



# CITY OF SWEET HOME PLANNING COMMISSION AGENDA

February 16, 2023, 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.

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## 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, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: 379 062 887#

## 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) [February 2, 2023 Meeting Minutes](#)

## Public Hearings

### Housing Needs Analysis Report / Application LA23-01 Housing Needs Analysis Comprehensive Plan Updates - Request for Continuation

## Staff Updates:

## Round Table Discussions (Committee 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.

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.

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*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.*

## 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

February 02, 2023, 6:30 PM  
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Sweet Home, OR 97386

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## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM

## Roll Call of Commissioners

### PRESENT

Henry Wolthuis  
Jeff Parker  
Todd Branson  
Eva Journey  
Jamie Melcher  
Laura Wood

### STAFF

Blair Larsen, Community and Economic Development Director  
Angela Clegg, Associate Planner

**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.

None

## Meeting Minutes:

- a) January 19, 2023 Meeting Minutes

A motion to approve the minutes as amended was made by Melcher, seconded by Wolthuis.

Voting Yea: 6

Voting Nay: 0

## Public Hearings

**Application LA22-02 - SHMC Chapter 17.75 Mobile Food Units**

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a) Application LA22-02 Staff Report & Draft Ordinance

The public hearing was opened at 6:34 PM.

Commissioner Parker asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Associate Planner Clegg gave a history of the Mobile Food Unit code. She asked the Commission if they would like staff to read the entire draft ordinance or if they would like to just discuss the proposed code. CEDD Director Larsen explained the reasoning and gave examples of where the code would be used. Discussion of the code was decided on. Clegg explained the usage of the Lebanon and Albany codes as examples, and Larsen discussed differences. Clegg explained the current process for approving a mobile food unit. The Commission discussed the wheel criteria and chose to modify the standards. The Commission discussed the exemptions with staff. Commissioner Wood asked for clarification on the umbrella and tent criteria in Section 17.75.110(E). Larsen explained the intent of the code. Melcher asked if there is any Land Use review or noticing to neighbors. Clegg responded that there is not, but the MFU needs to be outright permitted in the proposed zone. Larsen discussed the ADA requirements that may govern the site play layout. There was further discussion about site layout criteria. There was discussion about criteria for MFU's serving alcohol. Clegg informed the Commission that alcohol booths would fall under the OLCC guidelines. Journey proposed revisions to the definitions and asked for clarification of the right-of-way exemption. Larsen explained reasoning for the exemption. Wolthuis asked staff to explain what happens when an MFU closes for a temporary period. Staff explained the permitting and renewal process. There was discussion about how many days a food truck is allowed to operate before they obtain a permit. The Commission chose to amend 17.75.060(A) to read 3 instead of 2. The Commission asked to delete 17.75.110(A)(5) and revise 17.75.110(A)(3) to read wheels can be removed but must remain on site. Larsen discussed the steps for approval, and confirmed the changes suggested by the Commission.

Testimony in favor: none

Testimony in opposition: none

Neutral testimony: none

The public hearing was closed at 7:28 PM

A motion to approve Application LA22-02 as amended and recommend it to City Council was made by Melcher, seconded by Wood.

Voting Yea: 6

Voting Nay: 0

### **Sweet Home Municipal Code Carport Discussion**

Clegg informed the Commission that she researched the carport criteria as requested by the Commission at the January 19, 2023 meeting. Clegg stated that the issue of carports and open storage brought up by Mr. Victor at the January 19th meeting are governed by different criteria. Clegg and Larsen discussed the findings with the Commission. The Commission discussed the matter. The Commission decided to leave the carport criteria as is. It was requested of staff to send a letter to Mr. Victor to inform him of the Commission's decision. The Commission discussed the open storage criteria and code enforcement process with staff.

### **Staff Updates:**

Clegg gave an update on pending administrative applications.

Clegg gave an update on the code revisions and handed the Commissioners a revised Chapter 17.64 to replace in their code binders. The numbering format in 17.64 was incorrect on the printed sheets but is correct on the website.

Clegg asked the Commission if they would be willing to open the February 16th, 2023 Planning Commission meeting at 6:00 PM to allow for extra time for a work session. The Commission agreed to the time change.

Clegg and Larsen gave an update on the TSP committees and proposed meeting dates.

Larsen have an update on the Housing Needs Analysis and the possibility of a continuance of the Public Hearing at the February 16th Planning Commission meeting. Journey and Parker stated that they will be absent for that meeting.

Staff discussed the open Planning Commission position. The applicant must live within the City Limits.

**Round Table Discussions** (Committee comments about topics not listed on the agenda)

None

**Adjournment**

The meeting was adjourned 8:23 PM.

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Jeffrey Parker Chairperson  
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Associate Planner