

**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 modifications and property line adjustments for a public park in a residential zone. A conditional use application shall be processed if a proposed change results in a change to lot or parcel boundaries and if there is an increase in the amount of operational activity; SHMC 17.80.060(A)(3) and (5). The applicant applied for Property Line Adjustments (PLA22-11, PLA22-12, PLA22-13, PLA22-14, and PLA22-15) and is proposing a dog park. The subject properties are in the Residential Low Density (R-1) Zone.

Applications PLA22-11, PLA22-12, PLA22-13, PLA22-14, and PLA22-15 were approved via Administrative Decision on November 3, 2022.

APPLICANT: The City of Sweet Home

PROPERTY OWNER: The City of Sweet Home

FILE NUMBER: CU22-12

PROPERTY LOCATION: 1712 and 1780 11th Avenue, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lots 2300, 1500, 8100, 8000, 1301, and 1201.

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

HEARING DATE & TIME: December 1, 2022, at 6:30 PM
Continues to January 5, 2023 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: December 29, 2022

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

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Residential Low Density (R-1)	Medium Density Residential
Property North	Residential Low Density (R-1)	Medium Density Residential
Property East	Residential Low Density (R-1)	Medium Density Residential
Property South	Residential Low Density (R-1)	Medium Density Residential

Property West	Residential Low Density (R-1)	Medium Density Residential
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Floodplain	Based on a review of the FEMA flood insurance rate map; Panel 41043C0913G, dated September 29, 2010, the northwest portion of the subject property is in the Special Flood Hazard Area. Based on the ArcGIS map, the northwestern portion of the subject property is in the South Santiam River 100-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 property has frontage and access along 11 th avenue and Redwood Street.
Services:	The subject property has access to City water services in Redwood Street and sewer services in Redwood Street and 11 th Avenue.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice:	November 4, 2022, and November 21, 2022
Notice Published in Newspaper:	November 9, 2022
Planning Commission Public Hearing:	December 1, 2022, and January 5, 2023
120-Day Deadline:	February 23, 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 Property Line Adjustments proposed for Northside Park to combine the various sized parcels into one lot, all lands are part of the active park open areas and buildings and are owned by the City. CEDD-ES has no concerns.

Trish Rice

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

Chief Tyler

Sweet Home Fire

District: No comments as of the issuance of this Staff Report.

Public Comments: No comments as of the issuance of this Staff Report.

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.

17.80.040 USE CRITERIA

The criteria that will be used in approving, approving with conditions, or denying an application, or to enlarge or alter a conditional use, will be based on findings with respect to each of the following standards and criteria.

A. The request complies with the requirements of the underlying zone or overlay zone, city codes, state and federal laws.

Staff Findings: The subject property is in the R-1 zone. The applicant is requesting a conditional use permit to allow for modifications and property line adjustments for a public park in a residential zone. A new Conditional Use application shall be processed if a proposed change results in a change to lot or parcel boundaries and if there is an increase in the amount of operational activity; SHMC 17.80.060.A.3 and 5.

The subject property and its amenities are an existing City Park. The applicant applied for Property Line Adjustments (PLA22-11, PLA22-12, PLA22-13, PLA22-14, and PLA22-15) and is proposing modifications to the existing park triggering a new Conditional Use application. The subject property is in the Residential Low Density (R-1) Zone.

Applications PLA22-11, PLA22-12, PLA22-13, PLA22-14, and PLA22-15 were approved via Administrative Decision on November 3, 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 CU22-12.

Based on the above findings, staff finds 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.***

Staff Findings: Northside Park is an existing City Park on the subject property. There is an existing restroom, racquetball court, tennis court, basketball court and playground. A dog park is being installed in Northside Park per the approval of the Park and Tree Committee

on August 17, 2022. The site size, dimensions, location, topography and access are adequate for the proposed use.
Based on the above findings, staff finds that 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.

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, staff finds that the application complies with these criteria.

D. All required public facilities have adequate capacity, as determined by the city, to serve the proposed use.

Staff Findings: The subject property has access to City water services in Redwood Street and sewer services in Redwood Street and 11th Avenue. The proposed use has adequate capacity.

Based on the above findings, staff finds that 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.***
- 2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.***
- 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.***
- 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.***
- G. Marijuana facilities may not have any drive-up services.***
- H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school.***
- 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.***

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

17.80.050 CONDITIONS OF APPROVAL

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.

A. These conditions may include, but are not limited to, the following:

- 1. Requiring larger setback areas, lot area, and/or lot depth or width;***
- 2. Limiting the hours, days, place and/or manner of operation;***
- 3. Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor or dust;***
- 4. Limiting the building height, size or lot coverage, or location on the site;***
- 5. Designating the size, number, locations and/or design of vehicle access points, parking areas, or loading areas;***
- 6. Increasing the number of required parking spaces;***
- 7. Requiring street right-of-ways to be dedicated and streets, sidewalks, curbs, planting strips, pathways or trails to be improved, so long as findings in the development approval indicate how the dedication and/or improvements, if not voluntarily accepted by the applicant, are roughly proportional to the impact of the proposed development;***
- 8. Limiting the number, size, location, height and lighting of signs;***
- 9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;***
- 10. Requiring fencing, screening, landscaping, berms, drainage, water quality facilities or other facilities to protect adjacent or nearby property, and the establishment of standards for their installation and maintenance;***
- 11. Designating sites for open space or outdoor recreation areas;***
- 12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and historic or cultural resources;***
- 13. Requiring ongoing maintenance of buildings and grounds;***
- 14. Setting a time limit for which the conditional use is approved.***

B. Uses existing prior to the effective date of this chapter and classified in Title 17 as a conditional use shall meet the criteria for modification of approved plans and developments.

C. The Planning Commission may require the applicant of an approved conditional use permit to enter into an agreement with the city for improvements in accordance with the provisions of Chapter 16.24. This is to assure that the conditions of approval are completed according to the plans as approved by the Planning Commission.

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. 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.

17.80.070 EXPIRATION OF APPROVAL

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.

A. Substantial establishment of a use will be determined based on the following:

- 1. The approved use has been lawfully established; or**
- 2. New construction required for the operation of the conditional use permit has been permitted and construction has progressed in a timely manner as determined by the building permit process.**
- 3. All conditions of approval have been met or any failure to fully comply is not the fault of the applicant and progress continues to be made towards compliance.**

B. 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.

C. Requests other than a one year request made prior to the expiration of the approved period must be approved by the Planning Commission.

D. A conditional use permit not meeting the above time frames will be expired and a new application will be required.

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 within that time period.

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 CU22-12:

1. The property owner shall obtain and comply with all applicable local, state, and federal permits and requirements.
2. 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 IV.

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.

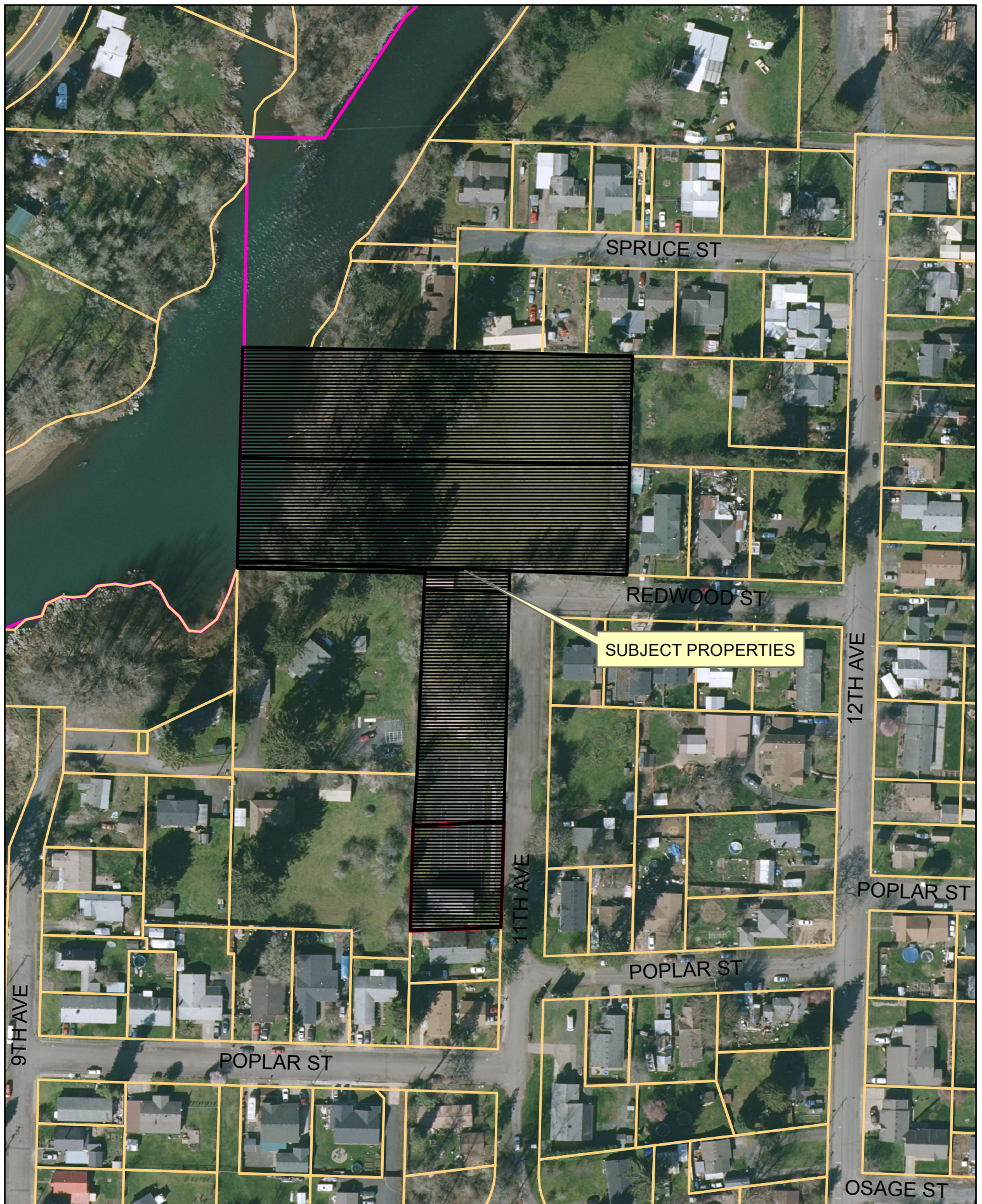
Order: After the Planning Commission decides, staff recommends that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval 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 CU22-12; 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 CU22-12; 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 PLA22-11
- D PLA22-12
- E PLA22-13
- F PLA22-14
- G PLA22-15



Subject Property Map
PLA22-20

Date: 11/4/22



1 inch = 139 feet



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 Permit

Date Received: 09.22.22
Date Complete: 10.26.22
File Number: CU22-12
Application Fee \$: 0
Receipt #:
Hearing Date: 10.25.22

Applicant's Name:

The City of Sweet Home

Applicant's Address:

3225 Main Street, Sweet Home, OR 97386

Applicant's Phone and e-mail:

541-367-8113, aclegg@sweethomeor.gov

Subject Property Address:

1712 and 1780 11th Avenue, Sweet Home, OR 97386

Subject Property Assessor's Map and Tax Lot:

13S01E31AB 2300, 1500, 8100, 8000, 1301, 1201

Subject Property Size:

152,611 square feet (With the approval of Applications PLA22-11, PLA22-12, PLA22-13, PLA22-14, PLA22-15)

Subject Property: Zoning Classification

Residential Low Density (R-1)

Property Owner:

The City of Sweet Home

Owner's Address:

3225 Main Street, Sweet Home, OR 97386

Owner's Phone and email:

541-367-8113, aclegg@sweethomeor.gov

Nature of Applicants Request

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

Residential Park currently broken up into 5 parcels. The City would like to combine the parcels into one tax lot. A Conditional Use application is required per

SHMC 17.24.030(P) and 17.80.060(A)(5)

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

There will be no impacts to the neighborhood.

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:

10-26-22

Date:

Property Owner's Signature:

10-25-22

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.



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 12,392 square feet from Proposed Property A (Lot 2300) to Proposed Property B (Lot 1500). Proposed Property A shall decrease in size from approximately 12,392 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 26,374 square feet to approximately 38,766 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.

Application PLA22-11 is being filed simultaneously with Applications PLA22-12, PLA22-13, PLA22-14, PLA22-15, and CU22-12.

APPLICANT: The City of Sweet Home

OWNER (PROPERTY A): The City of Sweet Home

OWNER (PROPERTY B): The City of Sweet Home

FILE NUMBER: PLA22-11

PROPERTY LOCATION: **Property A (Lot 2300):** Located at 1712 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lots 02300

Property B (Lot 1500): 1780 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lot 01500

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, 17.24.020.

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 PLA22-11 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 12,392 square feet from Proposed Property A (Lot 2300) to Proposed Property B (Lot 1500). Proposed Property A shall decrease in size from approximately 12,392 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 26,374 square feet to approximately 38,766 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.


2. Approval of Application CU22-12. Application CU22-12 will be decided on during a public hearing on December 1, 2022.
3. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-1 Zone. See SHMC 17.24.050.
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: November 3, 2022

MAILING DATE: November 3, 2022

APPEAL DEADLINE: November 15, 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 inch = 125 feet

Subject Property Map
PLA22-11

Date: 7/14/22

Northside Park Property Line Adjustment
Existing Property Lines
PLA22-11

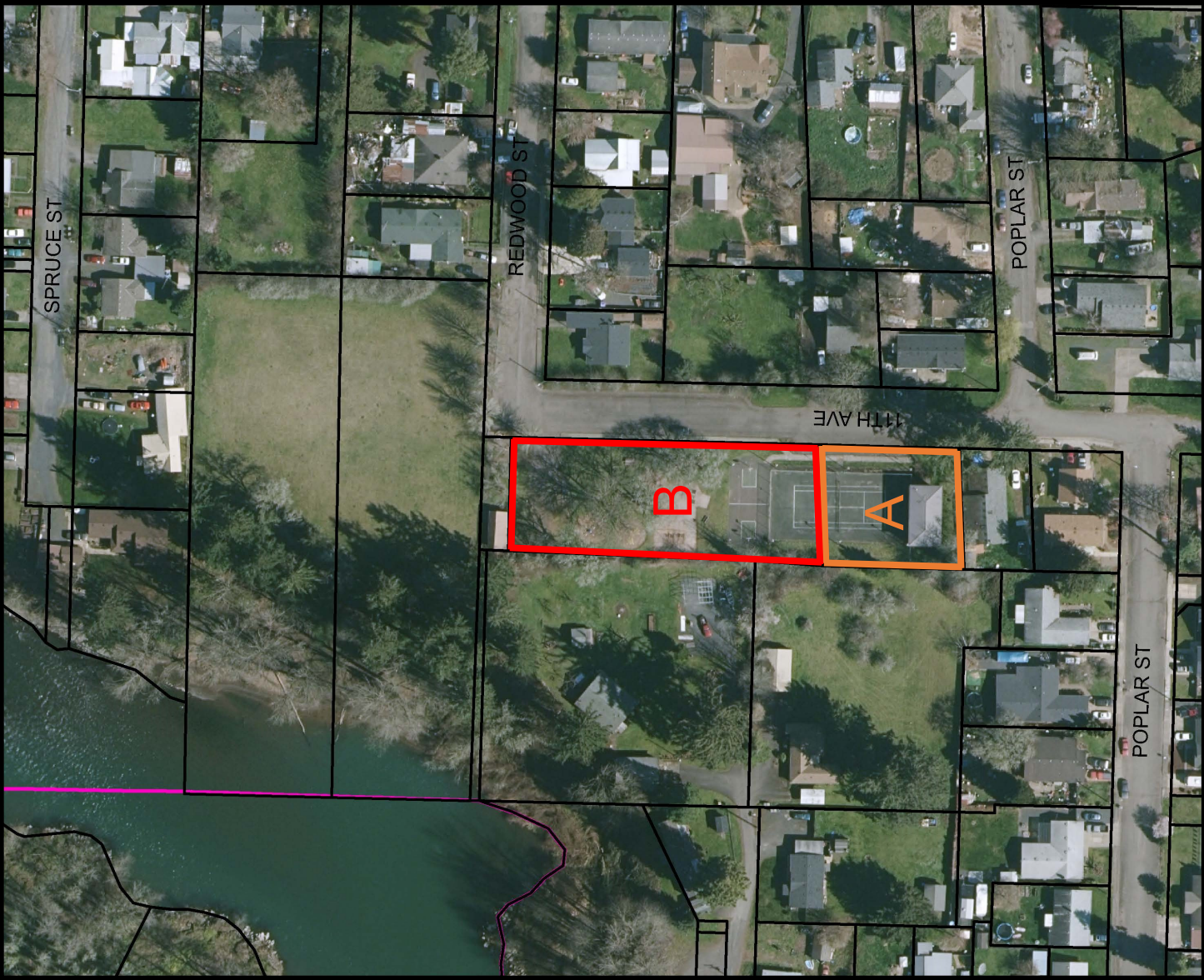
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 Tax lots

PIN

 13S01E31AB02300


 13S01E31AB01500




1 inch = 600 feet

Northside Park Property Line Adjustment
PLA22-11

Legend

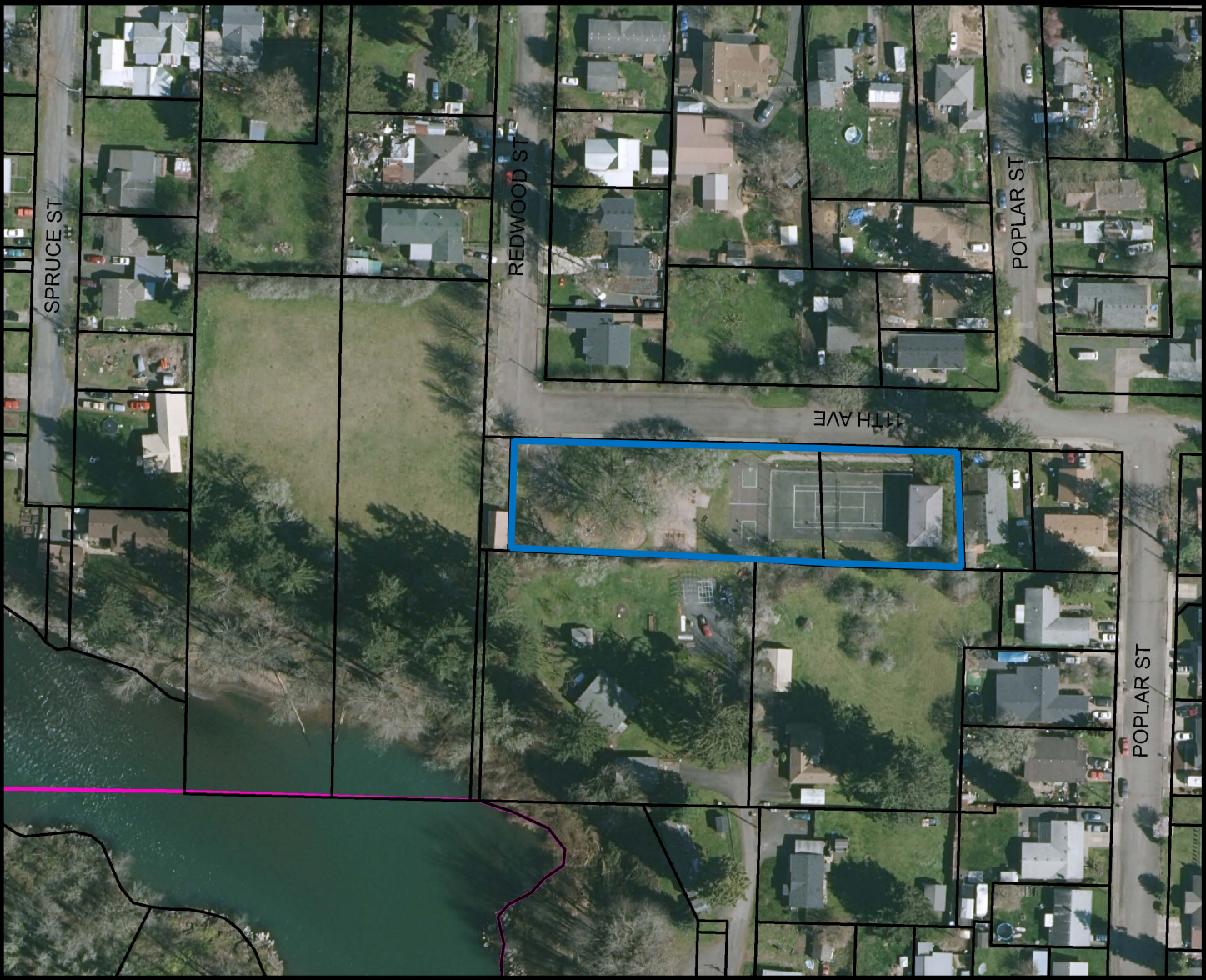
 Tax lots

PIN

 1st Merge



1 inch = 600 feet





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 38,766 square feet from Proposed Property A (Lots 2300 and 1500) to Proposed Property B (Lot 8100). Proposed Property A shall decrease in size from approximately 38,766 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 2,346 square feet to approximately 41,112 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.

Application PLA22-12 is pending the approval of Application PLA22-11. Application PLA22-12 is being filed simultaneously with Applications PLA22-11, PLA22-13, PLA22-14, PLA22-15, and CU22-12.

APPLICANT: The City of Sweet Home

OWNER (PROPERTY A): The City of Sweet Home

OWNER (PROPERTY B): The City of Sweet Home

FILE NUMBER: PLA22-12

PROPERTY LOCATION: **Property A (Lot 2300 & 1500):** Located at 1712 and 1780 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lots 02300 and 01500.

Property B (Lot 8100): 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lot 08100

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, 17.24.020.

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 PLA22-12 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:

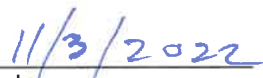
1. The final configuration of proposed Properties A and B shall substantially conform to the plot plan reviewed in this application. See Attachment B. The proposal would transfer approximately 38,766 square feet from Proposed Property A (Lots 2300 and 1500) to Proposed Property B (Lot 8100). Proposed Property A shall decrease in size from approximately 38,766 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 2,346 square feet to approximately 41,112 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.
2. Approval of Applications PLA22-11 and CU22-12.
3. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-1 Zone. See SHMC 17.24.050.
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: November 3, 2022

MAILING DATE: November 3, 2022

APPEAL DEADLINE: November 15, 2022

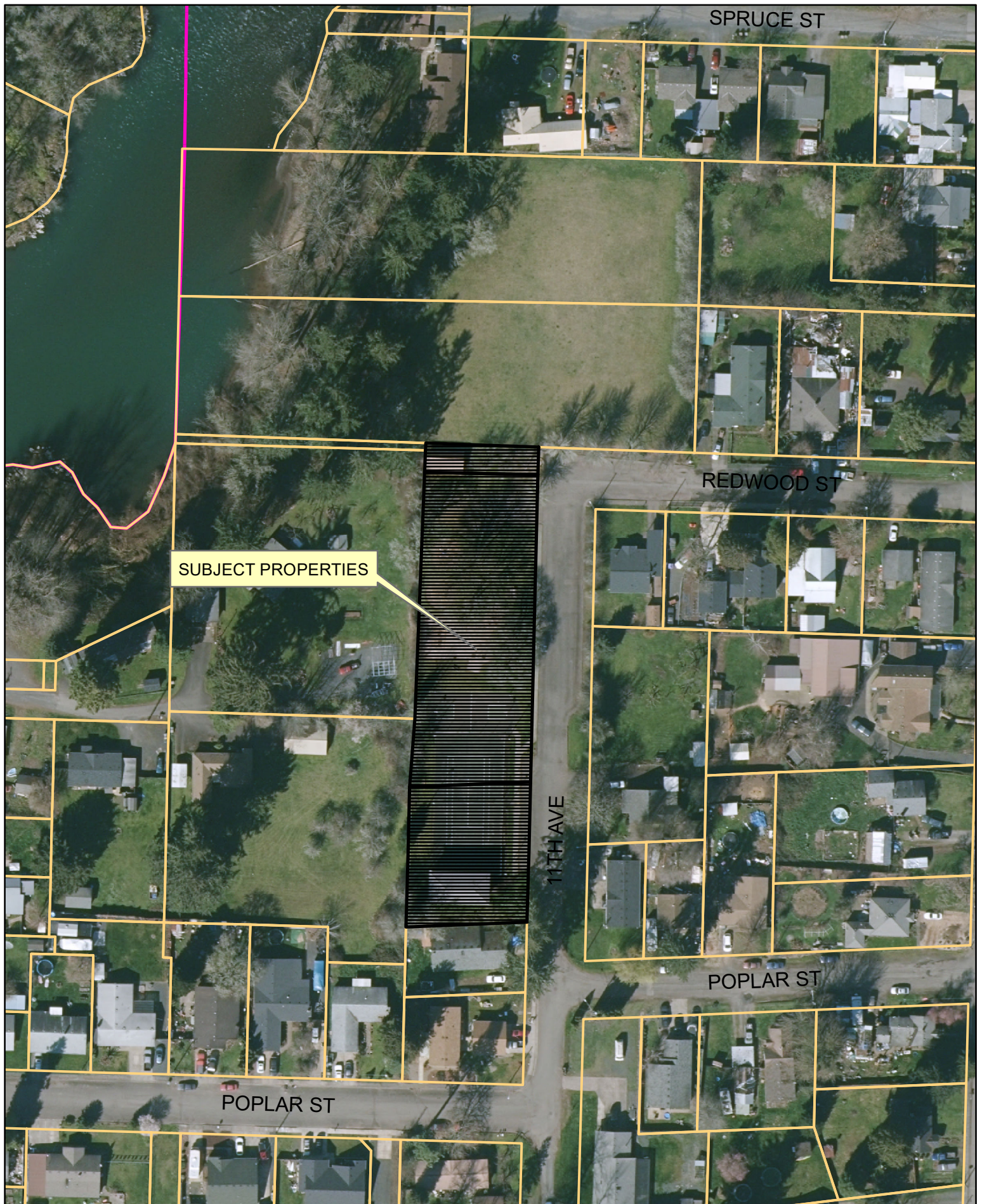

Blair Larsen, Community & Economic Development Director


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.

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SPRUCE ST

REDWOOD ST

11TH AVE

POPLAR ST

POPLAR ST

SUBJECT PROPERTIES

Subject Property Map
PLA22-12


Date: 7/15/22




1 inch = 104 feet

Northside Park
Existing Property Lines
PLA22-12

Legend

 Tax lots

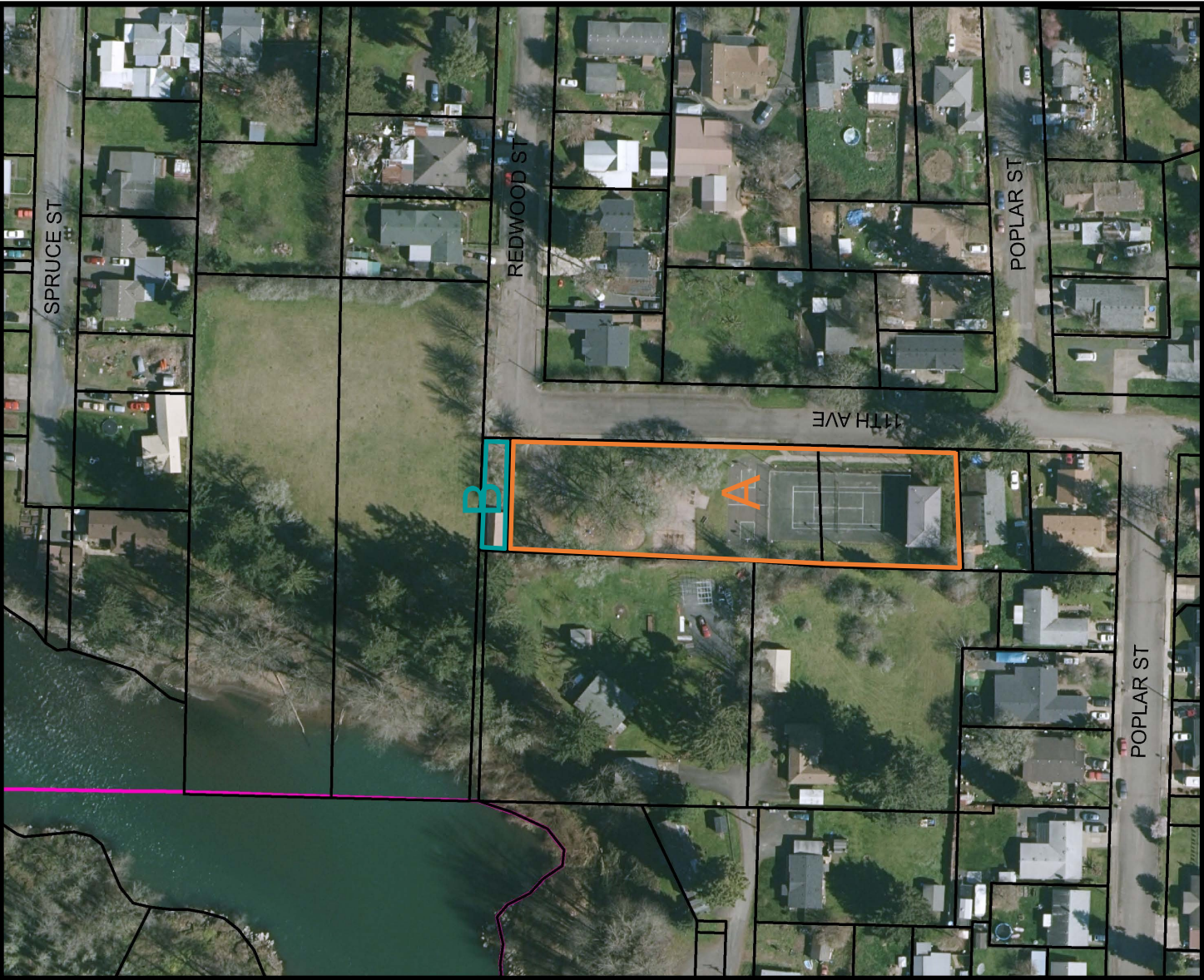
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 13S01E31AB 2300, 1500

 13S01E31AB08100




1 inch = 600 feet



Northside Park Property Line Adjustments
PLA22-12

Legend

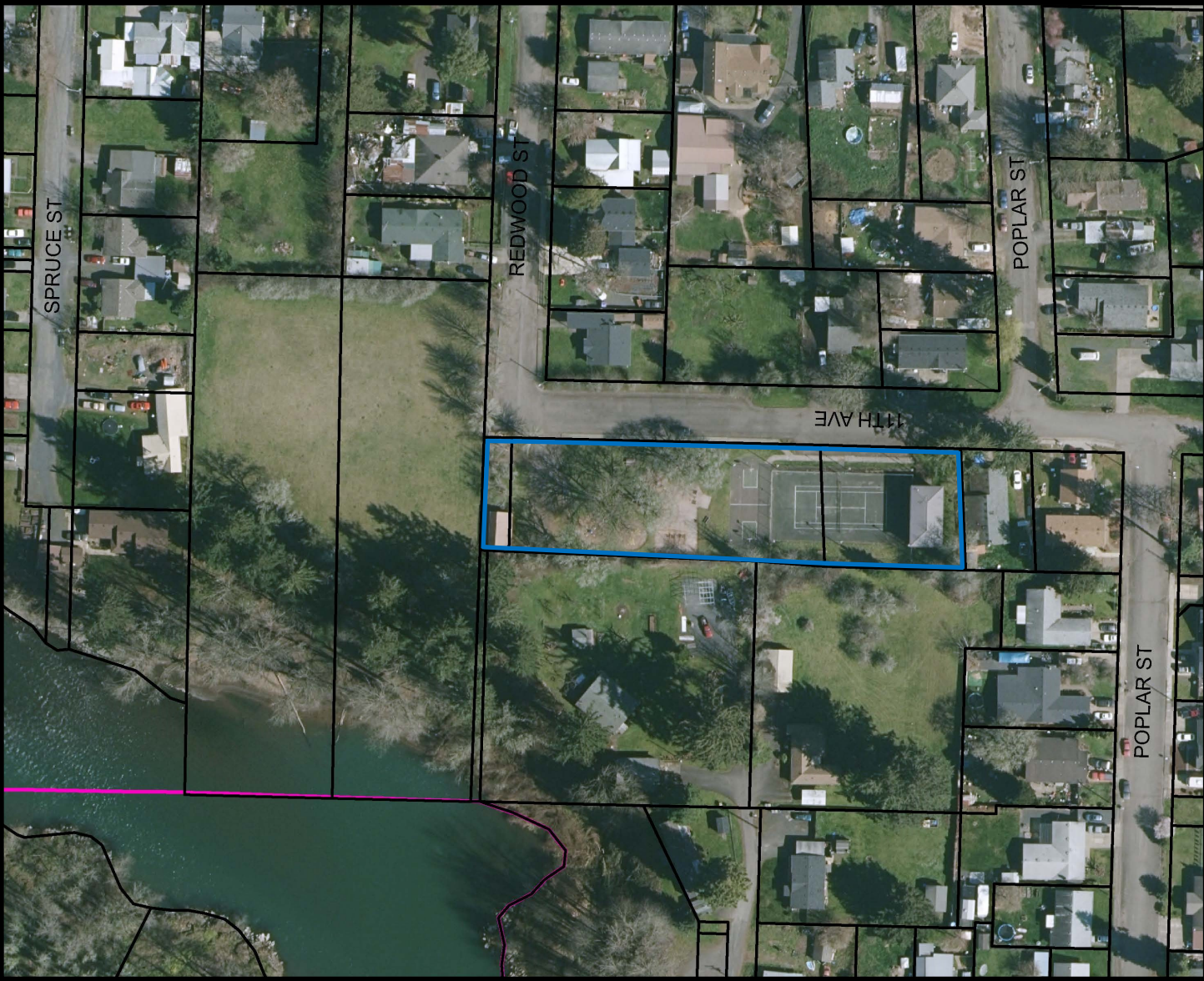
 Tax lots

PIN

 2nd Merge



1 inch = 600 feet





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 41,112 square feet from Proposed Property A (Lots 2300, 1500, and 8100) to Proposed Property B (Lot 8000). Proposed Property A shall decrease in size from approximately 41,112 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 1,502 square feet to approximately 42,614 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.

Application PLA22-13 is pending the approval of Application PLA22-11 and PLA22-12. Application PLA22-13 is being filed simultaneously with Applications PLA22-11, PLA22-12, PLA22-14, PLA22-15, and CU22-12.

APPLICANT: The City of Sweet Home

OWNER (PROPERTY A): The City of Sweet Home

OWNER (PROPERTY B): The City of Sweet Home

FILE NUMBER: PLA22-13

PROPERTY LOCATION: **Property A (Lot 2300, 1500, & 8100):** Located at 1712 and 1780 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lots 02300, 01500, and 8100.

Property B (Lot 8000): 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lot 08000.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, 17.24.020.

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 PLA22-13 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. The proposal would transfer approximately 41,112 square feet from Proposed Property A (Lots 2300, 1500, and 8100) to Proposed Property B (Lot 8000). Proposed Property A shall decrease in size from approximately 41,112 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 1,502 square feet to approximately 42,614 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.
2. Approval of Applications PLA22-11, PLA22-12, and CU22-12.
3. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-1 Zone. See SHMC 17.24.050.
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: November 3, 2022

MAILING DATE: November 3, 2022

APPEAL DEADLINE: November 15, 2022

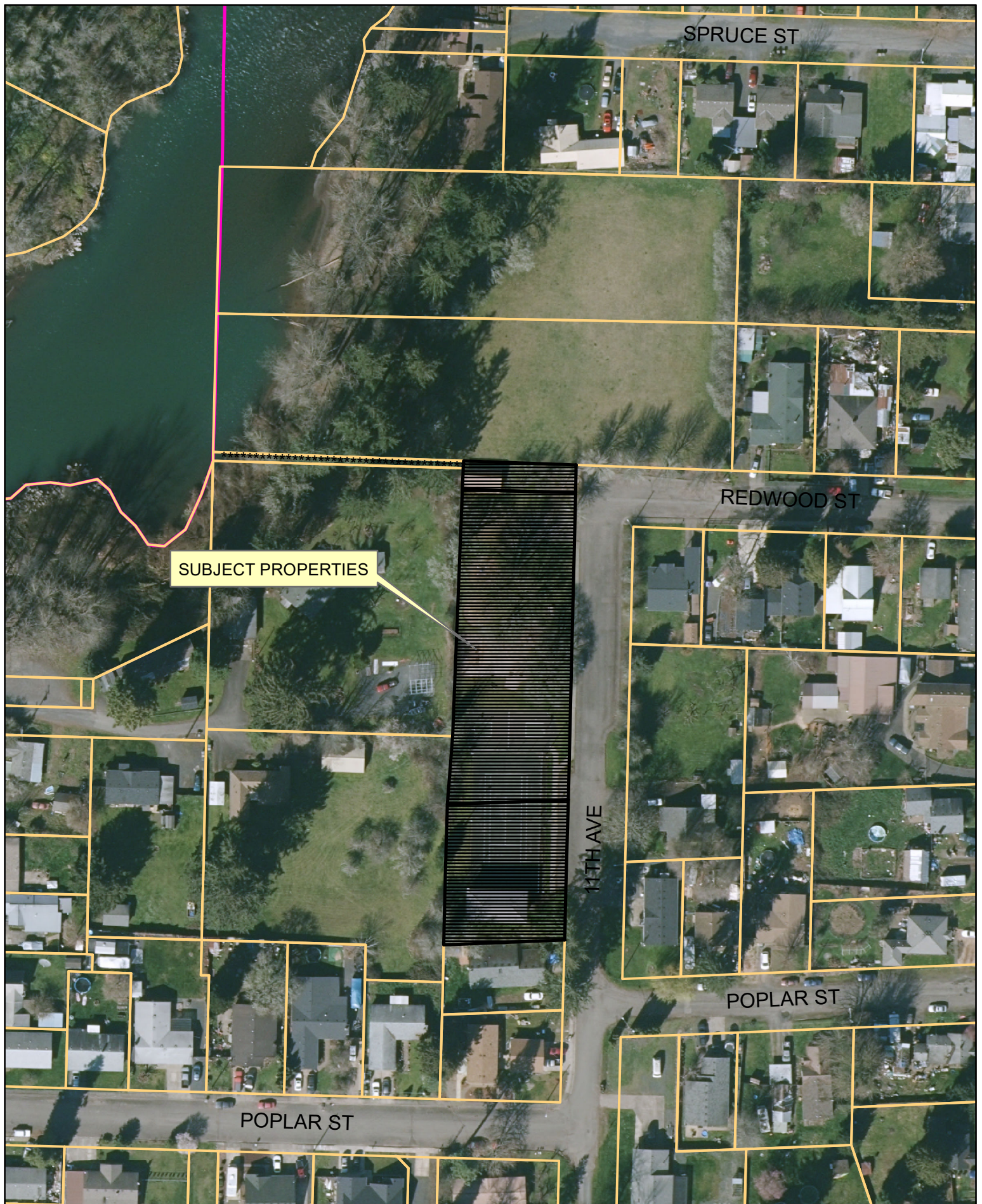

Blair Larsen, Community & Economic Development Director


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 inch = 104 feet

Subject Property Map
PLA22-13


Date: 7/15/22

Northside Park
Existing Properties before PLA's
PLA22-13

Legend

 Tax lots

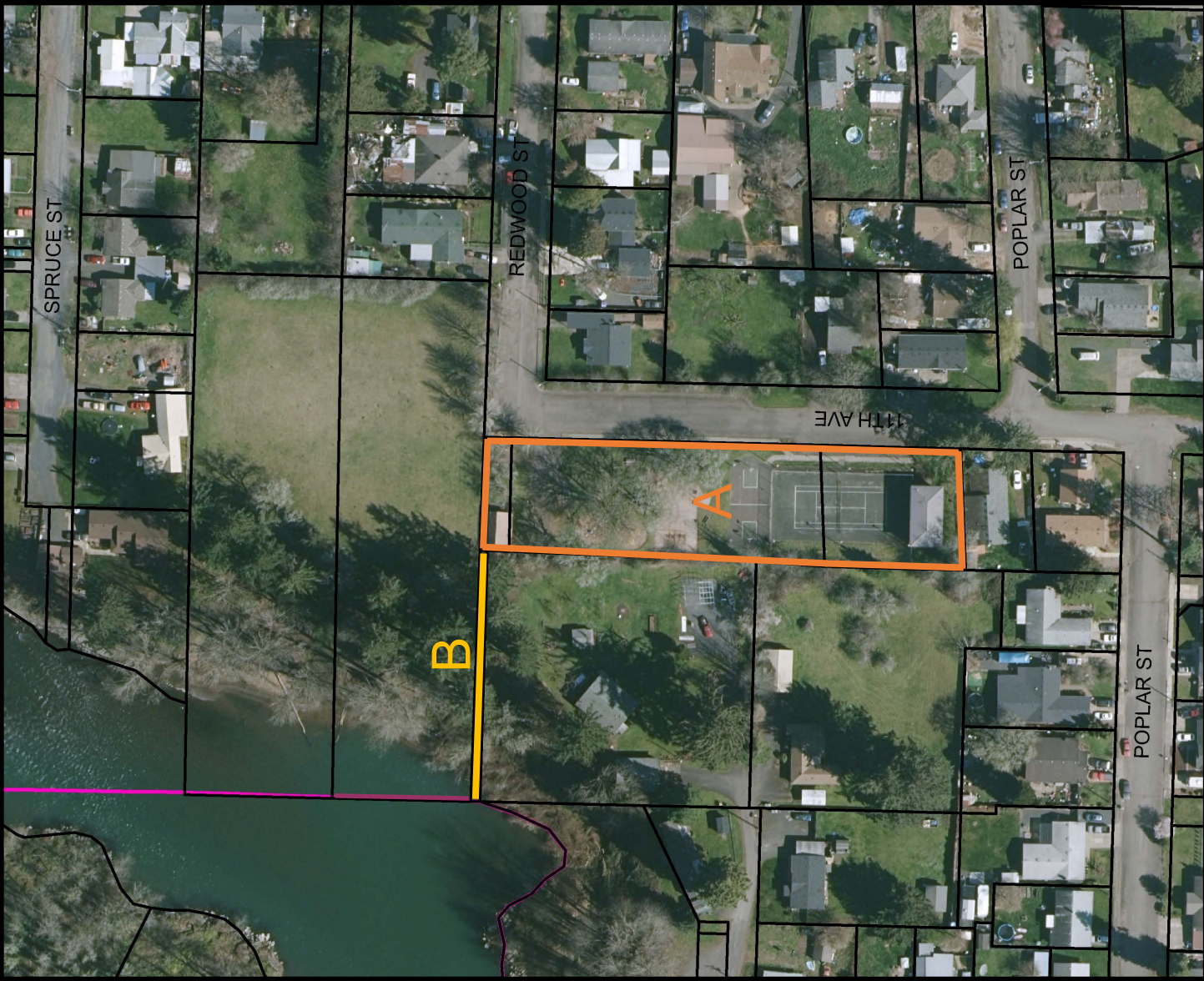
PIN

 13S01E31AB 2300, 1500, 8100

 13S01E31AB08000



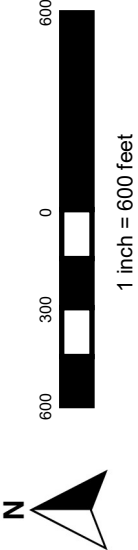
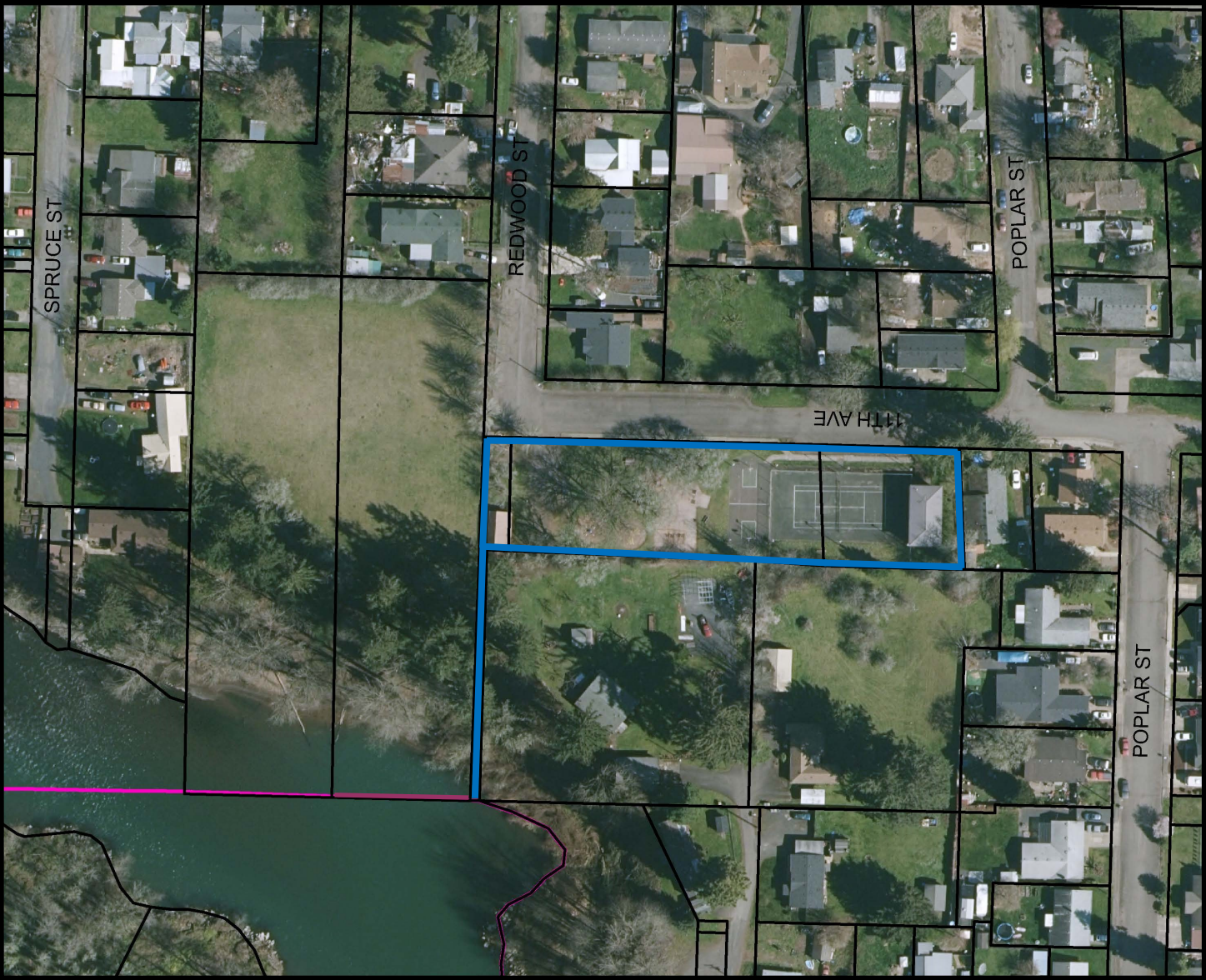
1 inch = 600 feet



Northside Park Property Line Adjustment
PLA22-13

Legend

- Tax lots
- PIN**
- 3rd Merge





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 42,614 square feet from Proposed Property A (Lots 2300, 1500, 8100, and 8000) to Proposed Property B (Lot 1301). Proposed Property A shall decrease in size from approximately 42,614 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 54,229 square feet to approximately 96,843 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.

Application PLA22-14 is pending the approval of Application PLA22-11, PLA22-12, and PLA22-13. Application PLA22-14 is being filed simultaneously with Applications PLA22-11, PLA22-12, PLA22-13, PLA22-15, and CU22-12.

APPLICANT: The City of Sweet Home

OWNER (PROPERTY A): The City of Sweet Home

OWNER (PROPERTY B): The City of Sweet Home

FILE NUMBER: PLA22-14

PROPERTY LOCATION: **Property A (Lot 2300, 1500, 8100, & 8000):** Located at 1712 and 1780 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lots 02300, 01500, 08100, and 08000.

Property B (Lot 1301): 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lot 01301.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, 17.24.020.

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 PLA22-14 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. The proposal would transfer approximately 42,614 square feet from Proposed Property A (Lots 2300, 1500, 8100, and 8000) to Proposed Property B (Lot 1301). Proposed Property A shall decrease in size from approximately 42,614 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 54,229 square feet to approximately 96,843 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.
2. Approval of Applications PLA22-11, PLA22-12, PLA22-13, and CU22-12.
3. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-1 Zone. See SHMC 17.24.050.
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: November 3, 2022

MAILING DATE: November 3, 2022

APPEAL DEADLINE: November 15, 2022

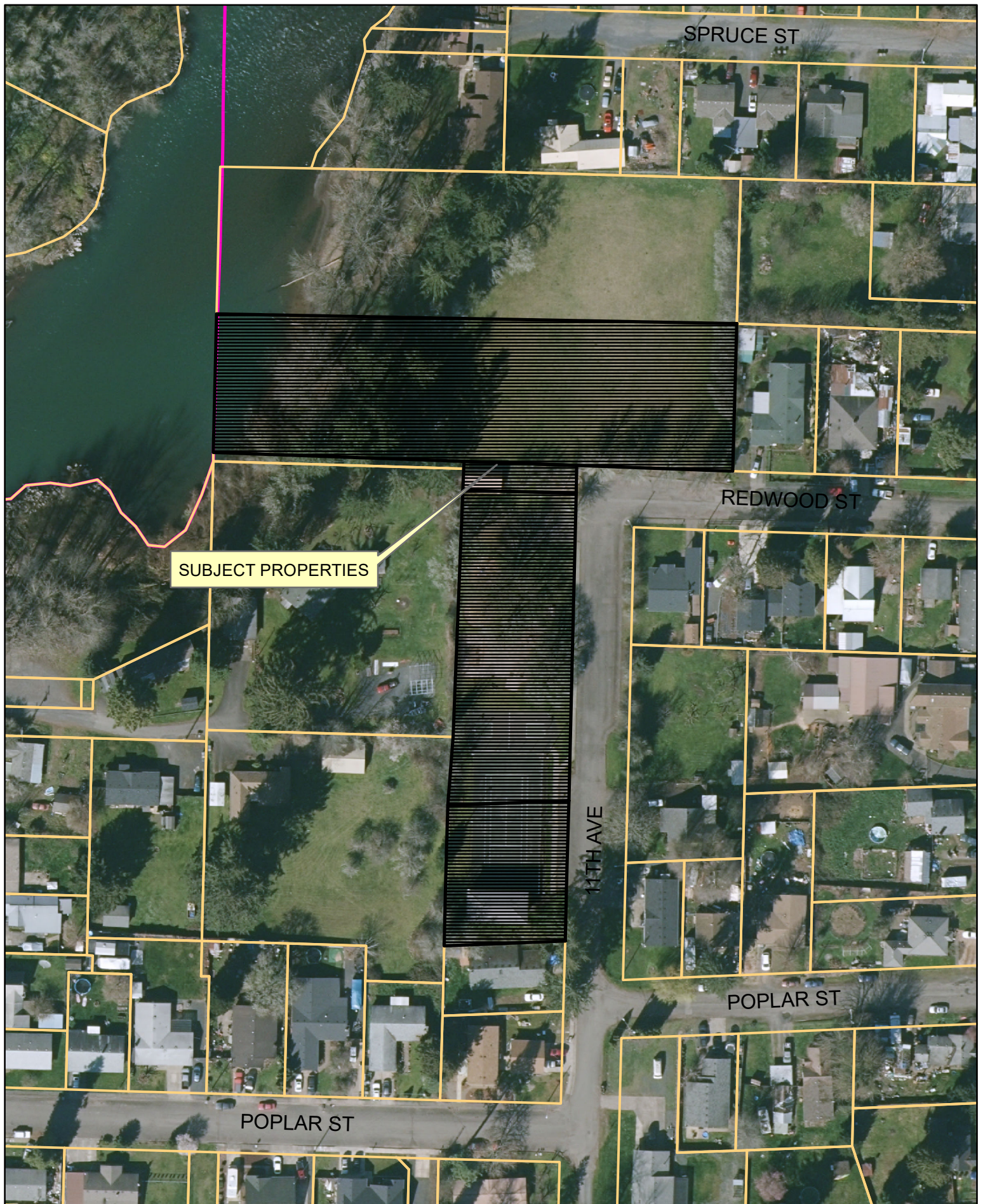

Blair Larsen, Community & Economic Development Director


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 inch = 104 feet

Subject Property Map
PLA22-14


Date: 7/15/22

Northside Park
Existing Properties before PLA's
PLA22-14

Legend

 Tax lots

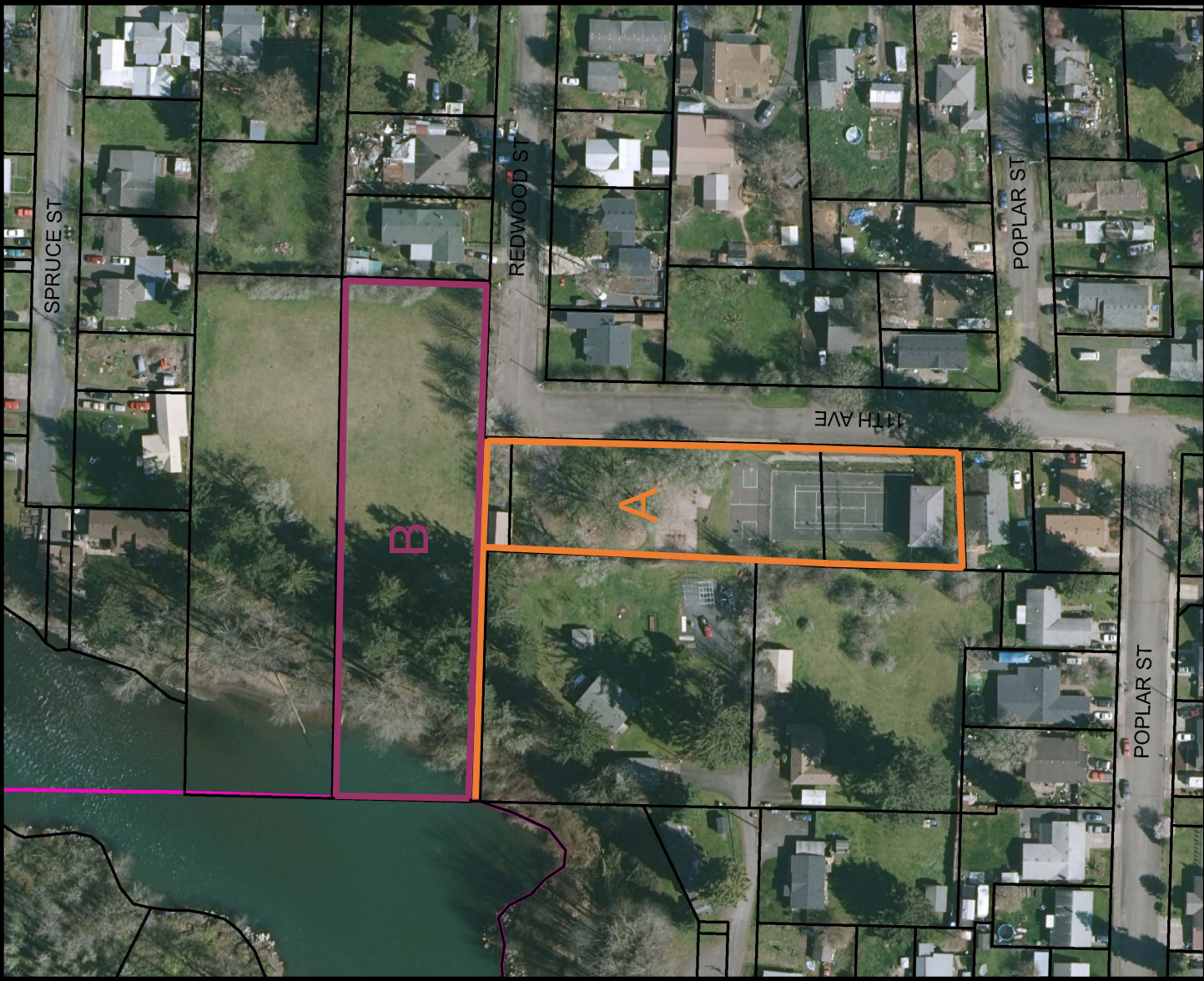
PIN

 13S01E31AB 2300,1500,8100,8000

 13S01E31AB01301



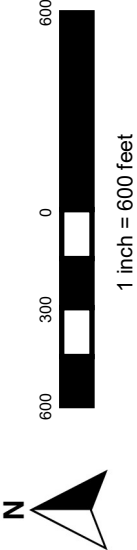
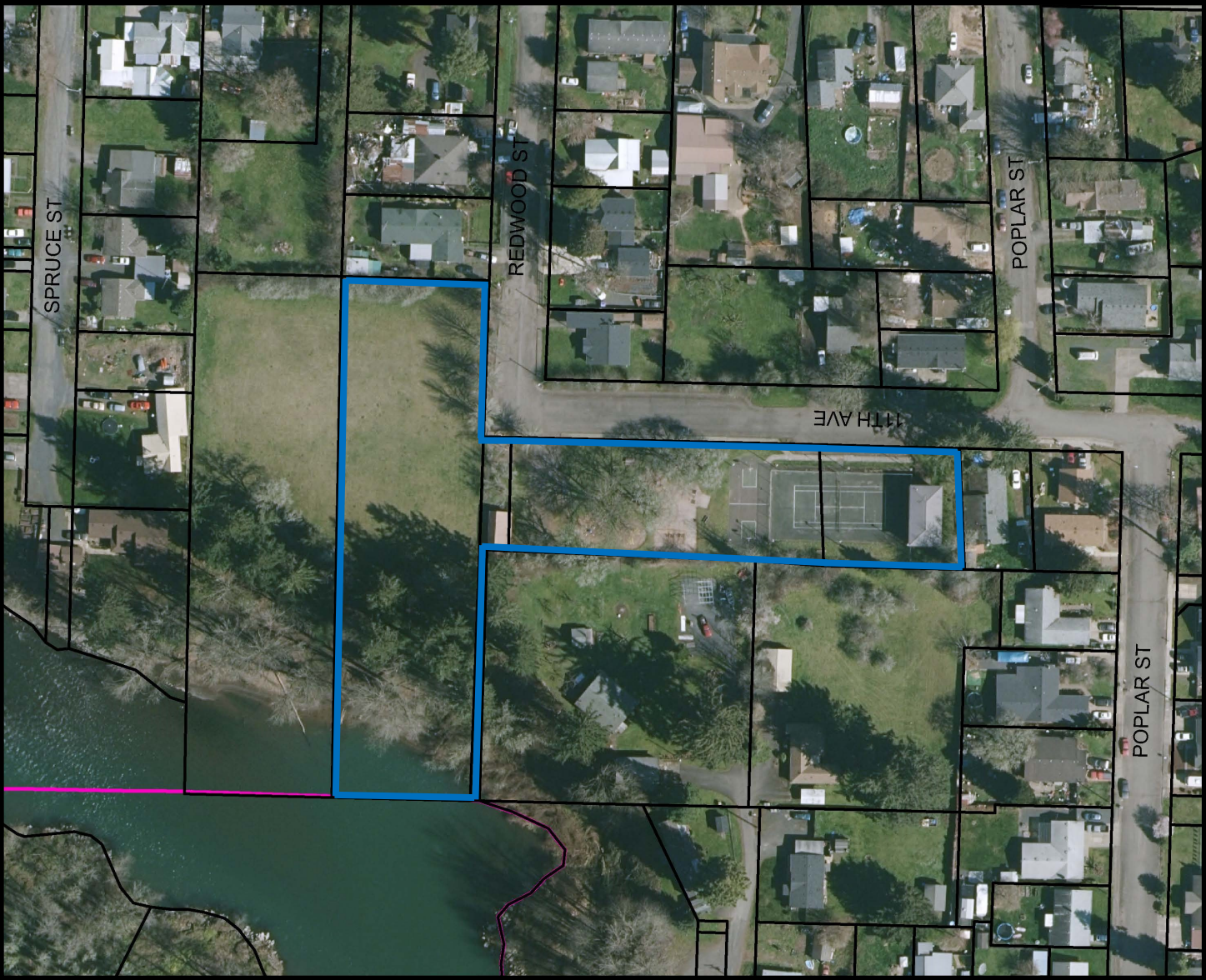
1 inch = 600 feet



Northside Park Property Line Adjustment
PLA22-14

Legend

- Tax lots
- PIN**
- 4th Merge





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 96,843 square feet from Proposed Property A (Lots 2300, 1500, 8100, 8000, and 1301) to Proposed Property B (Lot 1201). Proposed Property A shall decrease in size from approximately 96,843 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 55,768 square feet to approximately 152,611 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.

Application PLA22-15 is pending the approval of Application PLA22-11, PLA22-12, PLA22-13, and PLA22-14. Application PLA22-15 is being filed simultaneously with Applications PLA22-11, PLA22-12, PLA22-13, PLA22-14, and CU22-12.

APPLICANT: The City of Sweet Home

OWNER (PROPERTY A): The City of Sweet Home

OWNER (PROPERTY B): The City of Sweet Home

FILE NUMBER: PLA22-15

PROPERTY LOCATION: **Property A (Lot 2300, 1500, 8100, 8000, & 1301):** Located at 1712 and 1780 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lots 02300, 01500, 08100, 08000, and 01301.

Property B (Lot 1201): 11th Avenue, Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 13S01E31AB Tax Lot 01201.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code (SHMC) Sections 16.16.030, 16.32.020 through 16.32.050, 17.24.020.

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 PLA22-15 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:

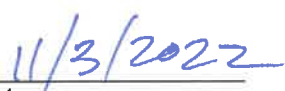
1. The final configuration of proposed Properties A and B shall substantially conform to the plot plan reviewed in this application. The proposal would transfer approximately 96,843 square feet from Proposed Property A (Lots 2300, 1500, 8100, 8000, and 1301) to Proposed Property B (Lot 1201). Proposed Property A shall decrease in size from approximately 96,843 square feet to 0 square feet, eliminating Property A. Proposed Property B shall increase in size from approximately 55,768 square feet to approximately 152,611 square feet. Proposed Properties A and B are in the Residential Low Density (R-1) Zone.
2. Approval of Applications PLA22-11, PLA22-12, PLA22-13, PLA22-14 and CU22-12.
3. The adjusted property line shall be situated so that all buildings and structures comply with the Standards of the R-1 Zone. See SHMC 17.24.050.
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: November 3, 2022

MAILING DATE: November 3, 2022

APPEAL DEADLINE: November 15, 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.



Subject Property Map
PLA22-15

Date: 7/15/22



1 inch = 104 feet

Northside Park
Existing Properties before PLA's
PLA22-15

Legend

 Tax lots

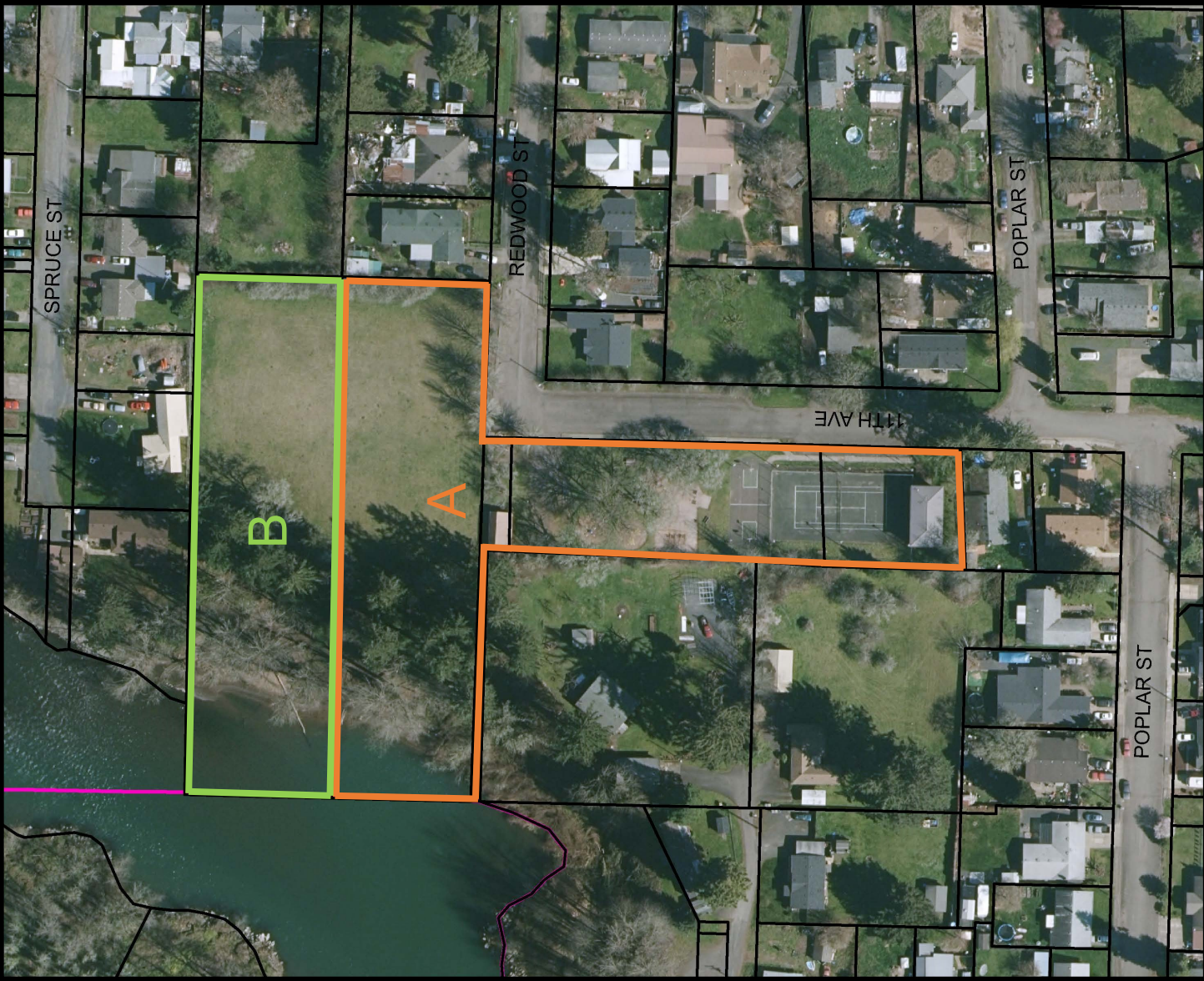
PIN

 13S01E31AB 2300,1500,8100,8000,1301

 13S01E31AB01201




1 inch = 600 feet




Northside Park
Existing Properties before PLA's
PLA22-15

Legend

 Tax lots

PIN

 5th Merge



1 inch = 600 feet



11-14-22

Dear City of Sweet Home,

Received your Notice of Public Hearing & request for comment on Northside Park.

First let me say I live at 1132 Redwood St. right by the Park. Every summer there are churches who bring their young people down to the park to play group games. Also we have a steady bunch of dog lovers who bring their dogs to play "fetch" & give them exercise. I have yet to see anyone "poop-scooping" their dogs but perhaps some do. There are also many Moms & Dads who bring their children to the "Play area" & turn them loose to have a great time on the various swings & things in the younger children's section.

The picnic area beneath the trees is a popular place & many families gather there all summer long. And there are the Walkers who make it a daily habit to walk the large field for their exercise. Now - where would you put a dog park? Seems to me the Park is already being used for a number of different things. Really the only thing it needs is sidewalks & better lighting at night. All the trees in the Park are beautiful when in bloom & people really enjoy them - myself included.

The public toilets seem to be used a lot - tho I've never gone in them. And the Park is used for tents & such when we have our celebrations &

the Tent people are always quiet & well-behaved. Have never had any problem with them.

All in all this little Northside Park is already ideal & used a lot. Like I wrote it could stand sidewalks & better lighting but a Dog Park? I don't think so.

Mrs. Joan Walthall
1132 Redwood St.
Sweet Home.

P.S. There are lots of people who like to go down to the river & fish or swim & I understand it is rather hard to get down to it - steep bank or something. Couldn't the City put in decent cement steps to allieviate the danger of a fall?

RECEIVED
11.28.22

The City of Sweet Home
File Number 2022-12

In Regards to a dog park
located 1712 & 178011th Ave
I am not in favor of this
would add to much traffic
& noise to residents living
close by.

A lot of people do not obey
rules at dog parks especially
when it comes to large & small
dogs sharing area & also owner
leave dogs off leash.

The area is too small for
A dog park should be on
a larger piece of property

Deane Petersen
3706 Reeter Ave
Eugene OR 97401

Vacation Property
1715 9th Ave
Sweet Home OR 97136