



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action - Ordinance No. 3 for 2020 - An Ordinance Amending the Official Zoning Map

Preferred Agenda: February 25, 2020 (1st Reading)
March 10, 2020 (2nd Reading)
April 14, 2020 (3rd Reading)

Submitted By: Angela Clegg, Associate Planner

Reviewed By: R. Towry, City Manager

Type of Action: Resolution ____ Motion **X** Roll Call **X** Other ____

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
Original Application
Ordinance No. 3 for 2020

Purpose of this RCA:

To approve the Zone Map Amendment Application ZMA19-02.

Background/Context:

The applicant is proposing to change the Zoning Map in an area consisting of 32.1 acres located between Yucca Street and Tamarack Street, and 18th Avenue and 22nd Avenue. The Sweet Home Zoning Map is proposed to change from the Residential Industrial Transition (RMT) Zone to the Residential Medium Density (R-3) 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 move the application to City Council for approval. The Sweet Home Municipal Code requires the City Council to hold a public hearing and decide on this application.

The Residential Industrial Transition (RMT) Zone was created in 1974. The neighborhood affected by this zone change has been a residential use since the opening of the former Mill that was located to the east of the neighborhood, decades before the zone was created for this area. The Comprehensive Plan designation for this area is Residential Medium Density (R-3) Zone. The proposed zone change would align the neighborhood with the comprehensive plan.

Residents/Applicants run in to difficulties trying to sell, develop and/or divide properties in this area due to the RMT criteria. Unless pre-existing, lot size is a minimum of 8,000 square feet. Most lots in this area are closer to 5,000 to 6,000 square feet. Applicants must apply the Residential Low Density (R-1) setbacks in the RMT zone. With the smaller lots, this often leaves no room for a structure with the minimum criteria.

SHMC 17.68.050 LIMITATIONS.

- A. Single-family dwellings and residential facilities shall be subject to the standards of the R-1 zone except building size for which R-2 standards shall apply.

SHMC 17.24.040 LOT SIZE AND WIDTH. Except as provided in § 17.08.050, the minimum lot size and width in a R-1 zone shall be as follows:

- A. The minimum lot area shall be 8,000 square feet; and
- B. The minimum lot width at the front building line shall be 80 feet.

SHMC 17.24.050 YARD SETBACKS. Except as provided in § 17.08.060, in a R-1 zone, yard setbacks shall be as follows.

- A. The front yard shall be a minimum of 20 feet.
- B. Each side yard shall be a minimum of five feet, and the total of both side yard setbacks shall be a minimum of 13 feet.
- C. The street side yard shall be a minimum of 15 feet.
- D. The rear yard shall be a minimum of 15 feet.
- E. On a flag lot, or similarly configured lot, the inset front yard setback shall be a minimum of 15 feet.
- F. Regardless of the side and rear yard requirements of the zone, an accessory structure, excluding detached accessory dwellings, may be built to within five feet of side or rear lot line; provided, the structure is more than 70 feet from the street abutting the front yard and 20 feet from the street abutting the street side yard.

SHMC 17.24.060 LOT COVERAGE. In an R-1 zone, buildings shall not occupy more than 35% of the lot area.

SHMC 17.28.080 MINIMUM BUILDING SIZE. Dwellings, excluding accessory dwellings, in the R-2 zone shall have a minimum building size of 720 square feet.

Not only will the zone change align the area to the comprehensive plan, but also to the use of the proposed area and the surrounding neighborhoods. Medium Density Residential criteria fits with the current and historic use of the proposed area:

SHMC 17.30.040 LOT SIZE AND WIDTH A. Single-family dwellings shall have a minimum lot area of 5,000 square feet;

SHMC 17.30.050 YARDS. Yard setbacks shall be as follows:

- A. Single-family and two-family dwelling units, including accessory dwellings:
 - 1. The front shall be a minimum of 20 feet;
 - 2. Each side shall be a minimum of five feet;
 - 3. The street side yard shall be a minimum of 15 feet;
 - 4. The rear shall be a minimum of ten feet;
 - 5. On a flag lot, the inset front yard setback shall be a minimum of ten feet; and
 - 6. No building shall be located closer than one-half the distance of the right-of-way projected for the abutting street, based on the street classification, plus the required front setback from a centerline of a street other than an alley.

SHMC 17.30.080 MINIMUM BUILDING SIZE. Primary use buildings, which do not include accessory dwellings, shall have a minimum building size of 850 square feet.

The Challenge/Problem:

Should the properties in the proposed zoning area be changed to Residential Medium Density (R-3) Zone to align with the Comprehensive Plan?

Stakeholders:

- The residents in the proposed zone change area.
- The residents in the surrounding areas.
- The City of Sweet Home.

Issues and Financial Impacts:

1. Residents in the proposed zone change area – Residents were notified with a Measure 56 letter (attachment C).
2. Community & Economic Development Department – This zone change was initiated by the City and has required staff time to complete.

Elements of a Stable Solution:

The proposed zone change will align the properties with the Comprehensive Plan. The proposed zone change will benefit the owners of the properties in the proposed area and will also aid the City of Sweet Home in the Local Improvement District (LID) proposed for the same area.

Options:

1. Do Nothing.
2. Deny Application - Staff would prepare an Order of Denial for Application ZMA19-02.
3. Make a Motion to Approve Application – ZMA19-02 and Ordinance #3 for 2020 as presented– An Ordinance Amending the Official Zoning Map of the City of Sweet Home.
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:

1. (February 25, 2020) Staff recommends option 3, Make a Motion to Approve Application – ZMA19-02 as presented and move Ordinance #3 for 2020 – An Ordinance Amending the Official Zoning Map of the City of Sweet Home, to first reading.
The proposed zone change aligns with the comprehensive plan and is beneficial to the affected property owners.
2. (March 10, 2020) Staff recommends, Make a Motion to move Ordinance #3 for 2020 – An Ordinance Amending the Official Zoning Map of the City of Sweet Home, to third and final reading. The proposed zone change aligns with the comprehensive plan and is beneficial to the affected property owners.
3. (April 14, 2020) Staff Recommends, Make a Motion to Approve Application – ZMA19-02 and Ordinance #3 for 2020 as presented– An Ordinance Amending the Official Zoning Map of the City of Sweet Home,