

**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 a single-family dwelling. In the Recreation Commercial (RC) Zone a residential use not related to or in conjunction with a recreational development is allowed per a conditional use. [SHMC 17.60.030 (D)]. The subject property contains approximately 4,997 square feet and is in the Recreation Commercial (RC) Zone.

APPLICANT: Marcos Garcia

PROPERTY OWNER: Marcos Garcis

FILE NUMBER(S): CU21-06

PROPERTY LOCATION: Abuts 5973 Nandina Street to the west, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E27DA Tax Lot 01401.

REVIEW AND DESIGN CRITERIA: Sweet Home Municipal Code Section(s) 17.60.030, 17.80.040

HEARING DATE & TIME: **May 3, 2021 at 6:30 PM**

HEARING LOCATION: City Hall, Council Chambers at 3225 Main Street, Sweet Home, Oregon 9738

STAFF CONTACT: Angela Clegg, Associate Planner
Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov

REPORT DATE: April 26, 2021

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

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Recreation Commercial (RC)	Planned Recreation
Property North	Recreation Commercial (RC)	Planned Recreation
Property East	Recreation Commercial (RC)	Planned Recreation
Property South	Industrial (M)	Heavy Industrial
Property West	Recreation Commercial (RC)	Planned Recreation

Floodplain: Based on a review of the FEMA FIRM Maps; Panel 41043C0916G dates September 29, 2010, the subject property is not located in the 100-year floodplain.

Wetlands: The subject property does not contain wetlands that are inventoried on the Sweet Home Local Wetlands Inventory or the National Wetlands Inventory (NWI) Map.

Access: The subject property has frontage along Nandina Street.

Services: The property has access to City water and sewer services.

TIMELINES AND HEARING NOTICE:

Application Received: March 23, 2021

Application Deemed Complete: March 25, 2021

Notice Distribution to Neighboring Property Owners Within 100 feet and Service Agencies: March 31, 2021

Notice Published in New Era Newspaper: March 3, 2021

Date of Planning Commission Hearing: April 7, 2021

120-Day Processing Deadlines: July 23, 2021

II. COMMENTS

CEDD Engineering: Regarding the proposed residence on Nandina St off 59th Avenue. There is an 8" sanitary sewer line available in Nandina St. There is also an 8" waterline extended from 60th Avenue to the fire hydrant on Nandina St. Both city services are available for connection. No storm drainage is available on Nandina St. The new residence will be addressed as 5983 Nandina St. CEDD-ES has no issues with the location of the new residence.

Public Works Division: No comments as of the issue of this Staff Report.

Building Division: The Building Program has no issues with this request for a conditional use.

Sweet Home Fire District: No comments as of the issue of this Staff Report.

Public Comment: No comments as of the issue of this Staff Report.

III. REVIEW AND DESIGN 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.

A. The request complies with the requirements of the underlying zone or overlay zone, city codes, state and federal laws [SHMC 17.80.040(A)].

Applicants Comments: The Applicant states that the proposed use complies with ALL current SHMC ordinances including conditional uses permitted.

Staff Findings: Staff finds that the applicants request complies with the underlying zone, city codes, state and federal laws. In the Recreation Commercial (RC) Zone a residential use not related to or in conjunction with a recreational development is allowed per a conditional use. [SHMC 17.60.030 (D)]

The application complies with this criterion.

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;

Applicants Comments: The Applicant states that the proposed use/dwelling size meets SHMC criteria for single family residential use and the proposed dwelling is compatible/comparable in size/shape and height with ALL current surrounding uses.

2. Parking;

Applicants Comments: The Applicant states that the proposed use/dwelling parking will meet SHMC criteria for single family residential use. The proposed use will utilize the two-car garage for parking along with the two-car on property driveway. NO street parking will be needed. The current proposed parking is comparable to existing surrounding single-family dwelling uses. During construction of the proposed use, parking needs may deviate due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

3. Traffic;

Applicants Comments: The Applicant states that traffic pattern from the proposed use will be consistent with other existing single-family dwellings from the surrounding area. Traffic patterns will consist of 6-8 am departure times and 5-6 pm arrivals Monday through Friday and variable traffic patterns on the weekend for the occupants of the home. NO commercial activity/traffic is proposed. During construction of the proposed use, traffic may deviate due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

4. Noise;

Applicants Comments: The Applicant states that No adverse noise will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL noise generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, noise may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

5. Vibration;

Applicants Comments: The Applicant states that no adverse vibration will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL vibration generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, vibration may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

6. Exhaust and emissions;

Applicants Comments: The Applicant states that no adverse exhaust & emissions will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL

exhaust/emissions generated from the proposed single family residential use will be comparable to other current surrounding uses.

7. Light and glare;

Applicants Comments: The Applicant states that no adverse light & glare will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL light/glare generated from the proposed single family residential use will be comparable to other current surrounding uses.

8. Erosion;

Applicants Comments: The Applicant states that no adverse erosion will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. During construction of the proposed dwelling, measures will be taken during excavation/grading of the property to prevent/mitigate erosion to occur offsite.

9. Odor;

Applicants Comments: The Applicant states that no adverse odors will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL odors generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, odors may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

10. Dust;

Applicants Comments: The Applicant states that no adverse dust will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL dust generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, dust may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home and measures will be taken to minimize dust during excavation/grading of the property.

11. Visibility;

Applicants Comments: The Applicant states that visibility will be maintained along the street frontage of the property and will meet/comply with ALL SHMC ordinances.

12. Safety;

Applicants Comments: The Applicant states that on site Safety will be maintained for the property and proposed dwelling and will meet/comply with ALL SHMC ordinances. During construction of the proposed dwelling, measures will be taken to prevent/mitigate any safety hazards that could occur both on and off property.

13. Building, landscaping or street features [17.80.040(B)].

Applicants Comments: The Applicant states that proposed dwelling, landscaping and street features will be maintained for the property and Will be constructed as required to meet/comply with ALL SHMC ordinances.

Staff Findings: The applicant is requesting this conditional use permit to allow for a single-family dwelling. In the Recreation Commercial (RC) Zone a residential use not related to or in conjunction with a recreational development is allowed per a conditional use. [SHMC 17.60.030 (D)]. Staff finds the site

size, dimensions, location, topography, and access are adequate for the needs of the proposed use. Per the staff engineer's comments, there is an 8" sanitary sewer line available in Nandina Street. There is also an 8" waterline extended from 60th Avenue to the fire hydrant on Nandina Street. Both City services are available for connection. There is no storm drainage available on Nandina Street.

The application complies with this criterion.

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 [SHMC 17.80.040(C)].

Applicants Comments: The Applicant states that no adverse negative impacts of the proposed use are proposed and/or will not impact adjacent properties. The proposed use/dwelling will meet/comply with ALL SHMC ordinances. During construction of the proposed use, construction activity occurring on the home will comply with ALL SHMC ordinances and will not be need mitigation through application by other code standards requiring approval.

Staff Findings: The applicant is requesting this conditional use permit to allow a single-family dwelling in the Recreation Commercial (RC) Zone. Staff finds that no potential impacts are identified.

The application complies with this criterion.

D. All required public facilities have adequate capacity, as determined by the city, to serve the proposed use [SHMC 17.80.040(D)].

Applicants Comments: The Applicant states that the proposed use/dwelling will meet/comply with ALL SHMC ordinances and public facilities will have adequate capacity to serve the proposed use.

Staff Findings: The applicant is requesting this conditional use permit to allow a single-family dwelling in the Recreation Commercial (RC) Zone. Per the staff engineer's comments, there is an 8" sanitary sewer line available in Nandina Street. There is also an 8" waterline extended from 60th Avenue to the fire hydrant on Nandina Street. Both City services are available for connection. There is no storm drainage available on Nandina Street. Staff finds that there is adequate capacity for the proposed use.

The application complies with this criterion.

E. Home occupations must meet the following standards:

1. The home occupation shall be secondary to the residential use [SHMC 17.80.040(E)(1)].

Applicants Comments: The Applicant states that the proposed use/dwelling will meet/comply with ALL SHMC ordinances regarding home occupation and if exercised will make home occupation secondary to residential use. No Home occupation is proposed and/or implied.

Staff Findings: The applicant is not proposing a home occupation.

The application complies with this criterion.

2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building [SHMC 17.80.040(E)(2)].

Applicants Comments: The Applicant states that the proposed use/dwelling will meet/comply with ALL SHMC ordnances regarding home occupation and if exercised will make all aspects of the home occupation contained within a completely enclosed accessory building. No Home occupation is proposed and/or implied.

Staff Findings: The applicant is not proposing a home occupation.

The application complies with this criterion.

- 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 [SHMC 17.80.040(E)(3)].**

Applicants Comments: The Applicant states that the proposed use/dwelling will meet/comply with ALL SHMC ordnances regarding home occupation and if exercised will not allow materials or mechanical equipment to 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. No Home occupation is proposed and/or implied.

Staff Findings: The applicant is not proposing a home occupation.

The application complies with this criterion.

- 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 [SHMC 17.80.040(E)(4)].**

Applicants Comments: The Applicant states that the proposed use/dwelling will meet/comply with ALL SHMC ordnances regarding home occupation and if exercised will not allow Vehicles related to the home occupation be parked in a manner so as to not block any driveway or impede the safe flow of traffic. No Home occupation is proposed and/or implied.

Staff Findings: The applicant is not proposing a home occupation.

The application complies with this criterion.

- F. Marijuana facilities must be located in a fixed location. No temporary or mobile sites of any sort are allowed.**

Applicants Comments: The Applicant states that no marijuana facility is proposed and/or implied.

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

- G. Marijuana facilities may not have any drive up services.**

Applicants Comments: The Applicant states that no marijuana facility is proposed and/or implied.

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

- H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school.**

Applicants Comments: The Applicant states that no marijuana facility is proposed and/or implied.

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

- 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.**

Applicants Comments: The Applicant states that no marijuana facility is proposed and/or implied.

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

- J. 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. [SHMC 17.80.050]**

- 1. These conditions may include, but are not limited to, the following:**
 - a) Requiring larger setback areas, lot area, and/or lot depth or width;**
 - b) Limiting the hours, days, place and/or manner of operation;**
 - c) Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor or dust;**
 - d) Limiting the building height, size or lot coverage, or location on the site;**
 - e) Designating the size, number, locations and/or design of vehicle access points, parking areas, or loading areas;**
 - f) Increasing the number of required parking spaces;**
 - g) 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;**
 - h) Limiting the number, size, location, height and lighting of signs;**
 - i) Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;**
 - j) 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;**
 - k) Designating sites for open space or outdoor recreation areas;**
 - l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and historic or cultural resources;**
 - m) Requiring ongoing maintenance of buildings and grounds;**
 - n) Setting a time limit for which the conditional use is approved. [SHMC 17.80.050(A)]**

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 in order 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." As specified in SHMC 17.80.050, conditions could include, but are not limited to: expanding setbacks, limiting hours of operation, requiring site or architectural design features, imposing additional sign standards, and so forth.

If this application is approved, staff recommends the Planning Commission impose no conditions of approval as there are no potential impacts which need mitigation except for procedural conditions to assure the single-family dwelling is as represented by the applicant.

K. 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. [SHMC 17.80.070]

Staff Findings: As required under this section, 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. As stated in the SHMC, 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.

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 Boards of Appeals (LUBA) may only be based on Review and Decision Criteria listed above.

Recommended Conditions If the Application is Approved:

1. The construction and use of the single-family dwelling will be conducted in a manner consistent with the representations made by the applicant in the application and hearing process.
2. The applicant shall provide the proposed property with its own water and sewer services. The access and utility easements shall be clearly identified.
3. Upon development of the proposed parcel, 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. The applicant will be required to sign a Development Agreement with the Community and Economic Development (CEDD) Engineering Services department for the unimproved roadway. All public improvements must comply with the standards listed in the SHMC at the time of development.
4. The new property lines shall be situated so that all buildings and structures comply with yard (setback) requirements of the Recreation Commercial (RC) Zone.
5. The property owner shall obtain and comply with all other applicable local, state, and federal permits and requirements.

V. PLANNING COMMISSION ACTION

In taking action on a Conditional Use Permit, the Planning commission will hold a public Hearing at which it may either approve or deny the application(s). 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: Staff recommends 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 makes a decision, 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 CU21-06; 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 CU21-06; 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. Site Plan
- C. Application

The full record is available for review at the City of Sweet Home Community and Economic Development Department Office located at City Hall, 3225 Main Street, Sweet Home, Oregon 97386. Regular business hours are between 8:00 AM and 5:00 PM, Monday through Friday, excluding holidays.



1 inch = 65 feet

Subject Property Map
CU21-06

Date: 03/30/21



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: 03.23.21
Date Complete: 03.25.21
File Number: CU21-06
Application Fee \$: 615.00
Receipt #: 4293
Hearing Date: 05.03.21

Applicant's Name:

Marcos Garcia

Applicant's Address:

4138 Geranium Loop NE / Salem, OR

Applicant's Phone and e-mail:

503.932.9757 / northstarqualityconstruction@gmail.com

Subject Property Address:

5983 Nandina Street

Subject Property Assessor's Map and Tax Lot:

Map 27DA Tax Lot 1401

Subject Property Size:

.34 AC

Subject Property: Zoning Classification

RC Recreation Commercial

Property Owner:

Marcos Garcia

Owner's Address:

4138 Geranium Loop NE / Salem, OR

Owner's Phone and email:

503.932.9757 / northstarqualityconstruction@gmail.com

Nature of Applicants Request

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

The proposed use is a single family residential dwelling. The request is to allow the single family residence to be considered/approved within the current RC zone s=designation.

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

See enclosed attachment

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: _____

Date: 3-22-21

Property Owner's Signature: _____

Date: 3-22-21

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.



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: _____
Date Complete: _____
File Number: _____
Application Fee \$: 615.00
Receipt #: _____
Hearing Date: _____

Applicant's Name:

Marcos Garcia

Applicant's Address:

4138 Geranium Loop NE / Salem, OR

Applicant's Phone and e-mail:

503.932.9757 / northstarqualityconstruction@gmail.com

Subject Property Address:

5983 Nandina Street

Subject Property Assessor's Map and Tax Lot:

Map 27DA Tax Lot 1401

Subject Property Size:

.34 AC

Subject Property: Zoning Classification

RC Recreation Commercial

Property Owner:

Marcos Garcia

Owner's Address:

4138 Geranium Loop NE / Salem, OR

Owner's Phone and email:

503.932.9757 / northstarqualityconstruction@gmail.com

Comprehensive Plan Classification:

Planned Recreation Community

Nature of Applicants Request

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

The proposed use is a single family residential dwelling. The request is to allow the single family residence to be considered/approved within the current RC zone s=designation.

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

See enclosed attachment

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:

Date:

Property Owner's Signature:

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.

ATTACHMENT 1

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

Response:

The proposed single family residential use will be compatible with the surrounding existing single family homes surrounding the subject property along with family use RV stalls located at the nearby long term stay RV park.

Parking at the subject property will be limited to indoor garage parking and a two-vehicle stall driveway. No additional parking will be required for the subject property.

Noise from the proposed use will be consistent with normal single family residential use activity. Construction activity noise will occur during construction of the home but will comply with all noise ordinances per city of Sweet home zoning codes.

Odor from the proposed use will be consistent with normal single family residential use activity. Construction activity odor will be minimized during construction of the home but will comply with all odor ordinances per city of Sweet home zoning codes.

Dust from the proposed use will be consistent with normal single family residential use activity. Construction activity dust will be minimized during construction of the home but will comply with all dust ordinances per city of Sweet home zoning codes.

SHMC17.80.040 CONDITIONAL 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.**

Response:

The proposed use complies with ALL current SHMC ordinances including conditional uses permitted.

- B. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering, but not limited too, the following:**

- 1. Building size;**

Response:

The proposed use/dwelling size meets SHMC criteria for single family residential use and the proposed dwelling is compatible/comparable in size/shape and height with ALL current surrounding uses.

2. Parking;

Response:

The proposed use/dwelling parking will meet SHMC criteria for single family residential use. The proposed use will utilize the two-car garage for parking along with the two-car on property driveway. NO street parking will be needed. The current proposed parking is comparable to existing surrounding single-family dwelling uses. During construction of the proposed use, parking needs may deviate due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

3. Traffic;

Response:

Traffic pattern from the proposed use will be consistent with other existing single-family dwellings from the surrounding area. Traffic patterns will consist of 6-8 am departure times and 5-6 pm arrivals Monday through Friday and variable traffic patterns on the weekend for the occupants of the home. NO commercial activity/traffic is proposed. During construction of the proposed use, traffic may deviate due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

4. Noise;

Response:

NO adverse noise will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL noise generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, noise may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

5. Vibration;

Response:

NO adverse vibration will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL vibration generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, vibration may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

6. Exhaust and emissions;

Response:

NO adverse exhaust & emissions will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL exhaust/emissions generated from the proposed single family residential use will be comparable to other current surrounding uses.

7. Light and glare;

Response:

NO adverse light & glare will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL light/glare generated from the proposed single family residential use will be comparable to other current surrounding uses.

8. Erosion;

Response:

NO adverse erosion will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. During construction of the proposed dwelling, measures will be taken during excavation/grading of the property to prevent/mitigate erosion to occur offsite.

9. Odor;

Response:

NO adverse odors will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL odors generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, odors may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home.

10. Dust;

Response:

NO adverse dust will be produced from the proposed use/dwelling and will meet/comply with ALL SHMC ordinances. Any/ALL dust generated from the proposed single family residential use will be comparable to other current surrounding uses. During construction of the proposed use, dust may occur due to construction activity occurring on the home, however, that would only be temporary during the construction of the home and measures will be taken to minimize dust during excavation/grading of the property.

11. Visibility;

Response:

Visibility will be maintained along the street frontage of the property and will meet/comply with ALL SHMC ordinances.

12. Safety;

Response:

On site Safety will be maintained for the property and proposed dwelling and will meet/comply with ALL SHMC ordinances. During construction of the proposed dwelling, measures will be taken to prevent/mitigate any safety hazards that could occur both on and off property.

13. Building, landscaping or street features.

Response:

Proposed dwelling, landscaping and street features will be maintained for the property and Will be constructed as required to meet/comply with ALL SHMC ordnances.

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.

Response:

NO adverse negative impacts of the proposed use are proposed and/or will not impact adjacent properties. The proposed use/dwelling will meet/comply with ALL SHMC ordnances. During construction of the proposed use, construction activity occurring on the home will comply with ALL SHMC ordnances and will not be need mitigation through application by other code standards requiring approval.

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

Response:

The proposed use/dwelling will meet/comply with ALL SHMC ordnances and public facilities will have adequate capacity to serve the proposed use.

E. Home occupations must meet the following standards:

Response:

The proposed use/dwelling will meet/comply with ALL SHMC ordnances regarding home occupation. No Home occupation is proposed and/or implied.

1. The home occupation shall be secondary to the residential use.

Response:

The proposed use/dwelling will meet/comply with ALL SHMC ordnances regarding home occupation and if exercised will make home occupation secondary to residential use. No Home occupation is proposed and/or implied.

2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.

Response:

The proposed use/dwelling will meet/comply with ALL SHMC ordnances regarding home occupation and if exercised will make all aspects of the home occupation contained within a completely enclosed accessory building. No Home occupation is proposed and/or implied.

- 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.**

Response:

The proposed use/dwelling will meet/comply with ALL SHMC ordinances regarding home occupation and if exercised will not allow materials or mechanical equipment to 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. No Home occupation is proposed and/or implied.

- 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.**

Response:

The proposed use/dwelling will meet/comply with ALL SHMC ordinances regarding home occupation and if exercised will not allow Vehicles related to the home occupation be parked in a manner so as to not block any driveway or impede the safe flow of traffic. No Home occupation is proposed and/or implied.

- F. Marijuana facilities must be located in a fixed location. No temporary or mobile sites of any sort are allowed.**

Response:

No Marijuana facility is proposed and/or implied.

- G. Marijuana facilities may not have any drive up services.**

Response:

No Marijuana facility is proposed and/or implied.

- H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school.**

Response:

No Marijuana facility is proposed and/or implied.

- 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.**

Response:

No Marijuana facility is proposed and/or implied.