



CITY OF SWEET HOME PLANNING COMMISSION AGENDA

May 17, 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.

Call to Order and Pledge of Allegiance

Roll Call of Commissioners

Public Comment. This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.

Public Hearings

Application LA21-01: This legislative amendment, LA 21-01, consists of text amendments to Chapters 17.24, Residential Low-Density Zone; 17.28, Residential High-Density Zone; and 17.30, Medium Density Residential Zone, of the Sweet Home Municipal Code (SHMC). The proposed text amendments were identified by City Staff, based on feedback from the Planning Commission and City Council, as a method for improving the quality of housing within the City. This proposal includes amendments to following sections of the SHMC 17.24: 17.24.090 Homes on individual lots. SHMC 17.28: 17.28.090 Homes on individual lots. SHMC 17.30: 17.30.090 Standards for homes on individual lots.

Article I: 2021 Development Code Update

Adjournment

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

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

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

Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually

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.

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

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

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

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

**City of Sweet Home**

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

Legislative Amendment (LA) 21-01

This legislative amendment, LA 21-01, consists of text amendments to Chapters 17.24, Residential Low-Density Zone; 17.28, Residential High-Density Zone; and 17.30, Medium Density Residential Zone, of the Sweet Home Municipal Code (SHMC). The proposed text amendments were identified by City Staff, based on feedback from the Planning Commission and City Council, as a method for improving the quality of housing within the City.

This proposal includes amendments to following sections of the SHMC 17.24: 17.24.090 Homes on individual lots. SHMC 17.28: 17.28.090 Homes on individual lots. SHMC 17.30: 17.30.090 Standards for homes on individual lots.

FILE NUMBER: LA 21-01

REVIEW AND

DECISION CRITERIA: Sweet Home Municipal Code Section(s): 17.24.090, 17.28.090, and 17.30.090.

PLANNING COMMISSION

HEARING DATE & TIME: May 3, 2020 at 6:30 PM

LOCATION: City Hall Council Chambers 3225 Main Street, Sweet Home, Oregon 97386

CITY COUNCIL

HEARING DATE & TIME: May 11, 2020 at 6:30 PM

LOCATION: City Hall Council Chambers 3225 Main Street, Sweet Home, Oregon 97386

STAFF CONTACT:

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

REPORT DATE: April 26, 2021

Municipalities are required to comply with Statewide Planning Goals. Goal 10 addresses Housing. This proposed ordinance interacts with Goal 10 only in that it affects housing types and could affect housing affordability.

The City's Comprehensive Plan points to its Housing Needs Analysis that was conducted in 2001. However, that document has not been updated since it was drafted and is of almost no beneficial use now, 20 years later. Efforts have been made to update both the City's Comprehensive Plan and Housing Needs Analysis, however despite years of attempts, funding has not been secured to accomplish this work. The City is fortunate, though, that it has much more available residential land within its Urban Growth Boundary than many other cities of our population size.

Staff has analyzed the proposed ordinance based on Statewide Goal 10 and determined that the proposed change does not leave the city with less than adequate residential land supplies in

the locations, types, and affordability ranges affected.

Location

The proposed ordinance does not include any changes to the locations where housing of any type can be developed. This ordinance does not restrict the availability of housing based on location.

Types

While the proposed ordinance is directed at manufactured homes, the only changes that it makes to the current development code are reasonable restrictions based on appearance and energy efficiency. This ordinance does not restrict the availability of housing based on type.

Affordability

The proposed ordinance does impact the cost of manufactured homes in that it will require developers to select homes that comply with the ordinance and may prevent developers from placing older manufactured homes on lots within the City. This may result in an increase in development costs for manufactured homes, however, the energy efficiency offered by homes that meet the standards of this ordinance will lower the heating and cooling costs for these same homes. Staff believes that these cost balance each other out, and while there may be an impact to upfront housing costs from the proposed ordinance, the decrease in energy cost will result in monthly savings for the resident. This ordinance may affect the supply of housing based on affordability.

Attachment A: Draft Ordinance

**CITY OF SWEET HOME
ORDINANCE NO. _____**

AN ORDINANCE AMENDING THE SWEET HOME MUNICIPAL CODE §17.24.090, §17.28.090, and §17.30.090: MANUFACTURED HOMES ON INDIVIDUAL LOTS

WHEREAS, the City of Sweet Home seeks to ensure the safety of manufactured homes placed within the City; and

WHEREAS, the Planning Commission held a public hearing on May 3, 2021 for the proposed amendments to Sweet Home Municipal Code §17.24.090, §17.28.090, and §17.30.090; and

WHEREAS, the Planning Commission followed the text amendment procedures under Chapter 2.20.90 Powers and Duties, and has provided a report to the City Council along with its recommendation to consider the proposed text changes; and

WHEREAS, the City Council held a public hearing on these proposed text changes on May 11, 2020.

NOW THEREFORE,

The City of Sweet Home does ordain as follows:

Section 1. Sweet Home Municipal Code §17.24.090, §17.28.090, and §17.30.090, each titled “Homes on Individual Lots” are retitled “Manufactured Homes on Individual Lots” and amended to read as follows:

Manufactured homes are permitted in accordance with the following standards. The minimum lot area, setback, and height standards of the subject zone shall also apply to manufactured homes sited on individual lots.

- A. Size. The manufactured home shall be multi-sectional and have at least 1,000 square feet of gross floor area.
- B. Performance Standards. The exterior thermal envelope must meet the standards specified by state law for single family dwellings, as defined in ORS 455.010.
- C. Removal of Towing Equipment. All towing hitches, wheels, running lights, and other towing related equipment shall be removed within thirty (30) days after installation of the manufactured home.
- D. Foundations. The manufactured home shall be placed on an excavated and back filled foundation with no more than 12 inches of inclosing material exposed above grade. Where the building site has a sloped grade, no more than 12 inches of the inclosing material shall be exposed on the uphill side of the home. If the home is placed on a basement, the twelve (12) inch limitation shall not apply. Furthermore, the twelve (12) inch limitation shall not apply if the requirements of the Flood Hazard District mandate that the home be elevated more than twelve (12) inches above grade.

The foundation shall meet building code and Flood Hazard Area (if applicable) standards. The base of the manufactured home shall be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or a combination thereof.

- E. Utilities. The manufactured home shall be provided with storm drainage, sanitary sewer, electric, telephone, and potable water utility services with easements dedicated where necessary to provide such services. All such utilities shall be located underground unless waived by The City Building Official where underground service would require an exception to local prevalent conditions. Manufactured homes shall not be occupied purposes unless connected to local water, sewer, and electrical systems.
- F. Historical Sites. No manufactured home shall be located on property containing a historic landmark, or, on a lot or parcel immediately adjacent to property containing a historic landmark. For the purpose of this Chapter, a historic landmark is property designated by the Sweet Home Comprehensive Plan as containing a significant historical resource.
- G. Roofing. The manufactured home must have a composition asphalt, fiberglass, shake, or tile roof with a nominal pitch of not less than three (3) feet in height for each twelve (12) feet in width.
- H. Gutters and Down Spouts. The manufactured home shall be provided with gutters and down spouts to direct storm water away from the placements site, to the City storm water system, if available.
- I. Exterior Siding and Finish. The exterior siding of the manufactured home must have wood or composite exterior siding, and otherwise use the same materials as neighboring houses.
- J. Garage or Carport. A garage or carport of like material and color of the manufactured home is required. The garage or carport shall be placed on the property prior to occupancy of the manufactured home.
- K. Off-Street Parking. Parking and improvements shall be as specified in Chapter 17.08.

Section 2. Expediency Clause. It is hereby adjudged and declared that existing conditions are such that this Ordinance is needed to be enforced immediately upon its passage and approval. Therefore, this Ordinance shall take effect and be in full force and effect from and after _____, 2021.

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

Mayor

ATTEST:

City Manager – Ex Officio City Recorder

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- H. Covered Porch. The manufactured home must have a covered porch over the front door that is at least as wide and deep as the doorway is wide.
- I. Gutters and Down Spouts. The manufactured home shall be provided with gutters and down spouts to direct storm water away from the placements site, to the City storm water system, if available.
- J. Exterior Siding and Finish. The exterior siding of the manufactured home must have wood or composite exterior siding, and otherwise use the same materials as neighboring houses.
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