



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 a caretaker dwelling as an accessory use to an existing commercial self-serve storage facility. Per SHMC 17.36.030 (G): A single-family dwelling occupied by the owner, manager, night watchman or caretaker of the commercial establishment may be permitted accessory to the commercial use. The subject property contains approximately 45,102 square feet and is in the Commercial Highway (C-2) Zone.

APPLICANT: Laura LaRoque, Udell Engineering and Land Surveying, LLC

PROPERTY OWNER: Jeremy Kinzer

FILE NUMBER(S): CU21-01

PROPERTY LOCATION: 1294 44th Avenue, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E28DC Tax Lot 2400.

REVIEW AND DESIGN CRITERIA: Sweet Home Municipal Code Section(s) 17.36.030, 17.80.040

HEARING DATE & TIME: **April 5, 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: March 29, 2021

I. PROJECT AND PROPERTY DESCRIPTION

ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:

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

Floodplain: Based on a review of the FEMA FIRM Maps; Panel 41043C0914G 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 44th Avenue.

Services: The property is connected to City water and sewer services.

TIMELINES AND HEARING NOTICE:

Application Received: February 23, 2021

Application Deemed Complete: March 1, 2021

Notice Distribution to Neighboring Property Owners Within 100 feet and Service Agencies: March 1, 2021

Notice Published in New Era Newspaper: March 10, 2021

Date of Planning Commission Hearing: April 5, 2021

120-Day Processing Deadlines: June 29, 2021

II. COMMENTS

CEDD Engineering: Regarding CU21-01, for a caretaker dwelling at the A Squared Storage facility at 44th Ave and Main St, CEDD-ES has no concerns. The facility is connected to city services, and construction will occur on private property.

Public Works Division: Public Works has no concerns with the request at this time.

Building Division: The Building Program has no issues with this request for a Conditional Use. Please note that any construction will require building permits. If the proposed living space is to become the 2nd story of the existing office, structural engineering documents may be required.

Sweet Home Fire District: The Fire District has no concerns with the 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 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)].

Applicant Comments: See Attachment C, Conditional Use Application Summary, III. Review Criteria Page 2, A.

Staff Findings: A single-family dwelling occupied by the owner, manager, night watchman or caretaker of the commercial establishment may be permitted accessory to the commercial use through a conditional use permit [SHMC 17.36.030(G)].

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;**
2. **Parking;**
3. **Traffic;**
4. **Noise;**
5. **Vibration;**
6. **Exhaust and emissions;**
7. **Light and glare;**
8. **Erosion;**
9. **Odor;**
10. **Dust;**
11. **Visibility;**
12. **Safety;**
13. **Building, landscaping or street features [17.80.040(B)].**

Applicant Comments: See Attachment C, Conditional Use Application Summary, III. Review Criteria Page 3, B.

Staff Findings: The applicant is requesting this conditional use permit to allow a caretaker dwelling as an accessory use to an existing commercial self-serve storage facility. A single-family dwelling occupied by the owner, manager, night watchman or caretaker of the commercial establishment may be permitted accessory to the commercial use through a conditional use permit [SHMC 17.36.030(G)]. Staff finds the site size, dimensions, location, topography and access are adequate for the needs of the proposed use.

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)].

Applicant Comments: See Attachment C, Conditional Use Application Summary, III. Review Criteria Page 4, C.

Staff Findings: The applicant is requesting this conditional use permit to allow a caretaker dwelling as an accessory use to an existing commercial self-serve storage facility. 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)].

Applicant Comments: See Attachment C, Conditional Use Application Summary, III. Review Criteria Page 5, D.

Staff Findings: The applicant is requesting this conditional use permit to allow a caretaker dwelling as an accessory use to an existing commercial self-serve storage facility, so there would be minimal traffic or parking impact and no need for any public facilities improvements.

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)].**

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)].**

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)].**

Staff Findings: The applicant indicates the proposed caretaker dwelling will not use any materials or mechanical equipment that will create any impacts on the neighborhood.

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)].**

Staff Findings: The applicant is not proposing a home occupation

The application complies with this criterion.

F. 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 operation of the home occupation as represented by the applicant.

G. 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 proposed caretaker dwelling will be conducted in a manner consistent with the representations made by the applicant in the application and hearing process.
2. Vehicles related to the business shall be parked in a manner to not block any driveway or impede the safe flow of traffic.
3. The applicant shall provide a lighting plan acceptable to the Sweet Home Municipal Code requirements of 17.44.090.
4. The applicant shall not conduct, operate or maintain the proposed caretaker dwelling in such manner as to cause loud or offensive noises to be emitted from there, between their regular building hours. (SHMC 9.20.020)
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's 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 CU21-01; 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 CU21-01; 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

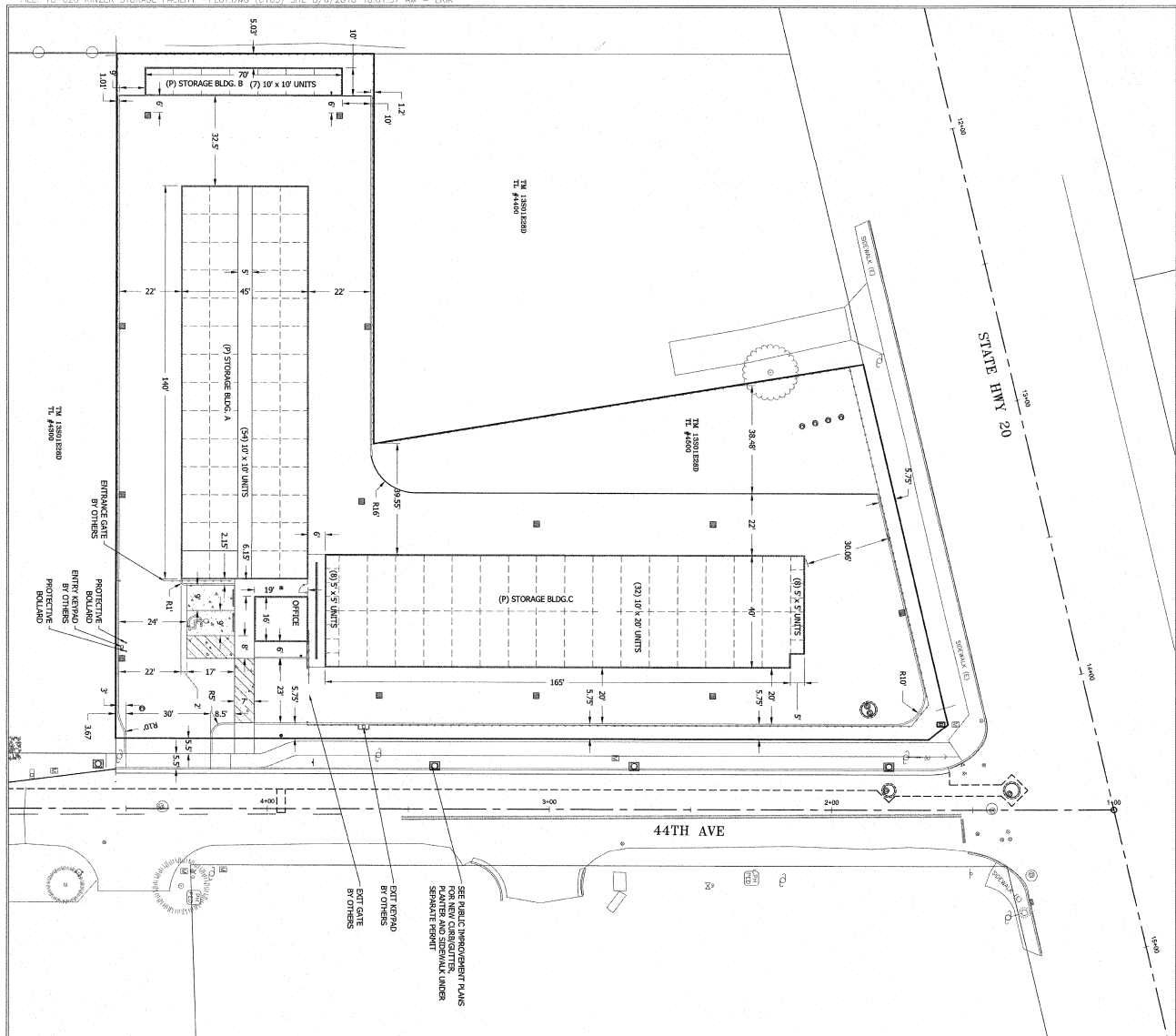
The full record is available for review at the City of Sweet Home Community and Economic Development Department Office located at City Hall, 3225 Main Street, Sweet Home, Oregon 97386. Regular business hours are between 8:00 AM and 5:00 PM, Monday through Friday, excluding holidays.



1 inch = 142 feet

Subject Property Map
CU21-01

Date: 2/24/21



SITE PLAN



* FIRE DEPARTMENT ACCESS
THE OWNER SHALL PROVIDE KNOX ENTRY LOOKS AT THE (2) GATES.
COORDINATE REQUIREMENTS WITH THE SWEET HOME FIRE DEPARTMENT.

PLAN REVISIONS	DATE

Scale: SEE BARSCALE

C103



DATE: 7-3-2018
PROJECT: 18-026 KINZER SWEET HOME STORAGE FACILITY
DRAWN BY: JMD, ECH
CHECKED BY: ERL

SITE PLAN
ONSITE DEVELOPMENT PLAN SET
A SQUARED STORAGE
1294 44TH AVE.
SWEET HOME, OREGON

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON 97355
(541) 451-5125 PH.
(541) 451-1366 FAX

CLIENT:
AIRWAY MINI STORAGE LLC
31050 SW LARSON RD
LEBANON, OREGON
(541) 350-3009





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: 02.23.21
Date Complete: 03.01.21
File Number: CU21-01
Application Fee \$: 615.00
Receipt #: 4250
Hearing Date: 04.05.21

Applicant's Name:

Laura LaRoque, Udell Engineering and Land Surveying

Applicant's Address:

63 E. Ash Street, Lebanon, OR 97355

Applicant's Phone and e-mail:

541-990-8661 / laura@udelleng.com

Subject Property Address:

1294 44th Avenue, Sweet Home, OR 97386

Subject Property Assessor's Map and Tax Lot:

13S01E28DC02400

Subject Property Size:

1.04

Subject Property: Zoning Classification

C2

Property Owner:

Jeremy Kinzer

Owner's Address:

P.O. Box 986, Lebanon, OR 97355

Owner's Phone and email:

541-350-3009 / jeremymkinzer@yahoo.com

Nature of Applicants Request

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

The proposal is an application for Conditional Use Review to allow a caretaker dwelling as an accessory use to an existing commercial self-serve storage facility.

The subject property is located at 1294 44th Avenue and is zoned Highway Commercial (C2). The proposed use is allowed in the C2 zoning district with Conditional Use approval.

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

None.

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:

Laura LaRoque

Date:

2/18/2021

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.

CONDITIONAL USE APPLICATION

Submitted to:	Sweet Home Planning Department 1140 12 th Avenue Ste. A Sweet Home, OR 97386
Applicants/Property Owners:	Jeremy Kinzer P.O. Box 986 Lebanon, OR 97355
Applicant's Representative:	Udell Engineering and Land Surveying, LLC 63 E. Ash Street Lebanon, OR 97355
	Contact: Laura LaRoque Email: laura@udelleng.com Phone: (541) 990-8661
Site Location:	1294 44 th Avenue, Sweet Home, OR 97386
Linn County Assessor's Map No.:	13S-01E-28DC Tax Lot 2400
Site Size:	±1.04-acres
Existing Land Use:	Self-Serve Storage Facility
Zone Designation:	Highway Commercial (C2)
Comprehensive Plan Designation:	Highway Commercial
Surrounding Zoning:	North: C2 (across Hwy. 20) South: C2 East: C2 (across 44 th Avenue) West: C2
Surrounding Uses:	North: Commercial – Hair Salon/Vehicle Service South: Residential East: Government – US Forest Service West: Commercial – S. Fork Trading Company



18-026 Kinzer
1294 44th Avenue
CU Application

February 15, 2021
Page 1 of 5

I. Executive Summary

The proposal is an application for Conditional Use Review to allow a caretaker dwelling as an accessory use to an existing commercial self-serve storage facility. The subject property is located at 1294 44th Avenue and is zoned Highway Commercial (C2). The proposed use is allowed in the C2 zoning district with Conditional Use approval.

The dwelling will be constructed above the existing self-serve storage office building located to the southeast portion of the site. The existing office is one story tall and approximately 300 square feet in area. The dwelling unit will be constructed above the existing office with a slight cantilever (i.e., projection) over an existing kiosk station. No other changes are proposed to the existing site in association with this proposal.

The decision criteria for a Conditional Use application are found in Sweet Home Municipal Code (SHMC) 17.80.040 and are addressed in the narrative below. This written narrative and associated documentation included in the application materials establishes that the application complies with all applicable approval criteria. This documentation provides the bases for the City to approve the application.

II. Analysis of Development Code Criteria

According to Sweet Home Municipal Code (SHMC) 17.80.020, a conditional use application shall be processed as a quasi-judicial review, which requires public hearing notification, a public hearing, and decision by the Planning Commission.

According to SHMC 17.80.030, the application submittal requirements include an application authorization form, site plan drawn to scale, narrative describing the proposed use and impacts on the neighborhood, proposed plan of business operation, parking and circulation plans, traffic impact study (if required), landscaping plans, signage plans, exterior drawings for new buildings, and photographs of existing buildings if no changes are to be made to the exterior of the building.

III. Review Criteria

SHMC 17.80.040 includes the following review criteria that must be met for a conditional use application to be approved. Code criteria are written in ***bold italics*** and are followed by findings and conclusions.

A. The request complies with the requirements of the underlying zone or overlay zone, city codes, state, and federal laws.

1.1 Subject property is located at 1294 44th Avenue and is zoned Highway Commercial (C2). The proposed use is allowed in the C2 zoning district with Conditional Use approval.

1.2 SHMC 17.36.050, requires buildings in the C2 zoning district to be set back at least 20 feet from front property lines, three feet from an abutting nonresidential zoning districts, and 10 feet from an abutting residential district. The applicant's site plan demonstrates that the existing buildings meet the front and interior setback requirements (Attachment A).

1.3 SHMC 17.36.060, requires the maximum building coverage in the C2 zoning district to be 50 percent. The proposed vertical addition will not increase the amount of building coverage.

1.4 SHMC 17.36.070, requires the maximum building height in the C2 zoning district to be 35 feet. There is no maximum building size. The existing one-story office building is about 300 square feet, and the applicant proposes to construct an approximately 450 square-foot second floor. Typically, the height of each story in a building is based on ceiling height, floor thickness, and building material with a general average of about 14 feet. Therefore, the total height of the two-story structure will be well below that of the maximum building height and smaller in size than a typical single-family dwelling.

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; 2) parking; 3) traffic; 4) noise; 5) vibration; 6) exhaust and emissions; 7) light and glare; 8) erosion; 9) odor; 10) dust; 11) visibility; 12) safety; 13) building, landscaping, or street features.

2.1 Subject property is located at 1294 44th Avenue and is zoned Highway Commercial (C2). The site is approximately 1.04 acres and is generally flat with little natural vegetation. The site has been recently improved with three self-serve storage buildings and office with associated parking and travel aisles. The proposal will add a caretaker dwelling above the existing office.

2.2 Access to the site is via an existing driveway from 44th Avenue and parking is provided via an existing parking lot. The self-serve storage use is not required to provide parking as patrons primarily park along provided travel aisle next to storage units to load and unload goods. Office use requires one parking space per 300 square feet of floor area. Accessory dwelling units require one parking space per accessory dwelling unit. The existing office is approximately 300 square feet (15-foot-wide by 19-foot-deep) and one accessory dwelling unit is proposed. Therefore, two parking spaces are required based on the existing and proposed uses. Two parking spaces are already established on-site. No changes or modifications are proposed to the existing parking lot or access.

2.3 Findings regarding building size are found under Criterion A, finding 1.5 and incorporated here by reference.

2.4 Lighting from the site is mitigated using lighting cutoff shields that direct lighting away from the edges of the site. Noise generated from activity at the site is mitigated by the generous amount of buffering described previously (particularly at the south property lines). Generally, outdoor activities on the site will be related to use of the self-serve storage as opposed to the caretaker dwelling.

2.5 The subject property is separated from surrounding properties by the existing fencing. The proposed caretaker dwelling will not present any safety issues that would require additional measures beyond those that will be addressed through the building permit review process.

2.6 The site has been designed to be open and provide high visibility to the adjacent street, as well as the parking and loading areas. The caretaker and patrons entering the site will be able to see their destination and the route to get there.

2.7 Dust is not anticipated as a result of trips to and from the site and/or living on the premise. Further, the caretaker dwelling and associated activities are not expected to generate vibrations, exhaust and emissions, or odors above and beyond what is common for a residential dwelling.

- 2.8 There is no minimum landscape area or screening standard for a caretaker dwelling. No additional landscaping or screening is proposed with this development.
- 2.9 This criterion is met.
- 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.**
- 3.1 The proposed use is a caretaker facility in association with an established self-serve storage facility. The caretaker dwelling will be a second story addition to the existing office.
- 3.2 The proposed use is allowed in the C2 zoning district with Conditional Use approval.
- 3.3 Certain uses are conditional uses instead of being allowed outright. They are subject to the conditional use regulations because they may have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these proposed uses is required due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use process provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved. The conditional use process provides an opportunity to review projects for potential impacts and impose conditions to address any identified concerns.
- 3.4 The subject property is located in the C2 zoning district. SHMC 17.36.010, states that the purpose of the C2 zone is to provide areas suitable and desirable for highway related commercial enterprises intended to meet the business needs of area residents and highway travelers. The C2 zone is appropriate in areas along the Highway 20 east and west of downtown Sweet Home which have developed with commercial activities or which have potential, or such activities as long as sufficient vehicular access control is maintained.”
- 3.5 The subject property is bordered by Santiam Highway/Highway 20 to the north and 44th Avenue to the east. All abutting land is zoned C-2. To the west are commercial enterprises. To the south is unimproved land and a single-family residence. As noted above, the C2 district is to provide highway related commercial enterprises and acts as a transitional or buffer zone between residential and more intense commercial or industrial districts. In this case, the strip of C2 zoned land, that lies to the south of Santiam Highway/Highway 20, acts as a buffer between Santiam Highway/Highway 20 and residentially zoned land to the south.
- 3.6 The self-serve storage facility is open daily from 6 a.m. to 8 p.m. The caretaker dwelling would house an on-site employee of the self-storage facility that will be responsible for the day-to-day operations of the storage facility including overseeing any on-site visits, light maintenance, janitorial services, and administrative functions.
- 3.7 The proposed caretaker residence would be ancillary to the primary commercial use of the site. An on-site presence of an otherwise unmonitored site will help to ensure the site is regularly maintained and monitored, which will have positive impact on adjacent properties and the public. Therefore, this criterion is met.

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

4.1 City utility maps show an 8-inch public sanitary sewer main in Santiam Highway/Highway 20 and 44th Avenue. The existing office building on the property is currently connected to the public sanitary sewer system.

4.2 City utility maps show a 12-inch public water main in Santiam Highway/Highway 20 and 10-inch water main in 44th Avenue. The existing office building on the property is currently connected to the public water system.

4.3 The proposal will not increase the amount of impervious surface area.

4.4 Public utilities (sanitary sewer, water, storm drainage) are adequate to serve the proposed use.

4.5 Any specific utility requirements for the proposed development would be determined during the building permit review process. Therefore, this criterion is met.

E. Home occupations must meet the following standards: 1) the home occupation shall be secondary to the residential use; 2) all aspects of the home occupation shall be contained and conducted within a complete enclosed building; 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.

5.1 The proposal does not include a home occupation; therefore, this criterion is not applicable.

F. Marijuana facilities must meet the following standards: 1) marijuana facilities must be located in a fixed location. 2) Marijuana facilities may not have any drive-up services; 3) marijuana facilities must be located at least 1,000 feet from property boundary of any school; 4) marijuana facilities must be sited on a property so as to be at least 100 feet from the boundary of any residentially zoned property.

6.1 The proposal does not include a marijuana facility; therefore, this criterion is not applicable.

IV. OVERALL CONCLUSION

Based on the above analysis, the proposed caretaker's residence meets all the applicable review criteria as outlined above.

V. ATTACHMENTS

A. Site Map