



City of Sweet Home

Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

Planning Commission Staff Report

REQUEST: The applicant is proposing to change the Zoning Map in an area consisting of approximately 114,690 square feet (2.62 acres) located in Sweet Home, OR 97386 (13S01E32AB Tax Lot 500). The Sweet Home Zoning Map is proposed to change from the Commercial Highway (C-2) Zone to the Industrial (M) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application.

Application ZMA22-01 is being filed simultaneously with Application CU22-08. Application CU22-08 is pending the approval of Application ZMA22-01.

APPLICANT: Eric Lund

PROPERTY OWNER: Eric Lund

PROPERTY LOCATION: Sweet Home, OR 97386, Identified on the Linn County Assessor's Map as 13S01E32AB Tax Lot 500.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.12, 17.44, OAR 660-012-0060

FILE NUMBER: ZMA22-01

PLANNING COMMISSION PUBLIC HEARING:

- **DATE & TIME:** May 5, 2022 at 6:30 PM
- **LOCATION:** City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

CITY COUNCIL PUBLIC HEARING:

- **DATE & TIME:** May 10, 2022 at 6:30 PM
- **LOCATION:** City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

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

REPORT DATE: April 28, 2022

I. PROJECT AND PROPERTY DESCRIPTION

LOCATION: The subject tract contains approximately 114,690 square feet (2.62 acres). The property is currently zoned Commercial Highway (C-2), and the comprehensive plan designation is Industrial (M). The applicant is requesting to change the zoning to Industrial (M) bringing it into conformity with the property's existing Comprehensive Plan Map designation.

ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Commercial Highway (C-2)	Light Industrial
Property North	Industrial (M)	Light Industrial
Property East	Industrial (M)	Light Industrial
Property South	Commercial Highway (C-2)	Highway Commercial
Property West	Industrial (M)	Industrial Planned Recreation Commercial

Floodplain Based on a review of the FEMA FIRM Maps; Panel 41043C0914G dated September 29, 2010, the subject property is not in the 100-year floodplain.

Wetlands: The subject property does show wetlands/waterways on the property that are depicted on the Sweet Home Local Wetlands Inventory and the National Wetlands Inventory Map: SSR-19A.

Access: The subject property has frontage along 24th Avenue.

Services: The subject property has access to City water and sewer services from 24th Avenue.

TIMELINES AND HEARING NOTICE:

Application Submitted:	March 28, 2022
Application Deemed Complete:	March 29, 2022
Mailed/Emailed Notice:	March 29, 2022
Notice Published in New Era Newspaper:	April 6, 2022
Planning Commission Public Hearing:	May 5, 2022
City Council Public Hearing	May 10, 2022

Notice was provided as required by SHMC 17.12.120.

II. COMMENTS

Trish Rice
Public Works: Public Works has no issues with this request.

Adam Leisinger
Permit Technician: The Building Program has no issues with this request.

Joe Graybill
Staff Engineer: Regarding the zone map change proposal, this property should be consistent with the adjoining properties. The property layout, access, wetlands, and configuration are more associated with the northside property than with those currently developed along Main St to the south. CEDD-ES has no concerns.

Chief Barringer
Sweet Home Fire
District: The Fire District Has no issues with this request.

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

III. REVIEW AND DESIGN CRITERIA

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. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following: [SHMC 17.12.010]

- 1. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**
 - a. The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code. [Sweet Home Comprehensive Plan, Chapter 2 Text]**
 - b. The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern as recommended by Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Policy 1]**
 - c. Zoning Codes. The Zoning Codes regulate the use of land on a comprehensive basis. More specifically, the Zoning Codes divide the community into residential, commercial, industrial, and other use zones based on the Comprehensive Plan. Each zone has standards and regulations that determine the allowed uses on that land and the standards to which structures must conform, such as building height, yard setbacks, and lot size. The Codes consists of text, found in Title 17 of the Sweet Home Municipal Codes, and an official Zoning Map.**

The Zoning Codes fulfill two major roles. First, zoning promotes the public health, safety, and welfare of Sweet Home. Secondly, the Zoning Codes implement the Comprehensive Plan. Oregon Revised Statute 197.175 states that cities will:

- **Prepare, adopt, amend, and revise comprehensive plans in compliance with Statewide Planning Goals; and**
- **Enact land use regulations to implement their comprehensive plan.**

In a broad sense, zoning encourages the orderly development of the community and implements the Comprehensive Plan. Zoning can only partially relate to the long-term aspects of the plan because as a regulatory tool, it must relate to the current conditions within the City of Sweet Home.

The Comprehensive Plan provides a general and long-range policy for the City while the Zoning Codes serve as a legal ordinance with binding provisions on land development. The various zones have specific boundaries and when drafting the Zoning Ordinance, the City considers how each land parcel will be affected.

Zoning Code provisions and the Zoning Map can be amended. Amendments shall be consistent with the Comprehensive Plan. If proposed amendments to the Zoning Codes do not comply with the Comprehensive Plan, the Comprehensive Plan must also be amended so that the two documents correspond. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Chapter 8: Plan Management]

- d. Updating the plan: Making the Comprehensive Plan a basic part of the community's planning process an ongoing active function of City government will keep the Plan as a viable and useable policy document. The Comprehensive Plan needs to be updated occasionally for the following reasons:** [Sweet Home Comprehensive Plan, Chapter 8: Plan Management]
 - i. To accurately reflect changes in the community.**
 - ii. To ensure integration with other policies, Zoning Codes, and Subdivision Codes.**
- e. Changes to the Plan Shall be made by ordinance after public hearings.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 2]
- f. Changes in the Plan shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage should be a part of the document.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 3]
- g. Property Owners, their authorized agents, or the City Council may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan amendment, the applicants have the burden of proof that all of the following conditions exist.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 5]
 - i. There is a need for the proposed change;**
 - ii. The identified need can best be served by granting the change requested;**
 - iii. The proposed change complies with the Statewide Planning Goals; and,**
 - iv. The proposed change complies with all other elements of the City's Comprehensive Plan.**

- h. Highway Commercial: To provide suitable and desirable commercial areas along the highway intended to meet the business needs of the community.** [Sweet Home Comprehensive Plan Land Designations for Economic Development, Table 11]
- i. High Density Residential: To provide areas suitable and desirable for higher density residential development, and particularly for apartments, manufactured home parks, other residential uses, and appropriate community facilities.** [Sweet Home Comprehensive Plan Map Residential Land Designations, Table 7]

Staff Findings: The applicant is proposing to change the Zoning Map of an approximately 114,690 square feet (2.62 acres) property identified on the Linn County Assessor's Map as 13S01E32AB Tax Lot 500 (see Attachment A). The applicant has proposed a change in zoning from Commercial Highway (C-2) to Industrial (M).

Based on the Linn County 2021 aerial photograph, the area has Industrial lots to the north, west and east, and Commercial Highway to the south. There is no development planned with the Zone Map Amendment application.

The proposed zoning plan designation would be consistent with the Sweet Home Comprehensive Plan.

Based on the above findings, the application complies with this criterion.

- 2. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;** [SHMC 17.12.025(B)]

Staff Findings: Staff finds that the proposed zoning map amendment would be orderly and timely, be consistent with the pattern of development in the area, and based on the 2021 Linn County aerial photograph, staff finds that the subject property has industrial lots to the north, west and east, and Commercial Highway to the south.

Based on the above findings, the application complies with this criterion.

- 3. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and** [SHMC 17.12.025(C)]

Staff Findings: The subject property has frontage along 24th Avenue. Water and sanitary sewer services are available in 24th Avenue. The applicant has not proposed development with this Zone Map Amendment application

Based on the above findings, the application complies with this criterion.

- 4. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals.** [SHMC 17.12.025(D)]

Staff Findings: The applicant is not proposing an amendment to the comprehensive plan map.

- 5. OAR 660-012-0060(1). If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**
 - a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**

- b. **Change standards implementing a functional classification system; or**
- c. **Result in any of the effects listed in paragraphs (a) through (c) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
 - i. **Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - ii. **Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
 - iii. **Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan. [OAR 660-012-0060(1)]**

Staff Findings: The subject property has existing frontage along 24th Avenue. The applicant has proposed a change in zoning from the Commercial Highway (C-2) zone to the Industrial (M) zone. The proposed use would be consistent with the Comprehensive Plan Map designation. Based on these findings, staff concludes that the proposed zone change would not significantly affect the existing transportation infrastructure in the neighborhood and is consistent with the Sweet Home Transportation System Plan.

Based on the above findings, the application complies with this criterion.

IV. CONCLUSION AND RECOMMENDATION

Based on the findings listed in Section III of this report, staff recommends that the Planning Commission recommend that the City Council approve this application. Since the request is for a zone change, staff has not recommended any conditions of approval.

V. PLANNING COMMISSION ACTION

In acting on a zone change application; the Planning Commission will hold a public hearing at which it may either recommend that the City Council approve or deny the application(s). The recommendation should be based on the applicable review and decision criteria. The City Council will hold a public hearing and decide on this application.

Motion:

After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to recommend that the City Council approve application ZMA22-01, which includes adopting the findings of fact listed in the staff report.
2. Move to recommend that the City Council deny application ZMA22-01 (specify reasons).
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 Map
- C. Zone Map Amendment Application and Summary
- E. Zoning Map
- G. Comprehensive Plan Map



SUBJECT PROPERTY

24TH AVE

MAIN ST

Subject Property Map
ZMA22-01

Date: 3/29/22



1 inch = 116 feet



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**Application for an Amendment to the
Comprehensive Plan or Zoning
Maps or Text**

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.

Date Received: 03.28.22
Date Complete: 03.29.22
File Number: ZMA22-01

Map/Text Amendment Application Fee \$: _____
Zoning Application Fee \$: —
Receipt #: 4804
Planning Commission Hearing Date: 05.05.22

Applicant's Name:

Eric Lund

Applicant's Address:

6321 Lake Pointe Way Sweet Home, OR 97386

Applicant's Phone and e-mail:

541-223-3864 // Eric@theaxdom-group.com

City Council Hearing Date: _____

Property Owner:

Eric Lund

Owner's Address:

6321 Lake Pointe Way Sweet Home, OR 97386

Owner's Phone and email:

541-223-3864 // Eric@theaxdom-group.com

Comprehensive Plan Map or Zoning Map Amendment

Subject Property Address: _____

Subject Property Assessor's Map and Tax Lot:

13S01E32AB500

Subject Property Size:

2.62

Current Zoning Classification

C2

Current Comprehensive Plan Classification: _____

Purpose of Request

Zone change on lot 500 from light C2 to M to match lot 100 and 101. Self storage, RV/boat parking to be built.

Zoning or Comprehensive Plan Text Amendment

Sections proposed to be changed: _____

Proposed language for change.

Attach proposed text to this form.

Purpose of Request

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:

Eric Lund

Date:

3/28/22

Property Owner's Signature:

Date:

3/28/22

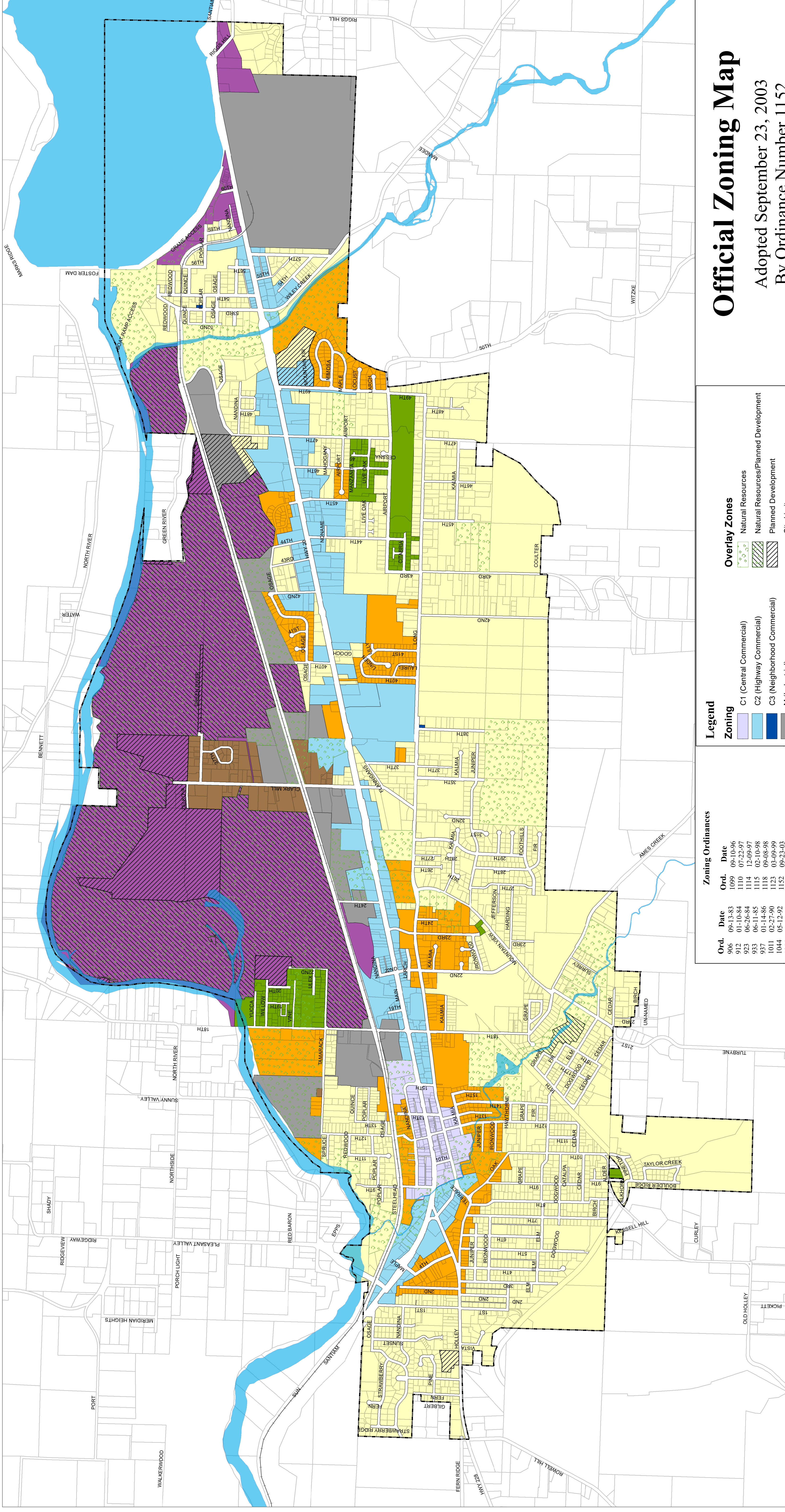
Eric Lund
6321 Lake Pointe Way
Sweet Home, OR 97386

Project Narrative for Map & Tax 13S01E32AB100, 101 & 500

The purpose of this narrative is to outline the intentions and uses of the subject properties. As it has been proven, Sweet Home is in a dire need for all types of rentals, housing, storage and light industrial. There has been a substantial growth in housing, but not storage or light industrial in years. With the approval of this project, we will be able to fulfill that demand. Waitlists are currently months for ANY type of storage unit, I have personally been on a waitlist since early September, with no sign of any openings in the near future. With that I am requesting a zone change on lot 500 from C2 to M, which complies with the comp plan designation. The intent is for all three lots 100, 101 and 500 to be the same M zone. Assuming a zone change approval, we will then request a lot line adjustment making all three lots one total lot. I plan to build a mixture of self-storage, full enclosed RV/boat storage, RV/boat canopy spaces, and light industrial spaces to rent. The project plan is compatible in M zone based off of conditional use requirements.

- There's approximately 124,000 square feet of structures, in which only 10,000 square feet will be physically occupied daily. Over 90% of the project will be for long term storage, this project will not put off an excessive noise, smells, light, or traffic.

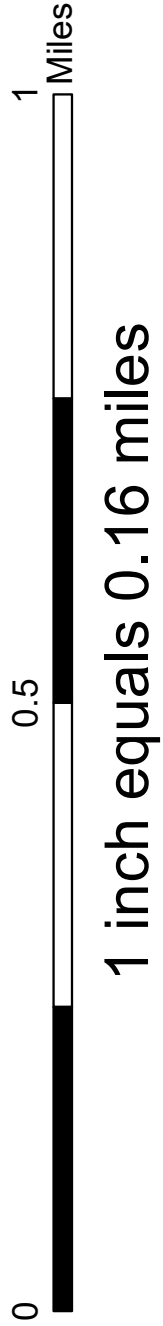
Sweet Home Zoning



Official Zoning Map

Adopted September 23, 2003
By Ordinance Number 1152

Updated by Later Zoning Ordinances



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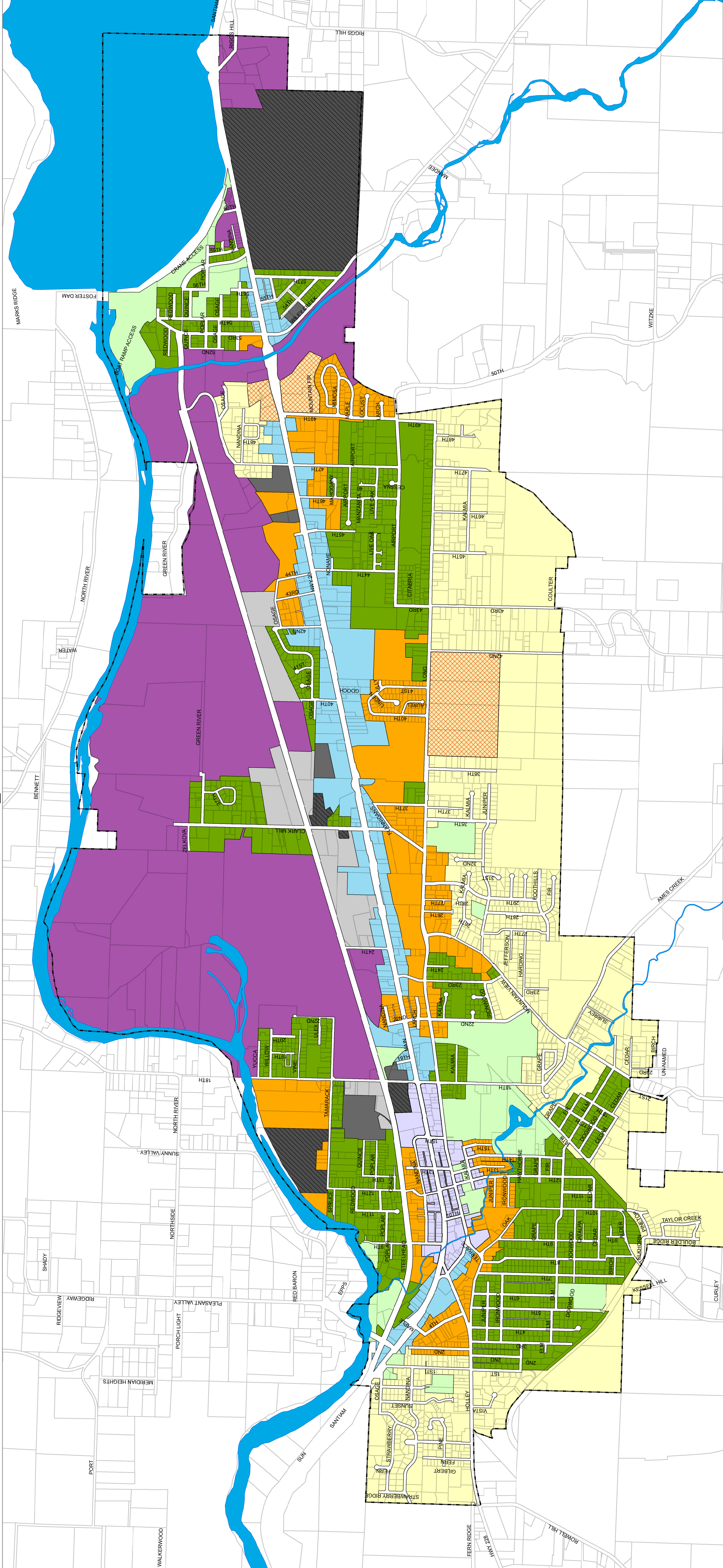
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Updated by JSG 2/8/22 from PR 2015 Update.

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Community Development
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Print Date: 04/07/2022

Sweet Home Comprehensive Plan



Official Comprehensive Plan Map

Adopted September 23, 2003
By Ordinance Number 1151
Updated by Later Annexation Ordinances

0 0.5 1 Miles
1 inch equals 0.16 miles

Legend
CompPlan
Central Commercial
Highway Commercial
Light Industrial
General Industry
Heavy Industrial
Low Density Residential
High Density Residential
Medium Density Residential
Mixed Use Residential
Planned Recreation Commercial
Public

Urban Growth Boundary
Lakes, Rivers, Streams
Taxlots

AMENDING ORDINANCES	
831	04-07-81
933	06-11-85
1013	02-27-90
1069	04-26-94
1070	10-21-94
1081	12-13-94
1083	06-19-95
1102	04-22-97
1105	05-27-97
1114	12-09-97
1125	11-09-09
1151	09-23-03
1197	12-11-07

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