



# CITY OF SWEET HOME PLANNING COMMISSION MEETING MINUTES

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February 3, 6:30 p.m.  
City Hall Council Chambers, 3225 Main Street  
Sweet Home, OR 97386

Call to Order and Pledge of Allegiance

## Roll Call of Commissioners:

Commissioner Gatchell  
Commissioner Wolthuis  
Commissioner Journey  
Commissioner Stephens  
Commissioner Herb  
Commissioner Korn  
Commissioner Parker

## Staff:

Joe Graybill, Staff Engineer; Blair Larsen, CEDD Director; Justin Peterson, COG Planner;  
Angela Clegg, Associate Planner

## Guests:

Josh and Jennifer Victor, 44020 Wiley Creek, Sweet Home, OR 97386  
Anne Marie Petri Reeve, 1452 53<sup>rd</sup> Avenue, Sweet Home, OR 97386  
Carl Long, 5200 Nandina Street, Sweet Home, OR 97386

## Public Comment.

None

**Chairman Gatchell** stated that he wanted to change the order of the Agenda items and hold the election at the end of the meeting.

## Review and Approval of Meeting Minutes: October 7, 2019

**Comments Included; No Comments**

**Commissioner Wolthuis** moved to approve the minutes.

**Commissioner Stephens** seconded the motion to approve.

### Question was called:

Aye 7  
Nay 0  
Absent 0

**Motion Passed (7) Ayes to (0) Nays**

## Review and Approval of Meeting Minutes: November 18, 2019

**Comments Included; No Comments**

**Commissioner Wolthuis** moved to approve the minutes.

**Commissioner Parker** seconded the motion to approve.

**Question was called:**

**Aye** 7

**Nay** 0

**Absent** 0

**Motion Passed (7) Ayes to (0) Nays**

**Public Hearing for File ZMA19-03:** The applicant is proposing to change the Zoning and Comprehensive Plan maps of a 3.65-acre property and a 0.75-acre property. The Sweet Home Comprehensive Plan Designation is proposed to change from the Recreational Commercial Plan Designation to the Low-Density Residential Plan Designation. The Sweet Home Zoning Map is proposed to change from the Recreation Commercial (RC) Zone to the Residential Low Density (R-1) Zone. The proposed zone change would bring the zoning designation into conformity with the property's original zoning designation of R-1 prior to 1999 (CS 22571, Partition #1999-42). 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 make a decision on this application.

#### **PUBLIC HEARING OPENED AT 6:35 PM**

Chairman Gatchell read the description of the application and the Planning Commission criteria.

**The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.**

**Personal Bias:** No

**Conflict of Interest:** No

**Exparte Information:** No, Commissioner Wolthuis is aware of the property and the Owners, but nothing more than what is in the Staff Report.

#### **Comments/Discussion:**

Justin Peterson, COG Planner, read the staff report criteria to the Planning Commission.

Commissioner Journey asked if the Statewide Planning Goal #10 from 2000 was current.

Peterson stated that it was but will be looked at in future code updates.

Commissioner Wolthuis states that the proposed area was an old mill site and whether it has had adequate fill and removal processing. Staff Engineer, Joe Graybill, stated that he was not a soil engineer but given the history and stability he felt it had had adequate enough time.

**Testimony in Favor:** Josh Victor, 44020 Wiley Creek, Sweet Home, OR 97386

**Testimony in Opposition:** Anne Marie Petri Reeve, 1452 53<sup>rd</sup> Avenue, Sweet Home, OR 97386

**Neutral Testimony:** Carl Long, 5200 Nandina Street, Sweet Home, OR 97386

**Rebuttal:** None

#### **PUBLIC HEARING CLOSED AT 7:08 PM**

**Planning Commission discussed the applications.**

**Concerns Included:**

**Commissioner Gatchell:** stated that he wished the applicant was in attendance, and that he does not want to see the RC zone broken up along Wiley Creek.

**Commissioner Journey:** Agreed with the R-1 zone designation. Was uncomfortable with the applicant not attending.

**Commissioner Stephens:** Stated that it made sense to change to R-1 zone.

**Commissioner Wolthuis:** was in favor of the application as presented.

**Commissioner Herb:** Felt that housing is a good alternative to commercial development which would be allowed in the RC zone. Concerned with using Hwy 20 as an access road, but since there are other transportation accesses then he is in support of the application.

**Commissioner Korn:** recommended that the application be moved to City Council for approval.

**Commissioner Parker:** states that he wants to see the green space protected but had no problem with the R-1 zone designation.

**Commissioner Herb** moved to approve application ZMA19-03 and thereby permit the Zone Map and Comprehensive Map Amendment of a 3.65-acre property and a 0.75-acre property in Sweet Home, Oregon 97386; adopting the findings of fact listed in Section III of the staff report, and recommending the City Council hold a public hearing on Tuesday, February 25, 2020 at 6:30 PM and make a decision on the application.

**Commissioner Parker** seconded the motion to approve.

**Question was called**

**Aye** 7

**Nay** 0

**Absent** 0

**Motion Passed (7) Ayes to (0) Nays**

**Public Hearing for File ZMA19-02:** The applicant is proposing to change the Zoning Map in an area consisting of 32.1 acres located between Yucca Street and Tamarack Street, and 18<sup>th</sup> Avenue and 22<sup>nd</sup> Avenue. The Sweet Home Zoning Map is proposed to change from the Residential Industrial Transition (RMT) Zone to the Residential Medium Density (R-3) 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 make a decision on this application.

**PUBLIC HEARING OPENED AT 7:20 PM**

Chairman Gatchell read the description of the application and the Planning Commission criteria.

**The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the**

**parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.**

**Personal Bias:** No  
**Conflict of Interest:** No  
**Exparte Information:** No

**Comments/Discussion:**

Associate Planner Clegg read the staff report criteria to the Planning Commissioners.

**Testimony in Favor:** Blair Larsen, CEDD Director for the City of Sweet Home  
Josh Victor, 44020 Wiley Creek, Sweet Home, OR 97386

**Testimony in Opposition:** None

**Neutral Testimony:** None

**Rebuttal:** None

**PUBLIC HEARING CLOSED AT 7:33 PM**

**Planning Commission discussed the applications.**

**Concerns Included:**

**Commissioner Gatchell:** In support of lining the zone up with the Comprehensive Plan.

**Commissioner Journey:** Felt the zone change makes sense. If the zone change can also help the LID then it is a positive step.

**Commissioner Stephens:** Felt it makes sense as written.

**Commissioner Wolthuis:** Supports it.

**Commissioner Herb:** Supports it.

**Commissioner Korn:** Supports the recommendation to move to City Council for approval.

**Commissioner Parker:** In favor of the application and unifying the zone with the Comprehensive Plan.

**Commissioner Parker** moved to approve application ZMA19-02 and thereby permit the Zone Map Amendment of 32.1 Acres in Sweet Home, Oregon 97386; adopting the findings of fact listed in Section III of the staff report, and recommending the City Council hold a public hearing on Tuesday, February 25, 2020 at 6:30 PM and make a decision on the application.

**Commissioner Stephens** seconded the motion to approve.

**Question was called**

**Aye** 7

**Nay** 0

**Absent** 0

**Motion Passed (7) Ayes to (0) Nays**

**Staff Update on Planning Projects**

Blair Larsen, CEDD Director, gave an update on various projects in the City:

- Mill Property, working with the Railroad for a crossing at 24<sup>th</sup>
- Downtown Update; spoke about why trash to treasure moved locations away from downtown, the City is working on a downtown Master Plan/parking plan/downtown plaza using new design standards. Looking at increasing the CEIP awards amounts to promote exterior upgrades.
- Introduced a brief description of the Vacant Property Program.

Justin Peterson, COG Planner, gave a brief update on the Flood Plain Ordinances that the Commission will start seeing on the agendas.

### **Sweet Home Code Update Kick-Off** for Planning Commission and City Council

Tuesday, February 11, 2020 from 5:30-6:30 PM

### **Planning Commission Training:**

Monday, March 16, 2020 at 6:30 PM, City Hall Council Chambers

### **Annual Election:**

**Nominations:** Commissioner Parker stated that he was interested, Commissioner Gatchell stated that he was interested in serving again and stated that he was happy to see someone else interested in the position; Commissioner Wolthuis supported Parker; Commissioner Stephens supported Parker, Commissioner Journey was interested but not until the AV system was better, Commissioner Korn supported Parker.

**Chair:** Commissioner Stephens nominated Commissioner Parker for Chair.  
Commissioner Korn seconded the nomination.

Question was Called:

Aye 7

Nay 0

Absent 0

**Vice Chair:** Commissioner Wolthuis nominated Commissioner Gatchell for Vice Chair  
Commissioner Journey seconded the nomination.

Question was called:

Aye 7

Nay 0

Absent 0

### **Adjournment 8:25 PM**

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend.

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land

Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

To the best of the recollection of the members of the Planning Commission, the foregoing is a true copy of the proceedings of the Public Meeting of February 3, 2020.



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Jeff Parker, Chairperson  
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Associate Planner

## Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
  - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:  
**READ:** "The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue."
- Declarations by the Commission:
  - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
  - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
  - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
  - Review of application
  - Discussion of relative Criteria that must be used
  - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
  - Applicant's Testimony
  - Proponents' Testimony
    - Testimony from those wishing to speak in favor of the application
  - Opponents' Testimony
    - Testimony from those wishing to speak in opposition of the application
  - Neutral Testimony
    - Testimony from those that are neither in favor nor in opposition of the application.
  - Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
  - Motion
    - Approval
    - Denial
    - Approval with Conditions
    - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
  - Recommendation made by Planning Commission—City Council makes final decision.
  - If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.