



## Planning Commission Staff Report

**REQUEST:** The applicant is proposing to rezone an existing 88,577 square foot ( $\pm 2.02$ -acres) vacant parcel from the Residential Low Density (R-1) Zone to the High Density Residential (R-3) Zone. The subject property is located south of Long Street and east of 29th Avenue and is identified by Linn County Tax Assessor Map No. 13S01E32AC, Tax Lot 4900. 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.

**APPLICANT:** Laura Laroque, Udell Engineering and Land Surveying, LLC

**PROPERTY OWNER:** 4L Ventures LLC and Evan Latimer

**PROPERTY LOCATION:** Sweet Home, OR 97386, Identified on the Linn County Assessor's Map as 13S01E32AC Tax Lot 4900.

**REVIEW AND DECISION CRITERIA:** Sweet Home Municipal Code Section(s) 17.10, 17.14, 17.114, OAR 660-012-0060

**FILE NUMBER:** ZMA23-03

### PLANNING COMMISSION PUBLIC HEARING:

- **DATE & TIME:** November 16, 2023 at 6:30 PM
- **LOCATION:** City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

### CITY COUNCIL PUBLIC HEARING:

- **DATE & TIME:** December 12, 2023 at 6:30 PM
- **LOCATION:** City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

**STAFF CONTACT:** Diane Golden, Associate Planner  
Phone: (541) 367-8113; Email: [dgolden@sweethomeor.gov](mailto:dgolden@sweethomeor.gov)

**REPORT DATE:** November 9, 2023



## II. COMMENTS

### Adam Leisinger, Interim

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

**CEDD Engineering:** No comments as of the issue of this Staff Report.

### Trish Rice

**Public Works:** Public Works has no concerns with the request at this time.

### Sweet Home

**Fire District:** No comments as of the issue of this Staff Report.

**Public Comment:** Attachment F

## 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.

Zone change proposals shall be approved if the applicant provides evidence substantiating the following:

**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.**

Applicants Comments: See Pages 2 and 3 of the applicant's summary (Attachment C).

Staff Findings: The subject property has a Comprehensive Plan designation of Residential High Density (R-3). The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Residential High Density (R-3) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation and is consistent with the description and policies of the R-3 Zone.

Based on the above information, staff finds that the application complies with this criterion.

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

Applicant's Comments: See Pages 3 and 4 of the applicant's summary (Attachment C).

Staff Findings: The uses permitted in SHMC 17.14.020, 17.14.030, and 17.14.040 can be accommodated on the subject property without exceeding its physical capacity. The subject property is approximately 88,577 square feet (±20.02 acres). The R-3 zone density requirements for single family attached / detached homes and duplexes are no more than one residential structure per lot or parcel, other than an approved accessory dwelling unit; maximum of 12.0 dwelling units per net acre. The R-3 zone density requirements for multi-family is a maximum of 28 units per net acre.

Based on the above information, staff finds that the application complies with this criterion.

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

Applicant's Comments: See Pages 4 and 5 of the applicant's summary (Attachment C).

Staff Findings: All development in the R-3 Zone shall comply with the applicable provisions of this Development Code. The following references additional development requirements: [SHMC 17.14.070].

- A. Off-street parking. All single-family homes and duplexes shall require a garage or carport; and in addition, provide two hard-surfaced parking spaces. Other uses identified in the zone shall comply with provisions in Chapter 17.44.
- B. Signs. Signs shall conform to the standards contained in Chapter 17.50.
- C. Fencing. Fences shall conform to provisions contained in Chapter 17.52.
- D. Landscaping. Landscaping improvements shall conform to provisions contained in Chapter 17.54.
- E. Yards and lots. Yards and lots shall conform to provisions contained in Chapter 17.56.
- F. *Other.* A property owner is advised other regulations may apply for property in an identified natural resource area (Chapter 17.28); the flood hazard area (Chapter 17.30) and in or near an identified historical site (Chapter 17.32).

Based on the above information, staff finds that the application complies with this 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.**

Applicant's Comments: See Pages 5-7 of the applicant's summary (Attachment C).

Staff Findings: The subject property is proposed to change from Residential Low Density (R-1) zone to the Residential High Density (R-3) zone. The zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation and is consistent with the Sweet Home Transportation System Plan (TSP). The Sweet Home infrastructure map and local wetland inventory map show a wetland/stormwater drainage identified as SSR-18C flowing through the northeast corner of the subject property and down the east property line. The Sweet Home infrastructure map shows a second stormwater drainage running from Long Street to 22<sup>nd</sup> Avenue (see Attachment B). There Adequate public facilities, services and transportation networks are planned to be provided concurrently with the development of the property. No development has been proposed with this application.

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

Applicant's Comments: See Pages 7 and 8 of the applicant's summary (Attachment C).

Staff Findings: 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. [SHMC 17.14.010]. The uses permitted in SHMC 17.14.020, 17.14.030, and 17.14.040 can be accommodated on the subject property without exceeding its physical capacity. No development has been proposed with this application.

#### **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 ZMA23-03, which includes adopting the findings of fact listed in the staff report.
2. Move to recommend that the City Council deny application ZMA23-03 (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. Infrastructure Map
- C. Zone Map Amendment Application and Summary
- D. Zoning Map
- E. Comprehensive Plan Map
- F. Public Comment