



# CITY OF SWEET HOME PLANNING COMMISSION AGENDA

October 07, 2021, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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

## 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 541-367-5128, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: 947 077 522#

The Planning Commission will hold a meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. Individuals attending public meetings in person will be required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. To view the meeting online visit [live.sweethomeor.gov](http://live.sweethomeor.gov). If you don't have access to the internet, you can call in to +1 971-203-2871 and you'll be asked to choose option #1 to be logged in to the call. Meeting ID: 947 077 522#. This video stream and call-in options meet the requirements for Oregon public meeting law.

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## 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:

September 2, 2021

September 16, 2021

- a) [September 2, 2021 Meeting Minutes](#)
- b) [September 16, 2021 Meeting Minutes](#)

## Public Hearings

**Application CU21-11:** The applicant is requesting a conditional use permit to allow for an access easement for Proposed Parcel 3 of pending Partition P21-14. Per SHMC 16.12.030 (F), Access easements. Where no other practical access to lots or parcels exists, the city may allow an access easement for actual access to lots or parcels. Approval of an easement that is a joint use driveway may be approved pursuant to the standards listed in 17.08.100(C)(6). The subject property is in the Industrial (M) Zone. Conditional Use Application CU21-11 is pending the approval of Partition Application P21-14. Application P21-14 is being filed simultaneously with Application CU21-11.

- a) [CU21-11 Staff Report](#)

## Staff Updates on Planning Projects:

## 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

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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.*

meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

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

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

## Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
  - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:

**READ:** “The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.”

- Declarations by the Commission:
  - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
  - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
  - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
  - Review of application
  - Discussion of relative Criteria that must be used
  - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
  - Applicant's Testimony
  - Proponents' Testimony
    - Testimony from those wishing to speak in favor of the application
  - Opponents' Testimony
    - Testimony from those wishing to speak in opposition of the application
  - Neutral Testimony
    - Testimony from those that are neither in favor nor in opposition of the application.
  - Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
  - Motion
    - Approval
    - Denial
    - Approval with Conditions
    - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
  - Recommendation made by Planning Commission—City Council makes final decision.

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



# CITY OF SWEET HOME PLANNING COMMISSION MINUTES

September 02, 2021, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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The Planning Commission will hold a meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. Individuals attending public meetings in person will be required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. To view the meeting online visit [live.sweethomeor.gov](http://live.sweethomeor.gov). If you don't have access to the internet, you can call in to +1 971-203-2871 and you'll be asked to choose option #1 to be logged in to the call. Meeting ID: 379 062 887#. This video stream and call-in options meet the requirements for Oregon public meeting law.

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## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:31 PM

## Roll Call of Commissioners

### PRESENT

Greg Stephens  
Greg Korn (video)  
Eva Jurney (video)  
Henry Wolthuis  
Jeffrey Parker

### ABESENT

Jamie Melcher  
David Lowman

### STAFF

Associate Planner Angela Clegg  
Staff Engineer Joe Graybill

### GUESTS

Hayden Wooten, Reece and Associates, 321 1st Ave East, Suite 3A, Albany, OR 97321

**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: August 19, 2021

### a) 2021-08-19 Planning Commission Meeting Minutes

Motion to approve the minutes made by Wolthuis, Seconded by Stephens.

Roll Call voting yea: Stephens, Korn, Jurney Wolthuis, Parker

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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.*

## Public Hearings

**Application ZMA21-03:** The applicant is proposing to change the Zoning Map in an area consisting of approximately 62,291 square feet (1.43 acres) located in Sweet Home, OR 97386 (13S01E33A Tax Lot 600). The Sweet Home Zoning Map is proposed to change from the Low Density Residential (R-1) Zone to the Medium Density Residential Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application. Application ZMA21-03 is being filed simultaneously with Application SD21-02. Application SD21-02 is pending the approval of Application ZMA21-03.

**Application SD21-02:** The applicant is requesting to subdivide an approximately 1.42-acre property into eight lots ranging from approximately 5,277 square feet to approximately 7,928 square feet. The proposed subdivision's average lot size is approximately 6,270 square feet. With the pending approval of Zone Map Amendment Application ZMA21-03, the Proposed Subdivision would be in the Medium Density Residential Zone. Application SD21-02 is pending the approval of Application ZMA21-03. Application ZMA21-03 is being filed simultaneously with Application SD21-02.

### a) ZMA21-03 Staff Report

The Public Hearing was opened at 6:35 PM.

Commissioner Parker asked the Committee if there were any Exparte, Conflicts of Interest or Personal Bias, there was none.

Staff Report: Associate Planner Angela Clegg gave the staff report and stated the applicant is proposing to change the Zoning Map in an area consisting of approximately 62,291 square feet (1.43 acres) located in Sweet Home, OR 97386 (13S01E33A Tax Lot 600). The Sweet Home Zoning Map is proposed to change from the Low Density Residential (R-1) Zone to the Medium Density Residential Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application. Application ZMA21-03 is being filed simultaneously with Application SD21-02. Application SD21-02 is pending the approval of Application ZMA21-03.

Applicant's Testimony: Hayden Wooten with Reece and Associates, representing the applicant explained the zone change and explained the zone change is consistent with the City's long term plan.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

The Public Hearing was closed at 6:43 PM

Motion to approve the application made by Wolthuis, Seconded by Journey.

Roll Call Voting Yea: Stephens, Korn, Journey, Wolthuis, Parker

### b) SD21-02 Staff Report

The Public Hearing was opened at 6:46 PM.

Commissioner Parker asked of the Committee if there were any Exparte, Conflicts of Interest or Personal Bias, Wolthuis states that he drove by the property.

Staff Report: Associate Planner Angela Clegg gave the staff report and stated that the applicant is requesting to subdivide an approximately 1.42-acre property into eight lots ranging from approximately 5,277 square feet to approximately 7,928 square feet. The proposed subdivision's average lot size is approximately 6,270 square feet. With the pending approval of Zone Map Amendment Application ZMA21-03, the Proposed Subdivision would be in the Medium Density Residential Zone. Application SD21-02 is

pending the approval of Application ZMA21-03. Application ZMA21-03 is being filed simultaneously with Application SD21-02.

Applicant's Testimony: Hayden Wooten of Reece and Associates, representing the applicant explained the subdivision proposal and explained that the lots conform to the applicable municipal code standards.

Commissioner Wolthuis had questions about the property layout, the metal building and the road connectivity. Hayden Wooten explained the previous property line adjustment. Commissioner Journey clarified the property layout with staff and the applicant.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

The Public Hearing was closed at 7:04 PM

Commissioner Journey asked staff if there is anything about the application that needs to be emphasized. Associate Planner Clegg stated that there wasn't. There was further discussion by Commissioner Parker regarding the road connectivity and adding continuity to the area. Commissioner Wolthuis asked if 45th Avenue will connect. Staff Engineer Graybill stated that it will not connect at this time.

Motion to approve the application made by Wolthuis, Seconded by Korn.

Roll Call Voting Yea: Stephens, Korn, Journey, Wolthuis, Parker

### **Staff Updates on Planning Projects:**

Associate Planner Clegg gave an updates on Land Use actions and the Harvest Festival. Clegg Stated that Application ZMA21-02 was approved by the City Council.

### **Adjournment**

The meeting was adjourned at 7:14 PM.

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

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# CITY OF SWEET HOME PLANNING COMMISSION MINUTES

September 16, 2021, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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## Call to Order and Pledge of Allegiance

### Roll Call of Commissioners

#### PRESENT

Greg Korn (video)  
Jamie Melcher  
Greg Stephens (video)  
David Lowman

#### ABSENT

Henry Wolthuis  
Jeff Parker  
Eva Jurney

#### STAFF

Associate Planner Angela Clegg  
Community and Economic Development Director Blair Larsen

### Public Comment.

None

### Public Hearings

None

### Staff Updates on Planning Projects:

2020 Draft Code Review

### 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.

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**City of Sweet Home**

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

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**Staff Report Presented to the Planning Commission**

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**REQUEST:** The applicant is requesting a conditional use permit to allow for an access easement for Proposed Parcel 3 of pending Partition P21-14. Per SHMC 16.12.030 (F), *Access easements*. Where no other practical access to lots or parcels exists, the city may allow an access easement for actual access to lots or parcels. Approval of an easement that is a joint use driveway may be approved pursuant to the standards listed in 17.08.100(C)(6). The subject property is in the Industrial (M) Zone.

Conditional Use Application CU21-11 is pending the approval of Partition Application P21-14. Application P21-14 is being filed simultaneously with Application CU21-11.

**APPLICANT:** The City of Sweet Home

**PROPERTY OWNER:** The City of Sweet Home

**FILE NUMBER:** CU21-11

**PROPERTY LOCATION:** 1400 24<sup>th</sup> Avenue, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E29 Tax Lot 02201.

**REVIEW AND DECISION CRITERIA:** Sweet Home Municipal Code Section(s) 17.44.020, 17.44.030, 17.80.040

**HEARING DATE & TIME:** October 7, 2021 at 6:30 PM

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

**STAFF CONTACT:** Angela Clegg, Associate Planner  
Phone: (541) 367-8113; Email: [aclegg@sweethomeor.gov](mailto:aclegg@sweethomeor.gov)

**REPORT DATE:** September 30, 2021

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**I. PROJECT AND PROPERTY DESCRIPTION****ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:**

| Property         | Zoning Designation                                     | Comprehensive Plan Designation                      |
|------------------|--------------------------------------------------------|-----------------------------------------------------|
| Subject Property | Industrial (M)                                         | Planned Recreation Commercial                       |
| Property North   | Recreation Commercial (RC)                             | Planned Recreation Commercial                       |
| Property East    | Industrial (M)<br>Commercial Highway (C-2)             | Light Industrial<br>Highway Commercial              |
| Property South   | Commercial Highway (C-2)                               | Highway Commercial                                  |
| Property West    | Recreation Commercial (RC)<br>Commercial Highway (C-2) | Planned Recreation Commercial<br>Highway Commercial |

Floodplain Based on a review of the September 29, 2010 FEMA FIRM Maps; Panel 41043C0914G, the subject property is located outside of the 100-year floodplain.

Wetlands: Based on a review of the City of Sweet Home Local 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 and access along 44<sup>th</sup> Avenue.

Services: The property has access to City water and sewer services in 44<sup>th</sup> Avenue.

#### TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: September 8, 2021

Notice Published in Newspaper: September 15, 2021

Planning Commission Public Hearing: October 7, 2021

120-Day Deadline: December 25, 2021

Notice was provided as required by SHMC 17.12.120

## **II. COMMENTS**

**Building Division:** The Building Program has no issues with this request.

**Engineering Division:** Regarding the Conditional Use for 1400 24<sup>th</sup> Ave, the access to Lot 3 can only be by easement since Lot 2 is maxed out to its allowable depth (2.5x width). This leaves a remaining area that would be not very usable if not made into a separate parcel. CEDD-ES has no concerns with this Conditional Use application.

**Public Works Dept.** Since it is stated in the narrative that this will be a shared driveway, I recommend creating a deed restriction on Parcel 2 of the partition so that it can't have a driveway outside of the shared driveway easement area. Otherwise, there will likely end up being two driveways, and Public Works wants to minimize the number of driveways accessing the future arterial street that 24<sup>th</sup> Ave will become.

**Sweet Home Fire District:** The Fire District has no issues with this request.

## **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. The applicant's findings are included in their written statement included in Attachment D.

### **A. The request complies with the requirements of the underlying zone or overlay zone, city codes, state and federal laws. [SHMC 17.80.040(A)]**

Staff Findings: The subject property is in the M Zone. The applicant is requesting a conditional use permit to allow for an access easement for Proposed Parcel 3 of pending Partition P21-14. Per SHMC 16.12.030 (F), *Access easements*. Where no other practical access to lots or parcels exists, the city may allow an access easement for actual access to lots or parcels. Approval of an easement that is a joint use driveway may be approved pursuant to the standards listed in

17.08.100(C)(6).The subject property is in the Industrial (M) Zone. Conditional Use Application CU21-11 is pending the approval of Partition Application P21-14. Application P21-14 is being filed simultaneously with Application CU21-11.

For this application to comply with all applicable city codes and state and federal laws, this application may require additional permits. If this application is approved, staff recommends a condition of approval that prior to operation, the applicant shall obtain all required local, state, and federal permits. The applicant shall submit copies of all required permits and licenses to the Sweet Home Community and Economic Development Department for inclusion in the record of CU21-11.

**B. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering, but not limited to, the following:**

- 1. Building size;**
- 2. Parking;**
- 3. Traffic;**
- 4. Noise;**
- 5. Vibration;**
- 6. Exhaust and emissions;**
- 7. Light and glare;**
- 8. Erosion;**
- 9. Odor;**
- 10. Dust;**
- 11. Visibility;**
- 12. Safety;**
- 13. Building, landscaping or street features. [SHMC 17.80.040(B)]**

Staff Findings: The applicant is requesting a conditional use permit to allow for an access easement for Proposed Parcel 3 of pending Partition P21-14. Application P21-14 is being filed simultaneously with Application CU21-11.

Staff finds that the site size, dimensions, location, topography and access are adequate for the proposed use.

The application complies with this criterion.

**C. 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. [SHMC 17.80.040(C)]**

Staff Findings: Staff has not identified any negative impacts to adjacent properties. In order 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.

The application complies with this criterion.

**D. All required public facilities have adequate capacity, as determined by the city, to serve the proposed use. [SHMC 17.80.040(D)]**

Staff Findings: The subject property has access to City water and sewer. Staff finds that the proposed use has adequate capacity.

The application complies with this criterion.

**E. Home occupations must meet the following standards:**

**1. The home occupation shall be secondary to the residential use.**

Staff Findings: The applicant is not proposing a home occupation.

**2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.**

Staff Findings: The applicant is not proposing a home occupation.

**3. No materials or mechanical equipment shall be used which are detrimental to residential use of the dwelling or nearby dwellings because of vibration, noise, dust, smoke, odor, interference with the electrical grid, radio or television reception or other similar factors.**

Staff Findings: The applicant is not proposing a home occupation.

**4. Vehicles related to the home occupation shall be parked in a manner so as to not block any driveway or impede the safe flow of traffic.**

Staff Findings: The applicant is not proposing a home occupation.

**F. Marijuana facilities must be located in a fixed location. No temporary or mobile sites of any sort are allowed. [SHMC 17.80.040(F)]**

Staff Findings: The applicant is not proposing to establish a marijuana facility.

**G. Marijuana facilities may not have any drive-up services. [SHMC 17.80.040(G)]**

Staff Findings: The applicant is not proposing to establish a marijuana facility.

**H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school. [SHMC 17.80.040(H)]**

Staff Findings: The applicant is not proposing to establish a marijuana facility.

**I. Marijuana facilities must be sited on a property so as to be at least 100 feet from the boundary of any residentially zoned property. [SHMC 17.80.040(I)]**

Staff Findings: The applicant is not proposing to establish a marijuana facility.

**J. 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. [SHMC 17.80.050]**

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 in order 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." As specified in SHMC 17.80.050, conditions could include, but are not limited to: expanding setbacks, limiting hours of operation, requiring site or architectural design features, imposing additional sign standards, and so forth.

In order to ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of development listed in Section V of this report. These conditions are primarily a customized list of existing local, state, and federal standards that apply to the application.

**K. A conditional use permit shall be void one year after the date of the Planning Commission approval if the use has not been substantially established within that time period. [SHMC 17.80.070]**

Staff Findings: As required under this section, staff recommends that a condition of approval require that the conditional use permit shall be void one (1) year after the date of the Planning Commission approval if the use has not been substantially established, as defined under SHMC 17.80.070(A), within that time period. The City Planner may grant one extension of up to one year for a conditional use permit that contained a one-year initial duration upon written request of the applicant and prior to the expiration of the approved period. Requests other than a one-year request made prior to the expiration of the approved period must be approved by the Planning Commission. A conditional use permit not meeting the above time frames will be expired and a new application will be required.

#### **IV. CONCLUSION AND RECOMMENDATION**

If the Planning Commission approves this application, staff recommends 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 CU21-11:

1. Application P21-14, being filed simultaneously with application CU21-11, be approved by Administration.
2. The applicant shall create a deed restriction on Parcel 2 of Partition P21-14 to minimize the number of driveways accessing the future 24<sup>th</sup> Avenue arterial street.
3. The property owner shall obtain and comply with all other applicable local, state, and federal permits and requirements.

#### **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 V.

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 recommends 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 CU21-11; 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 applications CU21-11; 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 Site Plan
- B Subject Property Map
- C Application

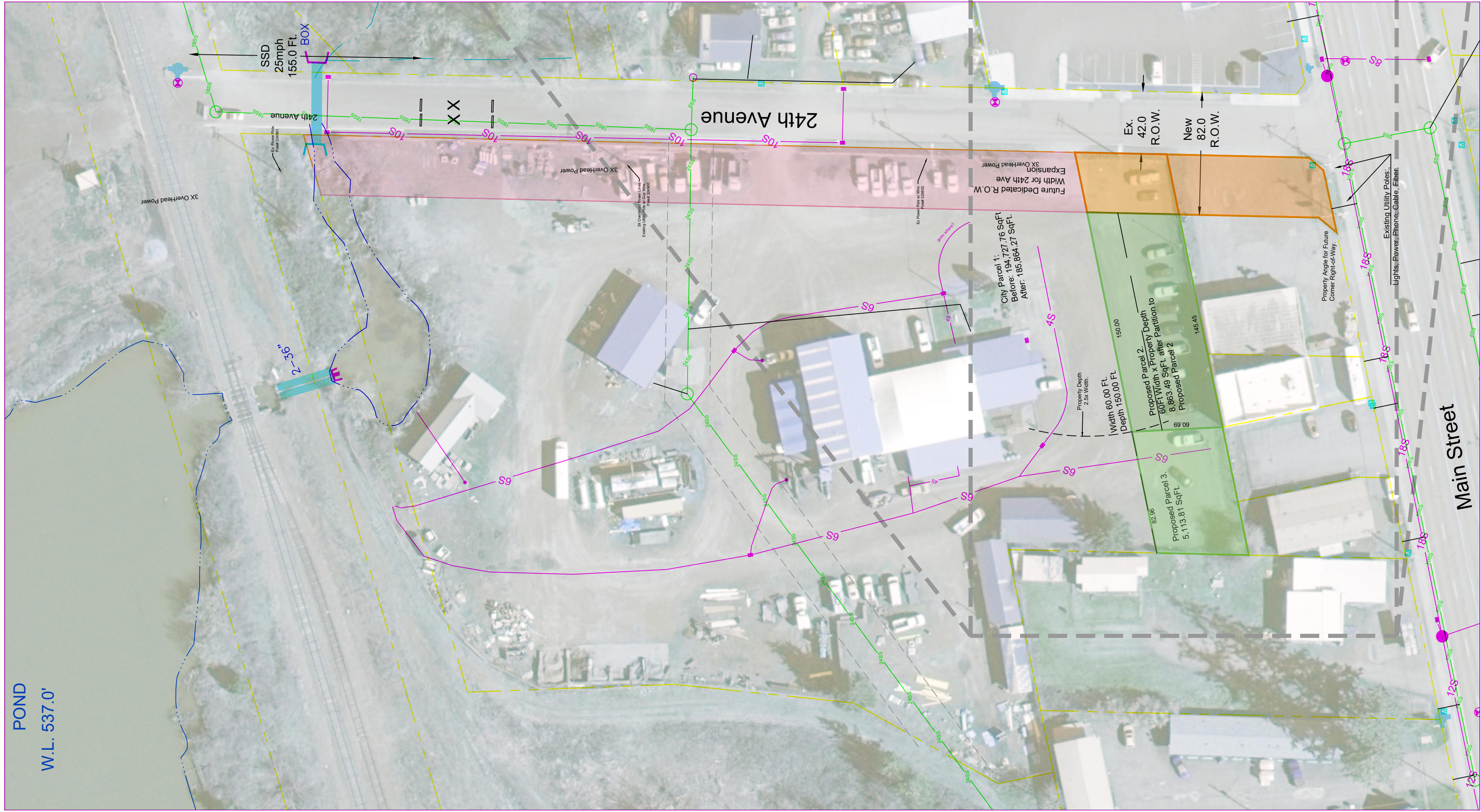


Subject Property Map  
CU21-11

Date: 8/27/21



1 inch = 222 feet



**City Maintenance Yard Land Partition**

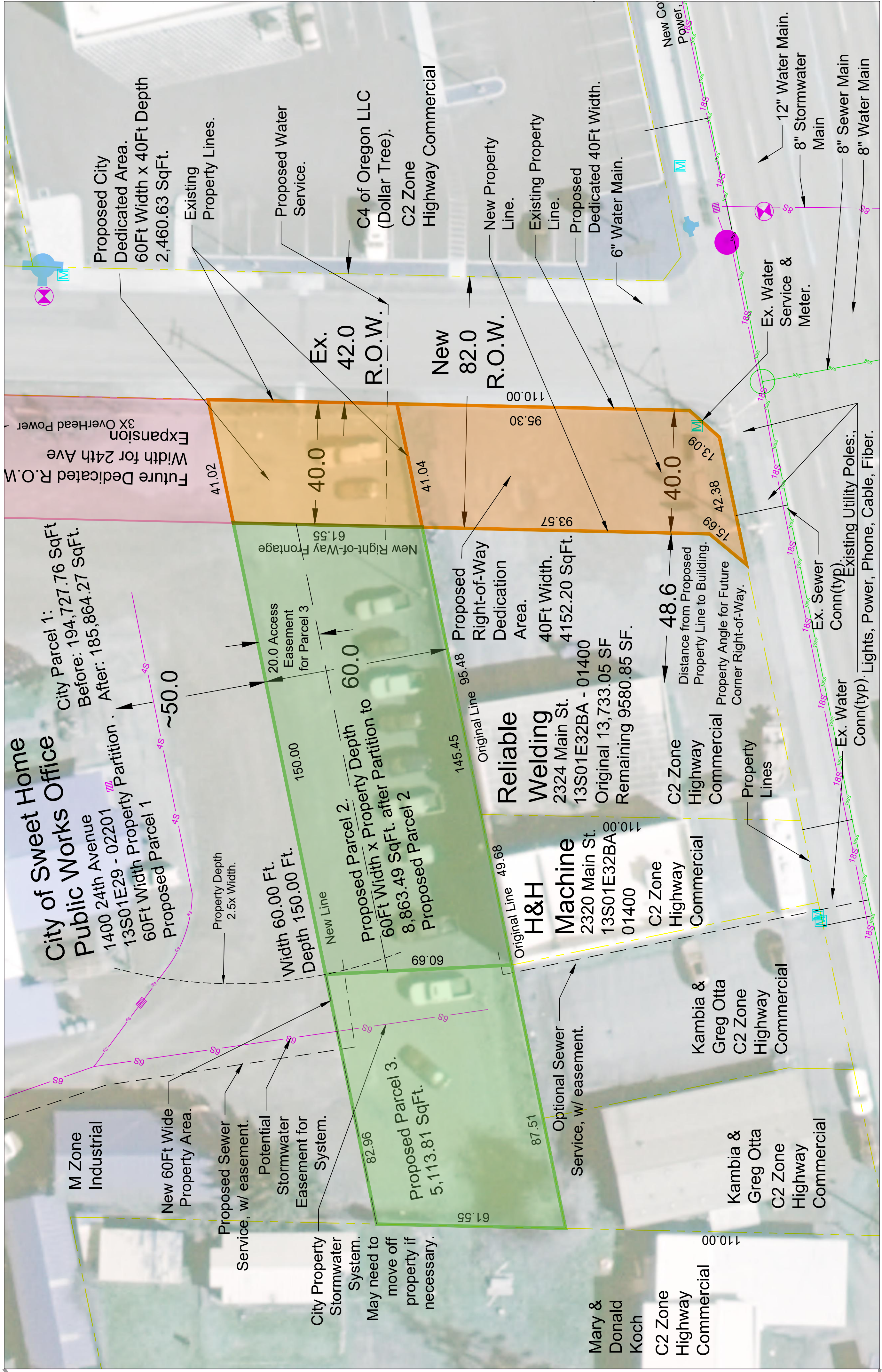
Horizontal Scale 1" = 50'

**Narrative:**

This Property Partition of the City of Sweet Home's Maintenance Service Yard will remove the south 60 ft from a portion of the yard. The maximum depth of Parcel 2 is 2.5x the average width, using 60 ft as the intended dimension, the maximum depth of Parcel 2 is 150.00 Ft. The large Parcel 1 will remain as the city yard facilities, the Parcel 2 partition area, which is the parking area, will be 1,324.12 SqFt. The Reliable Welding owners, will be dedicating the east 40Ft of their street frontage to 24th Avenue encompassing 4,152.20 SqFt. The City will also be dedicating a similar street frontage area of the east 40ft of the City parcel to the 24th Avenue Right-of-Way encompassing 2,460.63 SqFt, thus reducing the finished size of Parcel 2 to 8,863.49 SqFt. The remaining Parcel 3 with 5,113.81 SqFt, will be accessed by a 20Ft wide easement across Parcel 2.

**Legend: Area of Land Parcels.**

- Reliable Welding 24th Ave Dedication. 4,152.20 SqFt.
- City St 24th Ave Dedication 2,460.63 SqFt
- City Parcel 2 Pre-Dedication 11,324.12 SqFt
- City Parcel 2 Post-Dedication 8,863.49 SqFt
- City Parcel 3 5,113.81 SqFt



**Expanded Detail**

Horizontal Scale 1" = 20'

|                                                                                                 |      |              |       |
|-------------------------------------------------------------------------------------------------|------|--------------|-------|
| DWG No.<br>in Map Projects\City Hall\24th Ave Property Swap\Phase1_CityPartition_Sheet 2.2b.dwg | Rev. | Description. | Date. |
|                                                                                                 |      |              |       |
|                                                                                                 |      |              |       |
| PRINT DATE 09-10-2019                                                                           |      |              |       |
| SCALE 1" = 20'                                                                                  | SIZE |              |       |
| Drawn:                                                                                          | D    |              |       |
| Checked:                                                                                        |      |              |       |
| Approved:                                                                                       |      |              |       |
| SHPW1861                                                                                        |      |              |       |
| Approved:                                                                                       |      |              |       |

CITY OF SWEET HOME, Public Works Department  
City Engineer: David L. Smith, P.E.  
T: 541-367-6977, F: 541-367-6440



TITLE

City of Sweet Home  
**24th Avenue Economic Development Corridor**

PHASE I: RELIABLE WELDING - CITY OF SWEET HOME PARTITION AND LAND DEDICATION  
EXHIBIT A.

SHEET  
NUMBER

2.2f



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

### Application for a Conditional Use Permit

Date Received: 08.20.21  
Date Complete: 08.27.21  
File Number: CU21-11  
Application Fee \$: 615.00  
Receipt #: —  
Hearing Date: 10.07.21

**Applicant's Name:**

The City of Sweet Home

**Applicant's Address:**

3225 Main Street, Sweet Home, OR 97386

**Applicant's Phone and e-mail:**

541-367-8113, blarsen@sweethomeor.gov

**Subject Property Address:**

1400 24th Avenue, Sweet Home, OR 97386

**Subject Property Assessor's Map and Tax Lot:**

13S01E29 02201

**Subject Property Size:**

194,678 SF (4.48 acres)

**Subject Property: Zoning Classification**

Industrial (M) Zone

**Property Owner:**

The City of Sweet Home

**Owner's Address:**

3225 Main Street, Sweet Home, OR 97386

**Owner's Phone and email:**

541-367-8113, blarsen@sweethomeor.gov

### Nature of Applicants Request

**Narrative describing the proposed use:** Brief Description on this form and attach extra sheets if needed.

The parcel is to be split into two parcels requiring an access easement. A Partition application is being filed simultaneously.

The easement is permitted via a Conditional Use Permit.

**Impacts on the neighborhood:** Include traffic, parking, noise, odor, dust or other impacts. Brief Description on this form.

None

### Submittal Requirements

The checklist on the other side of this application lists the required items must be submitted with this application and the Criteria the request must meet. Please address all items that apply to this request.

**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:**

**Date:**

12 Aug 21

**Property Owner's Signature:**

**Date:**

12 Aug 21

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