



# CITY OF SWEET HOME CITY COUNCIL AGENDA

February 27, 2024, 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.

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## Meeting Information

This meeting contains an abbreviated agenda due to the City Council Work Session to consider priorities for the 2024-2025 budget cycle. The standard agenda content shall resume during the next regularly scheduled City Council meeting on March 12, 2024.

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 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: 258 239 814 274

This video stream and call-in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

### I. Call to Order and Pledge of Allegiance

### II. Roll Call

### III. Old Business

- a) [Request for Code Compliance Abatement Liens](#)

### IV. Ordinance Bills

- a) Third Reading of Ordinance Bills (Roll Call Vote Required)
  - i) [Third Reading for Zone Map Amendment ZMA23-04 – Ordinance Bill No. 2 for 2024 – Ordinance No. 1325](#)

### VI. Adjournment



# REQUEST FOR COUNCIL ACTION

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**Title:** Request for Code Compliance Abatement Liens

**Preferred Agenda:** February 27, 2024

**Submitted By:** Blair Larsen, Community & Economic Development Director

**Reviewed By:** Kelcey Young, City Manager

**Type of Action:** Resolution \_\_\_\_ Motion X Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:** SHMC Chapter 8.04-II Abatement Procedure

**Towards Council Goal:** N/A

**Attachments:**

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**Purpose of this RCA:**

The purpose of this request for Council action is to follow the procedure outlined in SHMC Chapter 8.04-II for the assessment of liens after City abatements.

**Background/Context:**

Chapter 8.04 of the Sweet Home Municipal Code outlines a number of nuisances that property owners must either clean up, or face fines or abatement of the nuisance. Abatements require the City to hire a private company to clean up the property, after which the City will invoice the property owner for the work done, plus an administrative fee. SHMC Chapter 8.04-II outlines the procedure for abating code violations.

When a property owner not only fails to maintain or clean up their property, but also fails to repay the City for the work needed to bring their property into compliance, the only way the City has to ensure it is made whole is to assess a lien on the property. With a lien in place, the City can ensure that it is either repaid when the property is later sold or pursue repayment through the foreclosure process.

At the February 13<sup>th</sup> Council Meeting, several properties were considered for potential liens. Liens were placed on three properties, and the fourth, the following property, was continued to the February 27<sup>th</sup> City Council meeting, pending further investigation.

**Address:** 1188 55<sup>th</sup> Ave

**Owner:** Eldred & Eugenia Ames (Deceased)

**Violations:** Dangerous Building, Burning and Burying Trash, Raw Sewage leaking from a structure, Junked Vehicles, Open Storage, Trash/garbage stored outside, Unlawfully Occupied RVs, General Nuisances.

**Abatement Costs:** \$29,410.46 plus 30% administrative costs, for a total of \$38,223.60.

1. CC was notified by the neighborhood of burning trash and raw sewage leaking from a property.
2. CC identified multiple additional violations of worse degree and severity.
3. CC attempted contact with any responsible party for 1188 55<sup>th</sup> Ave, none were found.
4. CC served an Administrative Search Warrant to identify all the violations in their entirety and the condition of the buildings themselves.
5. CC facilitated an abatement to abate 2 dangerous structures, board up a third, and clear the property of all the violations to the Municipal Code.
6. This included tremendous amounts of burnt and buried trash and garbage, a pool of raw sewage, and a large amount of general junk and debris.

**The Challenge/Problem:**

How does the City ensure that it is repaid for abatements conducted on violating properties?

**Stakeholders:**

- Sweet Home Residents – Residents deserve to live, work and shop in, on and around clean, well-maintained properties.
- Sweet Home Property Owners – Property owners are responsible for maintaining their properties.
- Sweet Home City Council – Council members are the voice of the citizens they serve and represent and are responsible for ensuring members of the public are heard, especially when it has long term effects on their property.
- Sweet Home City Staff – Staff are tasked with enforcing City Code and using public funds responsibly.

**Issues and Financial Impacts:**

The costs associated with this property amounts to \$38,223.60. not including staff time. If no additional lien is placed on the affected property, the City is unlikely to be repaid, and this funding would be lost. If a lien is placed, and the money is repaid, then the City will have additional funding brought into the General Fund that can be budgeted for future City services.

**Elements of a Stable Solution:**

An ideal outcome would be to follow the Sweet Home Municipal Code, hear from affected property owners, and place an appropriate lien on the affected properties.

**Options:**

1. Do Nothing – Assess no liens on the affected properties. This would cause the City to lose the funding it has expended to bring these properties into compliance.
2. Direct the City Recorder to enter the following charges in the City lien docket as a lien upon the following lot or parcel of land:
  - a. 1188 55<sup>th</sup> Avenue: \$29,410.46 in abatement costs, plus 30% administrative costs, for a total of \$38,223.60.
3. Assess liens on specified properties in specified amounts.

**Recommendation:**

Staff recommends option 2: Direct the City Recorder to enter the following charges in the City lien docket as a lien upon the following lot or parcel of land:

- a. 1188 55<sup>th</sup> Avenue: \$29,410.46 in abatement costs, plus 30% administrative costs, for a total of \$38,223.60.



# REQUEST FOR COUNCIL ACTION

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**Title:** 3<sup>rd</sup> Reading for Zone Map Amendment ZMA23-04, Ordinance Bill No. 2 for 2024, Ordinance No. 1325

**Preferred Agenda:** February 27, 2024

**Submitted By:** Angela Clegg, Tourism & Economic Development Coordinator

**Reviewed By:** B. Larsen, CEDD Director

**Type of Action:** Resolution \_\_\_\_ Motion X Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:** SHMC 2.04.030 Powers of the City Council

**Towards Council Goal:** Vision Statement, Aspiration I: Desirable Community

**Attachments:** Ordinance No. 2 for 2024, with Exhibit A

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**Purpose of this RCA:**

The purpose of this RCA is to conduct the 3<sup>rd</sup> reading of Ordinance Bill No. 2 for 2024, Ordinance No. 1325 for Zone Map Amendment Application ZMA23-03.

**Background/Context:**

The applicant is proposing to change the Zoning Map in an area consisting of approximately 88,577 square feet (2.02 acres) located in Sweet Home, OR 97386 (13S01E32AC Tax Lot 4900). The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Residential High Density (R-3) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation.

The Sweet Home Planning Commission held a public hearing on November 16, 2023 to review ZMA23-03 and receive testimony. At that meeting, the Planning Commission approved the application and recommended that the City Council approve it. The Sweet Home Municipal Code requires the City Council to hold a public hearing and decide on this application.

The City Council held a public hearing on December 12, 2023 to review ZMA23-03 and hear testimony. The Councilors did not make a motion at the December 12<sup>th</sup> meeting. The City Council held a second public hearing on January 23, 2024, approved the application, and performed the 1<sup>st</sup> reading of Ordinance Bill No. 2 for 2024.

The Sweet Home Comprehensive Plan guides official policy decisions about development within the area. The Plan aims to organize and coordinate complex interrelationships between people, land, resources, and facilities to meet the future needs of the citizens and to protect the

livability of the community. The Plan also reflects the public's goals and aspirations for Sweet Home about the best way to handle development and conservation in the City. The officially acknowledged Comprehensive Plan gives policy direction for land use decisions and coordinates private and public development. [Chapter 1, Page 1 of the Comprehensive Plan].

The Sweet Home Municipal Code provides criteria for map amendments such as this:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and
- D. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals

**The Challenge/Problem:**

Should the zoning map be changed from the current Residential Low Density (R-1) designation to Residential High Density (R-3), in accordance with the Comprehensive Plan Map designation for the property? Should the Comprehensive Plan designations be followed if the proposed amendment is consistent with the goals and policies of the comprehensive plan?

**Stakeholders:**

- The Owner/Developer: Changing the zoning to conform with the Comprehensive Plan would allow the owner to benefit from the higher density permitted in the R-3 zone.
- Sweet Home Residents: Residents benefit from thoughtful development made in accordance with properly adopted planning documents.
- Sweet Home City Council: The Council is responsible for final approval of zone map amendments and ordinances.

**Issues and Financial Impacts:**

There are no issues or financial impacts currently identified.

**Elements of a Stable Solution:**

A stable solution is one in which a decision on the application is made that conforms with City Code and State Law.

**Options:**

- Conduct the third reading of Ordinance Bill No. 2 for 2024, Ordinance No. 1325, and adopt the ordinance.

ORDINANCE BILL NO. 2 FOR 2024

ORDINANCE NO. 1325

AN ORDINANCE AMENDING THE ZONING MAP

WHEREAS, the property owners 4L Ventures LLC and Evan Latimer, are proposing to change the Zoning Map for their property, consisting of approximately 88,577 square feet, located in Sweet Home, OR 97386; and

WHEREAS, the current Sweet Home Comprehensive Plan Map designation of the subject property is High Density Residential (R-3); and

WHEREAS, the current Zone Map designation of the subject property is Residential Low Density (R-1); and

WHEREAS, the Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to Residential High Density (R-3) Zone, which would bring it into conformity with the Comprehensive Plan Map; and

WHEREAS, the Planning Commission of the City of Sweet Home held a public hearing on November 16, 2023 with due notice of such public hearing having been given and provided an opportunity for public comments and testimony. The Planning Commission deliberated at their November 16, 2023, meeting, and recommended that the City Council approve this application; and

WHEREAS, the City Council held a public hearing on this matter on December 12, 2023, with due notice of such public hearing, to provide opportunity for public comment and testimony. The City Council approved this application by motion at their January 23, 2024, meeting; and

WHEREAS, the proposed Residential High Density (R-3) zoning is requested to facilitate development of the subject property;

Now, Therefore,

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1: The City of Sweet Home adopts the findings of fact in support of zoning map amendment application ZMA23-03 included as Exhibit A.

Section 2: The City of Sweet Home amends the Official Zoning Map, identified in SHMC 17.06 as the Zoning Map including all subsequent amendments, for the areas consisting of approximately 88,577 square feet located in Sweet Home, OR 97386 included as Exhibit B. The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to Residential High Density (R-3) Zone.

Passed by the Council and approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Manager - Ex Officio City Recorder

## Exhibit A

### Findings of Fact in Support of Zone Change Application ZMA23-03

#### **Exhibit A to Order of Approval for ZMA23-03**

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

Zone change proposals shall be approved if the applicant provides evidence substantiating the following:

**A. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.**

Applicants Comments: See Pages 2 and 3 of the applicant's summary (Exhibit C).

Staff Findings: The subject property has a Comprehensive Plan designation of Residential High Density (R-3). The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Residential High Density (R-3) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation and is consistent with the description and policies of the R-3 Zone.

Based on the above information, staff finds that the application complies with this criterion.

**B. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.**

Applicant's Comments: See Pages 3 and 4 of the applicant's summary (Exhibit C).

Staff Findings: The uses permitted in SHMC 17.14.020, 17.14.030, and 17.14.040 can be accommodated on the subject property without exceeding its physical capacity. The subject property is approximately 88,577 square feet ( $\pm 20.02$  acres). The R-3 zone density requirements for single family attached / detached homes and duplexes are no more than one residential structure per lot or parcel, other than an approved accessory dwelling unit; maximum of 12.0 dwelling units per net acre. The R-3 zone density requirements for multi-family is a maximum of 28 units per net acre.

Based on the above information, staff finds that the application complies with this criterion.

**C. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Development Code.**

Applicant's Comments: See Pages 4 and 5 of the applicant's summary (Exhibit C).

Staff Findings: All development in the R-3 Zone shall comply with the applicable provisions of this Development Code. The following references additional development requirements: [SHMC 17.14.070].

- A. Off-street parking. All single-family homes and duplexes shall require a garage or carport; and in addition, provide two hard-surfaced parking spaces. Other uses identified in the zone shall comply with provisions in Chapter 17.44.
- B. Signs. Signs shall conform to the standards contained in Chapter 17.50.
- C. Fencing. Fences shall conform to provisions contained in Chapter 17.52.
- D. Landscaping. Landscaping improvements shall conform to provisions contained in Chapter 17.54.
- E. Yards and lots. Yards and lots shall conform to provisions contained in Chapter 17.56.

F. *Other.* A property owner is advised other regulations may apply for property in an identified natural resource area (Chapter 17.28); the flood hazard area (Chapter 17.30) and in or near an identified historical site (Chapter 17.32).

Based on the above information, staff finds that the application complies with this criterion.

**D. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.**

Applicant's Comments: See Pages 5-7 of the applicant's summary (Exhibit C).

Staff Findings: The subject property is proposed to change from Residential Low Density (R-1) zone to the Residential High Density (R-3) zone. The zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation and is consistent with the Sweet Home Transportation System Plan (TSP). The Sweet Home infrastructure map and local wetland inventory map show a wetland/stormwater drainage identified as SSR-18C flowing through the northeast corner of the subject property and down the east property line. The Sweet Home infrastructure map shows a second stormwater drainage running from Long Street to 22<sup>nd</sup> Avenue (see Exhibit D). There Adequate public facilities, services and transportation networks are planned to be provided concurrently with the development of the property. No development has been proposed with this application.

**E. For residential zone changes, the criteria listed in the purpose statement for the proposed residential zone shall be met.**

Applicant's Comments: See Pages 7 and 8 of the applicant's summary (Exhibit C).

Staff Findings: The purpose of the R-3 zone is to provide areas suitable and desirable for high-density residential development, and particularly for apartments, but where other types of residential and related public service uses are appropriate. The R-3 zone is most appropriate in areas which have been developed for high-density residential use or which are suitable for such use due to proximity to downtown Sweet Home and to highway-related commercial areas inside The City. [SHMC 17.14.010]. The uses permitted in SHMC 17.14.020, 17.14.030, and 17.14.040 can be accommodated on the subject property without exceeding its physical capacity. No development has been proposed with this application.



EXHIBIT B



SUBJECT PROPERTY

LONG ST

CLARK MILL RD

R1

27TH AVE

29TH AVE

32ND CT

KALMIA ST

KALMIA CT

Subject Property Map  
ZMA23-03

Date: 9/21/23

N  
1 inch = 142 feet



# EXHIBIT C

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## ZONE MAP AMENDMENT APPLICATION

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Submitted to: Sweet Home  
Planning Department  
1140 12<sup>th</sup> Avenue Ste. A  
Sweet Home, OR 97386

Applicants/Property Owners: 4L Ventures LLC & Evan Latimer  
PO Box 310  
Lebanon, OR 97355

Applicant's Representative: Udell Engineering and Land Surveying, LLC  
63 E. Ash Street  
Lebanon, OR 97355

Contact: Laura LaRoque  
Email: [laura@udelleng.com](mailto:laura@udelleng.com)  
Phone: (541) 990-8661

Site Location: Unassigned

Linn County Assessor's Map No.: 13S-01E-32AC Tax Lot 4900

Site Size: ±2.02-acres

Existing Land Use: Unimproved

Zone Designation: Residential Low Density (R1)

Comprehensive Plan Designation: High Density Residential (R3)

Surrounding Zoning: North: R1 (across Long Street)  
South: R1  
East: R1  
West: R1 (across 29<sup>th</sup> Street)

Surrounding Uses: North: Single Family Residential  
South: Multiple Family Residential  
East: Single Family Residential  
West: Single Family Residential



## I. Executive Summary

The proposal is a request to rezone an existing ±2.02-acres vacant parcel from Residential Low Density (R1) Zone to the High Density Residential (R3) Zone. The subject property is generally located southeast of the Long Street and 29<sup>th</sup> Avenue intersection and is identified by Linn County Tax Assessor Map No. Township 13S, Range 1E, Section 32AC, Tax Lot 4900. The proposed R3 zoning designation is in conformance with the High Density Residential Comprehensive Plan Map designation.

The criteria for amending the Sweet Home Zone Map are found in Sweet Home Municipal Code (SHMC) 17.114.050 and are addressed in the applicant's narrative below. This written narrative and associated documentation included in the application materials, establishes that the application complies with all applicable approval criteria. This documentation provides the bases for the City to approve the application.

## II. Analysis of Development Code Criteria

According to Sweet Home Municipal Code (SHMC) 17.114.020, a zone map amendment shall be reviewed in accordance with the Type IV review procedures specified in Chapter 17.128.

According to SHMC 17.114.030, the application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria.

## III. Review Criteria

SHMC 17.114.050 includes the following review criteria that must be met for a property line adjustment to be approved. Code criteria are written in **bold** and are followed by findings and conclusions.

### Criterion A

**The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.**

1.1 The subject property is generally located southeast of the Long Street and 29<sup>th</sup> Avenue intersection and is identified by Linn County Tax Assessor Map No. Township 13S, Range 1E, Section 32AC, Tax Lot 4900.

1.2 The application request includes a proposal to amend the zoning of the approximately 2.02-acre site from Residential Low Density (R1) to High Density Residential (R3).

1.3 The current Comprehensive plan map designation of the subject property is High Density Residential (R3). Therefore, proposed zone map amendment is consistent with the Comprehensive Plan Map designation.

1.4 According to the Sweet Home Comprehensive Plan, the purpose of the High-Density Residential Comprehensive Plan Designation is as follows:

*“To provide areas suitable and desirable for higher density residential development, and particularly for apartments, manufactured home parks, other residential uses, and appropriate community facilities.”*

The subject property is a suitable and desirable location for high-density residential development. It is centrally located within the community, close to major transportation corridors, community services, and local institutions and well served by both private and public utility and transportation infrastructure. It is also sufficient in size and configuration for development of a board range (or mix) of residential dwelling types, including high-density multiple family development.

1.5 The only policy specific to the High-Density Residential Comprehensive Plan Designation is as follows:

*“Policy 10 The maximum net development densities (not including streets), in high density residential areas shall not exceed 35 multi-family dwelling units per acre, based on the standards for unit type.”*

Per SHMC 17.114.040, a site plan for future development of the site is not required in association with a zone map amendment request. Therefore, maximum density in accordance with Policy 10 will be reviewed in association with site development or land division application.

**Criterion B**

**The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.**

2.1 Per SHMC 17.14.020, outright permitted uses in the R3 zoning district are as follows:

- 1. *Single-family dwelling.*
- 2. *Single-family attached dwellings.*
- 3. *Duplex dwelling, including those duplexes created through conversion of an existing detached single-family dwelling.*
- 4. *Multi-family dwelling.*
- 5. *Residential care homes and facilities, licensed by the State of Oregon.*
- 6. *Day care facility; day nursery for 12 or fewer children.*
- 7. *Open space and parks identified in The City’s adopted Parks Master Plan.*

2.2 Per SHMC 17.14.060, the dimensional standards for permitted uses are as follows:

Minimum Lot Area & Width	
Single Family	5,000 square feet



Duplex	5,000 square feet
Attached Dwelling	2,000 square feet
Multiple Family (3 or more)	9,000 square feet (parcel) 1,500 square feet per unit
Other Uses	Sufficient to meet setbacks and development requirements
Minimum Width at Building Line – Corner Lot	70 feet
Minimum Width at Building Line – Interior Lot	60 feet
Minimum Width at Building Line – Attached	25 feet

2.3 The subject property is approximately 2.02-acres with a 280-foot-width and 335-foot-depth, which exceeds the minimum dimensional standards for all outright permitted uses. Therefore, this criterion is met.

**Criterion C**

**Allowed uses in the proposed zone can be established in compliance with the development requirements in this Development Code.**

3.1 Per SHMC 17.14.020, outright permitted uses in the R3 zoning district are as follows:

8. *Single-family dwelling.*
9. *Single-family attached dwellings.*
10. *Duplex dwelling, including those duplexes created through conversion of an existing detached single-family dwelling.*
11. *Multi-family dwelling.*
12. *Residential care homes and facilities, licensed by the State of Oregon.*
13. *Day care facility; day nursery for 12 or fewer children.*
14. *Open space and parks identified in The City’s adopted Parks Master Plan.*

3.2 Per SHMC 17.14.060, the dimensional standards for permitted uses are as follows:

<b>Minimum Lot Area &amp; Width</b>	
Single Family	5,000 square feet
Duplex	5,000 square feet

Attached Dwelling	2,000 square feet
Multiple Family (3 or more)	9,000 square feet (parcel) 1,500 square feet per unit
Other Uses	Sufficient to meet setbacks and development requirements
Minimum Width at Building Line – Corner Lot	70 feet
Minimum Width at Building Line – Interior Lot	60 feet
Minimum Width at Building Line – Attached	25 feet

3.3 The subject property is approximately 2.02-acres with a 280-foot-width and 335-foot-depth, which exceeds the minimum dimensional standards for all outright permitted uses, which exceeds the minimum dimensional standards for all outright permitted uses.

3.4 Per SHMC 17.114.040, a site plan for future development of the site is not required in association with a zone map amendment request. Therefore, all other development standards will be reviewed in association with either a building permit or land division request. However, based on the size and configuration of the property compliance with the development standards within the development code will be achievable. Therefore, this criterion is met.

**Criterion D**

**Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.**

Transportation

- 4.1 The Transportation Plan relevant for the subject property is the Sweet Home Transportation System Plan (TSP).
- 4.2 OAR 660-012-0060(1)(2) requires land use regulation amendments, including amendments to zoning maps, to determine if the amendment will have a "significant affect" on transportation facilities and, if so, can it be mitigated. However, OAR 660-012-0060(9) provides that a zoning map amendment does not need to include this analysis, and the City can make a finding of no "significant affect," if:
  - a. A zoning map amendment is consistent with the existing comprehensive plan designation and does not change the comprehensive plan map designation.
  - b. The City has an acknowledged the Transportation System Plan ("TSP") and the proposed zoning is consistent with the TSP; and

- c. The area of the zoning map amendment was not exempted from the Transportation Planning Rule (TPR) Analysis at the time of the UGB amendment. OAR 660-012-0060(9)(a)-(c).

The subject property complies with these criteria as follows:

- a. Sweet Home's Comprehensive Plan Map within the acknowledged Sweet Home Comprehensive Plan designates the subject property High Density Residential (R3). The proposed zoning amendment would not change the comprehensive plan map designation and the R3 zoning designation is an implementing zone for the High Density Residential (R3) Comprehensive Plan Map designation.
  - b. The Sweet Home TSP assumed this site would be developed with high-density residential uses. The proposed R3 zone is compatible with the long plan for high-density residential uses.
  - c. The subject property has been in the City's UGB since the time of adoption of the Comprehensive Plan and was not exempted from the Transportation Planning Rule. The City can find that all three (3) of these requirements are met.
- 4.3 The subject property adjoins Long Street and 29<sup>th</sup> Avenue. Both rights-of-way are classified as a local street. Long Street is fully improved to City standards and 29<sup>th</sup> Avenue partially improved to City standards (i.e., lacks a sidewalk along the east of the right-of-way). Any required site frontage improvements consistent with the TSP will be performed in association with a site development or land division application.

#### Sanitary Sewer

- 4.4 City utility maps show an 8-inch public sanitary sewer main in the 29<sup>th</sup> Avenue right-of-way along the frontage of the property, and an 8-inch public sanitary sewer main at the northeast property corner in the Long Street right-of-way.
- 4.5 The City's Wastewater Facility Plan does not indicate significant deficiencies downstream of the subject property and the system should be adequate for residential uses permitted outright in the R3 zoning district.

#### Water

- 4.6 City utility maps show a 10-inch public water main in the 29<sup>th</sup> Avenue right-of-way, and a 12-inch public water main in the Long Street right-of-way along the property frontages.
- 4.7 Public water system design and adequacy are typically dictated by the fire flow needs within an area or zone. The City of Sweet Home groups all residential uses in the same fire flow requirement category (3,500 gpm minimum), so the proposed zone map amendment would not affect the overall water needs of the site.

#### Storm Drainage

- 4.8 City utility maps show a 36-inch public storm drainage main transferring the property from 29<sup>th</sup> Avenue right-of-way to the Long Street right-of-way.



4.9 Storm water runoff from a development is generally dependent on the total area of impervious surfaces on the property. The Sweet Home Development Code determines the maximum amount of “lot coverage” in any particular zone. The greatest percentage of lot coverage would be 60 percent in the R3 zoning district. The greatest percentage of lot coverage that would be allowed within the R1 zoning district is 40 percent. Therefore, a change from the R1 to R3 zoning designation would allow for development that may result in a slightly higher amount of storm water runoff.

#### Schools

4.10 property is currently zoned for low-density residential development. The requested zone change from R1 to R3 could increase the number of children attending schools in this area. The Sweet Home Public Schools will be notified of the zone change application in advance of the final decision on this application.

#### Police and Fire Protection

4.11 The Sweet Home Police Department and Fire Department provide services to all development in Sweet Home, regardless of the zoning designation. No deficiencies in providing police and fire protection to this property have been identified.

#### Criterion E

**For residential zone changes, the criteria listed in the purpose statement for the proposed residential zone shall be met.**

1.6 Per SHMC 17.14.010, the purpose of the R3 zoning district is as follows:

*“The purpose of the R-3 zone is to provide areas suitable and desirable for high-density residential development, and particularly for apartments, but where other types of residential and related public service uses are appropriate. The R-3 zone is most appropriate in areas which have been developed for high-density residential use or which are suitable for such use due to proximity to downtown Sweet Home and to highway-related commercial areas inside The City.”*

1.7 Per SHMC 17.14.020, outright permitted uses in the R3 zoning district are as follows:

15. *Single-family dwelling.*
16. *Single-family attached dwellings.*
17. *Duplex dwelling, including those duplexes created through conversion of an existing detached single-family dwelling.*
18. *Multi-family dwelling.*
19. *Residential care homes and facilities, licensed by the State of Oregon.*
20. *Day care facility; day nursery for 12 or fewer children.*
21. *Open space and parks identified in The City’s adopted Parks Master Plan.*



1.8 The zone map amendment is consistent with the Sweet Home Comprehensive Plan and stated purpose of the R3 zoning district.

1.9 The R3 zoning district is appropriate for the subject site as it is centrally located within the community, close to major transportation corridors, community services, and local institutions and well served by both private and public utility and transportation infrastructure. It is also sufficient in size and configuration for development of a board range (or mix) of residential dwelling types, including high-density multiple family development.

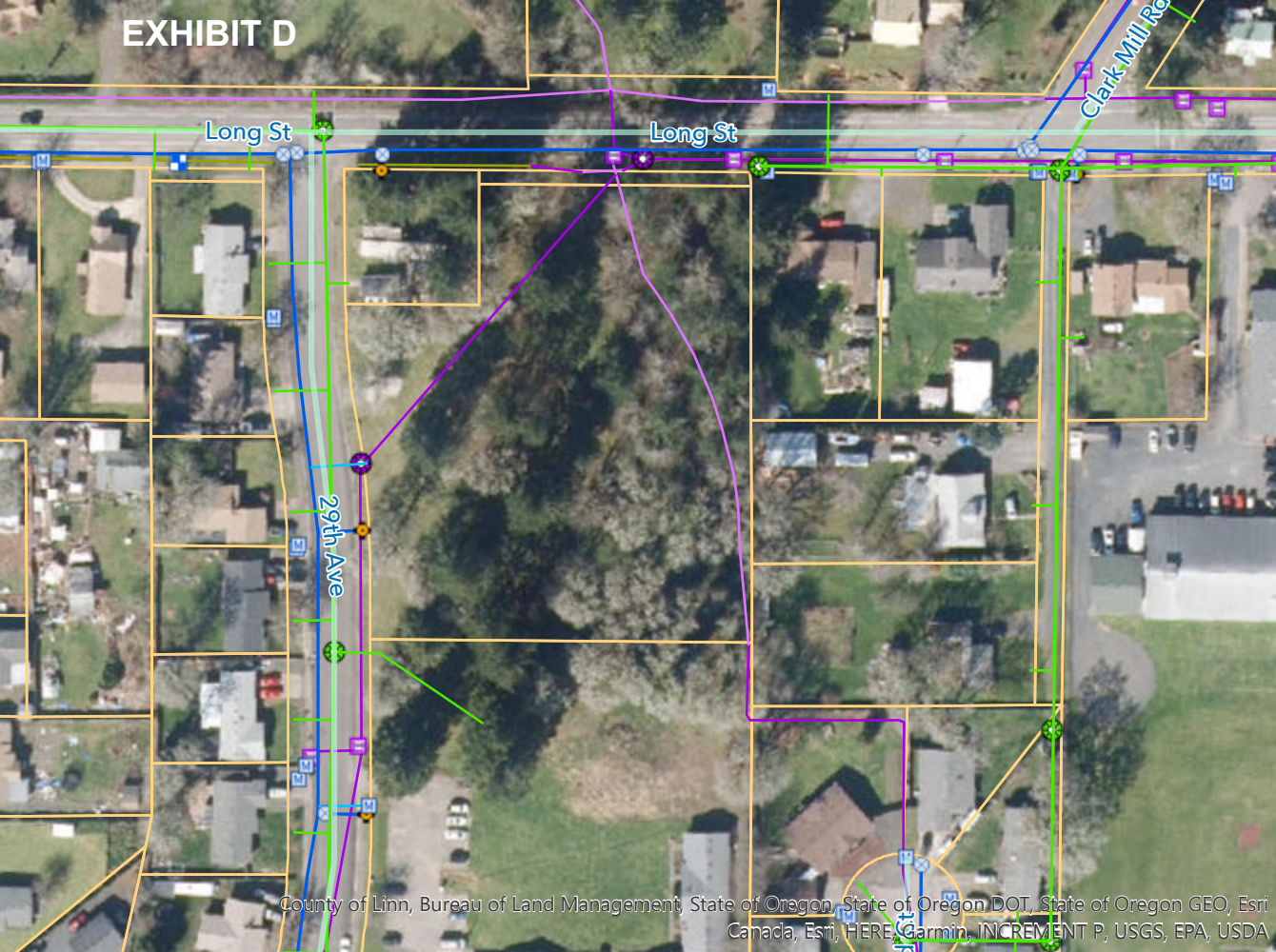
**IV. OVERALL CONCLUSION**

Based on the above analysis, the proposed zone map amendment meets all the applicable review criteria as outlined above.

**V. ATTACHMENTS**

A. Site Map

# EXHIBIT D



Long St

Long St

Clark Mill Rd

29th Ave