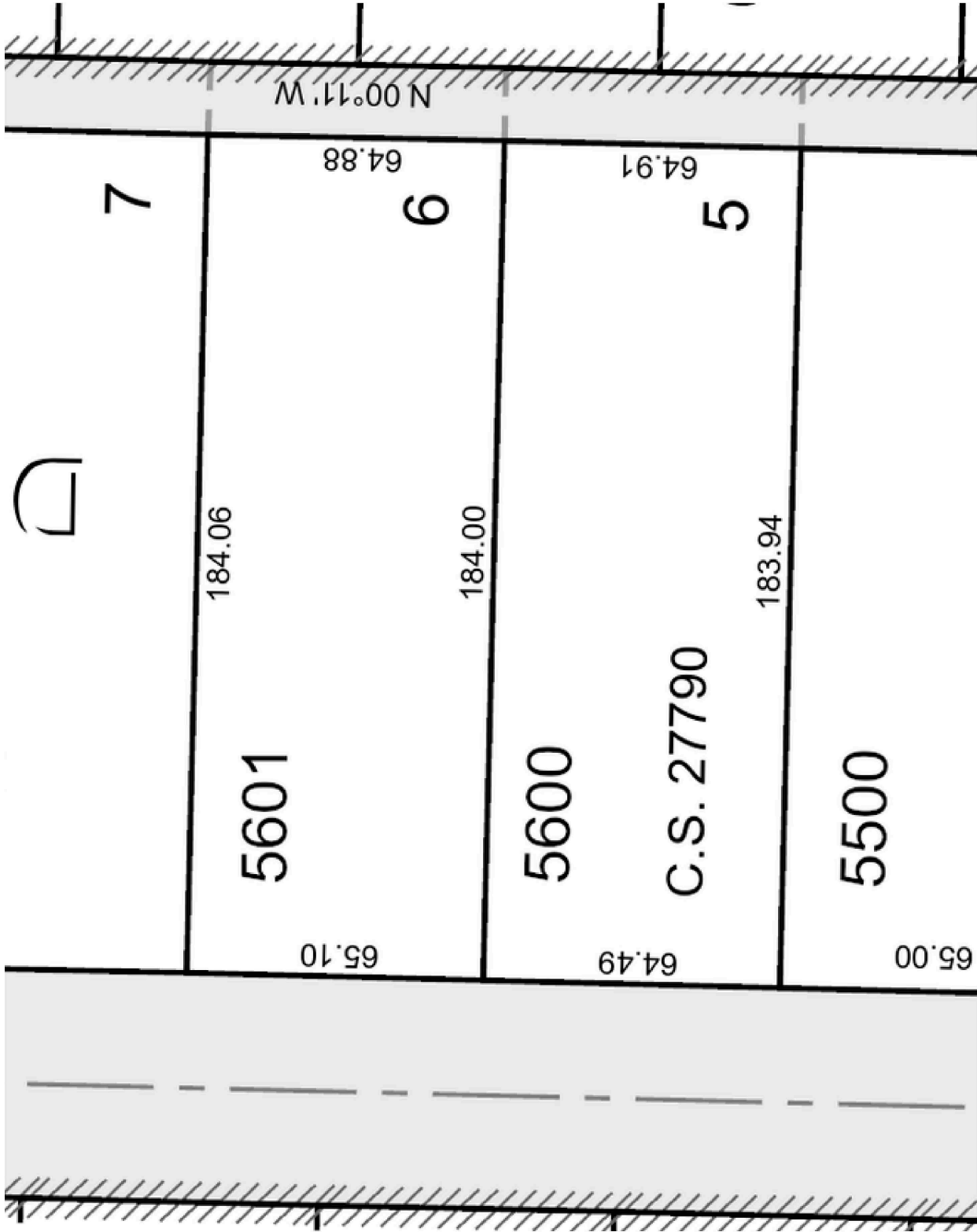
Linn County Tax Lot 5600 On map 31CA

Signature of owner(s) Erin Miller

Erin Miller

Date: 12/01/2025 Remarks: _____

THE ASSESSOR'S OFFICE RESERVES THE RIGHT TO REFUSE TO WORK THE ABOVE REQUEST IF ANY INFORMATION PROVIDED IS INCORRECT.



SWEET HOME

13S 1E 31CA

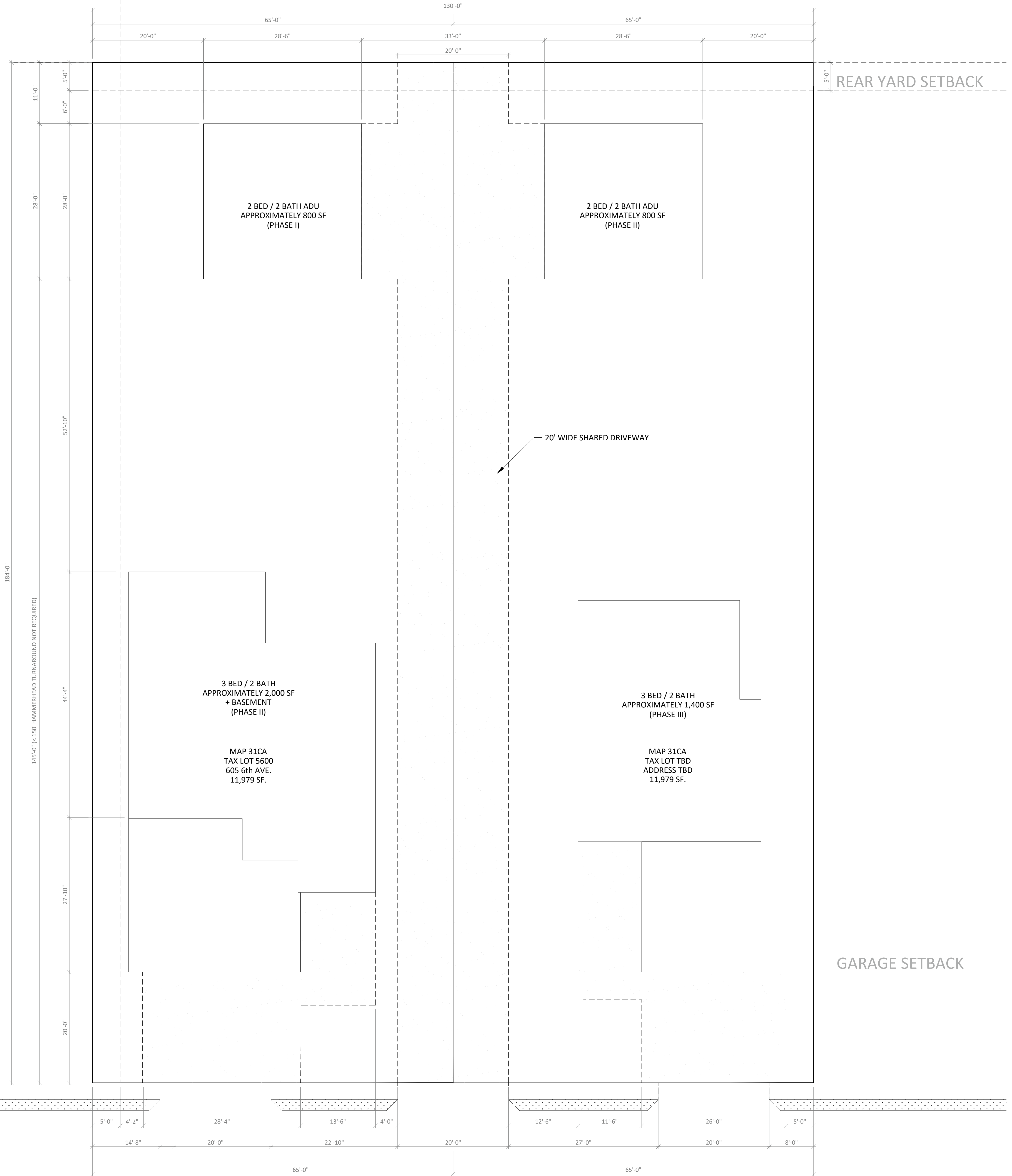
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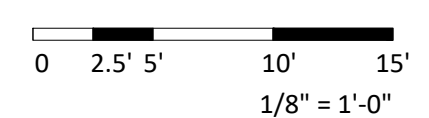
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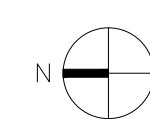
ALLEY

REAR YARD SETBACK

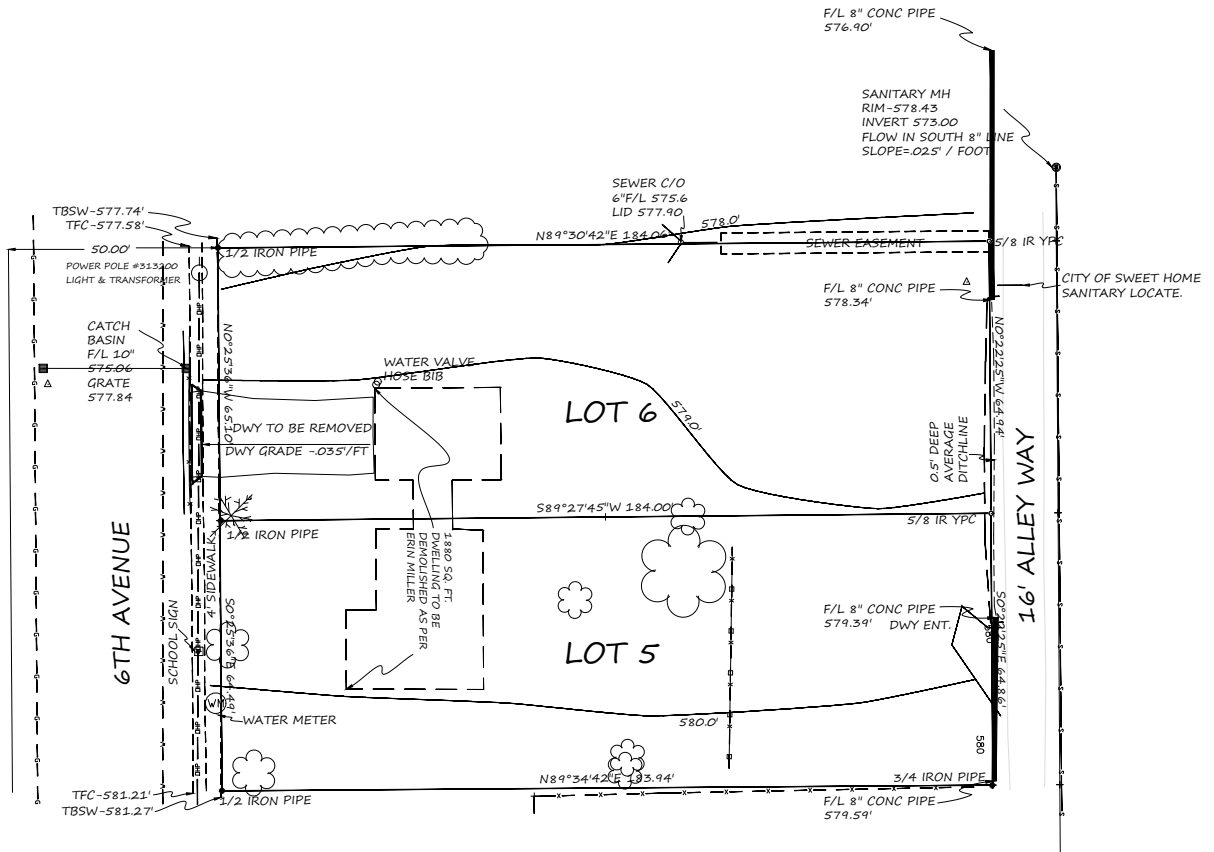
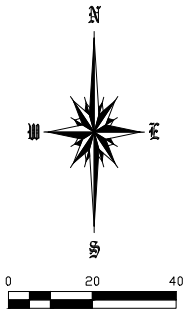


6th AVENUE




 605 6th Avenue
 Sweet Home, OR 97386

RESIDENTIAL SITE PLAN



NOTE:

THIS MAP PREPARED FOR CITY OF SWEET PANNING DEPARTMENT. FOR ANY FURTHER BOUNDARY DETAILS REFER TO LINN COUNTY SURVEY #27990. THE PROPERTY OWNER HAS CREATED A DRAWING OF THE PROPOSED NEW CONSTRUCTION, WHICH SHOWS ACCESS AND SET BACK DIMENSIONS TO PROPOSED BUILDINGS.

QZ LAND SURVEYING
 40686 HWY 228
 SWEET HOME
 OREGON 97386
 (541) 401-2233
 jwiseguys@gmail.com

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

CITY REVIEW

OREGON
 JULY 1, 2001
 JOHN MERRITT WISE
 SOT13
 EXPIRES: 6-30-2026

DATE: NOV. 21ST, 2025

ERIN MILLER
 LOTS 5 & 6 DUNSMOOR ADDITION TO SWEET HOME
 SW 1/4 SECTION 31, T.13S., R.1E., W.M.
 SWEET HOME, LINN COUNTY, OREGON.



Staff Report Presented to the Planning Commission

REQUEST: The applicant is requesting a conditional use permit to construct an ADU (Accessory Dwelling Unit) approximately 800 square feet in size on the property located at 599 6th Avenue. The parcel currently contains approximately half of a 1,651 square foot preexisting, non-conforming residence that was constructed on the property line that separates the identified parcel (Tax Lot 5600), and the neighboring parcel (Tax Lot 5601). Once construction of the ADU is completed, the preexisting residence will be demolished, leaving the parcel without a primary residential use. Per SHMC Chapter 17.10.040(I) a conditional use is required for a secondary use of a lot without primary use. Tax lot 5601 contains approximately 11,903 square feet and is located in the Residential Low-Density (R1) Zone.

Application CU25-04 is being filed concurrently but is not reliant on the approval of Application CU25-03.

APPLICANT AND

PROPERTY OWNER: Erin Miller

FILE NUMBER: CU25-04

PROPERTY LOCATION: 599 6th Avenue, located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor’s Map as 31CA, Tax Lot 5600.

REVIEW AND

DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.10.040(I), 17.104, 17.108, 17.126

HEARING DATE & TIME: January 15, 2026, at 6:30 PM

HEARING LOCATION: City Hall Council Chambers at 3225 Main Street, Sweet Home, Oregon 97386

STAFF CONTACT: Angela Clegg, Planning & Building Manager
 Phone: (541) 818-8029; Email: aclegg@sweethomeor.gov

REPORT DATE: January 8, 2026

I. PROJECT AND PROPERTY DESCRIPTION

ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:

| Property | Zoning Designation | Comprehensive Plan Designation |
|------------------|-------------------------------|--------------------------------|
| Subject Property | Residential Low Density (R-1) | Medium Density Residential |
| Property North | Residential Low Density (R-1) | Medium Density Residential |
| Property East | Residential Low Density (R-1) | Medium Density Residential |
| Property South | Residential Low Density (R-1) | Medium Density Residential |
| Property West | Residential Low Density (R-1) | Medium Density Residential |

Floodplain Based on a review of the FEMA flood insurance rate map; Panel 41043C0913G, dated September 29, 2010, the subject property is not in the Special Flood Hazard Area.

Wetlands: Based on a review of the Statewide Wetlands Inventory and a review of the National Wetlands Inventory Map, the subject property does not contain inventoried wetlands.

Access: The subject property has frontage on 6th Avenue and alley access from Elm Street.

Services: The subject property has City water and sewer services to the existing dwelling.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: December 8, 2025
Notice Published in Newspaper: December 17, 2025
Planning Commission Public Hearing: January 15, 2026
120-Day Deadline: April 7, 2026
Notice was provided as required by SHMC 17.126.01

II. COMMENTS

Building Division: No comments as of the issuance of this Staff Report.

CEDD Engineering: No comments as of the issuance of this Staff Report.

Public Works Dept. No comments as of the issuance of this Staff Report.

Public Comments: No comments as of the issuance of this Staff Report.

III. REVIEW AND DECISION CRITERIA

The review and decision criteria for a conditional use permit are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

17.104.050 DECISION CRITERIA

A Conditional Use shall be approved if the applicant provides supporting evidence that all the requirements of this Development Code relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

A. The use is listed as a conditional use in the underlying district and complies with the development requirements of the underlying zone.

Staff Findings: The applicant is requesting a Conditional Use Permit to construct an approximately 800-square-foot Accessory Dwelling Unit (ADU) on the subject property. The parcel currently contains a 1,651-square-foot preexisting, nonconforming residence that was constructed over the property line. Upon completion of the ADU, the existing residence will be demolished, resulting in a parcel without a primary residential dwelling.

The applicant is applying for a Conditional Use Permit pursuant to SHMC Chapter 17.10.040(l), which allows a secondary use on a lot without a primary use. The purpose of the R-1 (Residential Low Density) zone is to provide areas suitable for single-family homes, associated public service uses, and duplexes on corner lots. This zoning designation is intended for areas developed, or planned for development, with single-family residences at a density that supports public water and sewer services.

The proposed use is identified as a conditional use within the R-1 zone and is required to comply with the development standards set forth in SHMC Chapter 17.10.070. Staff finds that the proposed ADU meets the applicable development standards and is compatible with the purpose and intent of the Residential Low Density Zone.

Based on the above findings, staff concludes that the application complies with the applicable conditional use criteria.

B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features.

Staff Findings: Unless otherwise specified by this Development Code, the following minimum dimensional standards apply to all development within the R-1 zone: a minimum lot area of 7,000 square feet; a minimum lot width of 70 feet at the building line; a front yard setback of 15 feet; a garage/carport setback of 20 feet; interior side yard setbacks of 5 feet minimum with a combined total of 12 feet; a rear yard setback of 15 feet; and a maximum lot coverage of 40 percent.

There is no record of a completed property line adjustment to formally combine the subject tax lots. Staff contacted the Linn County Assessor's Office and confirmed that the lots were consolidated for tax billing purposes only. As a result, the existing residential dwelling is considered a preexisting, nonconforming structure that was constructed across the property line between Tax Lots 5600 and 5601.

The applicant applied for a tax lot segregation through Linn County, which was approved and resulted in the assignment of separate tax lots. The R-1 zone requires a minimum building line width of 70 feet; however, the building line for this lot is 65 feet. This reduced building line width is a preexisting, nonconforming condition and is permitted pursuant to SHMC 17.108.010.

An individual currently resides in the existing dwelling and will relocate to the proposed ADU on Tax Lot 5601 (605 6th Avenue). The applicant proposes to demolish the existing residence once the ADU is constructed and resident is moved. Following demolition, an ADU and a new primary dwelling are planned for construction on the site.

Staff finds that the site's size, shape, location, topography, existing improvements, and natural features are adequate to accommodate the proposed use.

Based on the above findings, staff concludes that the application complies with the applicable criteria.

C. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use.

Staff Findings: The applicant is requesting a conditional use permit to construct an accessory dwelling unit (ADU) prior to the construction of a primary dwelling.

An existing primary dwelling is currently located on the property; however, it was constructed over the property line and is therefore nonconforming. An individual currently resides in this dwelling. The applicant proposes to construct the ADU on Tax Lot 5601 first, relocate the resident into the ADU, and then demolish the existing nonconforming dwelling. Once the existing primary dwelling is demolished the applicant proposes to build an ADU on the subject property (Tax Lot 5600) prior to building a primary dwelling. A conditional use permit is required to allow a secondary dwelling in the absence of a primary dwelling.

The proposed development is considered timely. The applicant's proposal allows for construction of the ADU on Tax Lot 5601 without displacing the current resident. During a pre-application meeting with staff, the applicant stated that constructing the ADU prior to the primary dwelling on the subject property (Tax Lot 5600) could provide possible rental income to assist in financing the primary dwelling. In addition, adequate public services and access to the subject property currently exist.

Based on the above information, staff finds that the application complies with the applicable criteria.

D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.

Staff Findings: The subject property is bordered by single-family dwellings to the north, south, and west. To the east, across 6th Avenue, are additional single-family dwellings and a church. The proposed use is compatible with the surrounding development and will not alter the character of the area or interfere with the continued use of neighboring properties.

Based on this information, staff finds that the application meets the applicable criteria.

E. Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.

Staff Findings: Staff has not identified any negative impacts to adjacent properties. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section IV of this report.

Based on the above information, staff finds that the application complies with these criteria.

17.104.060 CONDITIONS OF APPROVAL

In approving a conditional use permit application, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this chapter, additional conditions determined to be necessary to assure that the proposed development meets the decision criteria as well as the best interests of the surrounding properties, the neighborhood, and The City as a whole.

A. These conditions may include, but are not limited to, the following:

- 1. Requiring larger setback areas, lot area, and/or lot depth or width;***
- 2. Limiting the hours, days, place and/or manner of operation;***

3. **Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor or dust;**
4. **Limiting the building height, size or lot coverage, or location on the site;**
5. **Designating the size, number, locations and/or design of vehicle access points, parking areas, or loading areas;**
6. **Increasing the number of required parking spaces;**
7. **Requiring street rights-of-way to be dedicated and streets, sidewalks, curbs, planting strips, pathways or trails to be improved, so long as findings in the development approval indicate how the dedication and/or improvements, if not voluntarily accepted by the applicant, are roughly proportional to the impact of the proposed development;**
8. **Limiting the number, size, location, height and lighting of signs;**
9. **Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;**
10. **Requiring fencing, screening, landscaping, berms, drainage, water quality facilities or other facilities to protect adjacent or nearby property, and the establishment of standards for their installation and maintenance;**
11. **Designating sites for open space or outdoor recreation areas;**
12. **Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and historic or cultural resources;**
13. **Requiring ongoing maintenance of buildings and grounds;**
14. **Setting a time limit for which the conditional use is approved.**

B. Uses existing prior to the effective date of this Chapter and classified in Title 17 as a conditional use shall meet the criteria for modification of approved plans and developments.

C. The Planning Commission may require the applicant of an approved conditional use permit to enter into an agreement with The City for public facility improvements.

Staff Findings: This provision of the SHMC allows the Planning Commission to impose conditions of approval. This is an opportunity for the Planning Commission to determine if conditions are needed to ensure compliance with the "decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval listed in Section IV of this report. These conditions are primarily a customized list of existing local, state, and federal standards that apply to the application.

IV. CONCLUSION AND RECOMMENDATION

If the Planning Commission approves this application, staff recommend that the conditions of approval listed below be required in order to ensure that the application is consistent with the findings in the Review and Decision Criteria (Section III) and as required by the Sweet Home Municipal Code and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria contained in Section III.

Recommended Conditions of Approval for CU25-04:

1. The applicant/property owner shall demolish the existing primary structure within 90 days of issuance of the Certificate of Occupancy for the ADU being constructed on Tax Lot 5601.
2. The applicant/property owner shall complete construction of the primary residential dwelling within two (2) years of issuance of the Certificate of Occupancy for the ADU on the subject

property (Tax Lot 5600). If needed, the applicant/property owner may be granted either a one (1) year administrative extension or a two (2) year extension approved by the Planning Commission.

3. The ADU shall have its own sewer connection to the City mainline, and a mainline water connection.
4. The applicant/property owner shall obtain and comply with all applicable local, state, and federal permits and requirements. Copies of all required permits and licenses shall be submitted to the Sweet Home Community and Economic Development Department for inclusion in the record for CU25-04.

V. PLANNING COMMISSION ACTION

In acting on a Conditional Use permit application, the Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section IV.

Appeal Period: Pursuant to ORS 227.175, the Planning Commission may establish an appeal period of not less than 12 days from the date the written notice of the Planning Commission's decision is mailed. Staff's recommendation is that the Planning Commission's decision on this matter be subject to a **12-day appeal period** from the date that the notice of decision is mailed.

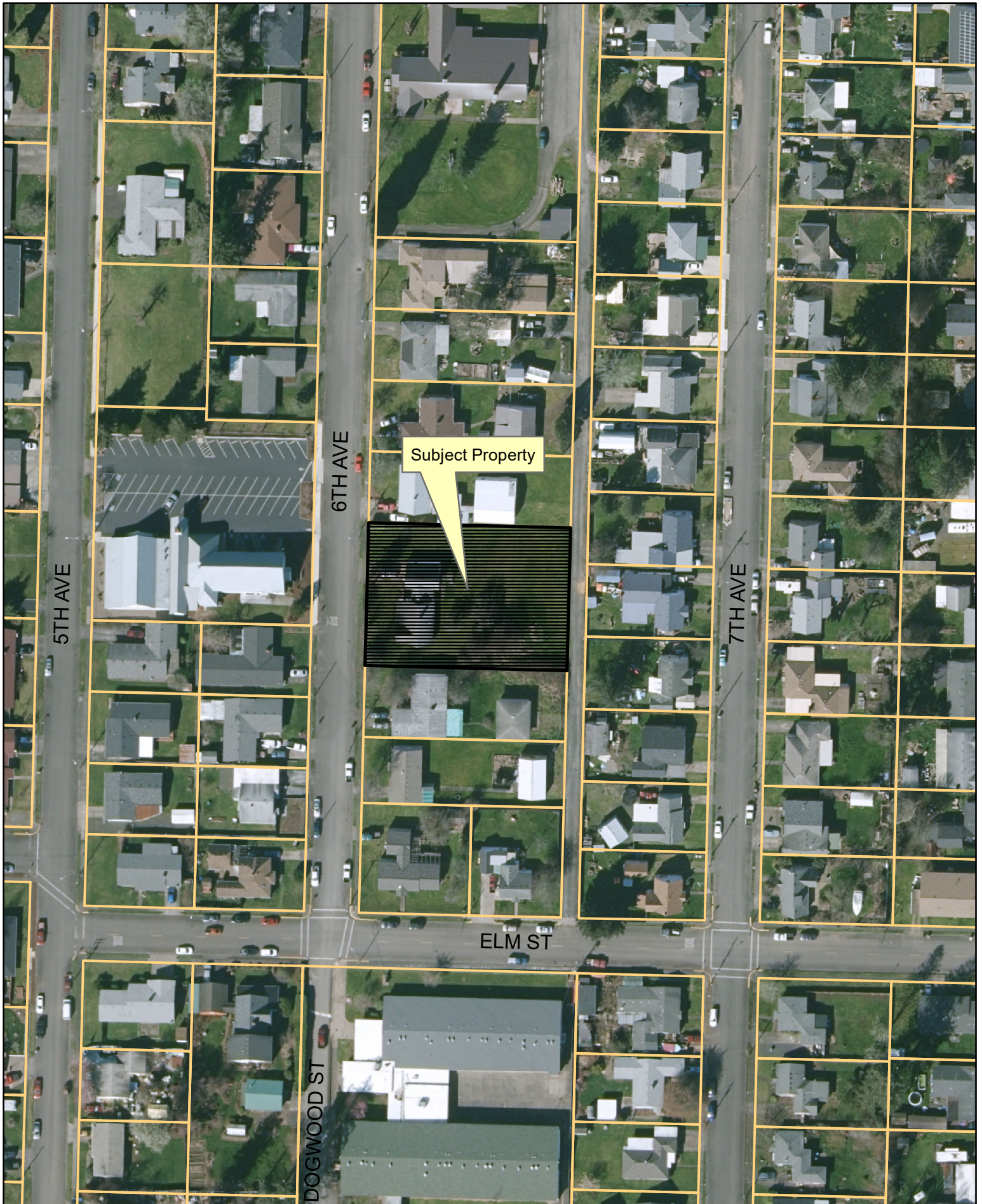
Order: After the Planning Commission decides, staff recommend that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval if the application is approved.

Motion: After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve application CU25-04; which includes adopting the findings of fact listed in the staff report and the conditions of approval listed in Section IV of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny application CU25-04; which includes adopting the findings of fact (specify), including the setting of a 12-day appeal period from the date of mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

VI. ATTACHMENTS

- A. Subject Property Map
- B. Application



Subject Property



1 inch = 111 feet

605 6th Ave

Date: 12/08/2025



City of Sweet Home

Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

Land Use Application

- Adjustment
- Annexation
- Comprehensive Plan Map Amendment
- Conditional Use
- Home Occupation
- Interpretations
- Nonconforming Uses
- Partition
- Property Line Adjustment
- Site Development Review
- Subdivisions and Planned Developments
- Text Amendments
- Variance
- Zone Map Amendment

Date Received: 12.01.25
 Date Complete: 12.02.25
 File Number: CU25-04
 Application Fee: \$325.00 (1/2)
 Receipt #: 6253
 Planning Commission Hearing Date: 01.15.26
 City Council Hearing Date: N/A

Within 30 days following the filing of this application, the Planning Department will make a determination of completeness regarding the application. If deemed complete, the application will be processed.

Applicant's Name:

Erin Miller

Applicant's Address:

900 Robbin Circle, McKinney, TX 75072

Applicant's Phone Number:

818.426.0012

Applicant's Email Address:

erinalexia@yahoo.com

Property A

Owner's Name:

Erin Miller

Owner's Address:

900 Robbin Circle, McKinney, TX 75072

Owner's Phone Number:

818.426.0012

Owner's Email:

erinalexia@yahoo.com

Property Address:

TBD, Sweet Home, OR 97386

Assessor's Map and Tax Lot:

13S01E31-CA-5600

Property Size Before:

11,903 SF

Property Size After:

11,903 SF

Zoning Classification:

R1

Comprehensive Plan:

R2

Property B

Owner's Name:

Owner's Address:

Owner's Phone Number:

Owner's Email:

Property Address:

Assessor's Map and Tax Lot:

Property Size Before:

Property Size After:

Zoning Classification:

Comprehensive Plan:

Nature of Applicant's Request

Narrative describing the proposed land use action: Brief description on this form and attach extra sheets if needed.

see attached letter and appedix

I certify that the statements contained on this application, along with the submitted materials, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature:

Erin Miller

Date:

12/01/2025

Property Owner's Signature:

Date

Property Owner's Signature:

Date

Property Owner's Signature:

Date



APPENDIX D

CONDITIONAL USE

A conditional use is one which is generally acceptable as a land use activity in a particular zone, but due to certain aspects of the activity, buffering, screening, time limitations or other conditions are necessary to ensure compatibility with adjacent property. Conditional uses are presumed to be allowed unless conditions to ensure their compatibility cannot be established. [SHMC 17.104.010]

Conditional Use shall be reviewed in accordance with the Type III review procedures specified in Chapter 17.126. [SHMC 17.104.020]

An application for a conditional use shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.126 [SHMC 17.104.030]

SHMC 17.104.040 SUBMITTAL REQUIREMENTS

The applicant is required to submit a summary for each of the following applicable criteria and submit the summary as a narrative with the Land Use Application. (Attach extra sheets, if needed)

The applicant shall prepare and submit an application, site plan, and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. The site plan shall show pertinent information to scale to facilitate the review of the proposed development.

- A. The following general information shall be shown on the site plan:
 - Vicinity map showing all streets, property lines and other pertinent data to locate the proposal.
 - North arrow and scale of drawing.
 - Tax map and tax lot number or tax account of the subject property.
 - Dimensions and size in square feet or acres of the subject property.
 - Location of all existing easements and City utilities (water, sanitary sewer, storm drainage) within the property.
 - Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.
 - A site plan clearly indicating the proposed location of the proposed conditional use including the dimensions of any existing, expanded, or new structure proposed to house the conditional use along with all site improvements including parking, lighting, screening, landscaping, etc.

B. Is the use listed as a conditional use in the underlying district and does it comply with the development requirements of the underlying zone? Explain:

(1710.04.0.1 - 2nd use without primary house) ADUs are a permitted accessory use in the zone. A conditional use permit is requested only to allow one ADU to be built before its

primary residence. The project will proceed in phases (one ADU, then one new home and the second ADU, then the final home). At completion, both lots will meet all development

standards with one primary dwelling and one ADU each.

C. Are the characteristics of the site suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features? Explain:

Yes. The site is well suited for the proposed use. It consists of a double lot with adequate size, flat topography, and existing utility access to support the planned redevelopment.

The lot configuration allows for logical placement of both primary residences and ADUs with proper setbacks, parking, and open space.

There are no natural constraints or site features that limit development, and all improvements can be constructed in compliance with the City's standards.

D. Is the proposed development timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use? Explain:

Yes. The development is timely: the site is served by existing streets, water, sewer, and storm facilities with sufficient capacity to support the proposed dwellings.

No major utility extensions or roadway upgrades are required.

The project aligns with local residential infill objectives and can be constructed without placing undue demand on public services.

E. The applicant shall address how the proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.

The proposed use will not alter the character of the surrounding area.

The project involves new single-family residences and ADUs consistent with the existing residential neighborhood.

Building scale, design, and setbacks will align with nearby homes, maintaining neighborhood character while improving overall housing quality and appearance.

F. The applicant shall address how any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.

Any potential impacts, such as construction activity or temporary access disruption, will be limited and managed through standard building and site development requirements.

All work will comply with City codes regarding noise, parking, drainage, and construction hours, ensuring compatibility with adjacent properties and minimal impact to the public.

Erin Miller

900 Robbin Circle
McKinney, TX 75072
erinalexia@yahoo.com
818.426.0012

12/01/2025

City of Sweet Home

Community and Economic Development Department
3225 Main Street
Sweet Home, OR 97386

Subject: Request for Variance and Conditional Use Permit – 605 6th Ave., Sweet Home, OR 97386

Dear Planning Department,

Project Summary

This letter serves as a formal request for approval of a variance and conditional use permit related to the redevelopment of my property located at 605 6th Ave., Sweet Home, OR 97386. The proposed project will restore the property’s original two-lot configuration and develop each lot with a new 3-bedroom, 2-bath single-family residence and a 2-bedroom, 2-bath accessory dwelling unit (ADU). The project will be completed in two phases to accommodate existing site conditions and to prevent displacement of the current tenant. Upon completion, the property will provide modern, energy-efficient housing for four families and contribute to Sweet Home’s housing supply through thoughtful infill development.

This letter is included in the submission package accompanying the **Conditional Use Permit Application** for this project.

Project Overview

The property currently consists of an existing double lot with one residential structure. I propose to replat the property back to its originally designed condition, creating two separate lots. Each lot will be improved with a new 3-bedroom, 2-bath primary residence (approx. 1,500–2,000 SF) and a 2-bedroom, 2-bath ADU (approx. 800 SF).

Due to existing conditions, the project will proceed in two phases:

- Phase 1: Construction of one (1) ADU at the rear of the property.
- Phase 2: Demolition of the existing residence and construction of one (1) new primary residence at the front of one lot and one (1) additional ADU on the other lot.

- Phase 3: Construction of the final primary residence on the remaining lot.

This phasing approach allows the existing tenant to remain housed throughout the project and ensures that construction occurs in a logical, compliant manner consistent with City requirements.

At completion, the property will provide two well-proportioned lots, each containing a main dwelling and an ADU.

Requested Approvals

1. **Conditional Use Permits:** Authorization to construct the ADUs prior to the completion of both primary residences. This sequencing is necessary to maintain tenant housing during construction and to manage the redevelopment efficiently. Once the first ADU is complete, the tenant will relocate into it, and the second ADU may be leased to help offset project costs.

Public Benefit

This project represents a significant private investment that supports the City's goals for infill housing, efficient land use, and increased housing options within the existing urban area. It will replace an aging structure with two modern, energy-efficient homes and two new ADUs, enhancing the neighborhood's appearance, livability, and long-term housing capacity.

Please advise if additional documentation, plans, or supporting materials are required to process this request. I appreciate your consideration and look forward to working with City staff to ensure the project aligns with the City's development standards and community objectives.

Sincerely,

Erin Miller

Erin Miller

Attachments:

- (2) Land Use Applications
- (2) Conditional Use Permit Applications
- (1) Tax Lot Segregation Request
- (1) Existing Site Plan
- (1) New Site Plan with Conceptual Layout



**LINN COUNTY
ASSESSMENT AND TAXATION**

P.O. Box 100; Albany, Oregon 97321
Phone: (541) 967-3808
FAX: (541) 917-7448
www.linncountyor.gov

Matt Pitcher
Assessor & Tax Collector

TAX LOT SEGREGATION REQUEST FORM

SEGREGATION REQUIREMENTS (Splitting of a tax lot into two or more lots)

This request only applies to previously platted lots (subdivisions, partition plats, etc.), and can only be created along the original lot lines of those plats.

The Assessor's Office must have this request form signed by the owner(s) (i.e. person(s) holding deeded title).

The signed request must include signatures of the majority of deeded title holders (tenants-in-common) in the parcel (i.e., if the parcel has two owners as tenants-in-common, we must have the signatures of both; if the parcel has three owners as tenants-in-common, we must have the signatures of two). Only one signature is required for property held by tenants-by-the-entirety (husband/wife).

Taxes must be paid in full; no taxes can be owing on the parcel(s) involved (ORS 308.210).

The DEADLINE for submitting segregation requests, to be worked for the coming tax roll, is in August.

I request the Assessor's Office restore lot(s) 5 & 6 Dunsmoor Addition

Of block 6th Avenue

In subdivision Dunsmoor Addition

City of Sweet Home Linn County, Oregon

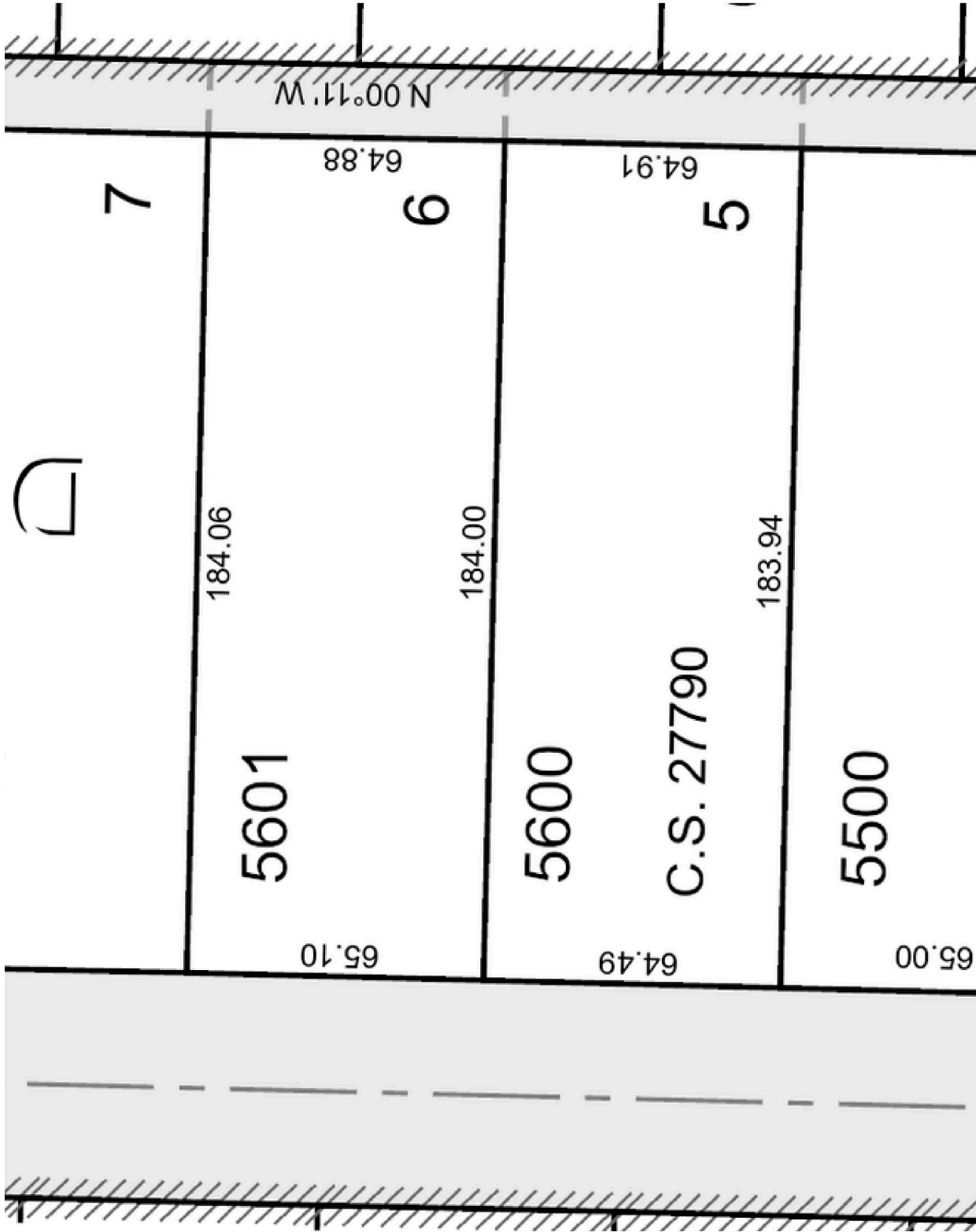
Linn County Tax Lot 5600 On map 31CA

Signature of owner(s) Erin Miller

Erin Miller

Date: 12/01/2025 Remarks: _____

THE ASSESSOR'S OFFICE RESERVES THE RIGHT TO REFUSE TO WORK THE ABOVE REQUEST IF ANY INFORMATION PROVIDED IS INCORRECT.



SWEET HOME

13S 1E 31CA

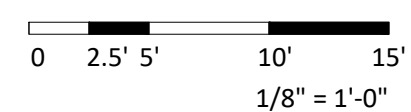
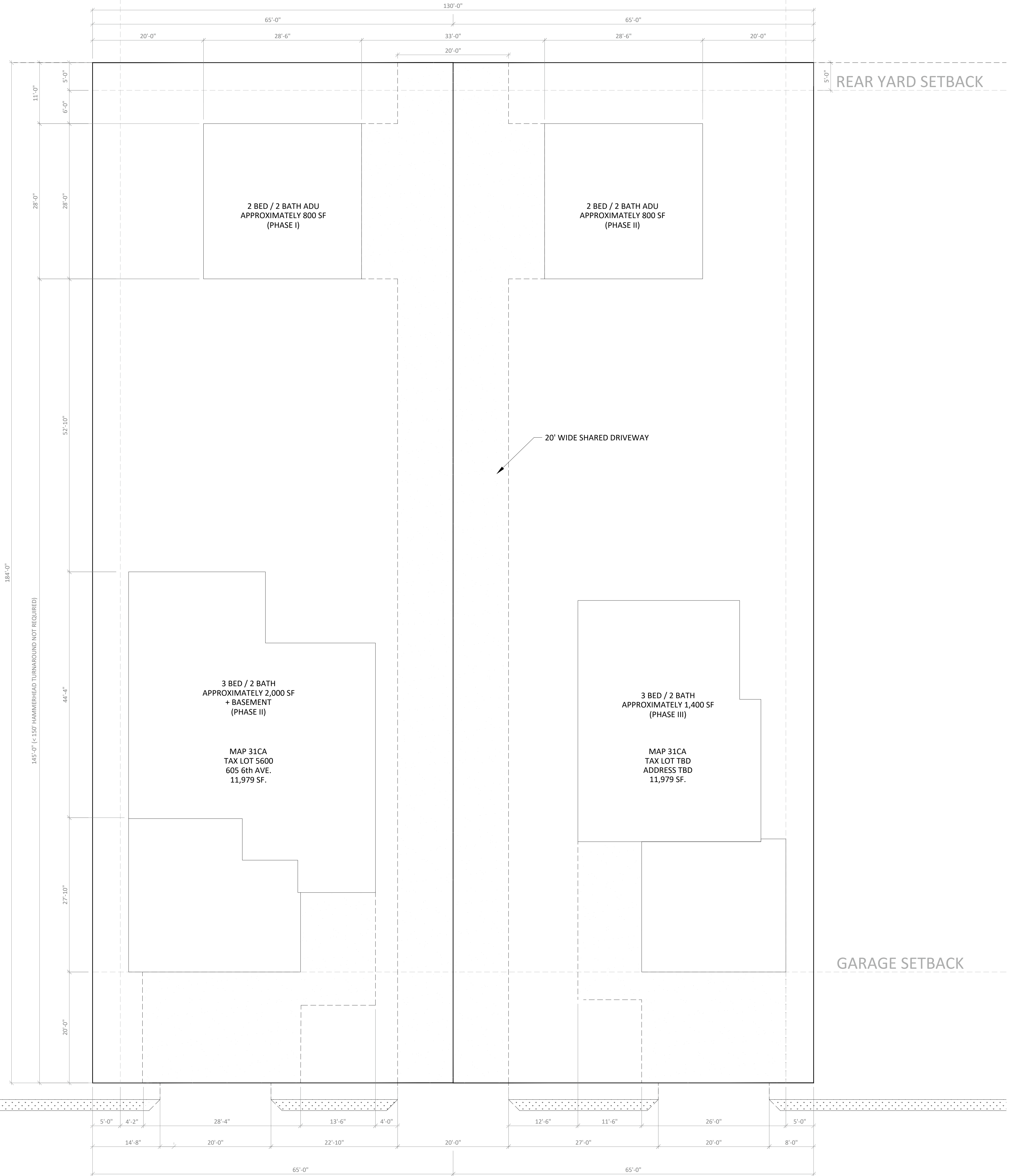
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SIDE YARD SETBACK

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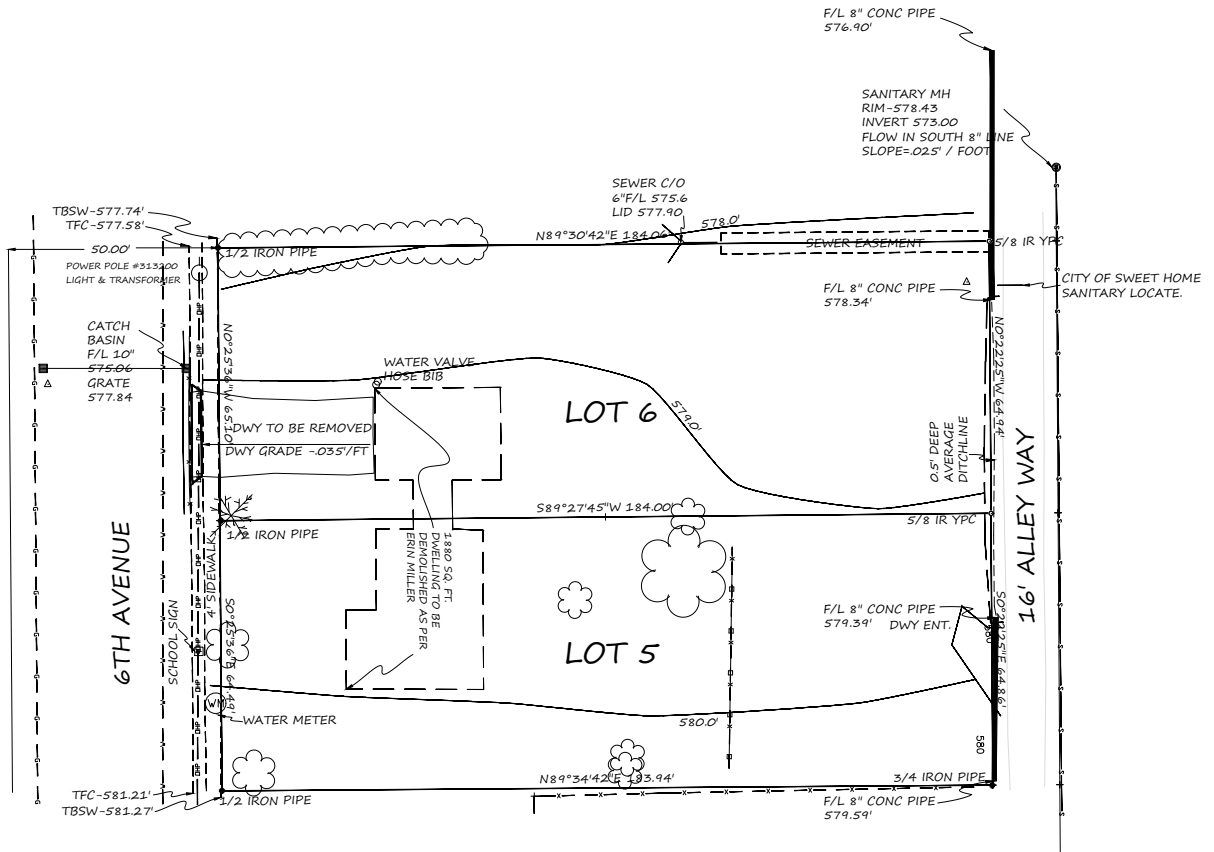
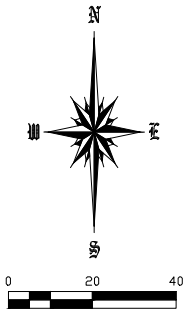
ALLEY

REAR YARD SETBACK



N
605 6th Avenue
Sweet Home, OR 97386

RESIDENTIAL SITE PLAN



NOTE:

THIS MAP PREPARED FOR CITY OF SWEET PANNING DEPARTMENT. FOR ANY FURTHER BOUNDARY DETAILS REFER TO LINN COUNTY SURVEY #27990. THE PROPERTY OWNER HAS CREATED A DRAWING OF THE PROPOSED NEW CONSTRUCTION, WHICH SHOWS ACCESS AND SET BACK DIMENSIONS TO PROPOSED BUILDINGS.

QZ LAND SURVEYING
 40686 HWY 228
 SWEET HOME
 OREGON 97386
 (541) 401-2233
 jwiseguys@gmail.com

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

CITY REVIEW

OREGON
 JULY 1, 2001
 JOHN MERRITT WISE
 SOT13
 EXPIRES: 6-30-2026

DATE: NOV. 21ST, 2025

ERIN MILLER
 LOTS 5 & 6 DUNSMOOR ADDITION TO SWEET HOME
 SW 1/4 SECTION 31, T.13S., R.1E., W.M.
 SWEET HOME, LINN COUNTY, OREGON.