



**Legislative Amendment LA23-02
Staff Report**

This legislative amendment, LA 23-02, consists of revisions to Sweet Home Municipal Code Chapter 17.04 Definitions, 17.06 City Comprehensive Plan and Establishment of Zones, 17.10 Residential Low Density Zone (R-1), 17.12 Residential Medium Density Zone (R-2), 17.14 Residential High Density Zone (R-3), 17.16 Mixed Use Zone (MU), 17.18 Commercial Central Zone (C-1), 17.20 Commercial Highway Zone (C-2), 17.22 Industrial Zone (I), 17.24 Public Facility Zone (PF), 17.25 Recreation Commercial Zone (RC), 17.26 Mixed Use Employment Zone (MUE), 17.42 Street Standards, 17.44 Off Street Parking and Loading, 17.50 Signs, 17.52 Fencing and Screening; 17.56 Yards and Lot Standards, 17.58 Land Division, 17.66 Manufactured Homes on Individual Lots, 17.70 Residential Accessory Structures, 17.72 Special Residential Dwellings, 17.90 Application – General, 17.108 Nonconforming Uses, and 17.119 Vacation and Dedication of Public Ways. The proposed text amendments were identified by City Staff.

FILE NUMBER: LA23-02

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code 17.116.020

PLANNING COMMISSION HEARING DATE & TIME: June 1, 2023 at 6:30 PM

LOCATION: City Hall Council Chambers, 3225 Main Street, Sweet Home, OR 97386

CITY COUNCIL HEARING DATE & TIME: June 13, 2023 at 6:30 PM

LOCATION: City Hall Council Chambers, 3225 Main Street, Sweet Home, OR 97386

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REPORT DATE: May 25, 2023

I. REVIEW AND DESIGN CRITERIA

Amendments to the Comprehensive Plan or Development Code text shall be approved if the evidence can substantiate the following:

- A. The proposed amendment will not adversely impact the following:**
- 1. Traffic generation and circulation patterns;**
 - 2. Demand for public facilities and services;**
 - 3. Level of park and recreation facilities. [SHMC 17.116.030(A)(1-3)]**

Staff Findings: SHMC Chapter 17 was amended, approved, and became effective on October 27, 2022. Since using the new code, the staff has identified errors that needed to be corrected. These corrections shall not impact traffic generation and circulation patterns, shall not create demand for public facilities and services or impact the level of park and recreation facilities.

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

B. A demonstrated need exists for the proposed amendment. [SHMC 17.116.030(B)].

Staff Findings: The revisions identified by staff are needed for defensibility and clarity of code. Section 17.119 Vacation and Dedication of Public Way was unintentionally left out of the original revisions and is being added back into the chapter.

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

C. The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements. In addition, amendments to the Development Code shall conform with applicable City Comprehensive Plan policies. [SHMC 17.116.030(C)].

Staff Findings: The proposed amendments comply with the Oregon Statewide Planning Goal 2: Land Use Planning.

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

D. The amendment is appropriate as measured by at least one of the following criteria:

- 1. It corrects identified error(s) in the provisions of the plan.**
- 2. It represents a logical implementation of the plan.**
- 3. It is mandated by changes in federal, state, or local law.**
- 4. It is otherwise deemed by the City Council to be desirable, appropriate, and proper. [SHMC 17.116.030(D)(1-4)].**

Staff Findings: The amendments correct identified errors in the provisions of the plan.

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

II. CONCLUSIONS AND RECOMMENDATION

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

III. 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 LA23-02, which includes adopting the findings of fact listed in the staff report.
2. Move to recommend that the City Council deny application LA23-02 (specify reasons).
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

IV. ATTACHMENTS

A. Draft Text Amendments