

ORDINANCE BILL NO. 12 FOR 2023

ORDINANCE NO. 1318

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP

WHEREAS, the applicants, the City of Sweet Home, Sweet Home School District, and Sweet Home Fire District, are proposing to change the Comprehensive Plan Map for their properties, consisting of approximately 280 acres, located in Sweet Home, OR 97386; and

WHEREAS, the Sweet Home Comprehensive Plan 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; and

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

WHEREAS, a Comprehensive Plan Map Amendment must be approved to complete a Zone Map Amendment; 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 comprehensive plan map amendment application CMA23-01 included as Exhibit A.

Section 2: The City of Sweet Home amends the Official Comprehensive Plan Map, identified in SHMC 17.06.020 as the City Comprehensive Plan Map including all subsequent amendments, for the areas consisting of approximately 280 acres located in Sweet Home, OR 97386 included as Exhibit B. The Sweet Home Comprehensive Plan 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.

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 CMA23-01

Exhibit A to Order of Approval for CMA23-01

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. Amendments to the Comprehensive Plan map shall be reviewed in accordance with the Type IV review procedures specified in Chapter 17.128. [SHMC 17.112.020]

Staff Findings: The application for the Comprehensive Plan 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 map amendment shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.128. [SHMC 17.112.030]

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 prepare and submit an application, site plan, 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 Comprehensive Plan map amendment. [SHMC 17.112.040]

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. All information and analysis must justify the proposed change relative to the Map designation to which the property is proposed to change, and to the Map designation from which the property is changing. The analysis must address the impacts from decreasing acreage of one map designation and increasing acreage for the proposed map designation [SHMC 17.112.050(A)].

Staff Findings: The Sweet Home Comprehensive Plan 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 do not have a Public Facility (PF) Comprehensive Plan 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. Compliance is demonstrated with the Statewide Land Use Planning Goals and Guidelines and any relevant Administrative Rules applying to the subject properties or to the proposed land use designation. If the proposed designation requires an exception to the Goals, the applicable criteria in the Land Conservation and Development Commission (LCDC) Administrative Rules for the type of exception needed shall also apply [SHMC 17.112.050(B)].

Staff Findings: The application complies with Statewide Planning Goals 2 Land Use Planning and 11 Public Facilities and Services. The proposed designation does not require an exception to the goals.

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

F. Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated [SHMC 17.112.050(C)].

Staff Findings: Table 1 of the Summary of Comprehensive Plan Land Use Designations lists Public as a land use designation, however there was never municipal code written for the Public land use designation. SHMC Chapter 17.25 Public Facility (PF) Zone criteria were implemented on October 27, 2023. The update to the Public Facility zone will bring the subject properties into compliance with the Comprehensive Plan designation.

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

G. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan [SHMC 17.112.050(D)].

Staff Findings: The use of the subject properties has been historically public. A Comprehensive Plan Map Amendment is required to do a zone map amendment for the properties listed on Attachments A and B. 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.

H. The Plan provides more than the projected need for lands in the existing land use designation [SHMC 17.112.050(E)].

Staff Findings: The use of the subject properties is not changing. A Comprehensive Plan Map Amendment is required to do a zone map amendment for the properties listed on Attachments A and B. The plan brings the zoning designation into conformance with the historic use of the subject properties.

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

- I. **The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity or significantly adversely affect existing or planned uses on adjacent lands [SHMC 17.112.050(F)].**

Staff Findings: The use of the subject properties is not changing. A Comprehensive Plan Map Amendment is required to do a zone map amendment for the properties listed on Attachments A and B.

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

- J. **Public facilities and services, including transportation facilities, necessary to support uses allowed in the proposed designation are available, or, will be available in the near future [SHMC 17.112.050(G)].**

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