



# CITY OF SWEET HOME PLANNING COMMISSION MEETING AGENDA

December 3, 2018, 7:00 p.m.  
City Hall Annex, 1140 12th Avenue  
Sweet Home, OR 97386

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

1. Call to Order and Pledge of Allegiance
2. Roll Call of Commissioners:  
Lance Gatchell (Chairperson); Henry Wolthuis; Eva Jurney; Edith Wilcox; Greg Stephens; Thomas Herb
3. Public Comment. This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.
4. Review and Approval of Minutes: September 4, 2018, October 15, 2018, and November 5, 2018
5. Public Hearing. File VR18-09. The applicant is requesting a variance to allow for a reduction to the street-side setback from 15 feet to 8 feet at the subject property located at 1395 Quince Street, Sweet Home, OR 97386 (new address); Identified on the Linn County Assessor's Map as 13S01E31AA Tax Lot 2908 (new). (Eastern half of 13S01E31AA Tax Lot 2901). Applicant: Ron McKenzie.
6. Public Hearing. File VR 18-10. The applicant is requesting a variance to allow the following: a reduction in the side yard total setback requirement from 13 feet to 10 feet. Each side setback would become 5 feet. The applicant is also seeking a reduction in the rear yard setback from 15 feet to 10 feet in order to keep the front setback of 20 feet, and a reduction of the structure width from 28 feet to 20 feet in order to fit a dwelling on the pre-existing 3000 square foot lot. The property is located at 1812 Yucca, Sweet Home, OR 97386 (new address); Identified on the Linn County Assessor's Map as 13S01E29CC Tax Lot 400. Applicant: Joshua Victor.
7. Request to Initiate Amendments to Title 16 and Title 17 of the Sweet Home Municipal Code
8. Staff Update on Planning Projects.
9. Adjournment

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the Community and Economic Development Office at (541) 367-8113.

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 1140 12th Ave, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

### **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.