

# EXHIBIT C

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## ZONE MAP AMENDMENT APPLICATION

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

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

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

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Phone: (541) 990-8661

Site Location: Unassigned

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

Site Size: ±2.02-acres

Existing Land Use: Unimproved

Zone Designation: Residential Low Density (R1)

Comprehensive Plan Designation: High Density Residential (R3)

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

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



## I. Executive Summary

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

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

## II. Analysis of Development Code Criteria

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

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

## III. Review Criteria

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

### Criterion A

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

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

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

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

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

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

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

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

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

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

**Criterion B**

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

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

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

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

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



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

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

**Criterion C**

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

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

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

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

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

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

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

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

**Criterion D**

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

Transportation

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

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

The subject property complies with these criteria as follows:

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

#### Sanitary Sewer

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

#### Water

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

#### Storm Drainage

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



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

#### Schools

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

#### Police and Fire Protection

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

#### Criterion E

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

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

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

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

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

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

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

#### IV. OVERALL CONCLUSION

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

#### V. ATTACHMENTS

A. Site Map