



CITY OF SWEET HOME CITY COUNCIL AGENDA

May 12, 2026, 5:30 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

This meeting is open to the public in person and virtually. 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, visit <http://live.sweethomeor.gov>. If you do not 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: 943 482 154

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 & Pledge of Allegiance**
- II. **Roll Call**
- III. **Work Session – Planning, Zoning & Comprehensive Plan Overview**
 - a) [Land Use Training 2026](#)
- IV. **Adjournment**



Land Use Training: Planning, Zoning, and Comprehensive Plan Overview



Source: www.sweethome.gov



DLCD

City of Sweet Home Joint Work Session - City Council & Planning Commission

May 12, 2026

Patrick Wingard, DLCD
Southern Willamette Valley Regional Representative



A Little History



Source: DLCD Photo Library

- 1913 – Oregon legislature establishes state’s 362 miles of shoreland as a public highway
- 1919 – Oregon legislature permits cities to zone private land
- 1947 – Oregon legislature permits counties to zone private land
- 1963 – Oregon legislature establishes the Exclusive Farm Use (EFU) zone and the uses it allows



A Little History



Source: www.sweethome.gov

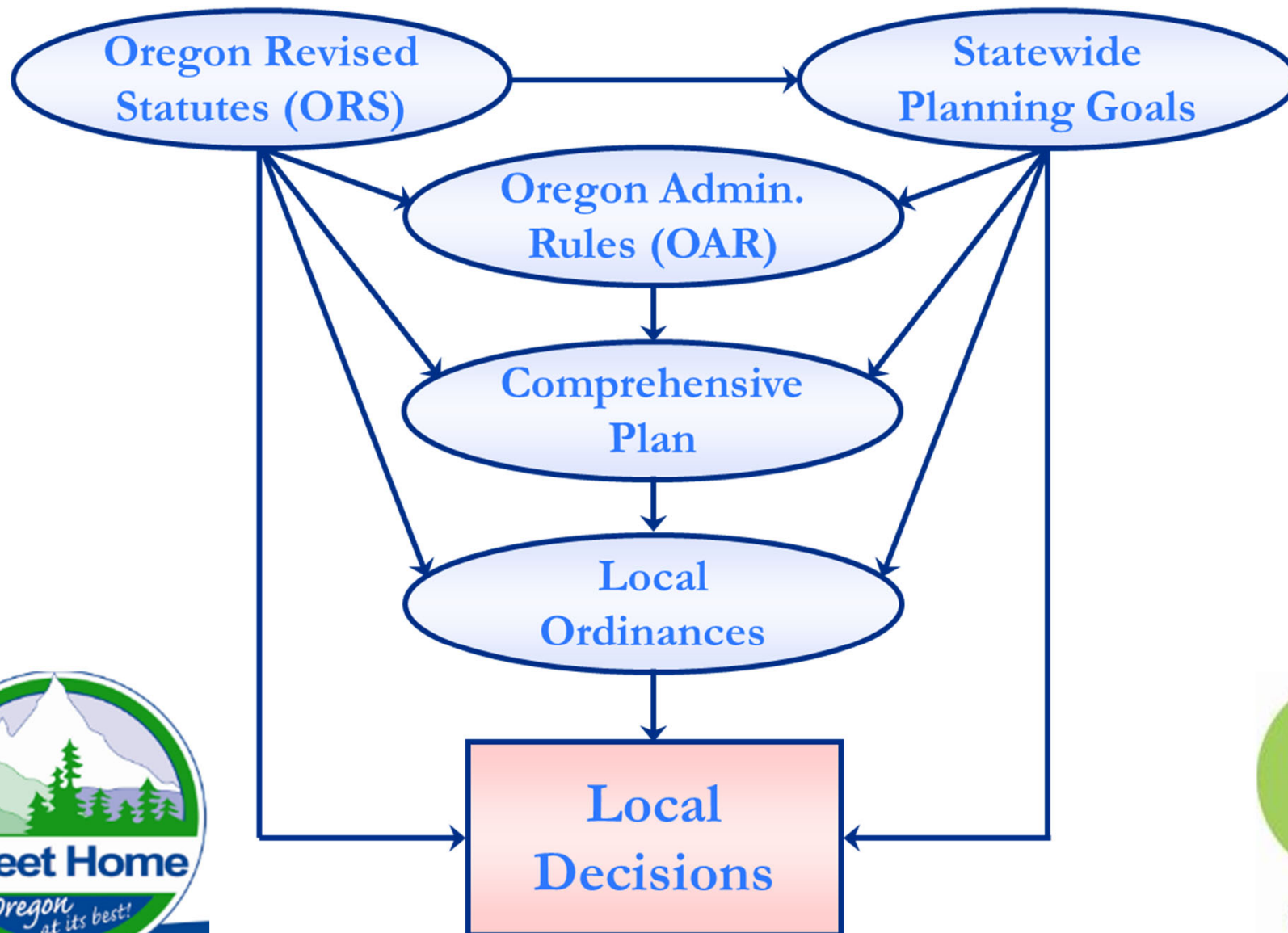
- 1973 – Senate Bill 100 creates the Land Conservation and Development Commission (LCDC) charging it with adopting statewide planning goals
- 1975 – First 14 statewide planning goals become effective
- 1976-86 – LCDC acknowledges all city and county comprehensive plans
 - April 15, 1982 Sweet Home Comprehensive Plan acknowledged

STATEWIDE PLANNING GOALS

- **Goal 1 – Citizen Involvement**
- **Goal 2 – Land Use Planning**
- Goal 3 – Agricultural Lands
- Goal 4 – Forest Lands
- **Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces**
- **Goal 6 – Air, Water, and Land Resources Quality**
- **Goal 7 – Areas Subject to Natural Hazards**
- **Goal 8 – Recreation Needs**
- **Goal 9 – Economic Development**
- **Goal 10 – Housing**
- **Goal 11 – Public Facilities and Services**
- **Goal 12 – Transportation**
- **Goal 13 – Energy Conservation**
- **Goal 14 – Urbanization**
- Goal 15 – Willamette River Greenway
- Goal 16 – Estuarine Resources
- Goal 17 – Coastal Shorelands
- Goal 18 – Beaches and Dunes
- Goal 19 – Ocean Resources



HOW IT TIES TOGETHER





Local and State Responsibilities



Source: DLCD Photo Library

State

- Set land use policy (goals and rules)
- Acknowledge city and county plans
- Enforce goals
- Review plan amendments
- Administer periodic review requirements
- Provide technical assistance to cities and counties



Local and State Responsibilities

2021 Streetscape Plan

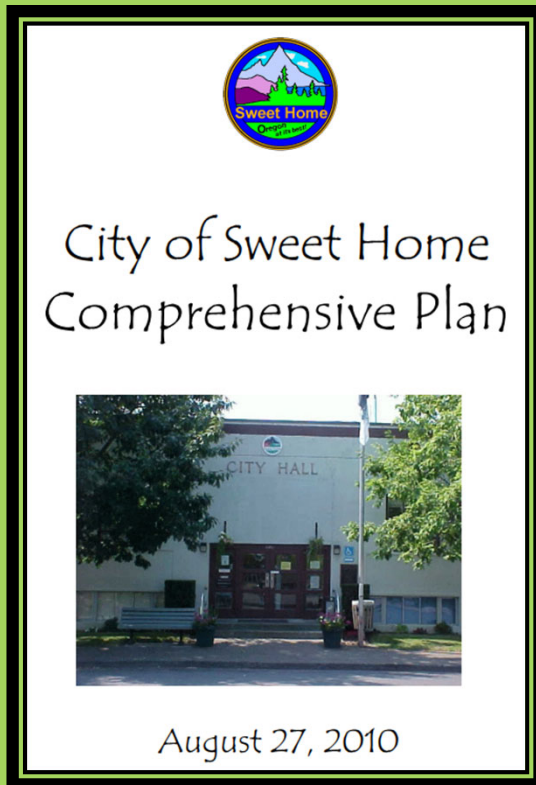


Source: www.sweethome.gov

Cities and Counties

- Adopt plans and codes in compliance with statewide goals
- Address local vision and needs
- Make land use decisions
- Enforce codes and ordinances
- Provide assistance to the public

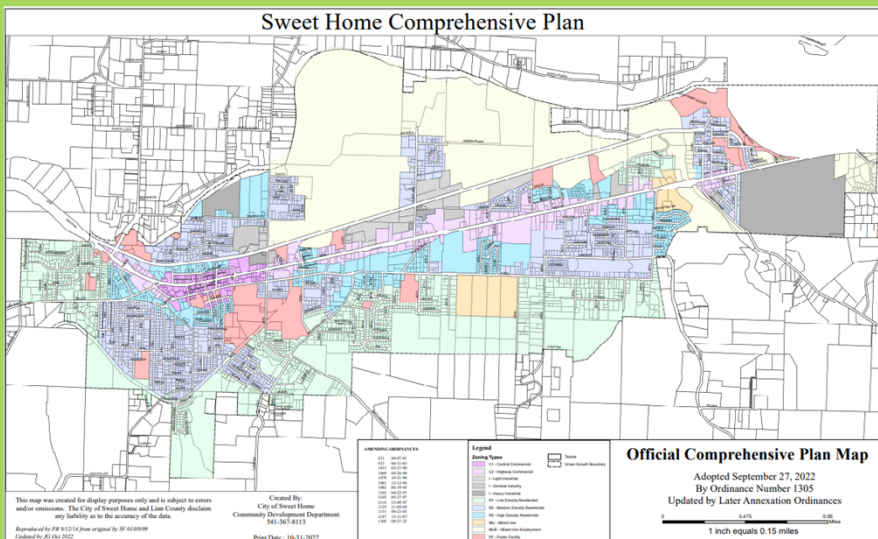
Comprehensive Plan



Source: www.sweethome.gov

- Establishes a “vision”
- Guiding land use document for local government
- Comprehensive document that guides land use, infrastructure, development, conservation of natural resources, economic development, etc.

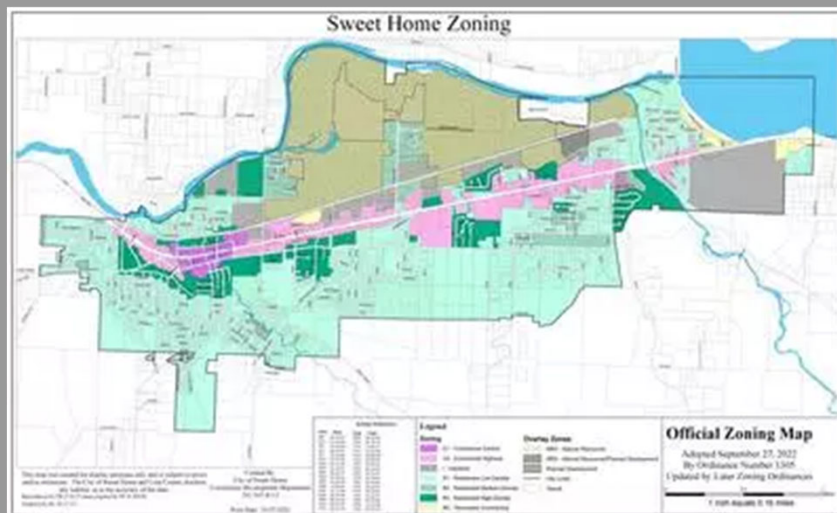
Comprehensive Plan



Source: www.sweethome.gov

- A comp plan includes the following components:
 - Factual base – natural, social, and economic information
 - Goals and policies – statements of intent used to guide implementing measures
 - Maps – Plan designation map to indicate future land use

Zoning & Development Code



Source: www.sweethome.gov

- Specific regulations designed to implement comprehensive plan policies
- Regulates uses, location, density, height, setbacks, etc.
- Sets forth the criteria or standards that each application must meet in order to be approved
- Includes zoning, permitting procedures, development standards, and subdivision and partition standards

Types of Decisions

Legislative Amendment (Type IV)



Source:
DLCD
Photo
Library

- Comprehensive plan and development code text amendments
- Large geographic area, many impacted properties
- No decision is required
- Adopted by city council
- Role of planning commission is to make a recommendation
- Usually at least two hearings

Types of Decisions

Quasi-Judicial Map Amendment (Type IV)



Source:
DLCD
Photo
Library

- Comprehensive plan map and zoning map amendments, also includes annexations
- Single property or small geographic area, one or few impacted properties
- Decision is required
- Adopted by city council
- Role of planning commission is to make a recommendation
- Usually at least two hearings

Types of Decisions

Quasi-judicial Land Use Decision (Type III)

Source:
DLCD
Photo
Library



- Conditional use permits, variances, planned developments, etc.
- Application of pre-existing criteria and requiring exercise of discretion
- Single or few impacted property owners
- Action required
- Planning commission makes final decision; local appeal to city council possible
- Opportunity for a hearing is required



Types of Decisions

Administrative Review (Type II)

- Partitions and minor code adjustments
- Application of pre-existing criteria and requiring some exercise of discretion
- Usually one site
- Action required
- Notice to property owners within 100 feet of subject property
- Staff makes the decision, with opportunity for appeal to planning commission
- No hearing



Types of Decisions

Administrative Action (Type I)

- Property line adjustments, home occupations, code interpretations
- Application of clear and objective criteria requiring no exercise of discretion
- Usually one site
- Action required
- Staff makes the decision, with opportunity for appeal to planning commission
- No hearing



Other Decisions

Ministerial Action
(Type I)

- Building permits, signs, fences, temporary uses
- Application of pre-existing criteria and requiring no exercise of discretion
- Usually one site
- Action required
- Staff makes the decision, with no opportunity for appeal
- No hearing



Source: www.sweethome.gov



DLCD

Department of
Land Conservation
& Development


Patrick Wingard
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Thank You!

Planning Commission Hearing


Quasi-judicial
Procedures

Legislative
Procedures




Quasi-judicial Procedures

- Chair opens hearing
 - Chair describes proceedings
 - Raise-it-or-waive-it statement
 - Announcement of criteria
 - Declaration of ex parte contact, bias, conflict of interest
- Staff report
 - Proposed findings and recommendation




Quasi-judicial Procedures

- Testimony
 - Applicant
 - Other Proponents
 - Opponents
 - Neutral
 - Applicant's rebuttal
- Requests for continuance and leaving the record open



Quasi-judicial Procedures

- Chair closes hearing
- Decision
 - Discussion
 - Motion and second
 - Deliberation and amendments to motion
 - Vote
- After the hearing – written findings



Quasi-judicial Procedures

- Certain Applications require Separate Hearings to be Held before the Planning Commission and City Council
 - Annexations
 - Comp Plan Amendments
 - Zone Changes
- Planning Commission forwards Recommendation to City Council
- City Council makes Final Decision



Legislative Procedures

- Ensure everyone has the opportunity to participate
- No need to separate proponents and opponents
- No concerns with ex parte contact or bias, but conflict of interest concerns remain

Findings



Findings Statements

- Relevant facts
- How each approval criterion is satisfied by the facts
- The facts relied upon and the justification for the decision



Purposes of findings

- Aiding careful consideration of criteria by the reviewing body
- Establishing what evidence the reviewing body relied on
- Explaining how the conclusions are supported by substantial evidence



Tips for Making Good Findings

- Identify all of the applicable criteria
- Address each criterion separately
- State the fact that leads to the conclusion
- Where there is inconsistent evidence, state there was conflicting evidence, but the hearings body believed certain evidence for certain reasons



Tips for Making Good Findings

- Articulate the link between the project impact and the conditions being imposed
- Avoid findings that restate the law
- Put them in clear, understandable language



Common Problems with Findings

- Failure to address each criterion
- Deferring a necessary finding to a condition of approval
- Generalizing or making a conclusion without sufficient facts
- Failure to establish causal relationship between facts and conclusions

Fairness

Ex Parte
Contact

Conflict of
Interest

Bias



Ex Parte Contact

- Applies only to QJ decisions
- Must be declared and described at the outset of a hearing
- Site visits are ex parte contact
- Staff contact is not ex parte contact
- Doesn't necessarily lead to disqualification (appearance of bias)



Conflict of Interest

- “Actual conflict of interest” means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which **would be** to the private pecuniary benefit or detriment of the person or the person’s relative or any business with which the person or a relative of the person is associated.



Conflict of Interest

- “Potential conflict of interest” means any ... decision ... by a person acting in a capacity as a public official, the effect of which **could be** to the private pecuniary benefit or detriment of the person or the person’s relative, or a business ... unless the pecuniary benefit or detriment arises out of the following:



Potential Conflict of Interest

- An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- Any action in the person's official capacity which would **affect to the same degree a class consisting** of all inhabitants of the state, or a smaller class consisting **of an industry, occupation or other group including one of which or in which the person**, or the person's relative or business with which the person or the person's relative is associated, **is a member or is engaged**.



Potential Conflict of Interest

- Membership in or membership on the board of directors of a nonprofit corporation.



Conflict of Interest

- Potential conflict of interest
 - Announce publicly the nature of the potential conflict prior to taking any action thereon
- Actual conflict of interest
 - Refrain from participating as a public official in any discussion, debate, or vote
 - Unless the vote is needed for a quorum



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.
- Does not require recusal