



REQUEST FOR COUNCIL ACTION

Title: Public Hearing for Zone Map Amendment Application ZMA20-04

Preferred Agenda: January 12, 2021 Public Hearing
January 26, 2021 1st Reading
February 9, 2021 2nd Reading
February 23, 2021 3rd Reading

Submitted By: Angela Clegg, Associate Planner

Reviewed By: B. Larsen, CEDD Director
R. Towry, City Manager

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

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
Ordinance No. 1 for 2021
Original Application

Purpose of this RCA:

For the City Council to conduct the 3rd Reading of the Zone Map Amendment Application ZMA20-04.

Background/Context:

The public hearing for application ZMA20-04 and Ordinance No. 1 for 2021 was held during the City Council meeting on January 12, 2021. The first reading of Ordinance No. 1 was held during the City Council meeting on January 26, 2021. During the January 26, 2021 meeting, the City Council moved to approve the second reading of Ordinance No. 1 for 2021 at the February 9, 2021 City Council meeting. During the February 9, 2021 meeting, the City Council moved to approve the third reading of Ordinance No. 1 for 2021 at the February 23, 2021 City Council meeting.

The applicant is proposing to change the Zoning Map in an area consisting of approximately 87,962 square feet (1.96 acre) located approximately 300 feet north of the Main Street and 9th Avenue intersection, Sweet Home, OR 97386 (13S01E31BD Tax Lot 401). The Sweet Home Zoning Map is proposed to change from the Highway Commercial (C-2) Zone to the Residential High Density (R-2) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation (High Density Residential).

The Sweet Home Planning Commission held a public hearing on December 7, 2020. At the hearing the Planning Commission reviewed application ZMA20-04 where they received testimony and deliberated on this matter. The Planning Commission passed a motion to

recommend approval of the application to City Council. That motion of approval specified a 12-day appeal period from the date the decision motion is mailed. No specific conditions of approval were required.

ZMA20-04 was filed simultaneously with Application PD20-02. Application PD20-02 is pending the approval of Application ZMA20-04. Application PD20-02 was approved with conditions at the January 4, 2021 Planning Commission meeting.

The Challenge/Problem:

Should the zoning map be changed to allow residential activity on the property in question, rather than the current Highway Commercial designation.

Should the Comprehensive Plan designations be followed if the proposed amendment is consistent with the goals and policies of the comprehensive plan. The Planning Commission will recommend, and the City Council shall determine the location of boundaries by examining the goals and policies contained within the Plan. [Chapter 2, Page 12 of the Comprehensive Plan].

Stakeholders:

- The Owner/Developer would be able to develop the property as they have proposed.
- The residents and businesses in the surrounding area would benefit from the vacant property being cleared and developed.
- The City of Sweet Home would benefit from the additional housing that could come from the changed zoning

Issues and Financial Impacts:

There are no issues or financial impacts currently identified.

Elements of a Stable Solution:

A stable solution is one in which a decision on the application is made that conforms with City Code and State Law.

The Sweet Home Comprehensive Plan guides official policy decisions about development within the area. The Plan aims to organize and coordinate complex interrelationships between people, land, resources, and facilities to meet the future needs of the citizens and to protect the livability of the community. The Plan also reflects the public's goals and aspirations for Sweet Home about the best way to handle development and conservation in the City. The officially acknowledged Comprehensive Plan gives policy direction for land use decisions and coordinates private and public development. [Chapter 1, Page 1 of the Comprehensive Plan].

Comprehensive Plan Map Policy 1: 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. [Chapter 2, Page 12 of the Comprehensive Plan].

17.12.025 Review Criteria for Map Amendments. 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:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan.
- B. 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.
- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and

- D. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals

Options:

1. Deny Application Staff would prepare an Order of Denial for Application ZMA20-04.
2. Approve Application ZMA20-04 and Ordinance No. 1 for 2021, Ordinance 1293 as presented.
3. 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: Staff Recommends Option 2: Approve Application ZMA20-04 and Ordinance No. 1 for 2021, Ordinance 1293 as presented.