



CITY OF SWEET HOME CITY COUNCIL AGENDA

May 11, 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.

Mission Statement

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

Meeting Information

The City Council will hold a Regular City Council meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. In order to protect residents, staff, and elected officials due to the novel COVID-19 virus, 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 City Council 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 City Council meeting live, online visit live.sweethomeor.gov. If you don't have access to the internet you can call in to 541-367-5128 and you'll be asked to choose option #1 to be logged in to the call. Meeting ID: 473 954 605#

This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon public meeting law, and has been approved by the Mayor as Chairperson of the meeting.

Cell phones should not be used in the Council Chambers by city staff or Council during this meeting for any reason, including text messages, emails, or phone calls. If a member of the public needs to utilize their cell phone for a call, please exit the Council Chambers.

Call to Order and Pledge of Allegiance

Roll Call

Consent Agenda:

- a) [Request for Council Action – Appointment to the Planning Committee](#)

Approval of Minutes:

- a) [2021-04-27 City Council Meeting Minutes \(pg. 7\)](#)
- b) [2021-05-06 City Council Special Minutes \(pg. 12\)](#)

Recognition of Visitors and Hearing of Petitions:

- a) Municipal/Community Court Update - Judge Larry Blake. Jr.

Old Business:

- a) [Request for Council Action - Resolution No. 13 for 2021 - Storm Water Rate Increase \(pg. 14\)](#)

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.

- b) [Debt Information for Capital Project Funding \(pg. 20\)](#)

New Business:

- a) [FY2021 Q3 Financial Update \(pg. 22\)](#)

Ordinance Bills

Request for Council Action and First Reading of Ordinance Bills

- a) [Request for Council Action - Ordinance Bill No. 4 for 2021 \(pg. 26\)](#)

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

Reports of Committees:

Ad Hoc Committee on Health

Administrative and Finance/Property

Area Commission on Transportation

Chamber of Commerce

Charter Review Committee

Council of Governments

Legislative Committee

Library Advisory Board

Park and Tree Committee

Solid Waste Advisory Council

Youth Advisory Council

Reports of City Officials:

Mayor's Report

City Manager's Report

Department Director's Reports (1st meeting of the Month)

Library Services Director

Community and Economic Development Director

- a) [CEDD Monthly Report, April 2021 \(pg 56\)](#)

Public Works Director

- a) [Public Works Monthly Report of Activities - April 2021 \(pg. 61\)](#)

City Attorney

Council Business for Good of the Order

Adjournment



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – Appointment to the Planning Committee

Preferred Agenda: May 11, 2021

Submitted By: Julie Fisher, Administrative Assistant

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution ____ Motion X Roll Call ____ Other ____

Relevant Code/Policy: [SHMC Chapter 2.10 City Committees](#)

Towards Council Goal: Vision Statement II. WE ASPIRE to have an effective and efficient local government

Attachments: Application for Boards, Commissions, and Committees

Purpose of this RCA:

Appointment to the Planning Commission

Background/Context:

There is currently one vacancy on the Planning Commission. The Administrative, Finance, and Property Committee conducted interviews February 2, 2021.

The Challenge/Problem:

Vacancy on the Planning Commission

Stakeholders:

- *City of Sweet Home Staff* – Staff benefits by having full committees that provide direction and recommendations that are consistent with law.
- *City of Sweet Home Management* - Management is more effective and efficient with clear, updated, best practices for policy as recommended by committees.
- *Sweet Home Residents* – Residents and taxpayers essentially pay the price when policies lead to inefficient operations or practices.

Issues and Financial Impacts:

None known

Elements of a Stable Solution:

Appoint committee members to vacancies who are willing to serve a full term and available for scheduled meetings of the committee.

Options:

1. Option #1 – Do nothing

2. Option #2 – Seek additional applicants
3. Option #3 – Make a motion to appoint David Lowman to the Planning Commission.

Recommendation:

Option #3 – Make a motion to appoint David Lowman to the Planning Commission.



CITY MANAGER'S OFFICE

3225 Main Street
Sweet Home, OR 97386
541-367-8969 541-367-1215 FAX
Jfisher@sweethomeor.gov

BOARD/COMMITTEE/COMMISSION APPLICATION

Applicant Information (Please type/print clearly):

Name: DAVID LOWMAN

Permanent Address: 2230 MAIN STREET, UNIT #1 SWEET HOME, OR 97386

Mailing Address: SAME - AS - ABOVE

Contact Phone Number: [REDACTED]

E-Mail Address: [REDACTED]

Preferred method of contact Mail Phone Email

Occupation: N/A Employer: N/A

Please mark the Board, Commission or Committee in which you are interested in serving:

Budget Committee Planning Commission Library Board

Board of Appeals Park and Tree Committee

Charter Review Committee All Hazard Mitigation Committee

Are you applying for reappointment Yes No

If yes, how long have you served in this capacity: _____ Year(s) _____ Month(s)

1. How long have you lived in the area: 2 Year(s) 4 Month(s)

2. Please give a brief description of your experiences or training that you feel qualifies you for this particular position. OVER THIRTY YEARS OF MANAGEMENT EXPERIENCE.

3. List current involvement in other community groups and/or activities.
2020 BUDGET COMMITTEE, 2020 CHARTER REVIEW COMMITTEE

4. What special contribution do you feel you can make to the group/position you are applying for?
I WOULD ADD VALUE TO THE PLANNING COMMISSION I WOULD WORK TIRELESSLY ON ALL PROJECTS FOR THE BEST INTEREST OF THE CITY. I HAVE LOTS OF FREE TIME TO GIVE BACK.

RESIDENCY:

The following applies for appointments that require residency and elector status:

I, DAVID LOWMAN, certify that I currently reside within the corporate limits of the City of Sweet Home and am an eligible elector as defined by ORS 246.012(5). I further acknowledge that should either my residency or my eligibility as an elector change I will notify the City of Sweet Home immediately.

CRIMINAL HISTORY BACKGROUND CHECK (CCH):

A Criminal History Check (CCH) may be performed as part of the City of Sweet Home appointment process for City Boards, Committees, and Commissions. I acknowledge that a refusal to allow the CCH to be performed, when required, will cause my application to no longer be considered.

PUBLIC DISCLOSURE:

The City sometimes receives requests for contact information for members serving on City boards, commissions and committees. As an appointed public body volunteer serving the City of Sweet Home, the information provided on this application is considered public record.

My signature acknowledges that the information I have provided on the application is true and complete to the best of my knowledge and I understand that a CCH may be performed, when required, and that the information provided on this application is considered public record.

David Lowman
Signature

11/30/2020
Date of Signature



CITY OF SWEET HOME CITY COUNCIL MINUTES

April 27, 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.

Mission Statement

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This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon public meeting law, and has been approved by the Mayor as Chairperson of the meeting.

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Call to Order and Pledge of Allegiance

The meeting was Called to Order at 6:30 PM.

Mayor Mahler read instructions on how to participate in an online meeting or to make public comment.

Roll Call

PRESENT

Mayor Greg Mahler
President Pro Tem Diane Gerson
Councilor Dave Trask
Councilor Lisa Gourley
Councilor Susan Coleman
Councilor Angelita Sanchez
Councilor Dylan Richards

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.

STAFF

City Manager Ray Towry

Administrative Assistant Julie Fisher (Video)

Finance Director Brandon Neish

Public Works Director Greg Springman

Community and Economic Development Director Blair Larsen

Police Chief Jeff Lynn

City Attorney Robert Snyder

Communications Specialist Lagea Mull

Engineer Technician Trish Rice

Operations Manager Steven Haney (Video)

Media

Benny Wolcott

Mayor Mahler opened Public Hearing for Zone Map Amendment Application ZMA21-01 at 6:33 PM. The Public Meeting was continued to a special meeting on May 6 at 5:30 pm.

Consent Agenda:

- a) Request for Council Action – Reappointment to the Budget Committee – Hamlin & Dix

Approval of Minutes:

- a) 2021-03-13 City Council Minutes

Motion by Councilor Coleman to Approve the Consent Agenda. Seconded by Councilor Gourley.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards

Recognition of Visitors and Hearing of Petitions:

Dave Holley spoke concerning to the American Rescue Act. Mr. Holley believes the City has a unique chance to aid our local businesses. Dave Holley suggested \$250,000 be used to aid at least 21 business that had to close at least partially or completely. Dave Holley also requested an additional amount be set aside for streets.

Finance Director Neish clarified that the infrastructure specifically was Broadband, Water and Wastewater, and not for Streets.

Mayor Mahler applauded Dave Holley and stated it was something the Council should explore. Councilor Gourley asked that the City glean more information as to what funding is available to business, and do the most good for the most people for the longest period of time. Councilor Sanchez agreed with Councilor Gourley.

- a) If I Were Mayor Contest

Madelyn Coleman was recognized for her entry in the "If I Were Mayor" contest. Madelyn's entry will be entered into the statewide contest.

- b) Public Comment re: Oregon Jamboree

Written comments were included in the packet.

City Manager Ray Towry stated staff is working with the Oregon Jamboree to present a plan to Council that will be broad to cover any potential mandates that may be in place in four months.

Old Business:

New Business:

- a) Proclamation Mental Health Month - May 2021

Mayor Mahler read the proclamation for Mental Health Month - May 2021.

- b) Request for Proposal for Integrator of Record Service

Engineer Technician Trish Rice stated that Integrators are skilled to troubleshoot and oversee programs and controls at the Operation Plants. The City is requesting being able to seek a proposal from an Integrator of Record for the City of Sweet Home Water and Waste Water Treatment Plants.

Motion made by Councilor Gourley, Seconded by Councilor Coleman.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards

- c) Request for Council Action - 2021 Overlay Project Contract Approval

Engineer Tech Trish Rice explained 4 bids were returned for the Overlay Project. North Santiam Paver came in with the low bid at \$230,000 and within budget. Staff is requesting permission to execute the contract.

Motion made by Councilor Gourley, Seconded by Councilor Coleman.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards

- d) Request for Council Action - 2021 Overlay Project Phase 2 Bid Posting

Engineer Tech Trish Rice reported the paving project was broken into two projects due to ODOT funding, however ODOT returned the contract quickly. Staff is presenting the second phase to Council with a current estimate of \$450,000. Staff is requesting authorization to request proposals for the projects.

Motion made by Councilor Coleman, Seconded by President Pro Tem Gerson.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards

- e) Request for Council Action – Transportation Program Operation Agreement

City Manager Ray Towry explained the IGA is for funding to operate the Linn Shuttle that the City acts as a grant passthru.

Motion made by President Pro Tem Gerson, Seconded by Councilor Coleman.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards

Ordinance Bills

Request for Council Action and First Reading of Ordinance Bills

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

Reports of Committees:

Ad Hoc Committee on Health

Councilor Gourley reported students from Western University gave a video presentation on the mentorship program.

Administrative and Finance/Property

Area Commission on Transportation

Chamber of Commerce

Charter Review Committee

Councilor Gerson reported the Charter Review Committee will bring their recommendation to the Council in a few weeks.

Council of Governments

Legislative Committee

Library Advisory Board

Park and Tree Committee

Solid Waste Advisory Council

Youth Advisory Council

Councilor Gerson reported working with Rural Development Initiative (RDI) to present to the Youth Advisory Council.

Reports of City Officials:

Mayor's Report

Mayor Mahler reminded the Council of upcoming meeting dates: May 6 Public Hearing, Budget Committee May 13th and May 18th.

City Manager's Report

City Manager Towry announced the next Public Meeting/ Open House regarding the Willow Street Local Improvement District (LID) will be on Thursday. Invites were mailed to every residence in the area.

City Manager Towry also reviewed the Budget Committee meeting dates.

Department Director's Reports (2nd meeting of the Month)

Finance Director

Finance Director Neish stated the department has been researching better bank fees and rates.

Police Chief

Chief Lynn reported Penny Leland has been with the Police Department for 40 years. The Mayor asked gratitude be conveyed for her years of service.

Chief Lynn reported Working with Linn County mental Health. Additional outreach, followup and med delivery.

- a) Police Department Monthly Report

City Attorney

Council Business for Good of the Order

Councilor Trask stated there is a need for volunteers for the Beautification Committee while planting flowers in the median.

Adjournment

The meeting was adjourned at 7:38 PM.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



CITY OF SWEET HOME CITY COUNCIL SPECIAL MEETING MINUTES

May 06, 2021, 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.

Please sign in if you wish to speak as Executive Sessions are not open to the public.

Meeting Information

The City Council will hold a Special City Council meeting at 5:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. In order to protect residents, staff, and elected officials due to the novel COVID-19 virus, 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 City Council 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 City Council meeting live, online visit live.sweethomeor.gov. If you don't have access to the internet you can call in to 541-367-5128 and you'll be asked to choose option #1 to be logged in to the call. Meeting ID: 543 840 833#

Call to Order

The meeting was called to order at 5:30 PM.

Roll Call

PRESENT

Mayor Greg Mahler
President Pro Tem Diane Gerson
Councilor Dave Trask
Councilor Susan Coleman
Councilor Angelita Sanchez
Councilor Dylan Richards

ABSENT

Councilor Lisa Gourley

STAFF

City Manager Ray Towry
Communications Specialist Lagea Mull
Community and Economic Development Director Blair Larsen
Finance Director Brandon Neish (video)
Administrative Assistant Julie Fisher (video)

Public Hearing

- a. Public Hearing for Zone Map Amendment Application ZMA21-01

The Public Hearing was continued and opened at 5:31 PM. Mayor Mahler explained the Public Hearing process. Mayor Mahler asked the Council of any Conflict of Interest, ExParte

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.

Information, or Personal Bias. There was none. Community and Economic Development Director Blair Larsen gave the staff report. The application meets the criteria as was reviewed by the Planning Commission with a recommendation of approval. There were no questions of staff.

Laura LaRoque with Udell Engineering presented the Zone Map Amendment and reviewed the criteria for approval.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

The Public Hearing was closed at 5:39 PM.

Motion to approve the ZMA Application made by Councilor Coleman, Seconded by President Pro Tem Gerson.

Roll Call Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Coleman, Councilor Sanchez, Councilor Richards

Adjournment

The meeting was adjourned at 5:42 PM.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

Title: Storm Water Utility Fee Review

Preferred Agenda: May 11, 2021

Submitted By: Brandon Neish, Finance Director

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution X Motion ___ Roll Call ___ Other ___

Relevant Code/Policy: SHMC § 13.09.050(D) – Adoption and Amendment of Rules
Resolution No. 15 for 2008

Towards Council Goal: Goal 1.1(b): Develop specific steps for implementation of the adopted master plans
Goal 1.2(b): Increase community awareness of infrastructure needs

Attachments: Resolution No. 13 for 2021
Storm Water Enterprise Budget

Purpose of this RCA:

To review the proposed 2021-2022 budget for the Storm Water Fund and determine appropriate rates charged to users for use of City storm water utility.

Background/Context:

ORS 294.388(1) states that “each municipal corporation shall prepare estimates of expenditures and other requirements for the ensuing year or budget period. The estimates must be reconciled so that the total amount of expenditures and other requirements in each fund equals the total amount of resources in the fund for the same period.” Projected expenses for the 2021-2022 fiscal year in the Storm Water Fund total \$244k with resources estimated at nearly \$65k with no change to current rates. Pursuant to Oregon State Statutes, the City must choose to revise its current rate schedule to generate additional revenue or reduce proposed expenses to match current revenue projections. Staff has prepared a recommendation for Council regarding the Storm Water fee.

The Storm Water drainage utility, implemented by Ordinance 1196 in 2006 was established “for the purpose of providing funds for the management, maintenance, extension and construction of public stormwater drainage facilities within the city.” At the time of implementation, an analysis concluded that an appropriate rate for the Storm Water drainage utility would be \$4 per EDU per month. After public input and Council review, the utility fee was set at \$1 per EDU per month. The rate has not been revised since its implementation. In its five-year Capital Improvement Plan, Public Works identified two projects totaling \$590k to increase capacity in the Storm Water system and develop a master plan in accordance with Council goal #1. For

the 2022 fiscal year, staff would like to complete the master plan (\$100k) which will inform the future needs for the storm water system before getting too far ahead in planning for projects. Additionally, staff is requesting funds to install catch basins and install associated piping at 12th Avenue between Elm Street and Larch Street budgeted at \$25k. Additional funds generated by this proposed rate increase would be set aside in the Storm Water Capital Fund to prepare to implement recommendations of the master plan once completed.

The Challenge/Problem:

How does Sweet Home approach utility rates in a way that addresses operational needs in alignment with Council goals while ensuring that users are not priced out of the system?

Stakeholders:

- **City of Sweet Home residents and businesses** – Residents and businesses benefit from the Storm Water drainage system which mitigates flooding in streets, residences and businesses. Without the storm water system, water would run along surfaces with no impedance potentially resulting in damages and other flooding concerns. The storm water system collects the rainwater and water from other sources and routes it to the South Santiam through storm drains and pipes. The fee supporting the operations and maintenance of this system is the Storm Water fee currently imposed on utility bills as \$1.00/EDU.
- **City of Sweet Home City Council** – Council members are the voice of the citizens we serve. Each member of this group is interested in providing the best service possible for the best possible price. They must balance leadership with representation.
- **Sweet Home Public Works staff** – Public Works staff ensures utilities are maintained in a manner which benefits all in the city. Appropriate rates provide necessary resources used to maintain a level of service expected by utility users.
- **Sweet Home Community & Economic Development** – Regular review of expenditures within utility funds and, subsequently, utility rates ensure that Sweet Home is comparable to other cities of similar size which can attract new rate payers to the system. New citizens or businesses affect the community in a positive manner and affects livability within the city.

Issues and Financial Impacts:

1. **Increasing utility rates** – Citizens have many utility bills to pay including the City's utilities. Increases to utility rates can have a negative impact on citizens even though the city must operate with enough resources to back necessary expenditures. An additional \$2 per EDU per month in the Storm Water rate is being proposed by staff to stabilize the Storm Water fund and provide capital funding for future projects. It is up to the elected officials to determine what is best for the citizenry of Sweet Home.
2. **Oregon Revised Statutes** – As previously explained, the ORS requires that the City maintain a zero or positive fund balance at the end of a given fiscal year. This requires the City and the Council to act accordingly. The decision then becomes one of raising rates or reducing expenses. When managing a fund in which nearly 71% of its resources come from the user fees generated, options are limited in decision-making.
3. **Division resources** – When Public Works is left with diminishing resources, tough decisions must be made regarding service offering to customers. Stability in these fees provides the Storm Water division the ability to plan and attempt to mitigate other factors that contribute to the increasing expenses such as fixing leaking pipes.

Elements of a Stable Solution:

Reviewing the rates annually and making revisions at the time rather than shelving rate adjustments for another year ensures overall stability of the Storm Water fund and ensures rate payers are not saddled with significant increases at one time.

Options:

1. Do Nothing – Rates would remain the same at \$1.00 per EDU. This results in a projected budgeted deficit of \$103,391 which would require making expenditure reductions to comply with ORS 294.388(1). Reducing budgeted expenditures would impact services delivered to customers.
2. Move to approve Resolution No. 13 for 2021. – The Storm Water Utility Fee would increase from the current \$1.00 per EDU to \$3.00 per EDU.
3. Recommend an alternate rate – The City Council may determine, after reviewing the attached documentation, that it is appropriate to charge a different rate. Staff would return with a revised resolution at the next Council meeting.

Recommendation:

Staff recommends option 2, move to approve Resolution No. 13 for 2021. This option allows the City to move forward with the development of a Storm Water Master Plan and other capital projects slated for future fiscal years and begins to establish a necessary reserve for capital down the line.

RESOLUTION NO. 13 FOR 2021

A RESOLUTION SETTING RATES AND FEES FOR STORMWATER DRAINAGE UTILITY SERVICES.

WHEREAS, the City of Sweet Home provides a valuable public service by providing Stormwater Drainage facilities for the collection and disposal of Stormwater discharged from properties and public right-of-ways within the City; and

WHEREAS, the utility exists for the benefit of any person within the City who wants to have the public Stormwater Drainage facilities available for the diversion, collection and/or disposal of Stormwater Drainage and other runoff water from the person's property and represents a municipal service in a developed urban environment which is essential to the public health, safety and welfare; and

WHEREAS, Persons who use the public Stormwater Drainage facilities need the appropriate charges and/or fees that reflect the cost of the management, maintenance, extension and construction of the public Stormwater Drainage facility as a public utility in the City; and

WHEREAS, the Sweet Home City Council has provided that Stormwater Drainage Utility Fees shall be established by resolution in accordance with Ordinance No. 1196; and

WHEREAS, the City Council shall annually review Stormwater Drainage Utility fees in conjunction with the Water and Wastewater Sewer User Rates before May of each year.

NOW, THEREFORE, BE IT RESOLVED BY THE SWEET HOME CITY COUNCIL that effective June 19, 2021, the Stormwater drainage utility fees shall be as follows:

Section 1 The fees for Stormwater drainage utility to be charged for each billing period are as follows:

Equivalent Dwelling Unit (EDU): The amount of impervious surface that shall constitute One (1) EDU is 3,200 square feet, Two (2) EDU's equal 6,400 square feet, Three (3) EDU's equal 9,600 square feet, etc.

Each single-family "Residential" property shall equal One (1) EDU regardless of actual amount of impervious surface.

All properties other than single-family "Residential", (i.e. multi family properties such as duplex and/or triplex, commercial properties, industrial properties, schools, government, etc.) shall be assigned EDU's equal to the actual amount of impervious surface with a minimum of 3,200 square feet. Impervious surfaces shall be calculated in increments of no less than 100 square feet.

Customer Charge: The monthly base charge per EDU for the cost of draining rights-of-way and providing other common surface water programs shall be \$0.60 per EDU.

Commodity Charge: The monthly charge per each EDU of impervious surface that drains directly or indirectly to public infrastructure shall be \$2.40 per EDU.

Charges for properties Outside the City Limits: Monthly charges as described above shall be computed at 1.5 times the rates as stated above for properties outside the City limits that are served with City water and/or wastewater sewer service.

Section 2 Miscellaneous Stormwater Drainage Utility fees to be established as follows:

- A) Interest Rate: 1 ½% outstanding delinquent account balance including all interest, service charge, or other relevant fee/charges.
- B) Refunds will not be made for amounts less than \$10.00

It has been determined that these rates and fees are classified as not being subject to Oregon Constitution, Article XI, Section 11b limitations.

This resolution supersedes any/all prior resolutions on Stormwater drainage utility fees, including Resolution No. 15 for 2008.

PASSED by the Council and approved by the Mayor this 11th day of May, 2021.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder

ACCOUNT ID	Description	2019 Actual	2020 Actual	2021 Budgeted	FY22 Prop Budget
560-000-300-000	BEGINNING FUND BALANCE	\$8,682.35	\$12,245.12	\$32,382.00	\$77,000.00
560-000-340-001	STORM WATER USER FEES				\$0.00
560-000-361-000	INTEREST				\$0.00
560-009-340-022	Utility User Fees	\$62,851.36	\$63,385.09	\$62,851.00	\$188,553.00
560-009-361-010	Interest	(\$30.20)	\$499.06	\$250.00	\$350.00
	TOTAL REVENUE	\$71,503.51	\$76,129.27	\$95,483.00	\$265,903.00
560-009-434-110	Staff Pay	\$36,009.94	\$5,256.82	\$20,897.00	\$23,094.00
560-009-434-120	Temporary Employees				\$0.00
560-009-434-130	Overtime	\$124.31	\$0.00	\$100.00	\$100.00
560-009-434-210	Group Insurance	\$11,647.77	\$4,949.19	\$12,786.00	\$12,619.00
560-009-434-220	FICA/Medicare	\$2,702.89	\$510.04	\$1,599.00	\$1,766.00
560-009-434-230	Retirement	\$4,599.84	\$0.00	\$2,508.00	\$2,772.00
560-009-434-250	Unemployment Contribution	\$48.06	\$1,589.65	\$21.00	\$23.00
560-009-434-260	Workers' Compensation	\$588.58	\$125.78	\$593.00	\$642.00
	Subtotal Personnel Expenditures	\$55,721.39	\$12,431.48	\$38,504.00	\$41,016.00
560-009-434-310	Memberships/Dues				\$0.00
560-009-434-320	Professional Services	\$1,836.00	\$4,093.50	\$1,000.00	\$1,200.00
560-009-434-321	Labor Relations	\$1,701.00	\$141.75		\$0.00
560-009-434-340	Technical Services	\$0.00	\$11,259.89	\$1,000.00	\$1,050.00
560-009-434-430	Equipment Repair & Maintenance	\$0.00	\$0.00	\$600.00	\$606.00
560-009-434-520	Insurance	\$0.00	\$9,555.76		\$0.00
560-009-434-540	Advertising				\$0.00
560-009-434-580	Training/Travel				\$0.00
560-009-434-612	Operating Supplies	\$0.00	\$13.72	\$750.00	\$750.00
560-009-434-613	Uniforms/Clothing				\$0.00
560-009-434-614	Tools & Small Equipment	\$0.00	\$96.17		\$0.00
560-009-434-617	Furniture				\$0.00
	Subtotal Materials & Services	\$ 3,537.00	\$25,160.79	\$ 3,350.00	\$ 3,606.00
560-010-491-040	Transfer Out for Capital	\$0.00	\$0.00	\$53,629.00	\$198,970.00
	TOTAL EXPENDITURES	\$59,258.39	\$37,592.27	\$95,483.00	\$243,592.00
	NET INCOME/(DEFICIT)	\$12,245.12	\$38,537.00	\$0.00	\$22,311.00



Finance Department

City of Sweet Home
3225 Main Street
Sweet Home, OR 97386
541-367-5128
Fax 541-367-1215
www.sweethomeor.gov

MEMORANDUM

To: Sweet Home City Council
From: Brandon Neish, Finance Director
RE: Debt Options for Capital Projects

During the City Council meeting on April 13, 2021, the City Council and staff discussed options for utility rates. As part of that discussion, the topic of capital improvements was broached and the need for long-term resources to fund much of the work that needs to be completed and Councilors expressed a desire to see how obtaining capital loans could expedite capital construction and the costs therein associated with this practice. Staff was asked to return to a subsequent Council meeting with an outline regarding debt options.

As previously discussed, interest rates are at a record low currently. As of May 6, 2021, the interest rate on a 10-year AA rated municipal bond is 1.05%. For the purposes of this conversation and given the potential that any new debt would not be full-faith and credit (more on this later), 25 basis points (.25%) has been added to this for an interest rate of 1.3%. Based on the capital improvement listing submitted by the departments, the City would need to borrow up to \$9.7 million (all projects – streets, water, parks, etc.) and this assumes no cost increases due to timing of project completion. For the purposes of this discussion, we will be focusing on water treatment and system projects. The total list of projects submitted by Public Works for the water system was \$4,225,000. To set this conversation up further, the U.S. Census Bureau indicates that construction materials costs have risen at an average rate of 6.0% per year over the last ten years. This will be used in our assumptions discussed below. The bottom line is this: should the City Council decide to incur debt to pay for capital projects, the savings in total project costs would total \$1.7 million, an estimated \$4.30 per utility account per month at 600 cubic feet.

Assumptions:

Two scenarios were built to calculate the savings as stated above. One scenario included the City “self-funding” projects using set aside reserves annually. The second included incurring debt with specific timing requirements to complete the projects. Each scenario had its own set of assumptions to get to the end result.

For the first scenario, self-funding capital projects, we started with the total project costs as predetermined by Public Works (PW). To determine available funding for a given fiscal year, the five-year forecast was utilized and a look back at the last five years to determine our average capital contribution. For this scenario, it is assumed that the City could afford \$450k annually with a 2.5% rate increase (3% after 2025). \$4.3 million less the \$450k contribution left \$3.8 million in projects for the second year. For the beginning balance in the second year, a 6.0% increase (construction materials cost escalation) was applied to the ending balance for year 1 which leaves a beginning balance of \$4.0 million. In order to complete all of the projects as they are currently presented, the City would spend \$6.6 million over 16 years assuming 6.0% cost increases annually and no change in the available funds for projects. Part of this assumption also includes a “pause” on project spending for one large-scale project, the construction of a water reservoir, budgeted at nearly \$3.0 million. To accumulate \$3.0

million in funds, the City would have to save \$450k annually for six years. Pausing for six years, however, adds \$1.2 million in total project costs and nine years to the overall timeline.

Scenario two, incurring debt for capital project funding, presented a surprising benefit to the City. While interest rates have been low, and it has always been assumed that now vs. later would yield some sort of savings. Using the same assumptions for construction material cost increases, the debt option would result in \$4.6 million in expenditures and completion in five years. Using the \$450k in funds available described above, staff assumed that this \$450k could be used for debt payments instead and results in a loan that could be repaid within ten years while saving rate payers \$1.98 million in overall costs. It is important to note that this scenario still requires an annual rate increase of 2.5% to fund the debt service payments though the terms of the loan could be extended to limit that necessary increase. For example, extending the repayment to 20 years would increase the assumed interest rate to 1.75% reduces savings to \$1.1 million (\$2.87 per month) but eliminates rate increases in the forecasting models through 2026. This would not last beyond 2026 as expenses would begin to outpace revenues in 2025 and fund balance would only carry until 2027 before being eliminated. By 2042, it is estimated that, without intervention, expenditures would exceed revenues by \$500k annually.

Considerations:

There are a number of things to consider with any attempt to incur a debt. The goal of this Council is to do the most good, for the most people, for the longest period of time. When incurring a debt such as this, there is a long-term impact in which funds are tied up to repay the loan. By self-funding capital projects, it is true that there are added costs associated due to completing projects as funding is available. However, if (when) the economy turns downward, having debt on the books means there is no ability to reduce debt payments. Self-funding means that capital projects can be delayed, maintaining operating expenditures. Choosing to incur debt means that the current City Council is likely tying the hands of future Councils.

Another consideration is whether or not the City is ready to embark on these projects. In consultation with PW, there is a concern that we do not have updated master plans which would inform the work that the debt would finance. Completing the master plans is estimated to take 12-18 months and would begin with the adoption of the 2021-2022 fiscal year budget (July 1, 2021). Two issues arise with this: 1) projects informed by the completion of master plans would then inform how much funding is necessary and; 2) there are timing requirements when obtaining debt. The City has a list of projects that PW believes are necessary over five years, but they are operating on assumptions. We could move forward with this list but if the master plans revealed issues with a higher priority, that could cause an issue as the debt obtained would be for the specific purpose listed in the loan documents (and the City would have available resources to pivot internally). For the second point, obtaining debt requires that 5% be spent within the first six months and 85% within 36 months. 5% of \$4.6 million is \$231k; 85% is \$3.9 million. If we assume the master plan takes 18 months, this leaves 18 months to plan and construct enough to spend \$3.9 million. This is a tall order.

The final considerations are related to reserve funding and total debt on City accounts. The debt scenario assumes that the amount of funds previously set aside for capital and emergencies would be redirected to pay for the debt service. This leaves no additional funding for emergent needs or unforeseen circumstances (new federal/state mandates, water main breaks, etc.). As much of a concern as the reserve funding, the City's debt load currently stands at approximately \$6.0 million. Adding this debt would increase total load to a total north of \$15.0 million and the inclusion of the Wastewater Treatment Plant in the near future would stack the City with \$45 million in total debt. This is more in total than the City brings in annually and would present a major concern for investors who are purchasing our debt.



Finance Department

MEMORANDUM

To: Sweet Home City Council
 Ray Towry, City Manager

From: Brandon Neish, Finance Director

RE: Financial Status Update for Fiscal Year 2021 – Third Quarter

The third quarter of fiscal year 2021 ended March 31, 2021. 2020 is a “year like no other” and certainly the City’s finances are no different. Using information gleaned from recent property tax reports from Linn County and historical data during the last economic downturn, the City has developed a financial snapshot and forecast for the remainder of the fiscal year. To develop this forecast, staff used “burn rates,” a rate which takes a specified timeframe (in this case, Q3) and calculating a percentage of the total from fiscal year 2013 and 2020. FY13 was used due to its proximity to the recession when the City’s property tax revenues were at their lowest point due to lower property tax values and astronomical compression rates. Additionally, at the height of the recession, fees and other revenues were lower as well. FY20 was used to provide a snapshot on the initial effects of COVID-19 on revenue generation. During the third quarter, most of the revenue projections remained stable with the exception of other revenue which fell significantly due to changes in the Wastewater Treatment Plant (WWTP) timelines and information from the State of Oregon on WWTP grant funding.

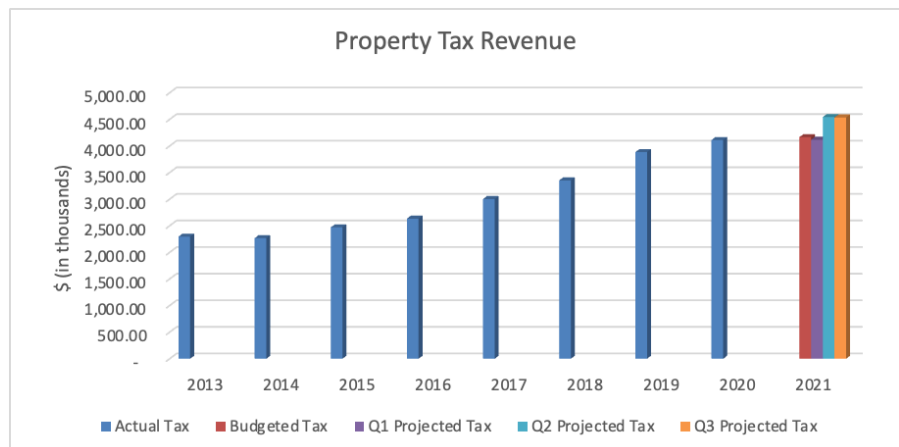
Property Taxes

2021 has yielded a wild ride for property tax receipts but the third quarter showed some leveling of the projected revenues. From the second quarter to third quarter projections (current projection), estimated property tax revenues trended downward .18% or \$8k. For the 2021 fiscal year, estimated property tax revenue across all funds is now \$4,535,732. This is a 10.3% increase over the same period the prior year and an 8.9% increase from the 2021 adopted budget.

In fiscal year 2020, the City had received 96.02% through the end of March which is being used to inform the current projection.

As a reminder, the City had planned for the following with regards to tax receipts:

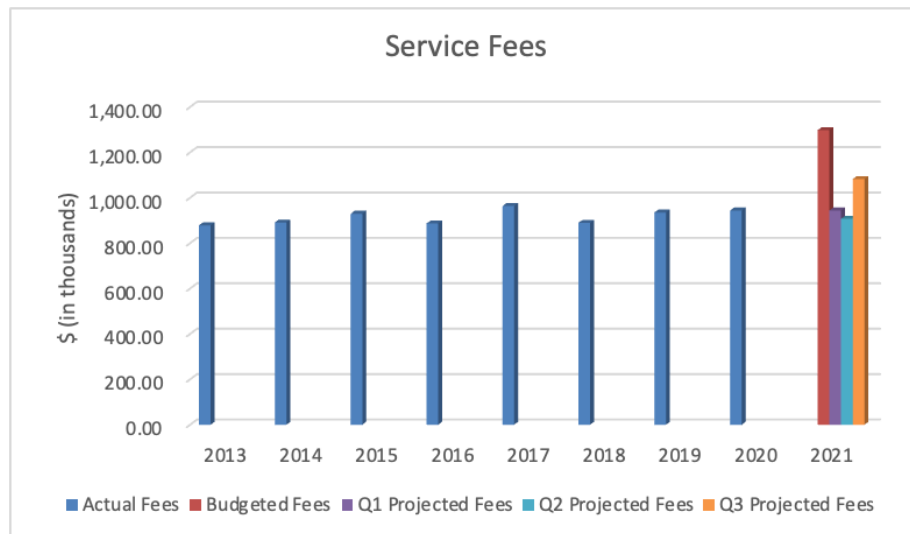
- Compression levels would drop from 19% to 18%
- Assessed values would increase 3% as allowed by Measure 50
- An 8% reduction from total billings to account for early pay discounts and delinquencies



An analysis of property tax bills for the 2021 fiscal year highlights a higher than anticipated drop in compression rates (compression now sitting at approximately 15%) which accounts for \$152,000 in additional revenue. The remainder of the increase from budgeted estimates, \$219,000, indicates fewer delinquent accounts than originally projected when the pandemic began.

Service Charges

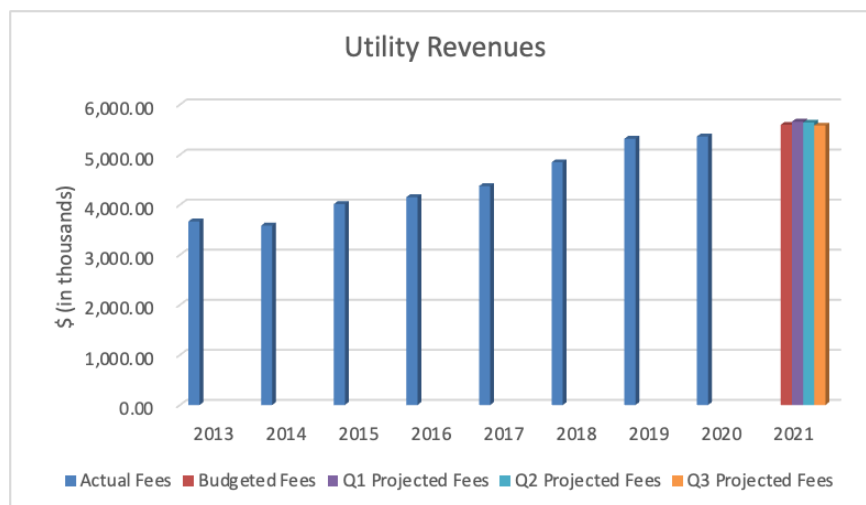
Through December 2020, service fee revenues had been trending lower than the prior year due to impacts due to the Coronavirus pandemic. Fast forward to the end of the third quarter and the year-to-date service charge revenue has flipped from negative (lower than prior year) to positive. At the end of the third quarter, service charges are up 11.4% driven largely by significant increases in planning fee



revenue and system development charges (SDC) received by the City. Each of these categories saw gains of 232% and 383% respectively as building and housing continues to dominate in today's economy and as the City's SDCs are set to raise at the end of the fiscal year. Planning receipts are now \$7,351 higher than all four quarters of 2020 and SDC revenue is \$3,619 higher with three months left. While these revenues have increased and electricity franchise fees are

\$30k higher than the prior year in Q1, the City still expects that revenues in this category will still be 16.6% below budget (\$215k). Budgeted revenue from service fees for 2021 is \$1.3 million and the third quarter projection puts fee revenue at \$1.1 million. The projection assumes a reduction in overall court fee revenue, library service charges (late fees and other customer charges) due to limited open hours and finance charges for passports and lien searches.

Utility Revenues



For the third quarter, utility revenues are up 3.4% over the third quarter of the prior year. Budgeted at \$5.6 million, staff expects that utility revenues will reach \$5.60 million by fiscal year end, a 1.1% reduction from the Q2 report. Previous reports indicated that long-term economic struggles may force consumers to reduce consumptions or consider paying for other needs over utility fees. The latter has not occurred as the City's delinquent accounts are lower than ever before, but consumptions have decreased

slightly resulting in a new forecast which indicates total revenue earned will be .3% lower than budgeted (\$60k). Given the City is ¾ through its fiscal year, this updated projection is unlikely to

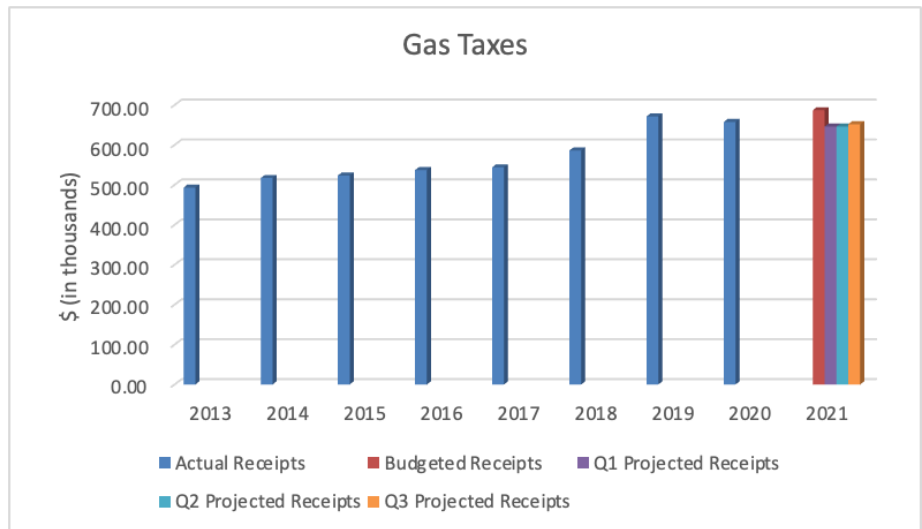
change drastically without a significant change in weather or other natural event which forces an increase in consumptions for the last three months of the fiscal year.

Gas Taxes

Gas tax revenue is paid by motorists who utilize DMV services, filling up fuel tanks resulting in fuel tax receipts and those who are required to pay tolls, ODOT permit fees, trucking fees and more. The revenue is collected by the Oregon Department of Transportation (ODOT) and distributed to cities and counties across Oregon. In 2017, the Oregon Legislature passed an additional payroll tax, 1/10th of 1%, which employees pay as part of their monthly payroll. These taxes originally increased the allocation that Sweet Home was expecting to receive in gas tax revenues. However, when COVID struck, ODOT projections were swiftly revised, and the City ultimately saw a reduction in receipts for the end of fiscal year 2020 as well as revised projections for 2021. These

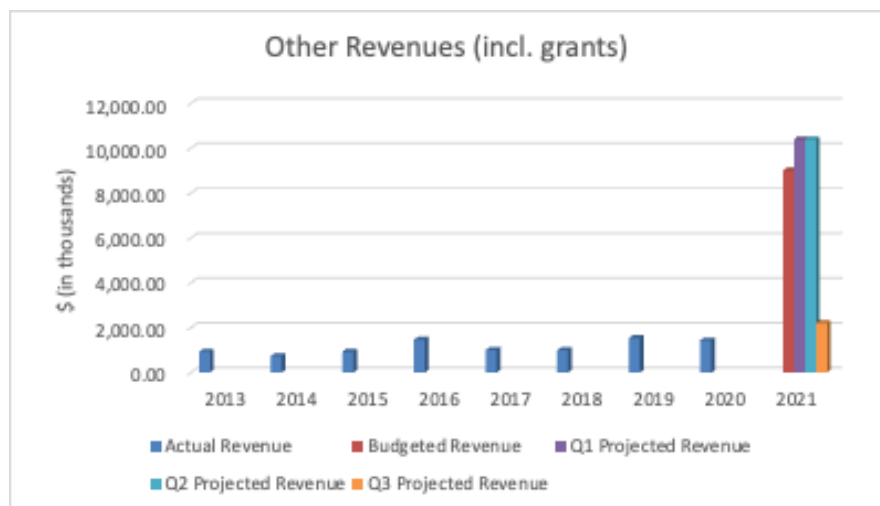
projections were included in the adopted budget, which was set at \$686,742, a 4.5% increase over the 2020 actual revenue. As of the end of the first quarter, state receipts were down 13.2% and an October revenue report from ODOT conveyed an expected reduction of \$40,925 from the original estimates resulting in a forecast of \$645,817 for streets. For the third quarter, this projection had not changed but an April ODOT forecast shows a slight uptick in anticipated

revenue to close out the fiscal year. The City now expects to receive \$651,880, an increase of nearly 1% from previous estimates but still 5.1% below the 2021 adopted budget. The impacts on this reduction, while initially concerning, have been mitigated by a freeze on expenditures during the first nearly six months of the fiscal year and a delay in anticipated street construction projects. Overall, the streets fund is expected to close out the year “healthy” (\$400k plus in reserve) and allow for additional capital funding in future fiscal years.



Other Revenues

Included in “other revenues” are building permits, interest, grants and other miscellaneous revenues. Through March 2021, other revenue is up 84.9% over the prior fiscal year primarily due to grant receipts as both the Library and Community & Economic Development have leveraged grant funds to complete projects across the City. The City has also received funds for the Wastewater Treatment Plant engineering work and



CARES funding (COVID) from the State. Additionally, significant progress at Sankey Park using a grant from the Oregon Parks and Recreation Department has resulted in new playground equipment, paths and lighting moving closer to realizing the full potential of Sankey as the City's flagship park. With a revised timeline for the construction of the Wastewater Treatment Plant, and anticipated grants receipts as a result of the construction, the projection for the third quarter has been substantially lowered. The City anticipates receiving \$2.2 million in other revenues for the fiscal year, a reduction of \$6.8 million from the adopted budget and \$8.2 million from the Q2 projection. Due to plant construction timelines, the City does not anticipate receiving \$7 million in grants from the State of Oregon which, if removed from budget assumptions, means the City is projecting an increase in other revenue receipts of \$189k above budgeted figures.

Personnel

Personnel expenditures generally make up nearly 50% of the City's overall expenditures annually. For fiscal year 2021, personnel expenditures were budgeted at \$5.6 million. Through the third quarter, personnel expenditures are down 2.7% from the same period last year or \$108,807. The savings comes from personnel decisions made during the onset of the pandemic such as leaving open positions vacant and salary freezes instituted for management and AFSCME employees. As we continue further into the fiscal year, the City will begin to hire additional, previously unbudgeted staff to fulfill a City Council decision to take over the operations of the water and wastewater treatment plants. Additionally, previously vacant positions will now be filled to address capacity concerns and a cost-of-living adjustment occurred in April 2021. These changes, recognized in Q4 this year, will utilize the available savings seen through the third quarter.

Materials & Service

At the height of the coronavirus pandemic, City Manager Ray Towry issued a non-essential spending freeze until the financial impacts of COVID could be better determined. This contributed to a carryover of \$2.6 million above the 2020 budget which resides in fund balances across the various funding resources adding to long-term fund stability as we navigate the effects of the pandemic. For 2021, the spending freeze resulted in spending that is 14.5% less through Q2 than the same period in the prior year. As of Q3, the spending freeze had been lifted and we anticipate that the total materials & services spending will increase through the remaining quarters. The materials and services budget for 2021 was adopted at \$5,198,202 and current projections estimate that the City will spend \$3.5 million (\$200k above the prior quarter projection). This is a 33.3% reduction in total spending and net savings of \$1.7 million.



REQUEST FOR COUNCIL ACTION

Title: Public Hearing for Zone Map Amendment Application ZMA21-01

Preferred Agenda: April 27, 2021 Continuation
May 6, 2021 Public Hearing
May 11, 2021 1st & 2nd Reading
May 25, 2021 3rd Reading (pending)

Submitted By: Angela Clegg, Associate Planner

Reviewed By: B. Larsen, CEDD Director
R. Towry, City Manager

Type of Action: Resolution Motion Roll Call Other

Relevant Code/Policy: [SHMC 2.04.030](#) Powers of the City Council

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

Attachments: Planning Commission Order of Approval
Ordinance No. 4 for 2021
Original Application

Purpose of this RCA:

The Sweet Home Planning Commission held a public hearing on April 5, 2021. At the hearing the Planning Commission reviewed application ZMA21-01 where they received testimony and recommended that the application move on to the City Council for approval.

On April 27, 2021 the City Council continued application ZMA21-01 to May 6, 2021. On May 6, 2021 the City Council held the Public Hearing of Zone Map Amendment application ZMA21-01. On May 11, 2021 the City Council will complete the 1st Reading of Zone Map Amendment application ZMA21-01.

Background/Context:

The applicant is proposing to change the Zoning Map in an area consisting of approximately 20,210 square feet (.46 acres) located 4347 Highway 20, Sweet Home, OR 97386 (13S01E28DC Tax Lot 2500). The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Highway Commercial (C-2) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission held a public hearing and made a recommendation to the City Council. The City Council will hold a public hearing and decide on this application. Application ZMA20-04 is being filed simultaneously with Application PLA21-04. Application PLA21-04 is pending the approval of Application ZMA21-01.

The Sweet Home Planning Commission held a public hearing on April 5, 2021. At the hearing the Planning Commission reviewed application ZMA21-01. The Planning Commission received testimony and deliberated on this matter at their April 5, 2021 meeting and passed a motion to

recommend approval of the application to City Council. That motion of approval specified a 12-day appeal period from the date the decision motion is mailed. No specific conditions of approval were required.

Application ZMA21-01 was filed simultaneously with Application PLA21-04. Application PD21-04 was approved with conditions by the Community and Economic Development Director on March 22, 2021.

The Challenge/Problem:

Should the zoning map be changed to allow commercial activity on the property in question, rather than the current Residential Low Density designation?

Should the Comprehensive Plan designations be followed if the proposed amendment is consistent with the goals and policies of the comprehensive plan? The Comprehensive Plan States that the Planning Commission will recommend, and the City Council shall determine the location of boundaries by examining the goals and policies contained within the Plan. [Chapter 2, Page 12 of the Comprehensive Plan].

Stakeholders:

- The Owner/Developer would be able to develop the property as they have proposed.
- The residents and businesses in the surrounding area would benefit from the vacant property being cleared and developed.
- The City of Sweet Home would benefit from the commercial business that could come from the changed zoning

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.

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].

Comprehensive Plan Map Policy 1: The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern as recommended by Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home. [Chapter 2, Page 12 of the Comprehensive Plan].

17.12.025 Review Criteria for Map Amendments. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following:

- 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

Options:

1. Deny application ZMA21-01. Staff would prepare an Order of Denial for Application ZMA21-01.
2. Approve Ordinance Bill No. 4 for 2021, application ZMA21-01 as presented and conduct the second reading of Ordinance No. 4 for 2021 on May 25, 2021, and the third and final reading on June 8.
3. Approve Ordinance Bill No. 4 for 2021, application ZMA21-01 as presented, to read the ordinance in its entirety and then again by title only leaving the third and final reading of Ordinance No. 4 for 2021 on May 25, 2021.
4. Recommend different zone amendment. Council could review these proposed changes and recommend different zone amendments. Staff would take these recommendations and revise the proposed application for review at a future Council meeting.

Recommendation: Staff Recommends Option 3: Motion to approve Ordinance Bill No. 4 for 2021, Application ZMA21-01 as presented.

After a full reading:

Motion to hold a second reading of Ordinance Bill No. 4 for 2021 by title only in accordance with Section 24 of the City Charter. (unanimous vote required)

The third and final reading of Ordinance No. 4 for 2021 would then be held on May 25, 2021.



Planning Commission Staff Report

REQUEST: The applicant is proposing to change the Zoning Map in an area consisting of approximately 20,210 square feet (.46 acres) located 4347 Highway 20, Sweet Home, OR 97386 (13S01E28DC Tax Lot 2500). The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Highway Commercial (C-2) 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 ZMA20-04 is being filed simultaneously with Application PLA21-04. Application PLA21-04 is pending the approval of Application ZMA21-01.

APPLICANT: Laura LaRoque, Udell Engineering and Land Surveying, LLC

PROPERTY OWNER: Jeremy Kinzer

PROPERTY LOCATION: 4347 Highway 20, Sweet Home, OR 97386, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E28DC Tax Lot 2500.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.12, 17.24, 17.36, OAR 660-012-0060

FILE NUMBER: ZMA21-01

PLANNING COMMISSION PUBLIC HEARING:

- **DATE & TIME:** April 5, 2021 at 6:30 PM
- **LOCATION:** City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

CITY COUNCIL PUBLIC HEARING:

- **DATE & TIME:** April 27, 2021 at 6:30 PM
- **LOCATION:** City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

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

REPORT DATE: March 29, 2021

I. PROJECT AND PROPERTY DESCRIPTION

LOCATION: The subject tract contains approximately 20,210 square feet (.46 acre). The property is currently zoned Commercial Highway (C-2) and the comprehensive plan designation is Residential Low Density (R-1). The applicant is requesting to change the zoning to Highway Commercial (C-2) bringing it into conformity with the property’s existing Comprehensive Plan Map designation.

ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Residential Low Density (R-1)	Highway Commercial
Property North	Commercial Highway (C-2)	Highway Commercial
Property East	Commercial Highway (C-2)	Highway Commercial
Property South	Residential Low Density (R-1)	Medium Density Residential
Property West	Commercial Highway (C-2)	Highway Commercial

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

Wetlands: The subject property does not show wetlands/waterways on the property that are depicted on the Sweet Home Local Wetlands Inventory and the National Wetlands Inventory Map.

Access: The subject property has frontage along Highway 20.

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

TIMELINES AND HEARING NOTICE:

Application Submitted:	February 18, 2021
Application Deemed Complete:	February 24, 2021
Mailed/Emailed Notice:	February 24, 2021
Notice Published in New Era Newspaper:	March 3, 2021
Planning Commission Public Hearing:	April 5, 2021
City Council Public Hearing	April 27, 2021

Notice was provided as required by SHMC 17.12.120.

II. COMMENTS

Public Works: Public Works has no issues with this request.

Permit Technician: The Building Program has no issues with this request.

Staff Engineer: Regarding ZMA21-01, a zone change on Main St west of 44th Ave at the former residential house at 4347 Main St, the location is surrounded by other Highway Commercial (C2) Zoning. This change will match the property to the adjacent zones of the neighborhood. CEDD-ES has no concerns with the ZMA.

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

Public Comment: No comments as of the issue of this Staff Report.

III. REVIEW AND DESIGN CRITERIA

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.

A. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following: [SHMC 17.12.010]

- 1. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**
 - a. The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code. [Sweet Home Comprehensive Plan, Chapter 2 Text]**
 - b. The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern as recommended by Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Policy 1]**
 - c. Zoning Codes. The Zoning Codes regulate the use of land on a comprehensive basis. More specifically, the Zoning Codes divide the community into residential, commercial, industrial, and other use zones based on the Comprehensive Plan. Each zone has standards and regulations that determine the allowed uses on that land and the standards to which structures must conform, such as building height, yard setbacks, and lot size. The Codes consists of text, found in Title 17 of the Sweet Home Municipal Codes, and an official Zoning Map.**

The Zoning Codes fulfill two major roles. First, zoning promotes the public health, safety, and welfare of Sweet Home. Secondly, the Zoning Codes implement the Comprehensive Plan. Oregon Revised Statute 197.175 states that cities will:

- **Prepare, adopt, amend, and revise comprehensive plans in compliance with Statewide Planning Goals; and**
- **Enact land use regulations to implement their comprehensive plan.**

In a broad sense, zoning encourages the orderly development of the community and implements the Comprehensive Plan. Zoning can only partially relate to the long-term aspects of the plan because as a regulatory tool, it must relate to the current conditions within the City of Sweet Home.

The Comprehensive Plan provides a general and long-range policy for the City while the Zoning Codes serve as a legal ordinance with binding provisions on land development. The various zones have specific boundaries and when drafting the Zoning Ordinance, the City considers how each land parcel will be affected.

Zoning Code provisions and the Zoning Map can be amended. Amendments shall be consistent with the Comprehensive Plan. If proposed amendments to the Zoning Codes do not comply with the Comprehensive Plan, the Comprehensive Plan must also be amended so that the two documents correspond. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Chapter 8: Plan Management]

- d. Updating the plan: Making the Comprehensive Plan a basic part of the community's planning process an ongoing active function of City government will keep the Plan as a viable and useable policy document. The Comprehensive Plan needs to be updated occasionally for the following reasons:** [Sweet Home Comprehensive Plan, Chapter 8: Plan Management]
 - i. To accurately reflect changes in the community.**
 - ii. To ensure integration with other policies, Zoning Codes, and Subdivision Codes.**
- e. Changes to the Plan Shall be made by ordinance after public hearings.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 2]
- f. Changes in the Plan shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage should be a part of the document.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 3]
- g. Property Owners, their authorized agents, or the City Council may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan amendment, the applicants have the burden of proof that all of the following conditions exist.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 5]
 - i. There is a need for the proposed change;**
 - ii. The identified need can best be served by granting the change requested;**
 - iii. The proposed change complies with the Statewide Planning Goals; and,**
 - iv. The proposed change complies with all other elements of the City's Comprehensive Plan.**
- h. Highway Commercial: To provide suitable and desirable commercial areas along the highway intended to meet the business needs of the community.** [Sweet Home Comprehensive Plan Land Designations for Economic Development, Table 11]

- i. **High Density Residential: 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.** [Sweet Home Comprehensive Plan Map Residential Land Designations, Table 7]

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria Page 2.

Staff Findings: The applicant is proposing to change the Zoning Map of an approximately 20,210 square feet (.46 acre) property identified on the Linn County Assessor's Map as 13S01E28DC Tax Lot 2500 (see Attachment A). The applicant has proposed a change in zoning from Residential Low Density (R-1) to Highway Commercial (C-2).

Based on the Linn County 2018 aerial photograph, the area is surrounded by Highway Commercial lots. There is no development planned with the Zone Map Amendment application.

Based on the findings above the proposed zoning plan designation would be consistent with the Sweet Home Comprehensive Plan.

The application complies with this criterion.

2. **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;** [SHMC 17.12.025(B)]

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria Page 8, B.

Staff Findings: Staff finds that the proposed zoning map amendment would be orderly and timely, be consistent with the pattern of development in the area, and based on the 2018 Linn County aerial photograph, staff finds that the subject property is surrounded by Highway Commercial lots.

The application complies with this criterion.

3. **Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and** [SHMC 17.12.025(C)]

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria Page 8, C.

Staff Findings: Water and sanitary sewer services are available in Highway 20. The subject property has frontage along Highway 20. The applicant has not proposed development with this Zone Map Amendment application

The application complies with this criterion.

4. **The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals.** [SHMC 17.12.025(D)]

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria Page 9, D.

Staff Findings: The applicant is not proposing an amendment to the comprehensive plan map.

5. **OAR 660-012-0060(1). If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless**

the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
- b. Change standards implementing a functional classification system; or**
- c. Result in any of the effects listed in paragraphs (a) through (c) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
 - i. Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - ii. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
 - iii. Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan. [OAR 660-012-0060(1)]**

Staff Findings: The subject property has existing frontage along Highway 20. The applicant has proposed a change in zoning from the Residential Low Density (R-1) zone to the Highway Commercial (C-2) zone. The proposed use would be consistent with the Comprehensive Plan Map designation. Based on these findings, staff concludes that the proposed zone change would not significantly affect the existing transportation infrastructure in the neighborhood and is consistent with the Sweet Home Transportation System Plan.

The application complies with this criterion.

IV. CONCLUSION AND RECOMMENDATION

Based on the findings listed in Section III of this report, staff recommends that the Planning Commission recommend that the City Council approve this application. Since the request is for a zone change, staff has not recommended any conditions of approval.

V. PLANNING COMMISSION ACTION

In acting on a zone change application; the Planning Commission will hold a public hearing at which it may either recommend that the City Council approve or deny the application(s). The recommendation should be based on the applicable review and decision criteria. The City Council will hold a public hearing and decide on this application.

Motion:

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

1. Move to recommend that the City Council approve application ZMA 21-01; which includes adopting the findings of fact listed in the staff report.
2. Move to recommend that the City Council deny application ZMA 21-01 (specify reasons).
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

VI. ATTACHMENTS

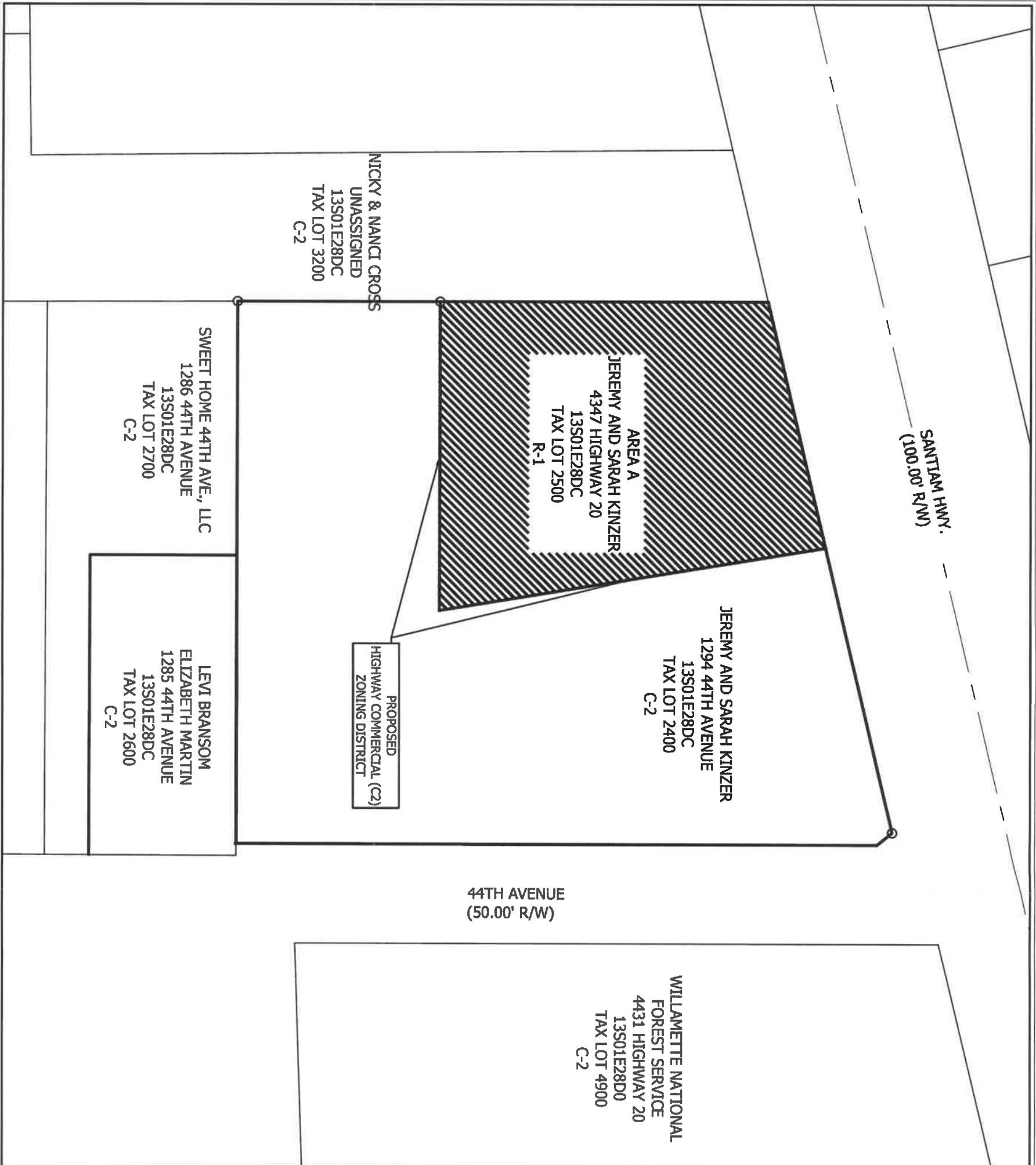
- A. Subject Property Map
- B. Site Map
- C. Zone Map Amendment Application Summary
- E. Zoning Map
- G. Comprehensive Plan Map
- H. Planning Application Form



1 inch = 89 feet

Subject Property Map
ZMA21-01
4377 Highway 20

Date: 2/24/21



SCALE: 1" = 50'

0' 50'

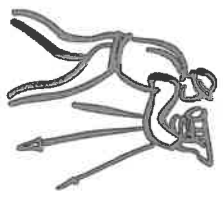
PROPERTY INFORMATION

AREA A: LOW DENSITY RESIDENTIAL (R1)
ZONING: 0.46-AC.
AREA: VACANT
LAND USE: JEREMY AND SARAH KINZER
OWNER: 4347 HIGHWAY 20
ADDRESS: 13S01E28DC
ASSESSORS MAP: 13S01E28DC
TAX LOT: 2500

LEGEND

R/W RIGHT OF WAY
 AC ACRES
 (P) PROPOSED
 (E) EXISTING

SHEET 1
 of 1
 SCALE: AS NOTED



Date: 2/15/2021
 Project: 18-026 KINZER PLA
 Drawn by: LLL
 Checked by: KWL

ZONE MAP AMENDMENT
JEREMY KINZER
4347 HWY. 20
SWEET HOME, OREGON

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON, 97355
 541-451-5125

ZONE MAP AMENDMENT APPLICATION

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

Applicants/Property Owners: Jeremy Kinzer
P.O. Box 986
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
Phone: (541) 990-8661

Site Location: 4347 Hwy. 20

Linn County Assessor's Map No.: 13S-01E-28DC Tax Lot 2500

Site Size: ±0.46-acres

Existing Land Use: Unimproved

Zone Designation: Residential Low Density (R1)

Comprehensive Plan Designation: Highway Commercial

Surrounding Zoning: North: C2 (across Hwy. 20)
South: C2
East: C2 (across 44th Avenue)
West: C2

Surrounding Uses: North: Commercial – Hair Salon/Vehicle Service
South: Residential
East: Government – US Forest Service
West: Commercial – S. Fork Trading Company



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4347 Hwy. 20
ZC Application

February 15, 2021
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I. Executive Summary

The proposal is a request to rezone an existing ±0.46-acres vacant parcel from Residential Low Density (R1) Zone to the Highway Commercial (C2) Zone. Subject property is located south of the Santiam Highway/Highway 20 and west of 44th Avenue intersection at 4347 Highway 20. The proposed C2 zoning designation is in conformance with the Highway Commercial Comprehensive Plan Map designation.

The criteria for amending the Sweet Home Zone Map are found in Sweet Home Municipal Code (SHMC) 17.12.025 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) 17.12.010, a quasi-judicial zone map amendment may be initiated by a property owner, representative of the property owner, the City Manager, the Planning Commission, or the City Council.

According to SHMC 17.12.100, the application submittal requirements include an application authorization form, plans, and specifications drawn to scale and showing the actual shape and dimensions of the lot to be built upon; the size and location on the lot of all existing and proposed structures; the intended use of each structure; the number of families, if any, to be accommodated thereon; the relationship of the property to the surrounding area; and such other information as is needed to determine conformance with Section 17.

III. Review Criteria

SHMC 17.12.025 includes the following review criteria that must be met for a property line adjustment to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions.

A. The proposed amendment is consistent with the goals and policies of the comprehensive plan.

1.1 The subject property is zoned Residential Low Density (R1) with a Highway Commercial Plan designation. The proposed zoning designation is Highway Commercial (C2). The proposed C2 zoning designation is in conformance with the Highway Commercial Comprehensive Plan Map designation.

1.2 All abutting properties to the east, south, and west are zoned C2 and developed with commercial enterprises. Adjacent properties across Highway 20 are zoned C2 and developed with a commercial enterprise. Adjacent property to the east, across 44th Avenue, is zoned C2 and developed with a government institution (U.S. Forest Service).

1.3 According to 17.24.010 of the SHMC, the R1 zoning district is intended to provide areas suitable and desirable for single-family homes, associated public services uses, and duplexes on corner lots. The R1 zone is most appropriate in areas which have developed,



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or will develop, with single-family homes at a density which warrants provision of public water and sewer facilities.

- 1.4 According to 17.36.010 of the SHMC, the C2 zoning district is intended to provide areas suitable and desirable for highway related commercial enterprises intended to meet the business needs of area residents and highway travelers. The C-2 zone is appropriate in an area along or near U.S. Highway 20, east and west of downtown Sweet Home, which has been developed with commercial activities or which have the potential for such activities if sufficient vehicular access control is maintained.
- 1.5 According to Table 1 of the Sweet Home Comprehensive Plan, the purpose of the Highway Commercial land use designation is to provide an area suitable and desirable for retail and service firms, offices, financial institutions, and other uses appropriate in the intensively developed commercial center of the community.
- 1.6 For the following reasons, the applicant concludes that the subject property is poorly aligned with the intent and purpose of the R1 zoning district: 1) the site's frontage on a state highway is more desirable for a commercial enterprise as opposed to a single-family dwelling due to the high traffic volume and highway visibility; 2) there is no residential pattern of development adjoining this property, nor is the subject property located in a "residential neighborhood;" 3) the proposed zone map amendment will serve as a transitional or buffer zone between the highway and residentially zoned properties approximately 100 feet to the south.
- 1.7 The following Comprehensive Plan goals and policies are relevant in considering whether the proposed C2 zoning designation is "consistent" with the goals and policies of the Comprehensive Plan. Each of the relevant goals and policies are listed in *bold italic* print.

Statewide Planning Goal 1: Citizen Involvement

Goal: The opportunity for citizens to be involved with all phases of the planning process.

Sweet Home Citizen Involvement Policies 1- 7

Sweet Home Comprehensive Plan Policy 2: Changes to the Plan shall be made by ordinance after public hearings.

Sweet Home Plan Policy 1: The City Council may amend the Comprehensive Plan after referral to the Planning Commission for review, revisions, and recommendations.

Sweet Home Plan Policy 2: Changes to the Plan shall be made by ordinance after public hearings.

- 1.8 In Type IV quasi-judicial proceedings conducted for zoning map amendments as proposed by the applicant, the SHMC sets forth provisions for citizen involvement at public hearings before the planning commission and city council. Notice was mailed to surrounding property owners within 300 feet of the subject site and to affected government agencies. Notice of these public hearings were published in a newspaper of general circulation.



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Based on these provisions, citizens will have ample opportunity to review and comment on the proposed map amendments. People who are notified of the public hearings are invited to submit comments or questions about the application prior to the hearing or at the hearing. Review of the applications are based on the review criteria listed in the Development Code. The purpose of the public hearing is to provide the opportunity for people to express their opinion about the proposed changes. The planning commission and city council facilitate this process through their respective public hearings.

Statewide Planning Goal 2: Land Use Planning

Goal: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Sweet Home General Development Policy 1: Land allocation for the various uses (residential, commercial, and industrial) will be based on anticipated needs for development.

Sweet Home General Development Policy 2: The City of Sweet Home will encourage development contiguous to existing public services and transportation improvements. This type of development pattern shall be promoted as it will maintain public facility costs at the lowest possible level and provide the opportunity to coordinate development with the provision of services.

Comprehensive Plan Map Policy 1: The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern a recommended by the Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home.

Comprehensive Plan Map Policy 3: Where appropriate, the boundaries of land use designations as depicted on the map generally follow street and alley lines, lot lines, railroad right-of-way, or significant natural features (rivers, creeks, ridge lines, the foot of slopes, and benches. In the event that a public street or alley is officially vacated, the regulations applicable to the adjoining property to which it reverts shall apply to the vacated street or alley.

Plan Amendment Policy 4: An amendment to the Comprehensive Plan shall be considered when one or more of the following conditions exist: a. Updated data demonstrates significantly different trends than previous data; b. New data reflects new or previously undisclosed public needs; c. New community attitude represents a significant departure from previous attitude as reflected by the Planning Commission or City Council; d. Statutory changes significantly affect the applicability or appropriateness of existing plan policies.

Plan Amendment Policy 5: Property owners, their authorized agents, or the City Council may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan amendment, the applicants have the burden of proof that all of the following conditions



exist a. There is a need for the proposed change, b. The identified need can best be served by granting the change requested, c. The proposed change complies with the Statewide Planning Goals, and d. The proposed change complies with all other elements of the City's Comprehensive Plan.

1.9 According to the Sweet Home Comprehensive Plan, "The Comprehensive Plan Map is a visual complement to the Comprehensive Plan Text. It shows the location of each Land Use Designation. In that sense, the map acts as a visual guide for citizens and policymakers that will help encourage sound development during the 20-year planning period." The subject site is designated as Highway Commercial on the Comprehensive Plan Map.

1.10 The Economy Element of the Comprehensive Plan has not been updated since it's adoption in 2001 and was based on data from the 1990's. Therefore, the demonstration of need is based on the 2017, Sweet Home Economic Opportunities Analysis (EOA) as opposed to the Economy Element of the Comprehensive Plan.

Exhibit 1 in the EOA shows unconstrained buildable land by plan designation. A total of 28 unconstrained buildable acres have been identified in EOA under the Highway Commercial Plan Designation. A surplus of 18 acres of commercial land was identified after applying employment land demand by plan designation. However, not all identified acres are development-ready when taking into consideration factors such as property owner interest in developing, access to streets and utilities, and cost of any necessary public improvements.

Adding a surplus of ±0.46-acres will have a marginal increase to the commercial land supply under the C2 zoning district. However, the subject property is development ready. Therefore, the marginal increase will help ensure there is an adequate supply of C2 zoned land that is ready and able to be developed in a wide range of commercial economic enterprises.

Statewide Planning Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Goal: Protect wetlands to ensure their continued contribution as natural areas, open space, wildlife and vegetative habitat, and storm water retention and conveyance.

1.11 The subject property does not contain any known natural or historic resources. Therefore, these policies are not applicable.

Statewide Planning Goal 9: Economic Development

Goal: To provide land suitable for economic growth.

Sweet Home Economic Development Policy 6: The Highway Commercial designation provides for uses that have large size requirements, or that are oriented to highway access.

Sweet Home Economic Development Policy 7: Sweet Home will require businesses in the Highway Commercial zone to have plans showing the design for vehicular traffic, and that address pedestrian and bicycle needs.

1.12 The C2 zone allows for both commercial and residential land uses whereas the R1 zone is limited primarily to residential uses. Likewise, the C2 zone also permits a wider range of residential dwelling types than the R1 zone. Specifically, multi-family housing of three or more units is permitted outright in the C2 zone, whereas they are prohibited in the R1 zone. Additionally, two-family units are permitted outright in the C2 zone, whereas they are prohibited on interior lots in the R1 zone. Therefore, the proposed zone change from R1 to C2 provides greater flexibility in balancing the need for jobs and housing in Sweet Home.

Statewide Planning Goal 10: Housing

Goal: To provide for the housing needs of citizens of the state

Residential Land Use Policy 1: Residential areas will offer a wide variety of housing types in locations best suited to each housing type.

1.13 Although the C2 zoning district does not technically qualify as “residentially-zoned land,” residential uses are permitted in the zone, including single-family and multi-family units.

Statewide Planning Goal 12: Transportation

Goal: To provide a safe, convenient, and economic transportation system.

Oregon Administrative Rule (OAR) 660-012-0060(1)

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

- 1.14 The site is located on the south side of Highway 20 to the west of the 44th Avenue intersection.
- 1.15 The Transportation Planning Rule, OAR 660-012-0060(1), requires a local government to put in place certain mitigation measures if an amendment to a land use regulation (including a map amendment) would “significantly affect” an existing or planned transportation facility. OAR 660-012-0060(9) provides that the “local government may find that an amendment to zoning map does not significantly affect an existing or planned transportation facility” if all the requirements in subsections (a)-(c) are met.
- 1.16 OAR 660-012-0060(9)(a) requires that the proposed zoning map amendment be consistent with the existing comprehensive plan map designation, and the map amendment does not change the comprehensive plan map. As stated previously, a comprehensive plan map amendment is not proposed with this application.
- 1.17 OAR 660-012-0060(9)(b) requires that the local government has an acknowledged Transportation System Plan (TSP) and that the proposed zoning map amendment is consistent with the TSP. The Sweet Home 2005 TSP was acknowledged by DLCD, and the proposed zone change is consistent with the TSP and does not adversely affect TSP policies or projects.
- 1.18 OAR 660-012-0060(9)(c) requires that the area subject to the proposed zoning map amendment not be subject to an exemption from the TPR standards pursuant to a prior UGB amendment or TSP amendment to account for urbanization of the area. The subject site is within the Sweet Home UGB and city limits, so this criterion is not applicable.
- 1.19 Because the proposed zoning map amendment meets all the criteria of OAR 660-012-0060(9)(a)-(c), the proposed amendment does not “significantly affect” an existing or planned transportation facility under OAR 660-012-0060(1), and no mitigation measures under that rule are required. Therefore, the proposal complies with the Transportation Planning Rule, OAR 660-012-0060.

Statewide Planning Goal 14: Urbanization

Goal: To provide for an orderly and efficient transition from rural to urban land use

- 1.20 The subject property is vacant and fully served with City of Sweet Home water, sanitary sewer, storm drainage, and police and fire service. The property is located on an arterial street adjacent to employment and public services and in proximity to residential neighborhoods. Development of the property with residential, commercial, or mixed-use



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would enable Sweet Home residents to live and work in close proximity to nearby neighborhoods, public transit and activity centers.

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.

2.1 All abutting properties to the east, south, and west are zoned C2 and developed with commercial enterprises. Adjacent properties across Highway 20 are zoned C2 and developed with a commercial enterprise. Adjacent property to the east, across 44th Avenue, is zoned C2 and developed with a government institution (U.S. Forest Service).

2.2 The 0.46-acre site is currently unimproved. At urban densities, the site is large enough to be developed. City services including water, sanitary sewer, storm drainage, and streets are either available or could be improved to serve future development. Therefore, the proposed zone map amendment is timely and efficient. This criterion is met.

C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and

3.1 Sanitary Sewer: City utility maps show an 8-inch public sanitary sewer main in Santiam Highway/Highway 20. The City's Wastewater Collection System Facility Plan does not show any system deficiencies in this area that would indicate that development allowed as a result of the proposed zone change would adversely impact the public sanitary sewer system. The existing public sanitary sewer facilities should be adequate to serve any potential development allowed under the proposed zoning designation.

3.2 Water: City utility maps show a 12-inch public water main in Santiam Highway/Highway 20. The City's Water Facility Plan does not show any system deficiencies in this area that would indicate that development allowed as a result of the proposed zone change would adversely impact the public water system. The existing public water facilities should be adequate to serve any potential development allowed under the proposed zoning designation.

3.3 Storm Drainage: Santiam Highway (Highway 20) is an ODOT right-of-way under the jurisdiction of the State. Future development on the subject property, regardless of the zoning designation, is likely to require the construction of on-site stormwater detention facilities as well as stormwater quality facilities. The detention facilities are typically designed to restrict stormwater discharge from the site to predevelopment rates, which should mitigate potential impacts to the public storm drainage system in Pacific Boulevard. Because Santiam Highway/Highway 20 is a State highway and under the jurisdiction of ODOT, any future development on the subject property would be subject to ODOT requirements pertaining to stormwater discharge to the highway drainage system.

3.4 Public utilities (sanitary sewer, water, storm drainage) are adequate to serve potential development on the subject property under the proposed C2 zoning designation.

3.5 Any specific utility requirements for future development would be determined at the time of land use application for the development. Therefore, this criterion is met.

D. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals.

4.1 A comprehensive plan map amendment is not proposed with this application. Therefore, is review criterion is not applicable.

IV. OVERALL CONCLUSION

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

V. ATTACHMENTS

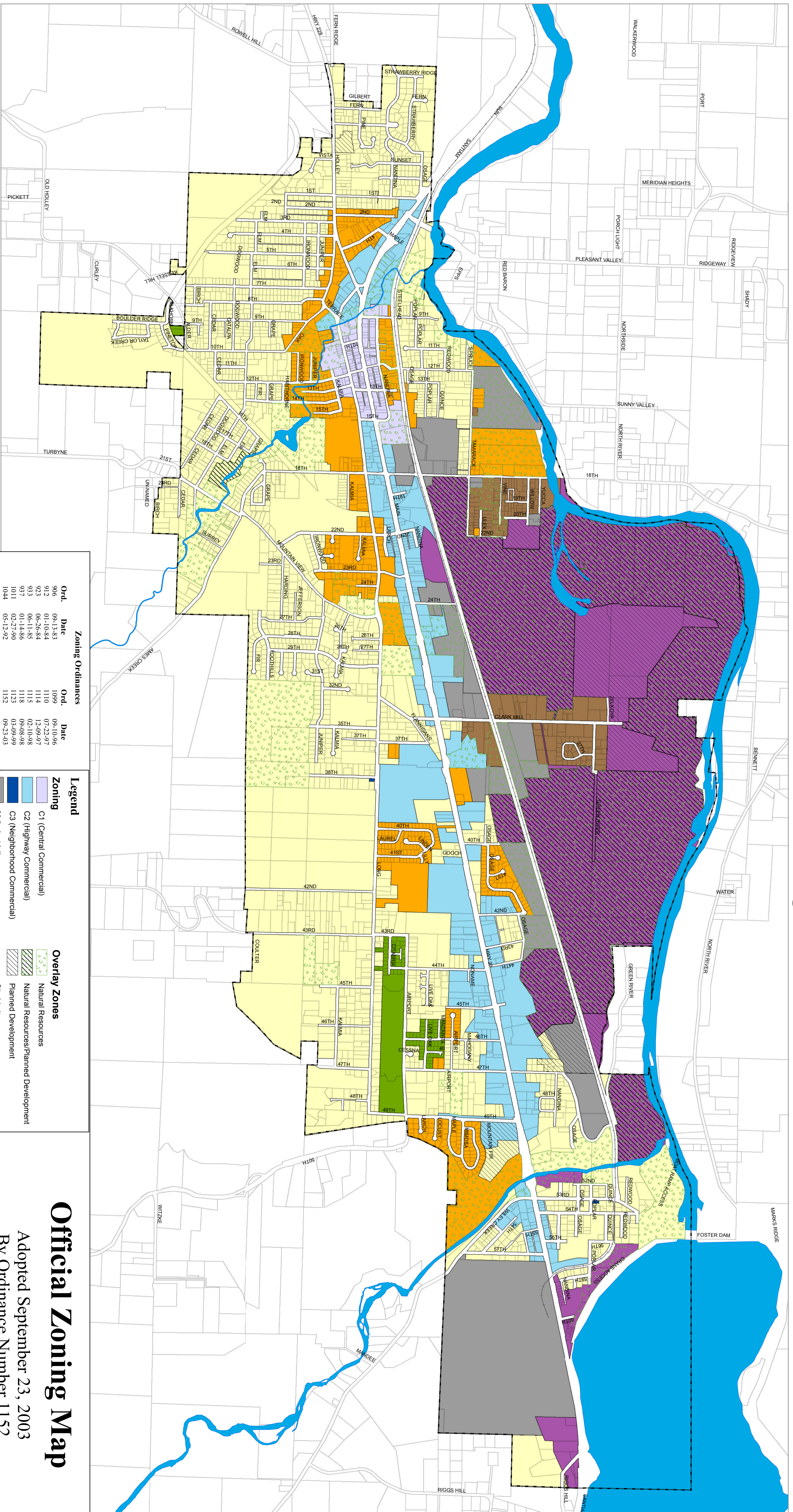
- A. Site Map
- B. Sweet Home Zone Map
- C. Sweet Home Comprehensive Plan Map



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Sweet Home Zoning



This map was created for display purposes only and is subject to errors and/or omissions. The City of Sweet Home and Linn County disclaim any liability as to the accuracy of the data.

Created By:
 City of Sweet Home
 Community Development

541-367-8113

Zoning Ordinances		
Ord.	Date	Ord.
906	09-13-83	1099
912	01-10-84	1110
923	06-28-84	1114
933	06-11-85	1115
937	01-14-86	1118
1011	02-27-90	1123
1044	05-12-92	1152
1055	01-26-93	1162
1060	06-22-93	1169
1070	04-26-94	1178
1080	11-08-94	1181
1083	06-19-96	1193
1099	09-10-96	1200
1102	04-22-97	1206
1105	05-27-97	

Legend	
	Zoning
	C1 (Central Commercial)
	C2 (Highway Commercial)
	C3 (Neighborhood Commercial)
	M (Industrial)
	R1 (Low Density Residential)
	R2 (High Density Residential)
	R3 (Medium Density Residential)
	RC (Recreation Commercial)
	RM1 (Residential Industrial Transition)
	Overlay Zones
	Natural Resources
	Natural Resources/Planned Development
	Planned Development
	City Limits
	Taxlots
	Lakes, Rivers, Streams
	Railway

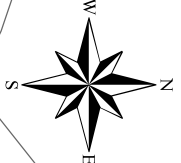
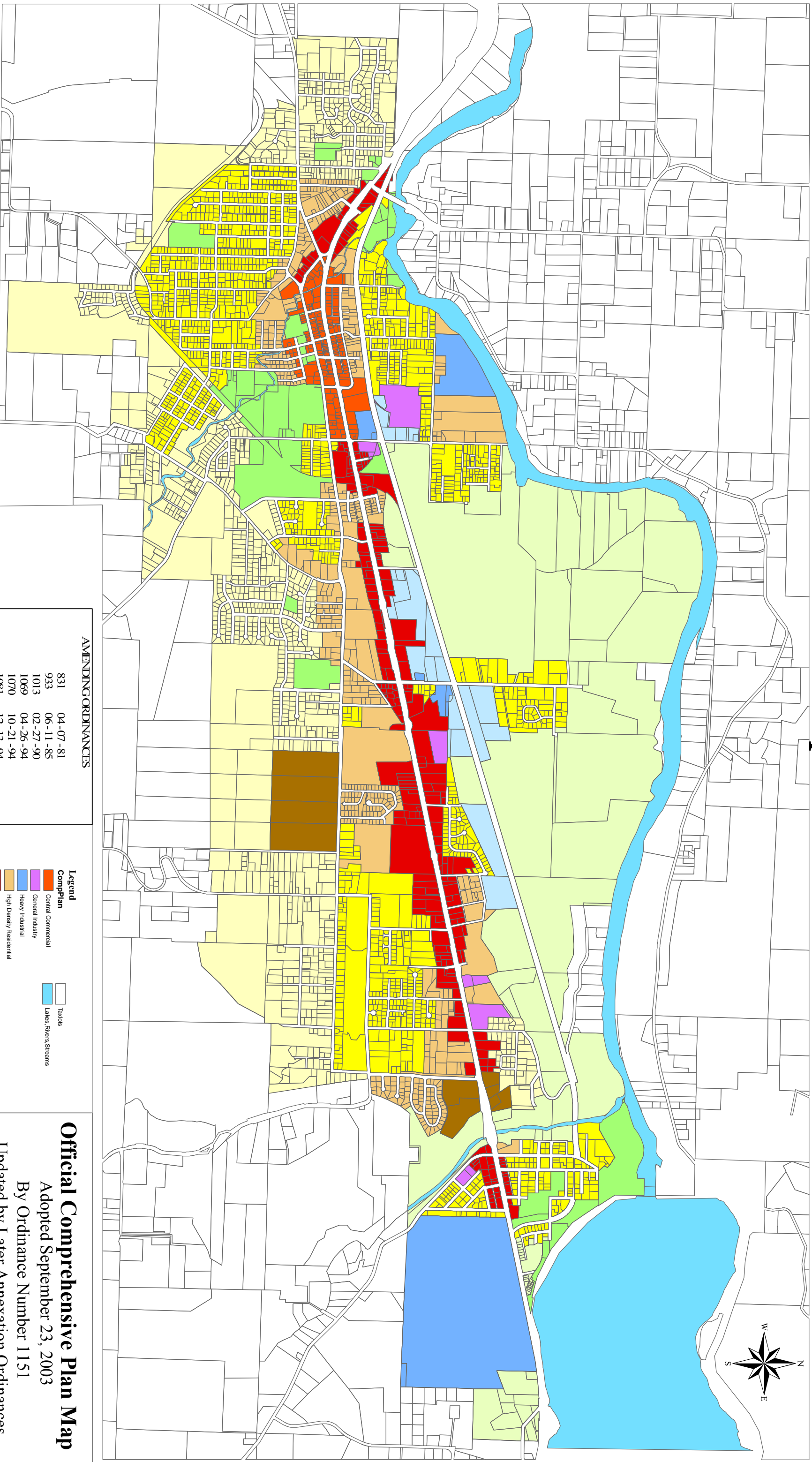
Official Zoning Map

Adopted September 23, 2003
 By Ordinance Number 1152
 Updated by Later Zoning Ordinances

0 0.5 1 miles

1 inch equals 0.16 miles

Sweet Home Comprehensive Plan



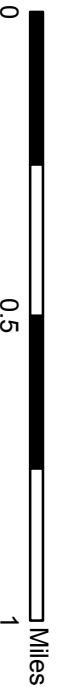
AMENDING ORDINANCES

831	04-07-81
933	06-11-85
1013	02-27-90
1069	04-26-94
1070	10-21-94
1081	12-13-94
1083	06-19-95
1102	04-22-97
1105	05-27-97
1114	12-09-97
1125	11-09-09
1151	09-23-03
1197	12-11-07

Legend	
	Taxlots
	Lakes/Rivers/Streams
	Central Commercial
	General Industry
	Heavy Industrial
	High Density Residential
	Highway Commercial
	Light Industrial
	Low Density Residential
	Medium Density Residential
	Mixed Use Residential
	Planned Recreation Commercial
	Public

Official Comprehensive Plan Map

Adopted September 23, 2003
 By Ordinance Number 1151
 Updated by Later Annexation Ordinances



1 inch equals 0.32 miles

This map was created for display purposes only and is subject to errors and/or omissions. The City of Sweet Home and Linn County disclaim any liability as to the accuracy of the data

Created By:
 City of Sweet Home
 Community Development

Revised by SV1/09/09

541-367-8113



**Application for an Amendment to the
 Comprehensive Plan or Zoning
 Maps or Text**

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.

Date Received: 02.22.21
 Date Complete: 02.23.21
 File Number: ZMA21-01
 Map/Text Amendment Application Fee \$: \$1,030.00
 Zoning Application Fee \$: \$1,030.00
 Receipt #: 4241
 Planning Commission Hearing Date: 04.05.21
 City Council Hearing Date: 04.27.21

Applicant's Name:
 Laura LaRoque, Udell Engineering and Land Surveying, LLC

Applicant's Address:
 63 E. Ash Street, Lebanon, OR 97355

Applicant's Phone and e-mail:
 541-990-8861 / laura@udelleng.com

Property Owner:
 Jeremy Kinzer

Owner's Address:
 P.O. Box 986 Lebanon, OR 97355

Owner's Phone and email:
 541-350-3009 / jeremymkinzer@yahoo.com

Comprehensive Plan Map or Zoning Map Amendment

Subject Property Address:
 4347 Hwy. 20, Sweet Home, OR 97386

Subject Property Assessor's Map and Tax Lot:
 13S01E28DC02500

Subject Property Size:
 0.46-acres

Current Zoning Classification
 Low Density Residential (R1)

Current Comprehensive Plan Classification:
 Highway Commercial

Purpose of Request

Zone Map Amendment to amend the zoning designation from the Low Denisty Residential zoning designation to the Highway Commercial (C2) zoning designation.

Zoning or Comprehensive Plan Text Amendment

Sections proposed to be changed: _____ Proposed language for change: _____
 Attach proposed text to this form.

Purpose of Request

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.

Owner: **Applicant's Signature:** _____

Date: 2-4-21

Applicant: **Property Owner's Signature:** _____

Date: 2/9/21

ORDINANCE BILL NO. 4 FOR 2021

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP

WHEREAS, the applicant, Laura LaRoque with Udell Engineering and Land Surveying LLC, submitted Zone Change Application ZMA21-01 and requested a zone map change for an area consisting of approximately .46 acres located at 4347 Highway 20, Sweet Home, OR 97386. The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Highway Commercial (C-2) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The subject property is identified on the Linn County Assessor's Map as 13S01E28DC Tax Lot 02500; and

WHEREAS, the Planning Commission of the City of Sweet Home held a public hearing on April 5, 2021 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 April 5, 2021 meeting, and recommended that the City Council approve this application: and

WHEREAS, the City Council held a public hearing on this matter on April 27, 2021, with due notice of such public hearing and requested a continuous to May 6, 2021, to provide opportunity for public comment and testimony. The City Council approved this application by motion at their May 6, 2021 meeting; and

WHEREAS, the proposed C-2 zoning is needed 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 zone change application ZMA21-01 included as Exhibit A.

Section 2: The City of Sweet Home amends the Official Zoning Map, identified in SHMC 17.20.020 as the City Zoning Map including all subsequent amendments, for the an area consisting of approximately .46 acres located at 4347 Highway 20, Sweet Home, OR 97386.; and identified on the Linn County Assessor's Map as 13S01E28DC Tax Lot 02500. The Official Zoning Map shall be amended from the Residential Low Density (R-1) Zone to the Highway Commercial (C-2) Zone for the subject property as shown on Exhibit B.

Passed by the Council and approved by the Mayor this _____ day of _____ 2021.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder

Exhibit A

Findings of Fact in Support of Zone Change Application ZMA21-01

Exhibit A to Order of Approval for ZMA21-01

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.

- A. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following: [SHMC 17.12.010]**
- 1. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**
 - a. The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code. [Sweet Home Comprehensive Plan, Chapter 2 Text]**
 - b. The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern as recommended by Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Policy 1]**
 - c. Zoning Codes. The Zoning Codes regulate the use of land on a comprehensive basis. More specifically, the Zoning Codes divide the community into residential, commercial, industrial, and other use zones based on the Comprehensive Plan. Each zone has standards and regulations that determine the allowed uses on that land and the standards to which structures must conform, such as building height, yard setbacks, and lot size. The Codes consists of text, found in Title 17 of the Sweet Home Municipal Codes, and an official Zoning Map.**

The Zoning Codes fulfill two major roles. First, zoning promotes the public health, safety, and welfare of Sweet Home. Secondly, the Zoning Codes implement the Comprehensive Plan. Oregon Revised Statute 197.175 states that cities will:

- Prepare, adopt, amend, and revise comprehensive plans in compliance with Statewide Planning Goals; and**
- Enact land use regulations to implement their comprehensive plan.**

In a broad sense, zoning encourages the orderly development of the community and implements the Comprehensive Plan. Zoning can only partially relate to the long-term aspects of the plan because as a regulatory tool, it must relate to the current conditions within the City of Sweet Home.

The Comprehensive Plan provides a general and long-range policy for the City while the Zoning Codes serve as a legal ordinance with binding provisions on

land development. The various zones have specific boundaries and when drafting the Zoning Ordinance, the City considers how each land parcel will be affected.

Zoning Code provisions and the Zoning Map can be amended. Amendments shall be consistent with the Comprehensive Plan. If proposed amendments to the Zoning Codes do not comply with the Comprehensive Plan, the Comprehensive Plan must also be amended so that the two documents correspond. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Chapter 8: Plan Management]

- d. **Updating the plan: Making the Comprehensive Plan a basic part of the community's planning process an ongoing active function of City government will keep the Plan as a viable and useable policy document. The Comprehensive Plan needs to be updated occasionally for the following reasons:** [Sweet Home Comprehensive Plan, Chapter 8: Plan Management]
 - i. **To accurately reflect changes in the community.**
 - ii. **To ensure integration with other policies, Zoning Codes, and Subdivision Codes.**
- e. **Changes to the Plan Shall be made by ordinance after public hearings.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 2]
- f. **Changes in the Plan shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage should be a part of the document.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 3]
- g. **Property Owners, their authorized agents, or the City Council may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan amendment, the applicants have the burden of proof that all of the following conditions exist.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 5]
 - i. **There is a need for the proposed change;**
 - ii. **The identified need can best be served by granting the change requested;**
 - iii. **The proposed change complies with the Statewide Planning Goals; and,**
 - iv. **The proposed change complies with all other elements of the City's Comprehensive Plan.**
- h. **Highway Commercial: To provide suitable and desirable commercial areas along the highway intended to meet the business needs of the community.** [Sweet Home Comprehensive Plan Land Designations for Economic Development, Table 11]
- i. **High Density Residential: 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.** [Sweet Home Comprehensive Plan Map Residential Land Designations, Table 7]

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria
Page 2.

Staff Findings: The applicant is proposing to change the Zoning Map of an approximately 20,210 square feet (.46 acre) property identified on the Linn County Assessor's Map as 13S01E28DC Tax Lot 2500 (see Attachment A). The applicant has proposed a change in zoning from Residential Low Density (R-1) to Highway Commercial (C-2).

Based on the Linn County 2018 aerial photograph, the area is surrounded by Highway Commercial lots. There is no development planned with the Zone Map Amendment application.

Based on the findings above the proposed zoning plan designation would be consistent with the Sweet Home Comprehensive Plan.

The application complies with this criterion.

- 2. 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; [SHMC 17.12.025(B)]**

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria Page 8, B.

Staff Findings: Staff finds that the proposed zoning map amendment would be orderly and timely, be consistent with the pattern of development in the area, and based on the 2018 Linn County aerial photograph, staff finds that the subject property is surrounded by Highway Commercial lots.

The application complies with this criterion.

- 3. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and [SHMC 17.12.025(C)]**

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria Page 8, C.

Staff Findings: Water and sanitary sewer services are available in Highway 20. The subject property has frontage along Highway 20. The applicant has not proposed development with this Zone Map Amendment application

The application complies with this criterion.

- 4. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals. [SHMC 17.12.025(D)]**

Applicants Comments: See Attachment C, Zone Map Amendment Application, III. Review Criteria Page 9, D.

Staff Findings: The applicant is not proposing an amendment to the comprehensive plan map.

- 5. OAR 660-012-0060(1). If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**
 - a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**

- b. **Change standards implementing a functional classification system; or**
- c. **Result in any of the effects listed in paragraphs (a) through (c) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
 - i. **Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - ii. **Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
 - iii. **Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan. [OAR 660-012-0060(1)]**

Staff Findings: The subject property has existing frontage along Highway 20. The applicant has proposed a change in zoning from the Residential Low Density (R-1) zone to the Highway Commercial (C-2) zone. The proposed use would be consistent with the Comprehensive Plan Map designation. Based on these findings, staff concludes that the proposed zone change would not significantly affect the existing transportation infrastructure in the neighborhood and is consistent with the Sweet Home Transportation System Plan.

The application complies with this criterion.



**Application for an Amendment to the
 Comprehensive Plan or Zoning
 Maps or Text**

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.

Date Received: 02.22.21
 Date Complete: 02.23.21
 File Number: ZMA21-01
 Map/Text Amendment Application Fee \$: \$1,030.00
 Zoning Application Fee \$: \$1,030.00
 Receipt #: 4241
 Planning Commission Hearing Date: 04.05.21
 City Council Hearing Date: 04.27.21

Applicant's Name:

Laura LaRoque, Udell Engineering and Land Surveying, LLC

Applicant's Address:

63 E. Ash Street, Lebanon, OR 97355

Applicant's Phone and e-mail:

541-990-8861 / laura@udelleng.com

Property Owner:

Jeremy Kinzer

Owner's Address:

P.O. Box 986 Lebanon, OR 97355

Owner's Phone and email:

541-350-3009 / jeremymkinzer@yahoo.com

Comprehensive Plan Map or Zoning Map Amendment

Subject Property Address:

4347 Hwy. 20, Sweet Home, OR 97386

Subject Property Assessor's Map and Tax Lot:

13S01E28DC02500

Subject Property Size:

0.46-acres

Current Zoning Classification

Low Density Residential (R1)

Current Comprehensive Plan Classification:

Highway Commercial

Purpose of Request

Zone Map Amendment to amend the zoning designation from the Low Denisty Residential zoning designation to the Highway Commercial (C2) zoning designation.

Zoning or Comprehensive Plan Text Amendment

Sections proposed to be changed:

Proposed language for change:

Attach proposed text to this form.

Purpose of Request

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:

2-4-21

Property Owner's Signature:

Date:

2/9/21

MEMORANDUM



TO: City Council
Ray Towry, City Manager
Interested Parties

FROM: Blair Larsen, Community and Economic Dev. Director

DATE: May 11, 2021

SUBJECT: Community and Economic Development Department Report for April 2021

The Community and Economic Development Department (CEDD) consists of the City's Building, Planning, Engineering, Economic Development, Code Enforcement, and Parks and Recreation programs. The following is a summary of activities and notes on current projects from April 1st, to April 30th, 2021.

1. BUILDING

- Summary of Building Program Permits Issued.

Permit Category	April, 2021	March, 2021	2021 YTD	2020 Total	2016-2020 Annual Average
Residential 1 and 2 Family Dwellings	5	2	8	22	31.2
Residential Demolition	1	3	5	7	7
Residential Manufactured Dwellings	2	1	8	7	12.6
Residential Mechanical Permits	9	4	31	93	101.6
Residential Plumbing	4	7	15	27	26.2
Residential Site Development	0	0	0	0	1.2
Residential Structural	9	3	23	55	44.6
Commercial Alarm or Suppression Systems	0	0	5	2	1.4
Commercial Demolition	1	1	2	4	3
Commercial Mechanical	2	1	6	17	14.8
Commercial Plumbing	0	0	0	9	11.6
Commercial Site Development	0	1	1	2	2.6
Commercial Structural	2	2	10	29	40.0
Total Permits	35	25	114	274	297.8
Value Estimate of All Permits	\$2,095,549.79	\$921,289.35	\$3,886,112.55	\$15,074,659.04	\$15,649,218.08
Fees Collected	\$25,779.99	\$15,648.69	\$60,757.17	\$212,454.67	\$216,365.51

2. PLANNING

- Summary of Planning Division Applications Approved:

Application Type	April, 2021	March, 2021	2021 YTD	2020 Total	2016-2020 Annual Average
Annexations	0	0	0	1	0.4
Code Amendments	0	0	0	1	0.6
Conditional Use	2	1	3	5	6.6
Partition	4	1	8	8	5.6
Planned Development/Subdivision	0	0	2	1	0.6
Property Line Adjustments	0	0	3	15	8.8
Vacation	0	0	0	0	0
Variance	0	0	0	1	6.4
Zoning Map Amendment	0	0	1	4	1.4

- 6 land use applications were submitted in April.
- 5 Land Use Applications are pending final approval.
- 7 Fence Permits were issued in April.
- The overhaul of development code portions of the Sweet Home Municipal Code (SHMC) is progressing as planned. The Planning Commission is now meeting twice every month until they have completed their review of the new draft. It is expected that Planning Commission review will not be complete until the fall, at the earliest. Once the Planning Commission has completed their review, they will make a recommendation to the City Council, after which the Council will have an opportunity to review the document and consider changes.
- The City has received a grant from the State to update our Transportation System Plan and create an Area Plan for the undeveloped land on the north side of the City. We will be meeting with ODOT in the next couple of months to work out an Intergovernmental Agreement, draft the Scope of Work, and hire a consultant.
- The next Planning Commission meeting is scheduled for May 17, 2021.

3. ECONOMIC DEVELOPMENT

- Now that the contract with Dougherty Landscape Architects (DLA) for the Downtown Streetscape and Parking Plan, work has begun on that project. Staff conducted an on-site tour of downtown with the Consultants and is providing them with GIS data and other support. The first community meeting on March 25th went well, and Staff are assisting DLA with gathering input from members of the public who were unable to attend the meeting in person.
- Staff is continuing to support our local businesses during the Coronavirus Pandemic. Efforts have focused on making sure that businesses know of state and federal programs that can help them and researching how we can fill in the gaps. Recently, the City was able to obtain a shipment of Personal Protective Equipment (PPE) from the State for distribution to businesses at no charge. The State conducted an additional round of PPE distribution, Staff submitted and received an order on behalf of local businesses and is now distributing PPE to interested businesses.
- Work on a property partition and right-of-way width change for 24th Ave is proceeding now that DEQ has issued a No Further Action (NFA) designation for the southern part of the Public Works Yard. This is part of a comprehensive 24th Avenue Corridor Improvement Project. Staff has finalized the agreement with the adjacent property owners and is ready to

bring forward a Request for Council Action to approve the partition application and adopt a resolution to swap the land, however, the project was stalled due to the other party's concerns about liability for any additional environmental cleanup. The adjacent property owners have completed their own legal review and have reached a tentative agreement with Staff and the City Attorney. We are now preparing the final legal documents. Once we have a final draft of the documents approved by the adjacent property owner, Staff will bring an RCA to the Council for approval.

- Staff has submitted an application to ODOT for a Rail Crossing at 24th Avenue. Meetings with Albany & Eastern Railroad (AERC) have been positive, and they have provided a letter of support that was included with the application. Linn County has provided a letter of support committing to additional ROW dedication and agreeing to the crossing. ODOT assigned a property manager and has reviewed the request and suggested modifications. Staff is continuing to work with ODOT and AERC to address concerns and update the plans for the crossing. If no other problems are found, ODOT could approve a crossing by the end of Summer.
- We continue to try to work with Linn County to develop a plan for the old Weyerhaeuser mill site. The remaining cleanup looks positive, and it is possible that it could be completed soon, however, some pollutants will be left in place, and would require a management plan that ensures that the ponds and the associated sediment are not disturbed. Staff has stayed in contact with DEQ regarding the cleanup efforts. Staff has recently met with a developer interested in the County's property, and a public-private-partnership to develop the City's property. Staff also recently met with our Regional Solutions Team regarding the property and the City's plans. That meeting included good news regarding the EPA lien on the property: it is now gone. In addition, we have recently learned that two portions of the property will be receiving a "No Further Action" designation from DEQ. Both of these developments are major signs of progress toward getting the property redeveloped.

4. CODE ENFORCEMENT

- Summary of Actions.

Case Status	April, 2021	March, 2021	2021 YTD	2020 Total	2018-2020 Annual Average
New Complaints	5	3	25	76	N/A
New Officer-Detected Violations	8	13	24	N/A	N/A
Violations Resolved	12	4	53	195	326.33
Complaints Noted with No Violation Found	0	1	3	17	25
Open Cases at End of Period	21	20	21	28	N/A
Citations	0	0	3	5	1.67
Abatements	0	0	0	0	0
Enforcement Type	April, 2021	March, 2021	2021 YTD	2020 Total	2018-2020 Annual Average
Animal	1	3	13	49	50.33
Blight	0	1	2	1	1
Illegal Burn	0	0	0	0	2
Illegal Dumping	0	0	0	0	0.67
Illegal Parking	1	2	5	24	9.33
Illegal Sign	0	0	1	6	3.33
Junk/Abandoned Vehicle	0	0	0	8	10.67
Minimum Housing	0	0	0	4	4.33
Occupying an RV	1	1	2	50	47.33
Open Storage	2	8	13	84	79.33
Other	0	1	3	7	24
Public Nuisance	1	7	8	103	59
Public Right-of-way	0	0	2	13	16.33
Tall Grass & Weeds	7	0	7	161	142
Vacant Lot	0	0	0	0	0.33

The City's Code Enforcement Officer responds to complaints submitted through the City's website, and actively patrols the City and works to resolve identified code violations.

5. PARKS

- The Park and Tree Committee will meet next on May 19, 2021.
- Staff are now planning for this year's Movies in the Park and Harvest Festival. Tentative Dates for Movies in the Park are: June 18th, July 16th, and August 13th.
- Construction of Sankey Park Improvements is continuing. Construction on the play structures and concrete has been completed, as well as much of the lighting installation. Work on the asphalt paths, remaining electrical and irrigation lines is ongoing.

6. OTHER PROJECTS

- The Council has authorized ownership of the sculpture in the ODOT right-of-way near the East Linn Museum, and we have received a proposed Intergovernmental Agreement from ODOT. However, Citizens have come forward seeking to add a roofed structure over the artwork to protect it from the weather. Staff is working with ODOT to modify the IGA in order to allow the construction of a roofed structure. Staff inquired to learn if City acquisition of the property was a possibility. Initially, ODOT informed us that such action was not a possibility. However, after additional follow-up, ODOT is indicating that a right-of-way vacation is possible, which would add some of the property to the East Linn Museum property. Staff is waiting for a modified agreement from ODOT. In the meantime, staff will soon spray the sculpture with a protective coating.
- Willow Street Neighborhood LID: Appointed Viewers have reviewed the project scope and have recommended approval to the City Council to proceed, with concern on the cost burden for homeowners of both a water and a street project at the same time. A public meeting was held, and area residents stated concerns about cost and boundaries. Staff is currently reviewing the project scope to try and 1) reduce the project cost, and 2) reduce or mitigate the proportionately large costs two large parcels have in relation to the whole of the neighborhood. This relates to both the water system and the street system. Some alternate changes to the usual Assessment Method are being reviewed. Two “open house” style meetings for residents of the neighborhood and members of the Council to examine alternate proposals were held on April 20th and April 29th at 6 PM in the Council Chambers. While lightly attended, the information presented was well received. Based upon the feedback from those open houses, Staff will bring a proposal back before the Council in a public hearing in June.
- The ODOT Foster Lake Sidewalk Project: Budgetary constraints have required that the project be limited to one side (the north) of US 20. The new scope also removes the section underneath the railroad bridge and calls for a soft-surface path in that location to be constructed by the City. Construction has been delayed until 2022, but engineering work is continuing throughout 2021.
- The CEDD systems analysis is ongoing. This project will “map” out all department processes so that efficiencies can be identified, delays can be removed, and operations can be made easier for both customers and staff. These process maps will be documented for staff continuity and to share with other departments.
- Staff has begun meeting again with ODOT regarding a possible pedestrian crossing at 22nd Avenue and Main Street. We may have a funding source identified to get improvements constructed at little cost to the City. As things develop, we will keep you informed.

MEMORANDUM



TO: Ray Towry, City Manager
 FROM: Greg Springman, Public Works Director
 DATE: May 11, 2021
 SUBJECT: Public Works Activities Report – April 2021

This memorandum provides a brief periodic update of specific projects, WTP/WWTP O&M and Compliance status, and activities performed by the Public Works Department.

This table section summarizes work done on key maintenance activities.

Work Type	April, 2021	March, 2021	2021 YTD	2020	2 Yr Ave
Bathrooms/Garbage	24	21	107	597	670
Catch Basin Inspection/cleaning	1	0	1	48	40
Leaf Collection	0	0	1	138.5	181
Hydrant Flushing	1	34	71	280	292
Locates	46	27	162	520	484
Meter Re-Read	94	95	312	830	636
Mowing	13	0	18	82	106
Playground EQ Inspection	11	10	40	21	60
Pothole Repair	22	46	374	667	638
Sewer CCTV Miles	0.05	0.00	0.05	5.71	4
Street Sweeping Miles	0	172	172	2086	3114
Water Main Repair	1	0	4	5	10
Water Service Repair	1	1	4	73	52
Water Turn Ons/Offs	57	46	216	914	977
Total Completed Word Orders	489	394	1865	7895	8233

WWTP and WTP Key Performance Indicators (KPIs)

	March, 2021	February, 2021	2021 YTD	2020	2019	5 Yr Ave
Potable						
MG Treated	27.11	23.36	80.91	345.13	444.48	434.89
Backwash Water in MG	2.86	2.41	11.50	18.42	22.90	13.50
Ave daily demand in MG	0.87	0.83	0.90	0.95	1.21	1.17
Sanitary						
MG Treated	60.03	87.37	235.05	596.71	547.14	559.36
Max Daily Flow in MG	2.64	4.73	4.73	6.66	7.30	6.02
Average Flow in MG	1.94	3.12	2.63	1.63	1.50	1.53

MG is Million
* Gallons

Notes: There were zero water quality exceedances reported for the month of March

Current & Upcoming Projects

Treatment Facilities Working on bringing Operations in House

Scope: Council voted to resume operations of treatment facilities.

Status: Staff has completed interviews and are selecting candidates for hire. Current proposed transfer on July1, 2021.

Wastewater Treatment Plant Improvement Project

Scope: Upgrades to equipment & processes for DEQ Compliance

Status: Project on schedule. WWTP Final design commenced in August, 2019. WWTP Improvement Project is proceeding to 90% design completion. Staff seeking DEQ and USDA approval for the proposed project.

Water Loss

Scope: Staff will continue to identify water leaks throughout the 54 miles of water distribution system.

Status: PW staff will continue to provide updates as available.

Radar Speed Signs

Scope: Purchase 6 radar speed signs throughout the community.

Status: ODOT permits approved. Staff has installed signs along Highway 20.

Sankey Park Improvements

Scope: Install new paths, lighting, and playground equipment.

Status: CTC removed several trees May 2021. Paths and lighting work has resumed.

2021 Overlay Project

Scope: Overlay multiple streets through the community.

Status: Phase I has been awarded for construction. Phase II RFP has been approved by Council and is out to bid.

Water Distribution System Evaluation – West Yost

Scope: West Yost will perform a hydraulic water model of the water distribution system to pinpoint operations deficiencies and develop a plan to mitigate water system deficiencies.

Status: City staff purchased water modeling software, which West Yost to hydraulically model the water distribution system. Project currently in progress awaiting results from staff.

System Development Charges (SDCs) – Murraysmith

Scope: Provide an update to the current water and sewer system development charges (SDCs) and establish new transportation, parks, and stormwater SDCs based on current capital improvement plans. Council Workshop presentation took place on July 28, 2020.

Status: Completed.

Backwash Pump Evaluation – West Yost

Scope: Evaluate feasibility of adding a backwash pump and using clearwell for filter backwashes and the corresponding effects on the distribution system and treatment.

Status: In design with West Yost.

Finished Water Pump Evaluation – West Yost

Scope: Evaluate feasibility to add a Variable Frequency Drive (VFD) to the current finish water pumps to maintain a constant level in clearwell to help facilitate Backwash Pump.

Status: In design with West Yost.

WTP Disinfection Evaluation – The Automation Group (TAG) (sub from West Yost)

Scope: Murraysmith will perform a hydraulic water model of the water distribution system to pinpoint operations deficiencies and develop a plan to mitigate water system deficiencies.

Status: Staff procured equipment, Public Works staff to complete installation. TAG assisting with final configuration.