

ORDINANCE BILL NO. 13 FOR 2023

ORDINANCE NO. 1319

AN ORDINANCE AMENDING THE ZONING MAP

WHEREAS, the applicants, the City of Sweet Home, Sweet Home School District, and Sweet Home Fire District, are proposing to change the Zoning Map for their properties, consisting of approximately 425 acres, located in Sweet Home, OR 97386; and

WHEREAS, the Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Recreation Commercial (RC) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone; and

WHEREAS, the subject properties listed in the application do not have a Public Facility (PF) Zoning Map designation; and

WHEREAS, on October 27, 2022, the City of Sweet Home adopted the revised Sweet Home Municipal Code Title 17 that included Chapter 17.24 Public Facility (PF) Zone; and

WHEREAS, the Planning Commission of the City of Sweet Home held a public hearing on May 4, 2023 with due notice of such public hearing having been given and provided an opportunity for public comments and testimony. The Planning Commission deliberated at their May 4, 2023, meeting, and recommended that the City Council approve this application; and

WHEREAS, the City Council held a public hearing on this matter on May 23, 2023, with due notice of such public hearing, to provide opportunity for public comment and testimony. The City Council approved this application by motion at their May 23, 2023, meeting; and

WHEREAS, the proposed Public Facility (PF) zoning is needed to facilitate development of the subject property;

Now, Therefore,

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1: The City of Sweet Home adopts the findings of fact in support of zoning map amendment application ZMA23-02 included as Exhibit A.

Section 2: The City of Sweet Home amends the Official Zoning Map, identified in SHMC 17.06 as the Zoning Map including all subsequent amendments, for the areas consisting of approximately 425 acres located in Sweet Home, OR 97386 included as Exhibit B. The Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Recreation Commercial (RC) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone.

Passed by the Council and approved by the Mayor this 13th day of June 2023.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder

Exhibit A

Findings of Fact in Support of Zone Change Application ZMA23-01

Exhibit A to Order of Approval for ZMA23-01

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.

A. Zone changes shall be reviewed in accordance with the Type IV review procedures specified in Chapter 17.128. [SHMC 17.114.020]

Staff Findings: The application for the Zone Map Amendment was reviewed in accordance with SHMC 17.128.010 (B).

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

B. An application for a zone change shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.128. [SHMC 17.114.030]

Staff Findings: The application was received and deemed completed on March 17, 2023. Notices were sent per SHMC 17.128.010(D)(1-7). Notices were emailed and mailed via US Postal Service on March 21, 2023. Notice was posted in the New Era newspaper on March 29, 2023.

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

C. The applicant shall submit an application and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. A site plan shall not be required to initiate a Zone Map amendment. [SHMC 17.114.040]

Staff Findings: The applicant submitted the application, a narrative, a site plan, and list of affected properties on March 17, 2023.

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

D. 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 [SHMC 17.114.050(A)].

Staff Findings: The Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. The subject properties listed in the application have a Public Facility (PF) Comprehensive Plan designation (with the approval of Application CMA23-01). A Comprehensive Plan Map amendment is being filed simultaneously for the subject properties not having a Public Facility comprehensive pan designation. A Comprehensive Plan Map Amendment must be approved to complete a Zone Map Amendment. On October 27, 2022, the City of Sweet Home adopted the revised Sweet Home Municipal Code Title 17 that included Chapter 17.24 Public Facility (PF) Zone.

The historic land use of the subject properties has been a public use. With the adoption of the Public Facility (PF) zone, the applicants are proposing to bring the zoning in conformance with the historic and continued use of each property.

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

E. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity [SHMC 17.114.050(B)].

Staff Findings: The use of the subject properties has been historically public. The zone change will bring the zoning designation in conformance with the use of the subject properties.

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

F. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Development Code [SHMC 17.114.050(C)].

Staff Findings: The use of the subject properties has been historically public. The zone change will bring the zoning designation in conformance with the use of the subject properties.

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

G. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property [SHMC 17.114.050(D)].

Staff Findings: The use of the subject properties is not changing.

H. For residential zone changes, the criteria listed in the purpose statement for the proposed residential zone shall be met [SHMC 17.114.050(E)].

Staff Findings: The Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. The subject properties listed in the application have a Public Facility (PF) Comprehensive Plan designation (with the approval of Application CMA23-01).

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