



City of Sutherlin
Planning Commission Meeting
Tuesday, March 19, 2024
7:00 p.m. – Sutherlin Civic Auditorium
Agenda

Pledge of Allegiance

Introduction of Media

Approval of Minutes

January 16, 2024 – Regular Meeting

Quasi-Judicial Hearing(s)

- 1. RYAN SHORT and BRENT SHORT**, request for a Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (C3) Community Commercial to (R3) Multifamily Residential on a 0.13± acre portion of the 0.26 acre property located on the south side of E. Central Avenue and inside the City of Sutherlin. The subject property is described as Tax Lot 400 in Section 16CC, T25S, R5W, W.M., and Property I.D. No. R137065. **PLANNING DEPARTMENT FILE NO. 24-S002.**

Workshop – Planning Commissioner Training

Monthly Activity Report

Public Comment

Commission Comments

Adjournment

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7:00 PM
TUESDAY, JANUARY 16, 2024**

COMMISSION MEMBERS PRESENT: Norman Davidson, Tom Maloney, John Banducci, Michel Hogsett and Tom Schaub

COMMISSION MEMBERS EXCUSED: Adam Sarnoski and Alan Woods

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Jamie Fugate, City Planner and Kristi Gilbert, Community Development Director

AUDIENCE: None

Meeting called to order at 7:00 pm by Chair Davidson

FLAG SALUTE

ELECTION OF CHAIR and VICE CHAIR

A motion was made by Commissioner Schaub to nominate Commissioner Banducci as Chair; second made by Commissioner Hogsett.

In favor: Commissioners Davidson, Maloney, Hogsett, Schaub and Chair Banducci

Opposed: None

Excused: None

Motion carried unanimously

A motion was made by Chair Banducci to nominate Commissioner Sarnoski as vice chair; second made by Commissioner Schaub.

In favor: Commissioners Davidson, Maloney, Hogsett, Schaub and Chair Banducci

Opposed: None

Excused: None

Motion carried unanimously

APPROVAL OF MINUTES

A motion made by Commissioner Schaub to approve the minutes of the November 21, 2023 Planning Commission meeting as amended; second made by Commissioner Maloney.

In favor: Commissioners Davidson, Maloney, Hogsett, Schaub and Chair Banducci

Opposed: None

Excused: None

Motion carried unanimously

2023 YEAR IN REVIEW

Jamie Fugate, City Planner reviewed the 2023 Sutherlin Year End Report memorandum that was provided in the Planning Commission packet. Mrs. Fugate also discussed that we will be conducting a Planning Commission Workshop in the Spring.

MONTHLY ACTIVITY REPORT – No comments or questions.

PUBLIC COMMENT – None

COMMISSION COMMENTS – No comments or questions.

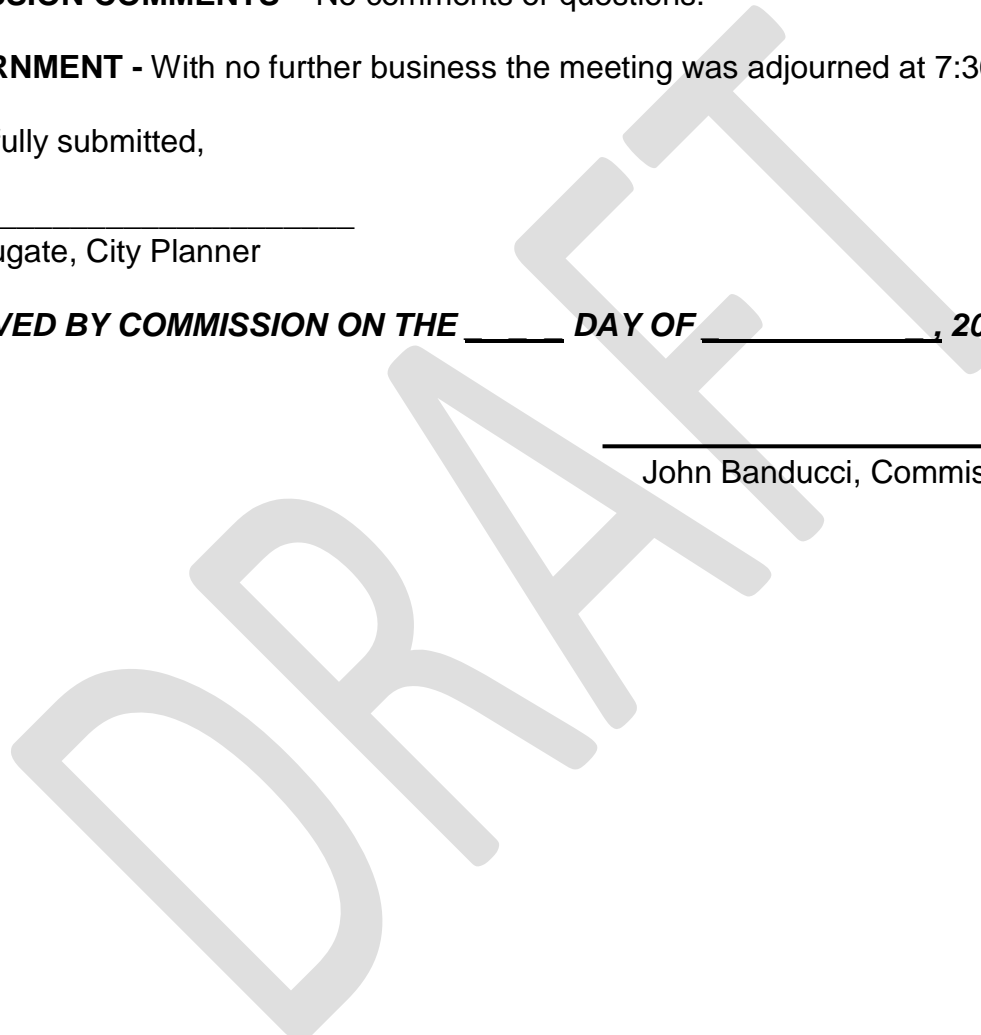
ADJOURNMENT - With no further business the meeting was adjourned at 7:30 pm.

Respectfully submitted,

Jamie Fugate, City Planner

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2024.

John Banducci, Commission Chair





City of Sutherlin

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March 12, 2024

STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Jamie Fugate, City Planner

RE: **RYAN SHORT and BRENT SHORT**, request for a Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (C3) Community Commercial to (R3) Multifamily Residential on a 0.13± acre portion of the 0.26 acre property located on the south side of E. Central Avenue and inside the City of Sutherlin. The subject property is described as Tax Lot 400 in Section 16CC, T25S, R5W, W.M., and Property I.D. No. R137065. **PLANNING DEPARTMENT FILE NO. 24-S002.**

STAFF EXHIBITS

1. Notice of Public Hearing
2. DLCDC Notice of Proposed Amendment with email of submittal
3. Copy of legal notice posted in the *News Review*
4. Property Owners within 100 Feet
5. Staff Report with Responses Attached and labels of mailing
6. Comprehensive Plan & Zone Change applications and attachments
7. Vicinity Map
8. Assessor Map
9. Comprehensive Plan Map
10. Zoning Map
11. Aerial Map

INTRODUCTION

The applicant(s), Ryan Short and Brent Short, are requesting a Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (C-3) Community Commercial to (R-3) Multifamily Residential on a 0.13± acre portion of the subject property.

RYAN SHORT and BRENT SHORT

March 12, 2024

This staff report concerns a proposed Plan Amendment and Zone Change. Current law requires Planning Commission and City Council approval of any amendment to the Sutherlin Comprehensive Plan and Zoning Maps. The property owners request a Plan Amendment and Zone Change from a Community Commercial (CC) plan designation to a High-Density (RA) plan designation together with a change of current zoning from Community Commercial (C-3) to (R-3) Multifamily Residential on a 0.13± acre portion of the 0.26 acre subject property to allow for future development of a duplex. The subject property proposed for amendment is located on E. Central Avenue, just east of Waite Street and is in an area of mixed residential and commercially zoned properties. The subject property is described as Tax Lot 400 of Section 16CC, T25S, R05W, W.M.; Property ID No. R137065. The subject property is owned by the applicant(s) who are making this request.

During the public hearing on March 19, 2024, the Planning Commission will accept public testimony and make a recommendation to City Council on the application after the public hearing. As part of the hearing, the Planning Commission will review the applicant's request for compliance with the Statewide Planning Goals and the general goals and policies of the Sutherlin Comprehensive Plan and the applicable criteria of the Sutherlin Development Code (SDC) and adopt Findings of Fact.

After the public hearing, the Planning Commission must make a written recommendation and forward it to the City Council in the form of a Findings of Fact and Decision document, which justifies its decision and recommendation. The Council will consider the Commission's recommendation, hold a public hearing, and make a decision to grant, amend or deny the request.

PROCEDURAL FINDINGS OF FACT

1. The Comprehensive Plan Map Amendment and Zone Map Change applications were filed with the City on September 25, 2023, and were deemed complete on January 17, 2024.
2. Notice of Proposed Amendment was electronically submitted to the Department of Land Conservation and Development (DLCD) on February 12, 2024, which was at least 35 days prior to the first evidentiary public hearing on March 19, 2024.
3. Pursuant to Sections 4.2.140.C and 4.2.150.D, notice of the public hearing was given by publication in the News Review on March 1, 2024, which was at least fourteen (14) days prior to the date of the public hearing.
4. Notice of a Public Hearing on an application for the Comprehensive Plan Map Amendment and Zone Map Change before the Planning Commission was given in accordance with Sections 4.2.140.C and 4.2.150.D. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on February 27, 2024.
 - a. Mathew Hogan, Fair Housing Council of Oregon submitted an email stating that they would like to receive a copy of the staff report and all corresponding attachments for 24-S002 when its available.
 - b. At the time of the mailing of this staff report, no other written comments or remonstrances have been received.
5. Present Situation: The subject property has a pre-existing, non-conforming single family dwelling. The property will need to conform to the underlying zoning classification and Sutherlin Development Code.

6. Plan Designation: Community Commercial (CC). The applicant(s) are requesting a plan map amendment to the High Density (RA) plan designation on a portion of the subject property.
7. Zone Designation: Community Commercial (C-3). The applicant(s) are requesting a zone map amendment to the Multifamily Residential (R-3) zoning designation on a portion of the subject property.
8. Public Water: The subject property has public water from the City of Sutherlin.
9. Sanitary Sewer: The subject property has sanitary sewer from the City of Sutherlin within the right-of-way of E. Central Avenue.
10. Transportation System: E. Central Avenue where it fronts the subject property is designated a minor arterial street under the City of Sutherlin's Transportation System Plan (TSP).
11. Overlay: The subject property does not have any identified overlays.

Finding: The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested Comprehensive Plan Map Amendment and Zone Map Change.

APPLICABLE CRITERIA & FINDINGS

Pursuant to Section 4.11.110.C of the Sutherlin Development Code, the proposed amendment to the land use plan's text or map must be (1) consistent to the applicable statewide planning goals as adopted by the Land Conservation and Development Commission (LCDDC), and (2) consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.

Based upon the application materials and information submitted by the applicant and other evidence provided, staff presents the following findings to address the applicable criteria:

CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

1. **Goal 1- Citizen Involvement:** To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Finding: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. Since acknowledgement of the City's Comprehensive Plan, the Sutherlin Planning Commission has been responsible for ensuring continued citizen involvement in planning matters and land use decisions. On February 27, 2024, City staff mailed copies of a Notice of Public Hearing to all owners of property within 100 feet of the subject property and public utility agencies. The same notice was published in the News-Review, a local newspaper of general circulation, on March 1, 2024. Written evidence relied on by the land use decision-making bodies (i.e. the applications and supporting material) was available for public review at Sutherlin City Hall seven days prior to the first public hearing. Sutherlin has fulfilled its citizen involvement process through early direct notification of nearby property owners, publication of a public hearing notice and contact information in the newspaper, and by facilitating informed public participation during the public hearing itself.

2. **Goal 2- Land Use Planning:** To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Sutherlin's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan and implementing ordinances provide the local criteria by which Applicant's request was judged. The subject property is within the Sutherlin City Limits Boundary, no exception to statewide planning goals are necessary.

3. **Goal 3- Agricultural Lands:** To preserve and maintain agricultural lands.
4. **Goal 4- Forest Lands:** To conserve forest lands for forest by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land....

Finding: The subject property proposed for amendment is currently designated CC by the City of Sutherlin Comprehensive Plan and is zoned C-3. The subject property is not agricultural or forest land as defined by Statewide Goals 3 and 4. The property is situated within the urban area and has been designated for urban use by the Sutherlin Comprehensive Plan. The proposed amendment does not involve the conversion of designated farm or forest land to urban use. Statewide Planning Goals Nos. 3 and 4 are not applicable to this requested amendment.

5. **Goal 5- Open Spaces, Scenic and Historic Area, and Natural Resources:** To conserve open space and protect natural and scenic resources.

Finding: Statewide Planning Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 requires local governments to inventory natural resources such as wetlands, riparian corridors, and wildlife habitat. In addition, Goal 5 encourages local governments to maintain current inventories of open spaces, scenic views and sites, and historic resources. Significant sites must be identified and protected according to Goal 5 rules contained in the Oregon Administrative Rules, Chapter 660, Division 23.

Goal 5 resources within Douglas County and the City of Sutherlin have previously been inventoried and evaluated, and the City has completed a Local Wetlands Inventory (LWI). The property contains no known wetlands, riparian corridor or significant wildlife habitat. Also, no known historic or cultural resources exist on the site, and the property contains no open spaces or scenic areas as identified by the City of Sutherlin. The elevation of the property puts it well outside the flood plain of any area streams. Based on the foregoing findings, the requested will not conflict with any identified Statewide Planning Goal 5 Recourses.

6. **Goal 6- Air, Water and Land Resource Quality:** To maintain and improve the quality of air, water and land resources of the state.

Finding: Statewide Planning Goal 6 requires that air, land and water resources of the state be maintained and improved by assuring that future development, in conjunction with existing development, does not violate applicable state and federal environmental quality standards, and does not exceed the carrying capacity of local air sheds, degrade land resources or threaten the availability of such resources. Through previous legislation by the City of Sutherlin that development of the subject property with urban uses will not result in degradation of air, water and land resources within the Sutherlin urban area or surrounding areas. Furthermore, the City has sufficient regulatory measures in place to ensure that subsequent land use

activities on the subject site will be conducted in a manner that is consistent with, and will be in compliance with the purpose of Goal 6.

7. **Goal 7- Areas Subject to Natural Disasters and Hazards:** To protect life and property from natural disasters and hazards.

Finding: The subject property has not been identified in any inventory of areas of which to have the potential to be subject to natural disasters or hazards. The portion of the subject property proposed for an amendment is generally flat and is similar in topography to adjoining and nearby properties. The elevation of the site puts it well above any identified flood plain and any additional danger of flooding. Any subsequent development on the site will be subject to such review and be required to comply with all applicable development regulations. The requested amendment will not conflict with the purpose and intent of Statewide Planning Goal 7.

8. **Goal 8- Recreational Needs:** To satisfy the recreational needs of the citizens of the State and visitors and, where appropriate, to provide for the siting of necessary recreation facilities including destination resorts.

Finding: The subject property has not been designated by the City of Sutherlin as land needed to meet the recreational needs of the citizens of, or visitors to Sutherlin and the state of Oregon. Identified recreational needs have been provided for on other sites within the Sutherlin urban area. The property is currently zoned for commercial use and has no special geographic or natural advantages for recreational use, therefore the requested amendment does not conflict with Goal 8.

9. **Goal 9- Economic Development:** To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The Sutherlin Comprehensive Plan contains specific policies for protecting and ensuring future economic development in the area is enhanced as discussed below in more detail under the local planning policies. The application for Plan Amendment and Zone Change affects 0.13± acres of land and conversion of said land will go from commercial to residential in order to offer more housing which will in turn potentially allow more residents to see employment opportunities locally allow the Sutherlin community to be more economically stimulated. Originally this unit of land was zoned residential and in 2001 went through the Plan Amendment and Zone Change process to its current plan and zone. With this being stated, commercial development was never proposed or constructed on the subject property. By going through this process, it will have some positive impact on the housing market to support the economic development and is therefore consistent with Statewide Planning Goal 9.

10. **Goal 10- Housing:** To provide for the housing needs of citizens of the State.

Finding: The subject property is currently designated CC by the Sutherlin Comprehensive Plan and is zoned C-3 for commercial uses. The property contains a pre-existing, nonconforming single family dwelling, with no existing commercial operation being conducted on the property. The City has a buildable lands inventory that was adopted in 2005 which states the following, in relevant parts, "*The ECO Northwest Buildable Lands Inventory (June 2005) finds that Sutherlin's Urban Growth Boundary had a total housing capacity of 1,214 dwelling units in 2005. Based on the current mix of zoning, approximately 372 of the units could be accommodated in the Medium Density (9 units per acre) and High Density Residential (15 units per acre) zones; another 423 units in the Low Density Residential (5 units per acres) zone; and 419 units in the Hillside Residential (2 units per acre) zone. The distribution appears to be consistent with Sutherlin's housing mix, which contained approximately 72 percent owner-occupied (single-family) housing in 2000.*"

(US Census, Table DP-1) This high proportion of single-family housing is, in part, a reflection of Sutherlin's place in the regional housing market...to accommodate a population of 12,878, the City of Sutherlin needs an additional 256 acres of buildable land for housing, and another 90 acres for streets, parks, school sites, and other public and institutional uses. The total shortfall of residential lands through the 2025 planning period is 345 acres. The shortage beyond 2025 is estimated to be 741-1,753 acres at different growth benchmarks. The BLI for the City of Sutherlin illustrates a clear need for more housing units and; therefore, the subject application is consistent with the findings in the BLI and will help the City accomplish the underlying goal and intent of the analysis. The aforementioned analysis demonstrates a full need for residential zoning due to a housing shortage that will be evident by the year 2025. The application for Plan Amendment and Zone Change will have no significant impact on the current inventory of land needed for residential development and is consistent with Statewide Planning Goal 10.

Finding: The proposal submitted would allow a portion of the property to go back to its original plan and zone prior to 2001 when a plan amendment and zone change was approved, taking it to a commercial designation. These applications, if approved would allow the subject property to be zoned at a residential zoning designation. Thus, allowing for more housing within the city limits and help with the need for residential housing. The property owner/developer has stated within the applications that the intent is to construct a duplex. This application is consistent with Statewide Planning Goal 10 and will benefit the needs of the citizens.

11. **Goal 11- Public Facilities and Services:** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The subject property is within the Sutherlin City Limits. The lands are currently served by City water and sanitary sewer services. The applicant proposes a duplex unit on the 0.13± acre portion of the subject property, referenced in the introduction as a result of this proposal. The applicant has coordinated with the City regarding public facilities to assure adequate services. The subject property currently has one (1) water and sanitary sewer connection. Additional water and sanitary sewer can be facilitated from the existing mains located within the right-of-way of E. Central Avenue. Onsite sanitation will be provided as required by the City via an existing 6" line that travels south from E. Central Avenue to the subject property. The City will review the specific development plans for the site to determine any additional infrastructure requirements. The City will assure both capacity and ability to provide the required level of public facilities, as available, with sufficient infrastructure investment on the part of the owners. It can be expected that the property will be continued to be served by city water and sewer in the future, as well as other necessary public utilities. The proposed amendment affecting the subject property is not in conflict with Statewide Planning Goal 11.

The Sutherlin Fire Department provides fire protection, with the Sutherlin Police Department provide police services in the City of Sutherlin. Street maintenance, storm drainage and street lighting in the area are also provided by the City of Sutherlin. The design and installation of onsite storm drainage facilities will be the responsibility of the property owner(s)/developer, as needed, at time of the development. On the basis of the foregoing facts, the requested will not adversely impact the present or future provisions of public facilities and services in the area. Urban services appropriate for the subject property and the proposed residential designation is available and can be provided in a timely, orderly and efficient manner consistent with the purpose and intent of Statewide Planning Goal 11.

12. **Goal 12- Transportation:** To provide and encourage a safe, convenient and economic transportation system.

Finding: The statewide transportation goal is generally intended to be applied on a city-wide basis. Specific transportation-related policies and development standards are included within the Sutherlin Comprehensive Plan and land use ordinances to assure that the intent of the statewide transportation goal is implemented through the application of both state and local policies and standards at the time of development. The intent of Goal 12 is also implemented by the State Transportation Planning Rule (OAR 660, Division 12). OAR 660-12-060(1) requires that "amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility".

In order to ensure that a proposed land use change complies with the requirements of the Transportation Planning Rule, the City of Sutherlin has adopted the following standards for Plan Amendment applications:

- “(1) The applicant shall certify the proposed land use designations, densities or design standards are consistent with the function, capacity and performance standards for roads identified in the County Transportation System Plan.
 - (a) The applicant shall cite the identified Comprehensive Plan function, capacity and performance standard of the road used for direct access and provide findings that the proposed amendment will be consistent with the County Transportation System Plan.”
 - (b) The jurisdiction providing direct access (County or ODOT) may require the applicant to submit a Traffic Impact Study certified by a Traffic Engineer that supports the findings used to address §6.500.2.a(1)(a).”

The functional classifications of transportation facilities within the City of Sutherlin’s Transportation System Plan (TSP) are identified on Pages 45 and 46. There is one street identified under the TSP that is part of this proposal, which is E. Central Avenue. E. Central Avenue is designated a “Minor Arterial” along the frontage of the total property. According to the City of Sutherlin TSP, *“the primary function of a minor arterial is to provide access to through movement to traffic, distributing it to collector streets and principal highways, and providing limited land access. These streets are generally characterized by a three cross section, and should accommodate pedestrian and bicycle movements. Sutherlin’s minor arterials are designed with large rights-of-way (60 to 80 feet wide) with pavement widths of at least 48 feet. Minor arterials have limited or controlled access to them and have little or no on-street parking, Oregon’s Transportation Planning Rule requires bicycle lanes and sidewalks along minor arterials. Bicycle lanes are required on minor arterials even if they do not generate significant bicycle traffic.”*

As previously noted, the 0.13± acre portion of the subject 0.26 acre site is situated adjacent too E. Central Avenue, with direct access onto the street. E. Central Avenue is improved to a two-lane paved street with a center turn lane, curbs/gutters, sidewalks and bike lane where it fronts the subject property. At the present time, the public roads in the area are and have been adequate to accommodate existing traffic volumes generated by the use on the properties along E. Central Avenue.

Commercial zoned properties typically have the most intensified amount of traffic and place the most significant amount of stress on the transportation system. The proposed application would allow the transition of a portion of the subject property from commercial to residential. According to the ITE, a single family dwelling is anticipated to yield 9.5 average daily trips. The property owners will more than likely improve the 0.13 acre portion with one duplex unit, which would equate to 19 additional daily trips. The additional trips are nominal and the existing street network in the area has ample capacity to withstand the additional trips.

The proposed map amendments will not cause a change in the existing level of service of the area road system. Further, existing development standards in place in the Sutherlin Development Code will help to insure any future residential development approval of the property and its associated impacts will be in compliance with the TSP. The requested amendment meets the requirements of Statewide Planning Goal 12.

13. **Goal 13- Energy Conservation**: To conserve energy.

Finding: The Statewide Planning Goal 13 requires that land uses shall be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles. The subject property is situated within an established urban area where its subsequent development will promote the efficient energy-related use of existing and planned facilities. Major public facilities and services are immediately adjacent to the site, thus reducing the energy-related inefficiencies associated with extending such services beyond existing urban development. Furthermore, specific energy conservation policies and development standards are included within the Sutherlin Comprehensive Plan, Sutherlin Development Code and Building Codes to ensure that the energy conservation is implemented on a site-specific basis at time of development. The proposal is consistent with principles of efficient land use and energy efficiency and Statewide Planning Goal 13.

14. **Goal 14- Urbanization**: To provide for an orderly and efficient transition from rural to urban land use.

Finding: Statewide Planning Goal 14, to provide for an orderly and efficient transition from rural to urban land use and provides procedures for establishing or expanding an Urban Growth Boundary (UGB). The urbanization goal requires that land within the UGB, “...shall be considered available over time for urban uses.” As previously stated within the staff report, the subject property is currently located within the Sutherlin City Limits and the Sutherlin UGB. The state has previously acknowledged the lands within Sutherlin as following the intent of Statewide Planning Goal 14.

COMPLIANCE WITH SUTHERLIN DEVELOPMENT CODE ZONE MAP AMENDMENTS CRITERIA (SECTION 4.8) and AMENDMENTS TO THE SUTHERLIN DEVELOPMENT CODE and LAND USE PLANS (SECTION 4.11)

Section 4.8.110.C – Criteria of Amendment. The planning commission shall approve, approve with conditions or deny an application for a quasi-zoning map amendment based on all of the following criteria:

“The planning commission’s recommendation and the city council’s decision shall be based on the following approval criteria”:

1. *Demonstration of compliance with all applicable comprehensive plan policies and map designations. Where this criterion cannot be met, a comprehensive plan amendment shall be a prerequisite to approval;*

Finding: The proposed zone map amendment is being reviewed in conjunction with a Comprehensive Plan amendment to change on a 0.13± acre portion of the subject 0.26 acres from community commercial to high density. Comprehensive Plan policies and goals are listed below in the next section and will be addressed adequately.

2. *Demonstration that the most intense uses and density that would be allowed, outright in the proposed zone, considering the sites characteristics, can be served through the orderly extension of*

urban facilities and services, including a demonstration of consistency with OAR 660-012-0060; and

Finding: The subject property is located within the existing Sutherlin UGB and Sutherlin City Limits and is currently served with urban services. The proposed amendment would allow the property owner(s) to develop the 0.13 acre property with a residential permitted use, consistent with adjacent properties to the south.

- 3. Evidence of change in the neighborhood or community, or a mistake or inconsistency between the comprehensive plan or zoning district map regarding the subject property which warrants the amendment.*

Finding: The requested application is not the result of a mistake or inconsistency between the comprehensive plan or zoning district map. This property was originally designated high density, in 2001 the subject property went through a plan amendment and zone change process to community commercial. A property line adjustment application has been tentatively approved to adjust the existing two (2) lots-of-record, in which would leave the adjacent lot-of-record to E. Central Avenue zoned community commercial and this lot-of-record to be designated to residential.

Section 4.11.110.C Approval Criteria. The planning commission's recommendation and the city council's decision shall be based on the following approval criteria.

- 1. The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission; and*

Finding: Findings for the statewide planning goals adopted by Department of Land and Conservation and Development (DLCD) are addressed on an individual basis in previous section of this document. Each of the applicable goals contains findings of compliance, and no exceptions to those goals are proposed. The Plan Amendment and Zone Change satisfy the statewide planning goals.

- 2. The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.*

Finding: The proposed amendment is consistent with remainder of the comprehensive plan, including inventoried documents and facility plans therein.

HOUSING ELEMENT

Housing Element Policy C3: *Ensure that city ordinances provide the maximum opportunity for a variety of housing types by using innovative residential development techniques such as planned unit development and cluster development:*

Finding: The subject application is consistent with the vision of this particular policy. The subject property is smaller in size, yet the property owner(s) intend to maximize its potential by developing this portion of the subject property with housing, which falls in line with the intent of Sutherlin Housing Element Policy C3 (innovative residential development techniques in order to accomplish facilitating more housing units to the Sutherlin area). The City of Sutherlin completed an adjustment of the city limits and urban growth boundary, including an exchange of lands for both residential and commercial uses. The City determined that there is 2,211.96 acres of residentially zoned land (54% of lands within the city) and 250.52 acres of commercially zoned land (6% of lands within the City). The 2005 Buildable Lands Inventory

anticipates a need for 1,221 additional dwelling units, as shown on Table 2 (Eco Northwest) and the City's 2005 twenty-year supply of residential land is insufficient to accommodate the population forecast in order to facilitate to such a need. The proposed residential development will allow the full 0.13± acres to be utilized in a residential capacity. The development of this site is consistent with the need for more dwelling units in the Sutherlin area as set out in the BLI and the most recent City findings and analysis referenced in the urban growth boundary adjustments for Sutherlin.

PUBLIC FACILITIES PLAN ELEMENT

Policy A1: The City shall ensure that appropriate support systems are installed prior to or concurrent with the development of a particular area. Costs of constructing water and sewer ties to new developments shall be borne by the developer.

Policy A14: Ensure that as new development occurs, public facilities and services to support the development are available or will be available within a reasonable time.

Policy A20: New development, including but not limited to subdivisions, residential or commercial, or industrial construction, should be responsible for constructing, paying for, or depositing funds for an improved street with curbs, gutters, sidewalks, as well as sewer, water, storm drainage facilities, fire hydrants, and street lights, in addition to all utilities.

Finding: The purpose of the map amendments is to facilitate new residential use on a portion of the subject property according to the standards prescribed in the R-3 zone. There are existing water and sanitary sewer connections that serve the subject property. Sanitary sewer will be facilitated from a six-inch line coming from the north (E. Central Avenue) and water can be facilitated E. Central Avenue right-of-way. The property owners will be responsible for installing any future infrastructure dictated by future development on the property as appropriate in accordance with the Public Facilities Plan and the Sutherlin Development Code.

The Plan Amendment and Zone Change will not create additional need for public facilities at this time (beyond the typical extensions on to the subject property in conjunction with residential utilities facilities that will serve the proposed residential development). Any improvements for those public facilities necessary as a result of future residential development at the site will require the property owner(s)/developer to participate in funding those improvements. The extent to which public facilities and services are required to serve the property will be determined at the time a specific development proposal is reviewed. The requested Plan Amendment and Zone Change are consistent with the Public Facilities Plan.

LAND USE ELEMENT

Land Use Policy A1: *Conversion of urbanizable land to urban uses shall be based on consideration of:*

- A. Orderly, economic provision for public facilities and services;*
- B. Availability of sufficient land of various use designations to ensure choices in the marketplace;*
- C. Conformance with statewide planning goals; and*
- D. Encouragement of development within urban areas before conversion of non-urban areas.*

Land Use Policy A2: *Work toward development of "open" lands identified as suitable for development within the existing city limits before annexing additional lands.*

Finding: The subject property is located inside the Sutherlin City Limits. The property has commercial zoning adjacent to the north, east and west which is consistent with property being directly off a main road (E. Central Avenue). The portion of the subject property proposed for the amendment is located off of E. Central Avenue and a commercial designation is not appropriate. The subject property is otherwise surrounding by residential type zoned properties. As discussed previously under *Consistency with the Statewide Planning Goals*, public facilities and services are readily available to the site except as noted. Also, the property is located in immediate proximity to the other R-3 zoning to the south and C-3 zoning to the north, east and west (properties adjacent to E. Central Avenue). The proposed R-3 zoning will support the proposed residential uses on the site.

The subject property and surrounding properties, as mentioned above, are currently designated commercial and residential land in the Comprehensive Plan. The applicant proposes to change the existing CC designations to RA on 0.13± acre portion of the subject property to allow high density residential development of the property. The applicant has also submitted a Zone Change request to allow implementation of the proposed RA plan designation via the R-3 zone on a portion of the subject property. The Zoning Map amendment to R-3 will be consistent with the requested RA plan designation.

Finding: The proposed Plan Amendment and Zone Change will conform to the Sutherlin Comprehensive Plan, including the land use map and written policies.

CONCLUSION

City Staff recommends that the Planning Commission forward a recommendation for approval to the Sutherlin City Council of the requested Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (C-3) Community Commercial to (R-3) Multifamily Residential on a 0.13± acre portion of the subject 0.26 acre subject property.

ACTION ALTERNATIVES

1. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Plan and Zoning Map amendments.
2. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Plan and Zoning Map amendments with specified **conditions**.
3. Pass a motion to **continue the public hearing** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal.
4. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend denial** of the requested Plan and Zoning Map amendments on the grounds that the proposal does not satisfy the applicable approval criteria.



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City of Sutherlin

Date: March 12, 2024
To: Planning Commission
From: Community Development
Re: Monthly Activity Report

This report is provided in an effort to keep you apprised of recent land use and other relevant activities.

COMMUNITY DEVELOPMENT

Ford's Pond Grant update

At the May 8, 2023, City Council awarded the bid to JRT Construction, LLC in the amount of \$1,884,038.16. Construction started on June 5th and has made great progress this summer. Improvements to date include: excavating, grading, construction of the pavilions, restrooms, ADA access ramps, sidewalks, concrete seating area, raised planters, installation of Boulder Scramble, logs and log stack, fishing pier, lake boat, beaver ford, two embankment slides, Oodle swing, We-Go-Round, talking tubes, musical instruments, Pump-N-Play & concrete stone, bottle filling station, and wetland mitigation (removal of the blackberry islands).

It has not gone unnoticed that construction has recently slowed. We have experienced multiple delays which have had an impact on the contractor's construction schedule. The delays include receipt of play equipment and back ordered components to the play equipment, receipt of the Nationwide 42 Wetlands Permit from the Army Corp of Engineers to conduct work within the wetlands, and grade design discrepancies.

During the winter construction, the playground site will remain closed to the public with signs and barricades around the playground. City staff will open the two northern restrooms (restrooms closest to the entrance of the path) and remove the outhouses.

With our focus on keeping the project moving forward, the contractor will continue to work where they can throughout the winter. We recognize a majority of the remaining work will be delayed with the anticipation of re-commencing construction in the Spring 2024 and project completion by July 2024.

Seismic Rehabilitation of Fire Station #1 and Police Station

In December 2022, the City applied for and received Seismic Rehabilitation Grants ("SRG") for the projects through Business Oregon, Infrastructure Finance Authority, based on the applications prepared by ZCS Engineering & Architecture, Inc. The City was awarded \$2,492,700 for the design and construction of Fire Station #1 Seismic Rehabilitation, and \$2,479,180 for the design and construction of the Police Station Seismic Rehabilitation.

City Council awarded the contract for Engineering, Architectural, and Construction Management Services for the Seismic Rehabilitation of Fire Station #1 and the Police Station to ZCS Engineering & architecture at their city council meeting on November 13, 2023. The schedule for the Engineering, Architectural, and Construction Management Services updated (as per the RFP) as follows:

Pre-Design	January - March, 2024
Schematic Design	February - May, 2024
CM/GC Selection	May 2024
Design Development	May - July, 2024
Construction Documents	July - September, 2024
Permitting	September – October, 2024
Bid Period Services	September – October, 2024
CM/GC Max Price	September – October, 2024
Construction Period	October, 2024 – February, 2025

TRANSPORTATION

Downtown Parking Lot

- Design and Construction Estimate
 - Start date: December 12, 2022
 - Completion date: August 31, 2023
 - Bidding TBD Spring, 2024
 - Construction is estimated to begin TBD Spring/Summer 2024

Waite Street Improvements

Civil Solutions Engineering, LLC continues to work through the design and engineering of Waite Street and is working closely with Wetlands and Wildlife, LLC to delineate and define the necessary process with the wetlands as they are identified. The design has been delayed due to the potential necessary wetland impacts to accommodate the improvements to meet street standards and the criteria of Safe Routes to School Standards.

The schedule is as follows:

Contract Negotiation w/ Selected Consultant	August 1, 2023
Award of Project	August 14, 2023
Start Design	August 15, 2023
Complete Design	TBD
Present Final Design to Council	TBD
SRTS LOI Submission	March 12, 2024
SRTS Application Due	July, 2024

UTILITIES

Nonpareil Water Treatment Plant Improvement:

The Design Contract was awarded on January 27, 2020, to The Dyer Partnership Engineers & Planners, Inc. for Engineering Services and Construction Management. On February 24, 2021 @ 2:00pm bids were opened, Stettler Supply & Construction submitted the lowest bid in the amount of \$4,810,485 and has sufficient experience and qualifications to satisfactorily construct the project. On March 8, 2021, City Council Awarded the Construction Contract to Settler Supply Company in the amount of \$4,810,485. Construction started April 2021 and is expected to be completed in 2023.

A walk through for substantial completion was held on September 8, 2023. Project funding close-out activities will begin once the punch list has been accepted by the contractor and punch list items have been completed.

LAND USE ACTIVITY

Building Worksheets:

- 2023-86- 2024-03 on previous Activity Report(s)
- 2024-04 – 819 S Comstock, Sp 22 – MH
- 2024-05 – 819 S Comstock, Sp 65 – MH
- 2024-06 – 489 E Central Ave – Sign
- 2024-07 – 944 S Calapooia St – Accessory Dwlg Unit (ADU)
- 2024-08 – Sunset St – Industrial Bldg
- 2024-09 – 173 E Everett Ave – Interior Remodel
- 2024-10 – 228 E Central Ave - Sign
- 2024-11 – 280 Spence Ave – Enclose a Carport
- 2024-12 – 375 E First Ave – covered front porch
- 2024-13 – 122 N State St, Ste A – Change in Use in existing commercial bldg
- 2024-14 – 1375 South Side Rd – accessory structure
- 2024-15 – 114 Azalea Ct – bathroom addition
- 2024-16 – 1955 Culver Loop - SFD
- 2024-17 – 1034 Forest Heights – solar panels
- 2024-18 – 791 Pebble Creek St – covered deck
- 2024-19 – 910 E Central Ave – Commercial Vehicle Sales Lot
- 2024-20 – 1351 & 1357 Duke Ave – industrial warehouse bldgs
- 2024-21 – 191 Emerald St – exterior repair to SFD
- 2024-22 – 150 E Everett Ave – repair to SFD (fire damage)
- 2024-23 – 800 W Central Ave – re-roof commercial structure
- 2024-24 – 1640 W Central Ave – commercial development
- 2024-25 – 1430 W Central Ave, Sp 4 – MH replacement
- 2024-26 – 1430 W Central Ave, Sp 23 – MH placement

Active Land Use Applications:

- 23-S017 – 24-S001 – on previous Activity Report(s)
- 24-S002 – Short – Plan Amendment and Zone Change
- 24-S003 – Cherry – Property Line Adjustment (PLA)

Right of Way Applications:

- 23-20 – 23-24 – on previous Activity Report(s)
- 24-01 – 103 Clover Leaf – Douglas Fast Net
- 24-02 – 1034 Forest Heights – Javelin