

**City of Sweet Home**

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

Staff Report Presented to the Planning Commission

REQUEST: The applicant is requesting a conditional use permit to allow for Property Line Adjustments of a Public School in a residential zone. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: A use permitted as a conditional use in a R-1 zone [SHMC 17.28.030.A]. In an R-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: Public school and private school offering curricula similar to public school [SHMC 17.24.030.G]. Modification to approved plans and developments and transfers: Proposed changes that do not meet the above criteria (in section A of 17.80.060) shall be processed as a new application [SHMC 17.80.060.B]. The subject properties are in the Residential High Density (R-2) and the Residential Low Density (R-1) Zones.

Conditional Use Application CU22-01 is pending the approval of Property Line Adjustment Applications PLA22-01, PLA22-02 and PLA22-03. Applications PLA22-01, PLA22-02 and PLA22-03 were approved by the Community and Economic Development Director on January 24, 2022. The appeal period ends at 5:00 PM on February 5, 2022.

APPLICANT: Josh Darwood

PROPERTY OWNER: Sweet Home School District 55

FILE NUMBER: CU22-01

PROPERTY LOCATION: 1641 Long Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E31AD Tax Lots 9100, 9999, 7400, and 3200.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.24.030, 17.28.030, 17.80.060.

HEARING DATE & TIME: March 3, 2022, at 6:30 PM

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

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

REPORT DATE: February 24, 2022

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

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Residential High Density (R-2)	Public Medium Density Residential

Property North	Commercial Highway (C-2)	Central Commercial
Property East	Residential Low Density (R-1) Residential High Density (R-2)	Public Medium Density Residential
Property South	Residential Low Density (R-1)	Public
Property West	Residential High Density (R-2)	Central Commercial High Density Residential

Floodplain Based on a review of the FEMA flood insurance rate map; Panel 41043C0913G, dated September 29, 2010, the subject property is not in the Special Flood Hazard Area.

Based on the ArcGIS map, the subject property is in the Ames Creek 500-year floodplain.

Wetlands: Based on a review of the City of Sweet Home Local Wetlands Inventory and a review of the National Wetlands Inventory Map, the subject property does not contain inventoried wetlands.

Access: The subject properties have frontage and access along Long Street and 18th Avenue.

Services: The subject properties have access to City water and sewer services in Long Street and 18th Avenue.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: January 14, 2021

Notice Published in Newspaper: January 19, 2021

Planning Commission Public Hearing: March 3, 2022

120-Day Deadline: May 14, 2022

Notice was provided as required by SHMC 17.12.120

II. COMMENTS

Adam Leisinger

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

Joe Graybill

Engineering Division: Regarding the Conditional Use application on the Sweet Home High School Property, CEDD-ES has no issues or concerns.

Trish Rice

Public Works Dept. The Public Works Department has no issues with this request.

**Chief Barringer
Sweet Home Fire
District:**

The Fire District has no issues with this request.

Public Comments: See Attachment D

III. REVIEW AND DECISION CRITERIA

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

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

Staff Findings: The subject properties are in the R-1 and R-2 zones. The applicant is requesting a conditional use permit to allow for Property Line Adjustments of a Public School in a residential zone. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: A use permitted as a conditional use in a R-1 zone [SHMC 17.28.030.A]. In an R-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: Public school and private school offering curricula similar to public school [SHMC 17.24.030.G]. Modification to approved plans and developments and transfers: Proposed changes that do not meet the above criteria (in section A of 17.80.060) shall be processed as a new application [SHMC 17.80.060.B]. The subject properties are in the Residential High Density (R-2) and the Residential Low Density (R-1) Zones. Conditional Use Application CU22-01 is pending the approval of Property Line Adjustment Applications PLA22-01, PLA22-02 and PLA22-03.

Applications PLA22-01, PLA22-02 and PLA22-03 were approved by the Community and Economic Development Director on January 24, 2022. The appeal period ends at 5:00 PM on February 5, 2022.

For this application to comply with all applicable city codes and state and federal laws, this application may require additional permits. If this application is approved, staff recommends a condition of approval that prior to operation, the applicant shall obtain all required local, state, and federal permits. The applicant shall submit copies of all required permits and licenses to the Sweet Home Community and Economic Development Department for inclusion in the record of CU22-01.

Based on the above findings, the application complies with these criteria.

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

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

Staff Findings: The applicant is requesting a conditional use permit to allow for Property Line Adjustments of a Public School in a residential zone. Conditional Use Application CU22-01 is

pending the approval of Property Line Adjustment Applications PLA22-01, PLA22-02 and PLA22-03.

Applications PLA22-01, PLA22-02 and PLA22-03 were approved by the Community and Economic Development Director on January 24, 2022. The appeal period ends at 5:00 PM on February 5, 2022.

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

Based on the above findings, the application complies with these criteria.

- C. Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter. [SHMC 17.80.040(C)]**

Staff Findings: Staff has not identified any negative impacts to adjacent properties. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section IV of this report.

Based on the above findings, the application complies with these criteria.

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

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

Based on the above findings, the application complies with these criteria.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- J. In approving a conditional use permit application, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this chapter, additional conditions determined to be necessary to assure that the proposed development meets the decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole. [SHMC 17.80.050]**

Staff Findings: This provision of the SHMC allows the Planning Commission to impose conditions of approval. This is an opportunity for the Planning Commission to determine if conditions are needed to ensure compliance with the "decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole." As specified in SHMC 17.80.050, conditions could include, but are not limited to: expanding setbacks, limiting hours of operation, requiring site or architectural design features, imposing additional sign standards, and so forth.

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

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

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

IV. CONCLUSION AND RECOMMENDATION

If the Planning Commission approves this application, staff recommends that the conditions of approval listed below be required in order to ensure that the application is consistent with the findings in the Review and Decision Criteria (Section III) and as required by the Sweet Home Municipal Code and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria contained in Section III.

Recommended Conditions of Approval for CU22-01:

1. Applications PLA22-01, PLA22-02, and PLA22-03, being filed simultaneously with application CU22-01, shall be approved by Administration. Applications PLA22-01, PLA22-02 and PLA22-03 were approved by the Community and Economic Development Director on January 24, 2022. The appeal period ends at 5:00 PM on February 5, 2022.
2. The property owner shall obtain and comply with all other applicable local, state, and federal permits and requirements.

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

V. PLANNING COMMISSION ACTION

In acting on a Conditional Use permit application, the Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section V.

Appeal Period: Pursuant to ORS 227.175, the Planning Commission may establish an appeal period of not less than 12 days from the date the written notice of the Planning Commission's decision is mailed. Staff's recommendation is that the Planning Commission's decision on this matter be subject to a **12-day appeal period** from the date that the notice of decision is mailed.

Order: After the Planning Commission decides, staff recommends that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval; if the application is approved.

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

1. Move to approve application CU22-01; which includes adopting the findings of fact listed in the staff report and the conditions of approval listed in Section IV of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny applications CU22-01; which includes adopting the findings of fact (specify), including the setting of a 12-day appeal period from the date of mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

VI. ATTACHMENTS

- A Subject Property Map
- B Application
- C Public Comment
- D PLA22-01
- E PLA22-02
- F PLA22-03



1 inch = 191 feet

CU22-01
Subject Property Map
1641 Long Street

Date: 1/14/22

**City of Sweet Home**

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

Application for a Conditional Use PermitDate Received: 01.14.22Date Complete: 01.14.22File Number: CW22-01Application Fee \$: 615.00Receipt #: 4711Hearing Date: 03.03.21**Applicant's Name:**

Josh Darwood

Applicant's Address:

1920 Long Street, Sweet Home, OR 97386

Applicant's Phone and e-mail:

541-936-1801, josh.darwood@sweethome.k12.or.us

Subject Property Address:1920 Long Street, Sweet Home, OR 97386 1641 Long Street**Subject Property Assessor's Map and Tax Lot:**

13S01E31AD 9100, 9999, 7400, 3200

Subject Property Size:

543,250 SF

Subject Property: Zoning Classification

R1 and R-2

Property Owner:

Sweet Home School District 55

Owner's Address:

1920 Long Street, Sweet Home, OR 97386

Owner's Phone and email:

541-936-1801, josh.darwood@sweethome.k12.or.us

Comprehensive Plan Classification:

Public

Nature of Applicants Request

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

A Property Line Adjustment of the Sweet Home School Districts property requires a Conditional Use Permit. Per SHMC 17.28.030, 17.24.030.G, and 17.80.060.B

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

No impacts on the neighborhood identified.

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:

1-14-22**Property Owner's Signature:**

Date:

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.

ATTACHMENT C

Jeff Merten
1188 18th Avenue
Sweet Home OR, 97386

City of Sweet Home
Community & Econ Development Dept, Planning
3225 Main Street,
Sweet Home Or, 97386
Re: Notice of Public Hearing 3/3/2022.

To Whomever:

I just love your letter of notification. Especially the "cover my bottom" part that says without specificity in a submittal, precludes a later appeal.

Does request for "specificity" also apply to you guys?

This appears to be a letter of legalese informing that an application was submitted, that it is in reference to certain properties, and your office will follow legally designated processes. BUT IT DOESN'T DEFINE Josh's issues that he is trying to resolve, nor does it explain how his application resolves his concern. So how can I submit "specific" recommendations when you do NOT explain his issue and the intended (applied for) resolution so that I can intelligently evaluate??

Can you still write your legalese and then put in normal language what the issue or concern is? Something like "Josh would like to be able to do "XXXXXX" and cannot because of the following legal limitation "XXXXXX", that he is trying to modify by "XXXXXXXXXX"? If you know how this application might affect the surrounding landowners, then SAY SO.

But PLEASE COMMUNICATE, rather than just meeting legal requirements!

Jeff Merten
541.760.0609.

Jeff M. Merten 1/22/2022

Note - I live at: 15314 Dimstead Park Dr
Cypress Tx, 77429
I own. Prop at: 1188 18th Ave
Sweet Home etc,

ATTACHMENT D



City of Sweet Home

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

NOTICE OF AN ADMINISTRATIVE DECISION ON A LAND USE APPLICATION

REQUEST: The applicant has requested a property line adjustment between two lots. The proposal would transfer approximately 480 square feet from Proposed Property B (Lot 9999) to Proposed Property A (Lot 9100). Proposed Property B shall decrease in size from approximately 480 square feet to 0 square feet, eliminating Proposed Property B. Proposed Property A shall increase in size from approximately 518,181 square feet to approximately 518,661 square feet. Proposed Property A and Proposed Property B are in the Residential High Density (R-2) Zone.

Application PLA22-01 is being filed simultaneously with Application CU22-01, PLA22-02 and PLA22-03.

APPLICANT: Josh Darwood

OWNER (PROPERTY A): Sweet Home School District 55

OWNER (PROPERTY B): Sweet Home School District 55

FILE NUMBER: PLA22-01

PROPERTY LOCATION: **Property A (Lot 9100):** Located at 1641 Long Street, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AD Tax Lots 09100

Property B (Lot 9999): Located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AD Tax Lot 09999

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, and 17.28.020.

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

DECISION

Based on the Review and Design Criteria listed in the Staff Report, Application PLA22-01 for a Property Line Adjustment is **Approved with Conditions**. The application shall be subject to compliance with the conditions listed below, as required by the findings in the Review and Decision Criteria (Section III of the Staff Report). Any modifications to conditions shall be approved in accordance with provisions of law (e.g., variance, subsequent land use application, etc.)

Conditions of Approval:

1. The final configuration of proposed Properties A and B shall substantially conform to the plot plan reviewed in this application. See Attachment B. The proposal would transfer


approximately 480 square feet from Proposed Property B (Lot 9999) to Proposed Property A (Lot 9100). Proposed Property B shall decrease in size from approximately 480 square feet to 0 square feet, eliminating Proposed Property B. Proposed Property A shall increase in size from approximately 518,181 square feet to approximately 518,661 square feet. The properties are in the Residential High Density (R-2) Zone.

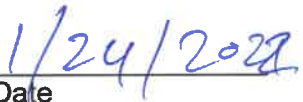
2. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-2 Zone. See SHMC 17.28.050.
3. The property owner shall construct all applicable street, sidewalk and storm drain improvements that are required by, and according to the provisions of, the Sweet Home Municipal Code at the time of development. All public improvements must comply with the standards listed in the SHMC at the time of development.
4. The property line adjustment shall be surveyed and monumented as required by ORS Chapter 92. Documents must conform with the survey for the subject properties in accordance with ORS Chapter 92 and shall be recorded with Linn County. A property line adjustment deed shall be recorded with Linn County and contain the following:
 - A. The names of the parties;
 - B. The description of the adjusted line;
 - C. References to original recorded documents; and
 - D. Signatures of all parties with proper acknowledgment.
5. Development on the subject properties shall comply with all applicable local, state, and federal requirements; including but not limited to all applicable fire code requirements and other development requirements of the Sweet Home Municipal Code.
6. If the property line adjustment involves partition parcels or subdivision lots, a replat may be required. Please contact the Linn County Surveyor's Office at (541) 967-3857 for more information on platting and replating requirements.

DECISION DATE: January 24, 2022

MAILING DATE: January 25, 2022

APPEAL DEADLINE: February 5, 2022


Blair Larsen, Community & Economic Development Director


Date

The decision made by the Community and Economic Development Director is final unless written appeal from an aggrieved party is received by the City of Sweet Home no later than 12 days from the mailing of this decision. All appeals must be filed with the appropriate fee and documentation and submitted to: City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386. The Planning Commission will hold a public hearing on the request upon appeal. If you would like any information concerning filing of an appeal, please contact the Planning Office at (541) 367-8113.

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, OR 97386; Phone: (541) 367-8113.

#1

13501E31AD

FOR AMENDMENT AND
REVISION ONLY

S.E. 1/4 N.E. 1/4 SEC. 31 T. 13S. R. 1E W.M.
Linn County

13501E31AD
SWEETHOME

Consolidated Map

SEE MAP 15 SE 202A

CLARK

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SWEETHOME

Consolidated Map

SEE MAP 15 SE 202A

55-1

SEE MAP 15 SE 202A

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

NOTICE OF AN ADMINISTRATIVE DECISION ON A LAND USE APPLICATION

REQUEST: The applicant has requested a property line adjustment between two lots. The proposal would transfer approximately 1,693 square feet from Proposed Property B (Lot 7400) to Proposed Property A (Lots 9100, 9999). Proposed Property B shall decrease in size from approximately 1,693 square feet to 0 square feet, eliminating Proposed Property B. Proposed Property A shall increase in size from approximately 518,661 square feet (Pending the approval of PLA22-01) to approximately 520,354 square feet. Proposed Property A and Proposed Property B are in the Residential High Density (R-2) Zone.

Application PLA22-02 is pending the approval of Application PLA22-01. Application PLA22-02 is being filed simultaneously with Application CU22-01, PLA22-01 and PLA22-03.

APPLICANT: Josh Darwood

OWNER (PROPERTY A): Sweet Home School District 55

OWNER (PROPERTY B): Sweet Home School District 55

FILE NUMBER: PLA22-02

PROPERTY LOCATION: **Property A (Lot 9100, 9999):** Located at 1641 Long Street, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AD Tax Lots 09100, 09999

Property B (Lot 7400): Located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AD Tax Lot 07400

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, and 17.28.020.

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

DECISION

Based on the Review and Design Criteria listed in the Staff Report, Application PLA22-02 for a Property Line Adjustment is **Approved with Conditions**. The application shall be subject to compliance with the conditions listed below, as required by the findings in the Review and Decision Criteria (Section III of the Staff Report). Any modifications to conditions shall be approved in accordance with provisions of law (e.g., variance, subsequent land use application, etc.)

Conditions of Approval:

1. The final configuration of proposed Properties A and B shall substantially conform to the plot plan reviewed in this application. See Attachment B. The proposal would transfer

approximately 1,693 square feet from Proposed Property B (Lot 7400) to Proposed Property A (Lots 9100, 9999). Proposed Property B shall decrease in size from approximately 1,693 square feet to 0 square feet, eliminating Proposed Property B. Proposed Property A shall increase in size from approximately 518,661 square feet (Pending the approval of PLA22-01) to approximately 520,354 square feet. Proposed Property A and Proposed Property B are in the Residential High Density (R-2) Zone.


2. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-2 Zone. See SHMC 17.28.050.
3. The property owner shall construct all applicable street, sidewalk and storm drain improvements that are required by, and according to the provisions of, the Sweet Home Municipal Code at the time of development. All public improvements must comply with the standards listed in the SHMC at the time of development.
4. The property line adjustment shall be surveyed and monumented as required by ORS Chapter 92. Documents must conform with the survey for the subject properties in accordance with ORS Chapter 92 and shall be recorded with Linn County. A property line adjustment deed shall be recorded with Linn County and contain the following:
 - A. The names of the parties;
 - B. The description of the adjusted line;
 - C. References to original recorded documents; and
 - D. Signatures of all parties with proper acknowledgment.
5. Development on the subject properties shall comply with all applicable local, state, and federal requirements; including but not limited to all applicable fire code requirements and other development requirements of the Sweet Home Municipal Code.
6. If the property line adjustment involves partition parcels or subdivision lots, a replat may be required. Please contact the Linn County Surveyor's Office at (541) 967-3857 for more information on platting and replating requirements.

DECISION DATE: January 24, 2022

MAILING DATE: January 25, 2022

APPEAL DEADLINE: February 5, 2022


Blair Larsen, Community & Economic Development Director


Date

The decision made by the Community and Economic Development Director is final unless written appeal from an aggrieved party is received by the City of Sweet Home no later than 12 days from the mailing of this decision. All appeals must be filed with the appropriate fee and documentation and submitted to: City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386. The Planning Commission will hold a public hearing on the request upon appeal. If you would like any information concerning filing of an appeal, please contact the Planning Office at (541) 367-8113.

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, OR 97386; Phone: (541) 367-8113.

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

NOTICE OF AN ADMINISTRATIVE DECISION ON A LAND USE APPLICATION

REQUEST: The applicant has requested a property line adjustment between two lots. The proposal would transfer approximately 22,896 square feet from Proposed Property B (Lot 3200) to Proposed Property A (Lots 9100, 9999, 7400). Proposed Property B shall decrease in size from approximately 22,896 square feet to 0 square feet, eliminating Proposed Property B. Proposed Property A shall increase in size from approximately 520,354 square feet (Pending PLA22-01 and PLA22-02) to approximately 543,250 square feet. Proposed Property A is in the Residential High Density (R-2) Zone and Proposed Property B is in the Residential Low Density (R-1) Zone.

Application PLA22-03 is pending the approval of Application PLA22-01 and PLA22-02. Application PLA22-03 is being filed simultaneously with Application CU22-01, PLA22-01 and PLA22-02.

APPLICANT: Josh Darwood

OWNER (PROPERTY A): Sweet Home School District 55

OWNER (PROPERTY B): Sweet Home School District 55

FILE NUMBER: PLA22-03

PROPERTY LOCATION: **Property A (Lot 9100, 9999, 7400):** Located at 1641 Long Street, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AD Tax Lots 09100, 09999

Property B (Lot 3200): Located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AD Tax Lot 03200

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, 17.24.030 and 17.28.030.

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

DECISION

Based on the Review and Design Criteria listed in the Staff Report, Application PLA22-03 for a Property Line Adjustment is **Approved with Conditions**. The application shall be subject to compliance with the conditions listed below, as required by the findings in the Review and Decision Criteria (Section III of the Staff Report). Any modifications to conditions shall be approved in accordance with provisions of law (e.g., variance, subsequent land use application, etc.)

Conditions of Approval:

1. The final configuration of proposed Properties A and B shall substantially conform to the plot plan reviewed in this application. See Attachment B. The proposal would transfer approximately 22,896 square feet from Proposed Property B (Lot 3200) to Proposed Property A (Lots 9100, 9999, 7400). Proposed Property B shall decrease in size from approximately 22,896 square feet to 0 square feet, eliminating Proposed Property B. Proposed Property A shall increase in size from approximately 520,354 square feet (Pending PLA22-01 and PLA22-02) to approximately 543,250 square feet. Proposed Property A is in the Residential High Density (R-2) Zone and Proposed Property B is in the Residential Low Density (R-1) Zone.
2. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-2 Zone. See SHMC 17.28.050.
3. The applicant shall record a public utility easement on the final plat.
4. The property owner shall construct all applicable street, sidewalk and storm drain improvements that are required by, and according to the provisions of, the Sweet Home Municipal Code at the time of development. All public improvements must comply with the standards listed in the SHMC at the time of development.
5. The property line adjustment shall be surveyed and monumented as required by ORS Chapter 92. Documents must conform with the survey for the subject properties in accordance with ORS Chapter 92 and shall be recorded with Linn County. A property line adjustment deed shall be recorded with Linn County and contain the following:
 - A. The names of the parties;
 - B. The description of the adjusted line;
 - C. References to original recorded documents; and
 - D. Signatures of all parties with proper acknowledgment.
6. Development on the subject properties shall comply with all applicable local, state, and federal requirements; including but not limited to all applicable fire code requirements and other development requirements of the Sweet Home Municipal Code.
7. If the property line adjustment involves partition parcels or subdivision lots, a replat may be required. Please contact the Linn County Surveyor's Office at (541) 967-3857 for more information on platting and replating requirements.

DECISION DATE: January 24, 2022

MAILING DATE: January 25, 2022

APPEAL DEADLINE: February 5, 2022


Blair Larsen, Community & Economic Development Director

1/24/2022
Date

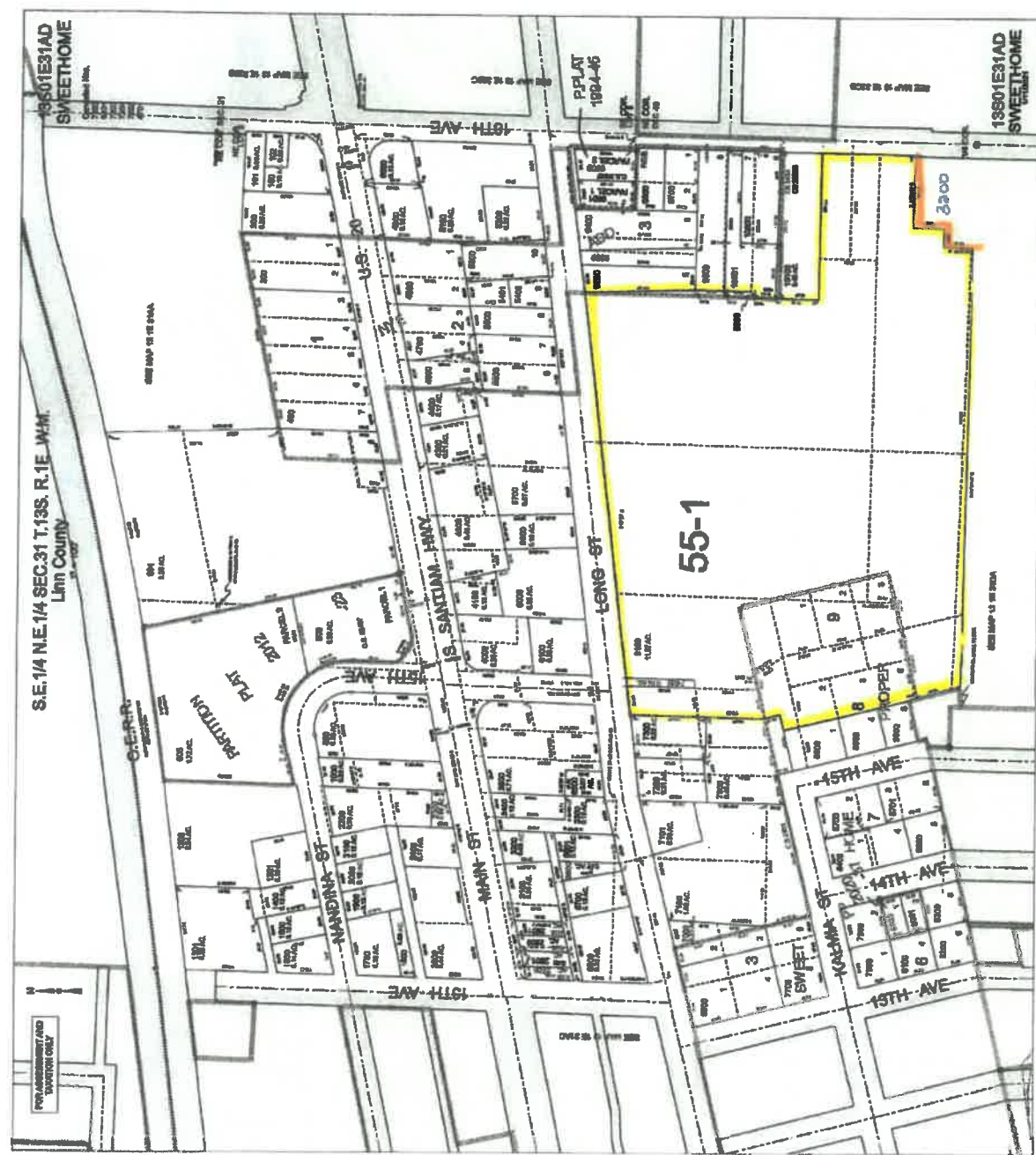
The decision made by the Community and Economic Development Director is final unless written appeal from an aggrieved party is received by the City of Sweet Home no later than 12 days from the mailing of this decision. All appeals must be filed with the appropriate fee and documentation and submitted to: City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386. The Planning Commission will hold a public hearing on the request upon appeal. If you would like any information concerning filing of an appeal, please contact the Planning Office at (541) 367-8113.

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FOR AMENDMENT AND
REVISION ONLY

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