

ORDINANCE BILL NO. 5 FOR 2022

ORDINANCE NO. 1305

SWEET HOME ORDINANCE REPEALING SHMC TITLES 16, 17, AND PORTIONS OF TITLE 15, REPLACING THEM WITH A NEW DEVELOPMENT CODE, AND ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN, COMPREHENSIVE PLAN MAP, AND ZONING MAP

WHEREAS, the City of Sweet Home, in an effort to provide for the welfare, safety and health of the citizens of Sweet Home, has previously adopted a zoning ordinance and other land use ordinances that were codified in Sweet Home Municipal Code (SHMC) as Titles 16 (titled Land Divisions and Line Adjustments), 17 (titled Zoning Ordinance), and Chapters 15.12 (titled Flood Hazard Area Regulations) and 15.20 (titled Historic Resources) of Title 15; and

WHEREAS, over time, the City has evolved, and the current Code no longer meets the needs for the City's growth and development; and

WHEREAS, the City's population is approaching 10,000, which makes certain State land use regulations applicable; and

WHEREAS, the City wishes to repeal the existing Titles 16 and 17, and Chapters 15.12 and 15.20 of Title 15, and adopt in its entirety a new Sweet Home Development Code that accomplishes the goals and intents of applicable Oregon rules, regulations, statutes, the City's Comprehensive Plan, and reflects and adopts best practices across the State; and

WHEREAS, the Comprehensive Plan must also be revised to assure consistency between the new Development Code and the Comprehensive Plan; and

WHEREAS, the new Sweet Home Development Code will create more predictable outcomes through clear standards and fully comply with all State rules, regulations, and statutes; and,

WHEREAS, starting April 19, 2021, and ending June 2, 2022, the City of Sweet Home Planning Commission held a series of public meetings to review drafts of the new Sweet Home Development Code, all of which were open to the public; and,

WHEREAS, all the changes necessary to implement the new Sweet Home Development Code were compiled into a single Land Use Application, Legislative Amendment 22-01 (LA-22-01); and,

WHEREAS, on August 4, 2022, the City of Sweet Home Planning Commission held a public hearing regarding the Application LA22-01, after which the Commission recommended to the Sweet Home City Council that the City Council approve the repeal of the current Land Use Development Code and adopt the proposed Sweet Home Development Code, amendments to the Comprehensive Plan, amendments to the Comprehensive Plan Map, and amendments to the Zoning Map; and,

WHEREAS, the City Council held a public hearing on August 23, 2022 regarding Application LA22-01, after which the Council approved the application; and,

WHEREAS, City residents were notified on June 29, 2022 through a Measure 56 compliant notification process, and the Department of Land Conservation and Development (DLCD) received notice on June 22, 2022, more than 35 days in advance of the Planning Commission public hearing on August 4, 2022,

NOW THEREFORE,

The City of Sweet Home does ordain as follows:

- Section 1. The current SHMC Titles 16 and 17, and Chapters 15.12, and 15.20 of Title 15 are hereby repealed, along with the sections of their adopting ordinances that pertain thereto.

- Section 2. SHMC Title 17, titled Sweet Home Development Code is created to read as follows:

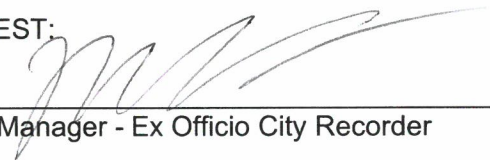
- Section 3. Table 11 of the Sweet Home Comprehensive Plan, titled "Comprehensive Plan Land Designations for Economic Development," is amended such that the term "Recreation Commercial" is changed to "Mixed Use Employment."
- Section 4. The City of Sweet Home Comprehensive Plan map is amended such that all properties currently designated "Planned Recreation Commercial" are now designated "Mixed Use Employment."
- Section 5. The City of Sweet Home Zoning map is amended such that all properties currently zoned "R-3 (Medium Density Residential)" are now designated "R-2 (Medium Density Residential)," and all properties currently zoned "R-2 (High Density Residential)" are now designated "R-3 (High Density Residential)."
- Section 6. The City of Sweet Home Zoning map is amended such that all properties currently zoned "R-4 (Mixed Use Residential)" are now designated "MU (Mixed Use)."
- Section 7. The City of Sweet Home Zoning map is amended such that all properties currently zoned "RMT (Residential Industrial Transition)" are now designated "R-2 (Medium Density Residential)."
- Section 8. Any violations of the repealed code titles that happened before the effective date of this ordinance, may be enforced, prosecuted and/or abated using the former code provisions, unless the new SHMC provisions invalidate the violation.
- Section 9. Should any section, clause, or provision of this ordinance be declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the Ordinance as a whole or of the remaining sections. Each section, clause, and phrase are declared severable.
- Section 10. This ordinance takes effect and becomes operative 30 days after the day on which it is passed by the Council.

PASSED by the Council and approved by the Mayor this 27 day of Sept, 2022.



Mayor

ATTEST:



City Manager - Ex Officio City Recorder