



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 X Roll Call ____ Other X

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.