



## 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 requesting to partition an approximately 86,358 square foot lot into two parcels per Sweet Home Municipal Code 17.98. Proposed Parcel 1 shall be approximately 11,577 square feet. Proposed Parcel 2 shall be approximately 74,781 square feet, including a flagpole. The subject property is in the Residential Low Density (R-1) zone.

Application P25-07 is being filed simultaneously with Application ZMA25-01. Approval of Application P25-07 is not contingent on the approval of Application ZMA25-01.

#### APPLICANT AND

**PROPERTYOWNER:** James Hurley

**FILE NUMBER:** P25-07

**PROPERTY LOCATION:** 1247 Clark Mill Road, Sweet Home, OR, 97386; Identified on Linn County Assessor's Map as 13S01E32AA Tax Lot 00500

#### REVIEW AND

**DECISION CRITERIA:** Sweet Home Municipal Code (SHMC) Sections: 17.10, 17.58.030, 17.58.050, 17.58.070, 17.98.010-17.98.060, and 17.124

#### STAFF CONTACT:

Angela Clegg, Planning & Building Manager  
Phone: (541) 818-8029  
Email: [aclegg@sweethomeor.gov](mailto:aclegg@sweethomeor.gov)

### I. PROJECT AND PROPERTY DESCRIPTION

#### Zoning and Comprehensive Plan Designations:

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Residential Low Density (R-1)	High Density Residential
Property North	Residential Low Density (R-1) Commercial Highway (C-2)	Highway Commercial
Property East	Residential Low Density (R-1)	Highway Commercial
Property South	Residential High Density (R-3)	High Density Residential
Property West	Residential Low Density (R-1)	Low Density Residential

#### Property Information:

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 not show wetlands/waterways on the property that are depicted on the Sweet Home Local Wetlands Inventory and the National Wetlands Inventory Map.

**Access:** The subject property has frontage along Clark Mill Road.

**Sidewalks:** There are no existing sidewalks on this section of Clark Mill Road.

**Services:** The subject property has existing access to City water and sewer services from Clark Mill Road.

**Street:** Proposed Parcel 1 abuts approximately 95 feet of Clark Mill Road. Proposed Parcel 2 abuts approximately 20 feet of Clark Mill Road via a flagpole access strip.

### **Notice and Timelines**

Application Submitted:	April 28, 2025
Letter of Incomplete issued:	May 7, 2025
Application Deemed Complete:	August 4, 2025
Mailed/Emailed Notice:	August 4, 2025
Notice Published in New Era Newspaper:	August 10, 2025
120 Day Processing Deadline:	December 2, 2025

## **II. COMMENTS RECEIVED**

**CEDD Engineering:** No comments as of the issuance of this staff report.

**Public Works Eng:** No comments as of the issuance of this staff report.

**Jaysen Cunningham  
Building Division:** Building has no comments.

**Sweet Home Fire District:** No comments as of the issuance of this staff report.

**Public Comments:** No comments as of the issuance of this staff report.

## **III. REVIEW CRITERIA AND FINDINGS OF FACT**

An application for a land partition is subject to the review criteria listed in Sweet Home Municipal Code Sections 17.10, 17.58.030, 17.58.050, 17.58.070, 17.98.010-17.98.060, and 17.124.

The City Manager shall sign the final plat if the plat substantially conforms to the approved preliminary plat, and if the conditions of approval are satisfied per SHMC Section 17.98.060(B). Staff Findings of Fact and analysis are as follows.

### **17.58.030 STANDARDS FOR LOTS OR PARCELS**

***The following standards shall apply to all partitions and subdivisions.***

- A. Minimum lot area.** ***Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located. Access easements, or the access strip to a flag lot, shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Development Code.***

Staff Findings: The subject property is zoned Residential Low Density (R-1). In the R-1 zone, the minimum lot area is 7,000 square feet for a single-family dwelling or duplex. All other permitted uses in this zone meet density and development requirements.

The applicant has submitted Application ZMA25-01 requesting a zone map amendment from R-1 to Residential High Density (R-3) to bring the property into conformity with its existing Comprehensive Plan Map designation. In the R-3 zone, the minimum lot area requirements are:

- 5,000 square feet for a single-family dwelling or duplex,
- 2,000 square feet for an attached dwelling,
- 9,000 square feet per parcel and 1,500 square feet per unit for multifamily dwellings.
- All other permitted uses meet the applicable setback and development standards.

According to the submitted site plan (Attachment B), the property has a total lot area of approximately 86,358 square feet prior to partition. After partition, Proposed Parcel 1 will be approximately 11,577 square feet, and Proposed Parcel 2 will be approximately 74,781 square feet, including the flagpole access strip.

Staff find that the minimum lot area requirements for both proposed parcels comply with the standards of the R-1 and R-3 zoning districts.

Based on these findings, staff determine that the application complies with the minimum lot area criteria.

- B. Lot width and depth.** ***The depth of a lot or parcel shall not be more than three times the width. Lots or parcels created for commercial, industrial or public uses shall be exempt from width to depth ratio provisions.***

Staff Findings: The subject property has an existing width of approximately 115 feet and a depth of approximately 770 feet. This exceeds the required lot width-to-depth ratio, making the parcel a pre-existing, nonconforming lot.

According to the submitted site plan (Attachment B):

- Proposed Parcel 1 will have an average width of approximately 93 feet and an average depth of approximately 138 feet. The depth does not exceed three times the width and therefore complies with the standard.
- Proposed Parcel 2 will have an average width of approximately 115 feet and an average depth of approximately 631 feet (excluding the flagpole). While the depth does exceed three times the width, it does not increase the property's existing nonconformity.

Based on these findings, staff determine that the application complies with the lot width-to-depth ratio criteria.

- C. Access.** ***All new lots or parcels shall access a public street. Except that, residential lots or parcels may be accessed by a private access easement developed in accordance with the***

**provisions of Chapter 17.42 when it is determined that a public street access is:**

- 1. Infeasible due to parcel shape, terrain, or location of existing structures;**
- 2. Unnecessary to provide for the future development of adjoining property.**
- 3. No more than 10% of the lots within a subdivision may be accessed by a private street or private access easement.**

Staff Findings: Based on the submitted site plan (Attachment B):

- Proposed Parcel 1 has approximately 95 feet of frontage on Clark Mill Road and contains an existing structure.
- Proposed Parcel 2 has approximately 20 feet of frontage on Clark Mill Road, provided through a flagpole access strip. The flagpole strip is the sole access for this parcel.

Because only one lot is served by the access strip, it does not exceed the 10% limit on lots served by private access.

Based on these findings, staff determine that the application complies with the access criteria.

**D. Flag lots. Flag lots shall be subject to the following development standards:**

- 1. The access strip shall be a minimum of 20 feet in width. The improved surface shall be a minimum of 14 feet in width.**
- 2. The access strip shall not be included in the lot area calculation.**
- 3. If the length of the access strip exceeds 150 feet, the parcel or lot shall include a turn-around area per applicable fire district requirements.**

Staff Findings: According to the submitted site plan (Attachment B), Proposed Parcel 2 will be accessed by a flagpole access strip measuring approximately 20 feet in width and 115 feet in length.

- Lot area: The access strip cannot be included in the lot area calculation. The buildable square footage of Proposed Parcel 2 is 72,526 and the total square footage, including the flagpole access strip, is 74,781. Staff recommend a condition of approval requiring the final plat to show lot area calculations both with and without the access strip for future development purposes.
- Turnaround requirements: Because the access strip length does not exceed 150 feet, a turnaround is not required at this time. However, depending on the distance to future structures, a turnaround may be required at the time of development. Staff recommend a condition of approval requiring compliance with all applicable development and fire code standards at the time of development.
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With these conditions, staff determine that the application complies with the flag lot standards.

**E. Through lots. Through lots shall be avoided except where essential to provide separation of residential development from traffic arteries, adjacent non residential activities, or to overcome specific disadvantages of topography. Screening or buffering, pursuant to the provision of Chapter 17.54, may be required during the review of the land division request.**

Staff Findings: The applicant is not proposing a through lot.

**F. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the public street, private street or private access easement upon which the lot or parcel faces.**

Staff Findings: According to the submitted site plan (Attachment B), the side lot lines of Proposed Parcels 1 and 2 run at right angles to Clark Mill Road, consistent with the standard.

Based on these findings, staff determine that the application complies with the lot side line criteria.

**G. Utility easements. Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Easement width shall conform to adopted Engineering Standards.**

Staff Findings: Based on the Sweet Home Infrastructure Map:

- Proposed Parcel 1 is currently served by existing City utilities.
- Proposed Parcel 2 has access to City water and sewer services located in Clark Mill Road. These services will need to be routed through the flagpole access strip along the southern boundary of Tax Lot 500. The utility easement must be written to benefit both Parcel 1 and Parcel 2.

No development is proposed with this application, and the submitted site plan (Attachment B) does not show utility easements. Staff recommend a condition of approval requiring that all easements be shown on the final plat as well as future site plans. Utility connection costs shall be addressed at the time of building permit review.

With the recommended conditions, staff determine that the application complies with the utility easement criteria.

**17.58.050 IMPROVEMENT REQUIREMENTS – PARTITION**

***During the review of partition proposals, The City shall require, as a condition of approval, the following improvements:***

**A. Private access. Where included, private driveways serving flag lots, or private easements shall be surfaced per the requirements of this Development Code.**

Staff Findings: According to the submitted site plan (Attachment B):

- Proposed Parcel 2 will be served by a flagpole access strip approximately 20 feet wide and 115 feet long.
- Staff recommend a condition of approval requiring the access to be surfaced in compliance with the Street Standards requirements at the time of development.

With the recommended condition, staff determine that the application complies with the private access criteria.

**B. Street frontage improvements. The following improvements shall be required:**

- 1. Consistent with the adopted transportation plans, sufficient land shall be dedicated to establish the appropriate right-of-way width.**
- 2. If the street frontage of the subject property is less than or equal to 250 feet and does not connect to existing improvements, the applicant shall sign a development agreement with The City of Sweet Home. This agreement shall stipulate that the applicant, or future property owner, will agree to participate in right-of-way improvements. The agreement may include provisions for the following: street paving, curbing, sidewalks, water lines, storm sewer facilities and sanitary sewer facilities. The agreement shall be recorded at the County Clerk's Office at the time of the recording of the final plat.**
- 3. If the street frontage of the subject property exceeds 250 feet, or extends an existing dedicated right-of-way, the applicant shall improve the following:**
  - a. Public streets upon which the property fronts to public standards, including: surfacing from center line to curb, installation of curbing, storm sewers, sanitary sewers, water lines and other necessary public utilities per approved master plans. Where a master plan**

***has not been adopted, the developer shall enter into a development agreement consistent with item (B)(2), above.***

- b. Sidewalks, meeting City standards, along public street frontage. Sidewalk construction may be deferred until such time a building permit is issued.***
- c. The installation of storm sewers, sanitary sewers, water lines and other utilities necessary to serve parcels accessing off of the new street.***

Staff Findings: According to the 2005 Transportation System Plan:

- Clark Mill Road is designated as a collector street.
- Clark Mill Road does not currently meet the design standards for a collector street, as it lacks curbs, gutters, and sidewalks.
- The applicant is required to file a development agreement with the City of Sweet Home prior to recording the final plat.

Staff recommend a condition of approval requiring all future development to comply with applicable standards of the Sweet Home Municipal Code.

With the recommended condition, staff determine that the application complies with the street frontage improvement criteria.

- C. Public facilities. Sewer, Water, and Storm Drainage facilities may be required on and adjacent to the project. The developer shall submit engineering plans or facility improvement plans to The City for review. The plans shall address the required improvements contained in this Article, and any conditions of approval, and shall conform with City Engineering Design Standards. The plans shall be reviewed and approved prior to the recording of the final partition plat.***

Staff Findings: Based on the Sweet Home Infrastructure Map:

- Proposed Parcel 1 is currently served by existing City utilities.
- Proposed Parcel 2 has access to City water and sewer services located in Clark Mill Road. These services will need to be routed through the flagpole access strip along the southern boundary of Tax Lot 500. The utility easement must be written to benefit both Parcel 1 and Parcel 2.
- Storm drainage is required and will be reviewed during the building permit phase of development.

No development is proposed with this application, and the submitted site plan (Attachment B) does not show utility easements. Staff recommend a condition of approval requiring that all easements be shown on the final plat as well as future site plans. Utility connection costs shall be addressed at the time of building permit review.

With the above conditions, Staff find that the application complies with the public facilities criteria.

- D. Completion requirements. All required improvements shall be completed prior to the issuance of any building permits for the subject property. Alternatively, improvements required under this Section may be assured through a performance bond or other instrument acceptable to The City prior to the approval of the final plat of the partition.***

Staff Findings: The applicant shall file a development agreement with the City of Sweet Home prior to the recording of the final plat. Staff recommend a condition of approval that all development comply with all applicable standards of the Sweet Home Municipal Code at the time of development.

With the above conditions, staff find that the application complies with these criteria.

## **17.98.040 SUBMITTAL REQUIREMENTS**

- A. The applicant shall prepare and submit a preliminary 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. The applicant shall submit one 11" x 17" copy of the preliminary plan along with one digital copy. The plan shall include the following information:**
- 1. General Information. The following general information shall be shown on the tentative plan:**
    - a. Vicinity map showing all streets, property lines, streams, and other pertinent data to locate the proposal.**
    - b. North arrow and scale of drawing.**
    - c. Tax map and tax lot number or tax account of the subject property.**
    - d. Dimensions and size in square feet or acres of the subject property and of all proposed parcels.**
  - 2. Existing Conditions:**
    - a. Location of all existing easements within the property.**
    - b. Location of City utilities (water, sanitary sewer, storm drainage) within or adjacent to the property proposed for use to serve the development.**
    - c. The location and direction of water courses or drainage swales on the subject property.**
    - d. Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.**
  - 3. Proposed Plan:**
    - a. Locations, approximate dimensions and area in square feet of all proposed parcels. All parcels shall be numbered consecutively.**
    - b. Location, width and purpose of any proposed easements.**
- B. At the discretion of the City, specific requirements may be waived provided there is sufficient information to allow processing of an application.**

Staff Findings: The applicant submitted a tentative partition map on April 28, 2025. A letter of incomplete was issued on May 7, 2025. The application was deemed complete on January 22, 2025.

Errors were identified on the original site plan, and the applicant submitted a revised plan on September 9, 2025, which has been included in the packet for the Planning Commissioners.

Based on the above findings, staff find that the application complies with these criteria.

## **17.98.050 DECISION CRITERIA: Approval of a partition shall be subject to the following decision criteria:**

- A. Each parcel shall satisfy the dimensional standards of the applicable zone, unless a variance from these standards is approved [SHMC 17.98.050(A)].**

### **17.10.060 DIMENSIONAL STANDARDS:**

- A. Unless otherwise required by this Development Code, the following minimum dimensional standards shall be required for all development in the R-1 zone [SHMC 17.10.060 (A)]:**

- 1. Minimum Lot Area and Width:**
  - a. Single Family Dwelling, Manufactured Home: 7,000 square feet.**
  - b. Duplex: 7,000 square feet.**
  - c. Other Uses: Sufficient to meet setbacks and development requirements**
  - d. Minimum Width at Building Line: 70 feet.**

2. **Minimum Setbacks:**
  - a. **Front Yard: 15 feet.**
  - b. **Garage or Carport: 20 feet to entrance.**
  - c. **Side Yard (Interior): 5 feet minimum any side, 12 feet both sides combined.**
  - d. **Side Yard Street: 15 feet.**
  - e. **Rear Yard: 15 feet.**
3. **Maximum Structure Height:**
  - a. **Primary Building: 30 feet.**
  - b. **Accessory Building: 20 feet (roof apex).**
4. **Maximum Lot Coverage: 40%.**

Applicants Comment: The partition will satisfy all dimensional standards with R-1 zone.

Staff Findings: Proposed Parcel 1 shall be approximately 11,577 square feet. Proposed Parcel 2 shall be approximately 74,781 square feet, including the flagpole access strip.

- **Zone Change:** The applicant has submitted Zone Map Amendment Application ZMA25-01 to change the zoning from R-1 to R-3, bringing the property into conformance with the Comprehensive Plan designation.
- **Lot Standards:** The lot area and width for Proposed Parcels 1 and 2 complies with the standards of the R-1 and R-3 zones.
- **Existing Structures on Parcel 2:** All preexisting structures on Proposed Parcel 2 shall be removed prior to signing the final plat. Staff recommend a condition of approval requiring that all future development on Parcel 2 comply with the Dimensional Standards of the Sweet Home Municipal Code at the time of development.
- **Existing Structures on Parcel 1:** Proposed Parcel 1 contains existing structures. As shown on the submitted site plan (Attachment B), the shaded areas shall be removed prior to final plat approval. Once removed, the setbacks shall be approximately:
  - Rear: ±15 feet
  - Front: ±41 feet
  - North side: ±9 feetThese front, rear, and north side setbacks comply with R-1 and R-3 standards.
- **South Setback on Parcel 1:** The south setback of Proposed Parcel 1 is approximately 3.8 feet, while the minimum setback for R-1 and R-3 zones is 5 feet. The dwelling is a pre-existing non-conforming structure. Due to the 20-foot width of the flagpole access strip, the applicant cannot fully meet the 5-foot south setback. To address this, a 1.2-foot by 5-foot private no-build and maintenance easement has been included in the flagpole access strip for the benefit of Parcel 1.

Staff recommend a condition of approval that this easement be recorded on the final plat and designated as a no-build area for both Parcels 1 and 2.

With these conditions, staff find that the application complies with applicable criteria.

***B. On a flag lot, or similarly configured lot, the inset front yard setback shall be a minimum of 15 feet.***

Staff Findings: According to the submitted site plan (Attachment B), Proposed Parcel 2 will be accessed by a flagpole access strip approximately 20 feet wide and 115 feet long.

- No development is proposed with this application. Staff recommend a condition of approval requiring that any future development comply with all applicable development code standards in effect at the time of development.

With this condition, staff find that the application complies with the flag lot standards, including the minimum 15-foot inset front yard setback requirement.

***C. Regardless of the side and rear yard requirements of the zone, an accessory structure, excluding detached accessory dwellings, may be built to within five feet of side or rear lot line; provided, the structure is more than 70 feet from the street abutting the front yard and 20 feet from the street abutting the street side yard.***

Staff Findings: The applicant has not proposed any development with this application.

The applicant has submitted a request for a zone map amendment (ZMA25-01) to change the zoning of the subject property from R-1 to R-3.

- If ZMA25-01 is approved, staff recommend a condition of approval requiring the applicant to comply with all applicable development and dimensional standards of the Residential High-Density (R-3) Zone at the time of development.
- If ZMA25-01 is denied, staff recommend a condition of approval requiring compliance with all applicable development and dimensional standards of the Residential Low-Density (R-1) Zone at the time of development.

With these conditions, staff find that the application meets the applicable criteria.

***B. The parcels shall meet the Development Standards for Land Division of Chapter 17.58 [SHMC 17.98.050(B)].***

Applicants Comment: The partition addresses 17.58 through easement access off of Clark Mill.

Staff Findings: The findings for SHMC 17.58 can be found on pages 3-6 of this Staff Report.

***C. Existing dwellings and accessory structures shall comply with the setback requirements of the applicable zone, including accessory structures which have a setback established by the building size, unless a variance from the requirements is approved [17.98.050(C)].***

Applicants Comment: Partition is set at R-1 zone required setbacks. So with R-1 zone change setbacks will comply.

Staff Findings: The Subject Property Map (Attachment A) and site plan (Attachment B) show existing structures on Proposed Parcels 1 and 2. No new development is proposed with this application.

- Parcel 2: All existing structures on Proposed Parcel 2 shall be removed prior to signing the final plat. Staff recommend a condition of approval requiring that any future development on Parcel 2 comply with the dimensional standards of the Sweet Home Municipal Code in effect at the time of development.
- Parcel 1: Proposed Parcel 1 contains existing structures. As indicated on the submitted site plan (Attachment B), the shaded structures shall be removed prior to final plat approval to ensure compliance with the applicable setback requirements under SHMC 17.98.050(C).
- Zone Map Amendment (ZMA25-01):
  - If ZMA25-01 is approved, staff recommend a condition of approval requiring compliance with

- all applicable development and dimensional standards of the Residential High-Density (R-3) Zone.
- If ZMA25-01 is denied, staff recommend a condition of approval requiring compliance with all applicable development and dimensional standards of the Residential Low-Density (R-1) Zone.

With these conditions, staff find that the application complies with the applicable criteria.

***D. Adequate public facilities, including access, shall be available to serve the existing and newly created parcels. If adjacent properties are undeveloped, not developed to their maximum density, or landlocked, consideration will be given to extending appropriate access to those properties in accordance with provisions in Chapters 17.42 and 17.44 [SHMC 17.98.050(D) and SHMC 17.72.040(E)(4)].***

Applicants Comment: The newly divided lots will have access through private easement with proper setbacks within code requirements.

Staff Findings: The existing dwelling is currently served by City water and sewer from Clark Mill Road. If the remainder of the lot is developed, adequate services are available to support additional dwellings.

Clark Mill Road functions as a connector between Main Street and Long Street, with Flannigan's Road intersecting just south of the subject property. This provides an adequate transportation network linking the site to the arterial roadways.

The cost of City service connections will be determined during the development application review. Public facilities, utilities, and transportation networks are either in place or planned to be provided concurrently with future development.

No development is proposed with this application.

Staff finds that the application satisfies the criterion requiring adequate public facilities, services, and transportation networks.

#### **IV. CONCLUSIONS**

The application shall be subject to compliance with the conditions listed below, as required by the findings of fact presented in the Review Criteria (Section III), above. Any modifications to the conditions listed below would require approval in accordance with provisions of law (e.g., variance, subsequent land use application, etc.).

##### **Conditions of Approval:**

1. The final configuration of proposed Parcels 1 and 2 shall substantially conform to the plot plan reviewed in this application (see Attachment B). Proposed Parcel 1 shall be approximately 11,577 square feet. Proposed Parcel 2 shall be approximately 74,781 square feet, including the flagpole access strip.
2. The applicant shall provide separate utility connections for each parcel. The utility connection for Proposed Parcel 2 shall be routed through a utility easement and identified on the final plat.
3. The final plat shall show all access and utility easements, including the designated no-build easement in the flagpole access strip benefitting Parcel 1.
4. The applicant shall remove all buildings identified on the submitted on the site plan as "building to be

removed” or “portion of structure to be removed” prior to the signing of the final plat.

5. The applicant shall submit a development agreement prior to recording the final plat.
6. During the review of partition proposals, The City shall require, as a condition of approval, the following improvements [SHMC 17.58.050]:
  - A. Private access. Where included, private driveways serving flag lots, or private easements shall be surfaced per the requirements of this Development Code.
  - B. Public facilities. Sewer, Water, and Storm Drainage facilities may be required on and adjacent to the project. The developer shall submit engineering plans or facility improvement plans to The City for review. The plans shall address the required improvements contained in this Article, and any conditions of approval, and shall conform with City Engineering Design Standards. The plans shall be reviewed and approved prior to the recording of the final partition plat.
  - C. Completion requirements. All required improvements shall be completed prior to the issuance of any building permits for the subject property. Alternatively, improvements required under this Section may be assured through a performance bond or other instrument acceptable to The City prior to the approval of the final plat of the partition.
7. All development shall comply with the applicable standards of Sweet Home Municipal Code Title 17 and the Oregon Fire Code in effect at the time of development.
8. A final survey of the approved plat shall be recorded within two years of the final decision. Failure to record a plat within the required time period shall void the approval and require a new partitioning application. The City Manager shall sign the final plat if the plat substantially conforms to the approved preliminary plat, and if the conditions of approval are satisfied. The final plat shall conform to the requirements in ORS Chapter 92 and applicable County surveying requirements. The final Plat shall be recorded with Linn County and a copy of the recorded document shall be submitted to The City. The applicant shall be responsible for all recording fees. No parcel shall be sold, transferred or assigned until the final approved Plat is recorded and evidence of the recording is submitted to The City. Building permits shall not be issued prior to recording of the final plat if the proposed structure will violate this Code absent recording the partition. [SHMC 17.98.060]
9. Development of the subject parcels shall comply with all applicable local, state, and federal requirements.

## **V. ATTACHMENTS**

- A. Subject Property Map
- B. Proposed Site Map
- C. Application

The full record is available for review at the City of Sweet Home Community and Economic Development Division Office located at City Hall, 3225 Main Street through Friday, excluding holidays.



1 inch = 180 feet

Subject Property Map  
P25-07

Date: 08/04/2025

LEGEND

	PROPERTY LINE		WATER VALVE		GRAVEL		UNKNOWN MANHOLE
	EDGE OF ASPHALT		FIRE HYDRANT		CONCRETE		WASTEWATER MANHOLE
	FENCE LINE		POWER POLE		BRICK		EVERGREEN TREE
	TOP OF DITCH		GUY WIRE		DECK		DECIDUOUS TREE
	BOTTOM OF DITCH		MAIL BOX		BUILDING		BUSH
	OVERHEAD WIRES		SIGN		PORTION OF STRUCTURE TO BE REMOVED		HEAVY VEGETATION
	GAS LINE		GAS METER				
	CONTOUR LINE		UNKNOWN UTILITY RISER				
	AS-BUILT WATER						
	AS-BUILT GAS LINE						
	AS-BUILT WASTEWATER LINE						
	FIRE TURN-AROUND						
	LINE NOT TO SCALE						

BENCHMARK

ELEVATIONS ARE BASED ON RTK GNSS OBSERVATIONS TAKEN ON MAY 29, 2025 USING THE OREGON REAL-TIME GEODETIC NETWORK AND GEOID 18(NAVD88)

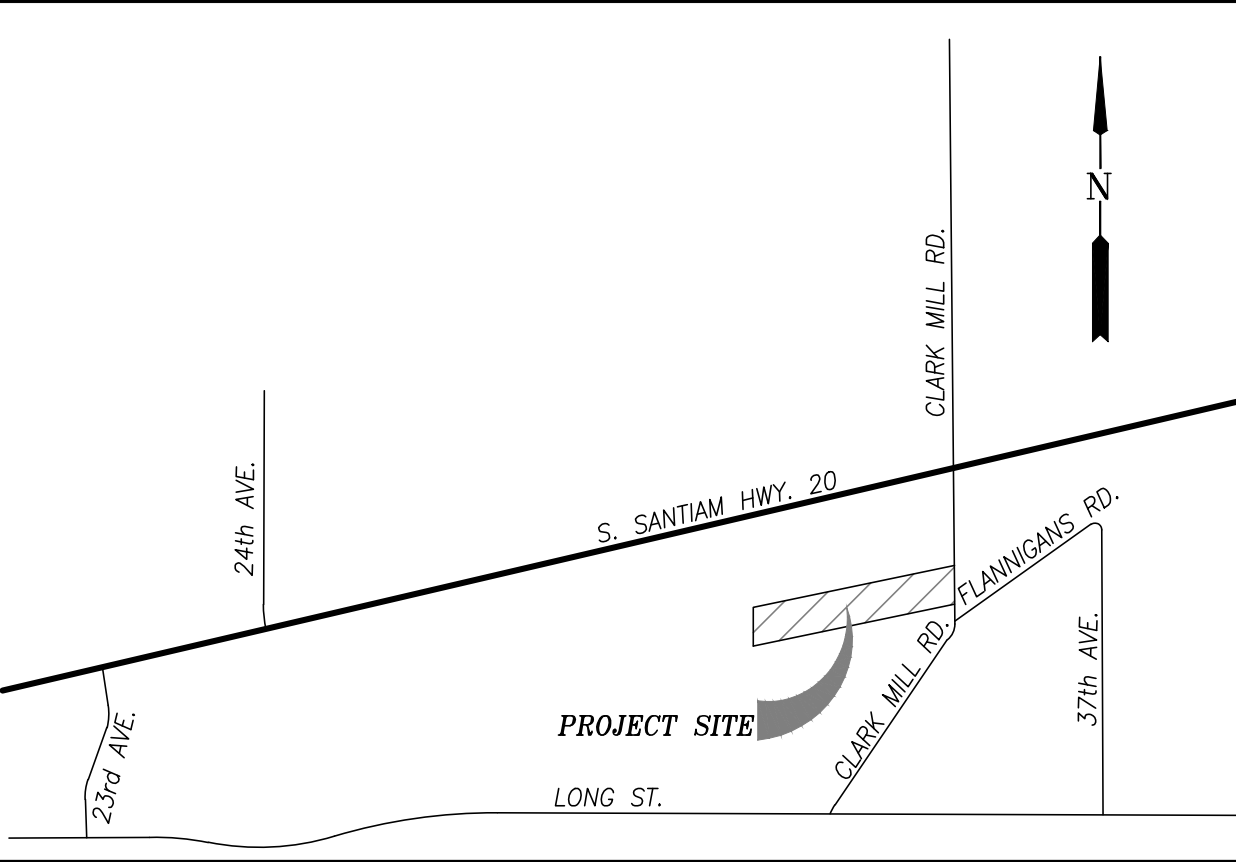
NOTES

- OBSERVED EVIDENCE OF UTILITIES ARE SHOWN TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. LOCATIONS OF UNDERGROUND UTILITIES SHOWN ARE BASED ON A COMBINATION OF VISIBLE FACILITIES LOCATED ABOVE GROUND, AS-BUILT DRAWINGS AND UTILITY LOCATE MARKS. NO CERTIFICATION IS MADE TO ACTUAL LOCATION OF UNDERGROUND UTILITIES. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE, IN WHICH CASE THE SURVEYOR MAY NOTE ON THE MAP HOW THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.
- ALL DISTANCES SHOWN ARE IN FEET.
- BEARINGS BASED ON OREGON COORDINATE REFERENCE SYSTEM – EUGENE PROJECTION 2011.
- NO EASEMENTS MENTIONED PER PRELIMINARY TITLE REPORT 471825137359, DATED APRIL 8, 2025.

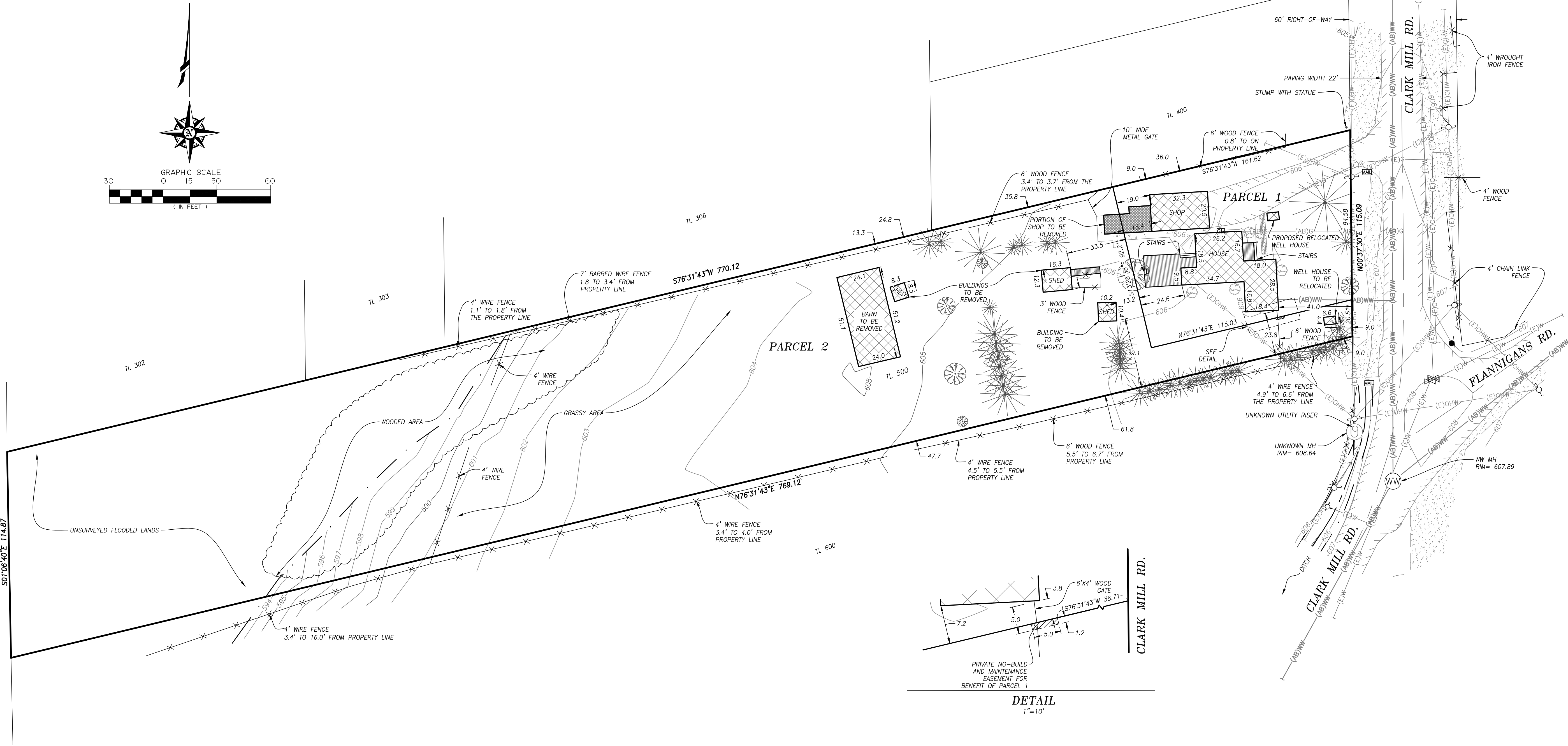
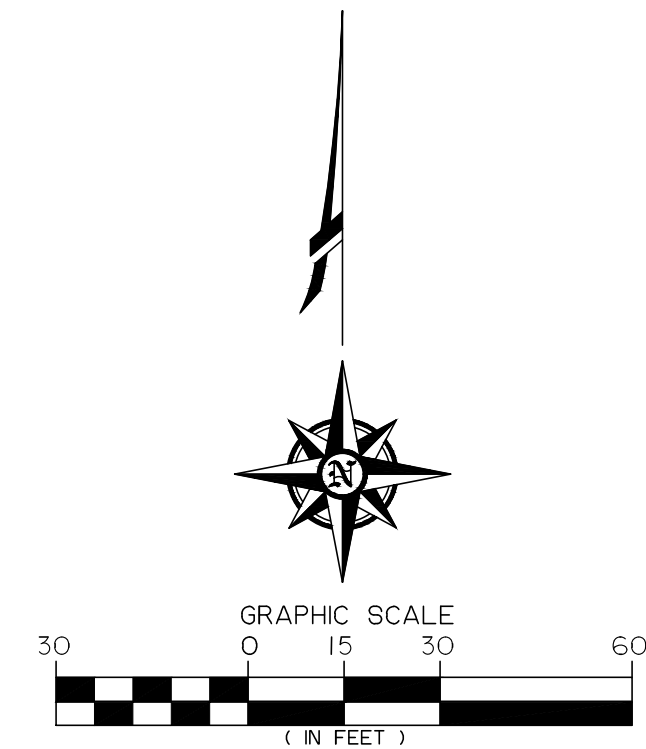
SITE INFORMATION

**PARCEL 1**  
BEFORE: 86,358 SQ. FT. = 1.98 ACRES  
AFTER: 11,577 SQ. FT. = 0.26 ACRES

**PARCEL 2**  
AFTER: 74,781 SQ. FT. = 1.72 ACRES  
BUILDABLE: 72,526 SQ. FT. = 1.67 ACRES  
FLAG POLE: 2,255 SQ. FT. = 0.05 ACRES



VICINITY MAP  
N.T.S.



DETAIL  
1"=10'

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OREGON  
JULY 11, 2023  
TUCKER HINES  
101987PLS  
EXPIRES: June 30, 2027

project title:

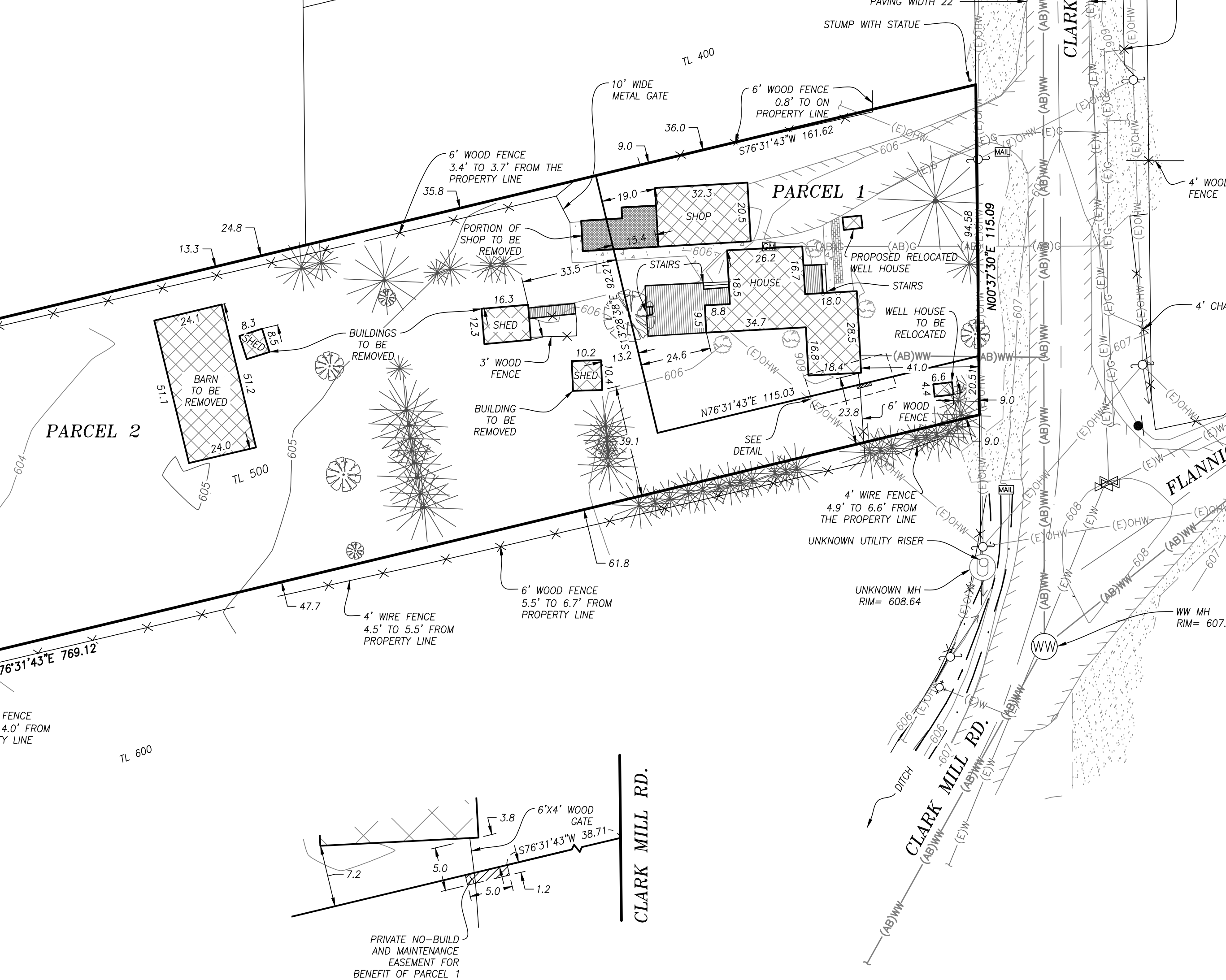
TENTATIVE PARTITION PLAN FOR  
JAMES HURLEY  
1247 CLARK MILL ROAD  
SWEETHOME, OREGON 97386

revisions:

date: JULY 30, 2025  
drawn by: MTB/JLB  
designer: DAN  
project no: 25-160

TENTATIVE  
PARTITION  
PLAN

sheet:



DETAIL  
1"=10'



## City of Sweet Home

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

### APPENDIX H

#### PARTITIONS

A partition is required for any land division which creates two or three parcels in a calendar year. [SHMC 17.98.010]

Preliminary plats for partitions shall be reviewed in accordance with the Type II review procedures in Chapter 17.124. [SHMC 17.98.020]

An application for a Partition shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.124. [SHMC 17.98.030]

#### SHMC 17.98.040 SUBMITTAL REQUIREMENTS

*The applicant is required to submit a summary for each of the following applicable criteria and submit the summary as a narrative with the Land Use Application. (Attach extra sheets, if needed)*

The applicant shall prepare and submit a preliminary 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. The applicant shall submit one 11"x17" copy of the preliminary plan along with one digital copy. The plan shall include the following information:

- A. General Information. The following general information shall be shown on the tentative plan:
  - ☐ Vicinity map showing all streets, property lines and other pertinent data to locate the proposal.
  - ☐ North arrow and scale of drawing.
  - ☐ Tax map and tax lot number or tax account of the subject property.
  - ☐ Dimensions and size in square feet or acres of the subject property and of all proposed parcels.
- B. Existing Conditions:
  - ☐ Location of all existing easements within the property.
  - ☐ Location of City utilities (water, sanitary sewer, storm drainage) within or adjacent to the property proposed for use to serve the development.
  - ☐ The location and direction of water courses or drainage swales on the subject property.
  - ☐ Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.
- C. Proposed Plan:
  - ☐ Locations, approximate dimensions and area in square feet of all proposed parcels. All parcels shall be numbered consecutively.
  - ☐ Location, width and purpose of any proposed easements.
- D. The applicant shall address how each parcel satisfies the dimensional standards of the applicable zone, unless a variance from these standards is approved.

*The Partition will satisfy all dimensional standards with  
R-3 Zone Change Approved*  
*R-1*

- E. The applicant shall address how the parcels meet the Development Standards for Land Division of Chapter 17.58.

The Partition addresses 17.58 through Easement Access  
off of Clark mill

- F. The applicant shall address how existing dwellings and accessory structures shall comply with the setback requirements of the applicable zone, including accessory structures which have a setback established by the building size, unless a variance from the requirements is approved.

Partition is set for ~~R-3~~ R-2 zone Required Setbacks so with R-3 ~~R-3~~  
zone change setbacks will comply

- G. The applicant shall address how adequate public facilities, including access, shall be available to serve the existing and newly created parcels. If adjacent properties are undeveloped, not developed to their maximum density, or landlocked, consideration will be given to extending appropriate access to those properties in accordance with provisions in Chapters 17.42 and 17.44.

The newly divided lots will have Access through Private  
Easement with proper setbacks within code Requirements