

AGENDA
Veneta Planning Commission
TUESDAY – June 7, 2016 – 6:30 p.m.
Veneta City Hall

1. REVIEW AGENDA

2. PUBLIC COMMENT

If you wish to address the Planning Commission; state your name, address, and limit your comments to 3 minutes. Maximum time 20 minutes. The Planning Commission will not engage in any discussion or make any decisions based on public comment at this time; however, they may take comments under advisement for discussion and action at a future Planning Commission meeting.

3. APPROVAL OF MINUTES

- a. April 4, 2016 (pgs. 3-4)

4. QUASI-JUDICIAL PUBLIC HEARING – LAND USE DECISION

- a. Conditional Use Permit – High Lights Garden Supply
 - 1. Open Hearing
 - 2. Declaration of Conflict of Interest or Ex-Parte Contacts
 - 3. Staff Report (Lisa Garbett) (pgs. 5-32)
 - 4. Applicant/Proponents
 - 5. Opponents
 - 6. Neutral testimony
 - 7. Applicant rebuttal
 - 8. Questions from the City Council/Planning Commission
 - 9. Close of Public Hearing
 - 10. Deliberation and Decision

5. PROPOSED SIGN CODE AMENDMENTS, DOWNTOWN (CLAUDIA DENTON, ECONOMIC DEVELOPMENT SPECIALIST) (pgs. 33-58)

6. INTERPRETATION REQUEST – VENETA LAND DEVELOPMENT ORDINANCE 493, SECTION 4.15 (5) AMENDMENTS TO THE SPECIFIC DEVELOPMENT PLAN (pg. 59)

7. ADMINISTRATIVE DECISIONS (pg. 61)

8. OTHER

- a. RESIGNATION OF CALVIN KENNEY (pg. 63)
- b. JULY 5, 2016 MEETING

9. ADJOURN

Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available with 48 hours' notice. Contact Darci Henneman; Phone (541) 935-2191, FAX (541) 935-1838 or by TTY Telecommunications Relay Service 1-800-735-1232.
THIS MEETING WILL BE DIGITALLY RECORDED.

The Planning Commission considers all public comments, staff reports, and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**

LAND USE DECISIONS - Veneta Municipal Code Chapter 18.05

Whenever this chapter is in effect, the following procedures or procedure similar thereto shall be followed by the city staff and applicable decision-making body: (1) Preparation of brief statement setting forth the criteria and standards considered relevant to the decision of the city staff. Such shall utilize criteria and standards found in the applicable ordinance, the comprehensive plan, and other ordinances and rules and regulations now in effect as from time to time adopted by the city council and appropriate decision-making body.

PUBLIC HEARINGS - Please observe the following rules.

WRITTEN TESTIMONY:

Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the Planning Commission members to be considered in their decision.

ORAL TESTIMONY:

If you wish to testify with regard to a matter which has been set for **Public Hearing** please observe the following rules:

1. **State your name and address.**
2. **Indicate if you are in favor of or opposed to the proposal.**
3. **Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point.**

The Planning Commission considers all public comments, staff reports, and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**

Minutes of the Veneta Planning Commission

April 5, 2016

Present: Lily Rees, Kevin Conlin, and Calvin Kenney

Absent: James Eagle Eye and Len Goodwin

Others: Kay Bork, Community Development Director; Ric Ingham, City Administrator; and Darci Henneman, City Recorder

I. REVIEW AGENDA

Lily Rees opened the Veneta Planning Commission meeting at 6:34 p.m. and reviewed the agenda.

II. PUBLIC COMMENT

None

III. APPROVAL OF MINUTES

MOTION: Calvin Kenney made a motion to approve the February 2, 2016 minutes and March 1, 2016 minutes. Kevin Conlin seconded the motion which passed with a vote of 3-0.

IV. LEGISLATIVE PUBLIC HEARING

a. Veneta Land Development Ordinance Amendments (A-1-16). Off-street Parking Location Standards/Property Line Adjustment.

1. Commissioner Rees opened the Public Hearing at 6:35 p.m.

2. Staff Report

Bork reviewed the proposed amendments to the Land Development and Land Division Ordinances that would amend provisions for off street parking lot location standards and a housekeeping amendment to update the definition of "lot line adjustment" to be consistent with Oregon Revised Statutes ORS 92.010(12), which defines "property line adjustment" as "a relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel." She said the amendments must be initiated by the City Council, Planning Commission or a property owner, which the Planning Commission did at the February 2, 2016 meeting. Bork said no changes have been made since the Planning Commission reviewed the amendments at the last meeting. She said notice of the amendments was sent to the Oregon Dept. of Land Conservation and Development (DLCD) and published in the newspaper, posted on the City's website and at City Hall. She said no public comments were received. Staff recommends the Planning Commission approve the amendments for City Council adoption.

3. Public Testimony

None

4. Questions from the Planning Commission

None

5. Commissioner Rees closed the Public Hearing at 6:40 p.m.

6. Deliberation and Decision

None

MOTION: Kevin Conlin made a motion to approve the amendments to Land Development Ordinance No. 493, and Land Division Ordinance No. 494 as presented in Exhibit A of the proposed Final Order. Calvin Kenney seconded the motion which passed with a vote of 3-0.

V. ADMINISTRATIVE DECISIONS

Bork provided a list of all administrative decisions issued in 2016 to date which she reviewed. She said the pre-development conference was for construction of a four-plex and duplex development on the East end of Sertic Rd.

In response to a question from Calvin Kenney, Bork said the amendment to the Southwest Area Plan (SWAP) was submitted by Hayden Homes. She said instead of developing the town homes, Hayden wants to build single family homes only. She said it's a minor amendment because the zoning isn't changing. She said the park and pathways will still be included along with open space scattered throughout the site.

In response to questions from Calvin Kenney, Bork said she believes BiMart included the outside garden storage with their original site plan so they aren't required to apply for a temporary use permit every year. Bork said Garbett researched why some businesses are required to submit a temporary use permit and some aren't. She said we want to make sure everyone is still in compliance with required parking spaces if the garden supplies are placed in the parking lot. She said the parking spaces requirement is based on occupied building space.

VI. OTHER
None

VII. ADJOURN

Commissioner Lily Rees adjourned the Veneta Planning Commission at 6:47 p.m

XXXXXXXXXXXXXXXXXXXXX

Lily Rees, Planning Commissioner

ATTEST:

XXXXXXXXXXXXXXXXXXXXX

Darci Henneman, City Recorder

**VENETA PLANNING COMMISSION'S
STAFF REPORT**

**Conditional Use Permit, High Lights Garden Supply
CUP-1-16**

Application Received: April 27, 2016
Supplemental Info Received: April 29, 2016
Additional Information Received: May 12, 2016
Application Deemed Complete: April 29, 2016
120 days from Completeness: August 27, 2016

Referrals: Kyle Schauer - City of Veneta Public Works
Lane Branch, P.E., City Engineer (Branch Engineering)
Dean Chappell, Lane Fire Authority
Emerald People's Utility District, John Norrena
David Mortier, City Building Official (The Building
Department, LLC)
Oregon Department of State Lands, Wetlands Program

Public Notice Mailed and Posted at City Hall: May 2, 2016
Public Notice Posted on Property: May 2, 2016
Public Notice Published in Fern Ridge Review: May 11, 2016
Staff Report Date: May 20, 2016
Public Hearing Date: June 7, 2016
Prepared by: Lisa Garbett, Associate Planner

BASIC DATA

Applicant: Jeff Schlageter, High Lights Garden Supply
P.O. Box 177
Elmira, OR 97437

Property Owner: Lulu, LLC (Attn: John Hammer)
P.O. Box 2266
Eugene, OR 97402

Assessor's Map: 17-06-36-11-00900

Area: 11 acres

Plan Designation: Commercial (C), Open Space/Greenway (/OS) and 100-
Year Floodplain

Zoning Designation: Highway Commercial (HC), Greenway-Open Space
Subzone (/GW) and 100-Year Floodplain

REQUEST

The applicant is proposing outside storage including bulk landscape materials and a forklift and development including a six hundred and fifty foot (650) fenced area, two (2); eight (8) foot by forty (40) foot Connex storage containers within the Greenway-Open Space Subzone, behind the existing building at the West Lane Shopping Center.

The request is for 1) approval of a Conditional Use permit for outside storage exceeding 180 days in the Highway Commercial zone and 2) approval of a Conditional Use permit for development within the Greenway - Open Space Subzone.

PROPERTY CHARACTERISTICS

The subject property is zoned Highway Commercial with a Greenway-Open Space Subzone and 100-Year Floodplain Overlay and has been developed as a shopping center since 1994. Highway 126 lies to the south and Territorial Road to the east of the property. Properties to the north and west are undeveloped wetlands.

Wastewater Service

City services are currently servicing this property.

Storm water

Storm drainage is already in place for the site. Proposed changes will not increase impervious surface or runoff.

Water Service

City services are currently servicing this property.

Natural Resources

The proposed development and outside storage location is within the Greenway-Open Space Subzone and 100-Year Floodplain Overlay (FIRM Map #41039C1086 F) according to the adopted Veneta Zoning Map. However, the subject area is already developed consisting of impervious surface (paving) at the West Lane Shopping Center.

APPROVAL CRITERIA

Veneta Land Development Ordinance No. 493, Section 8.10 – General Standards of Approval, Section 8.11 – Special Standards Governing Conditional Uses.

Veneta Land Development Ordinance No. 493, Section 4.12(4) - Conditional Uses Permitted in the Greenway-Open Space Subzone references criteria found in Article 8 of the ordinance. The proposed use is consistent with Veneta Land Development Ordinance No. 493, Section 8.11(19) – Standards for development in the GW subzone as described in the proposed final order.

AGENCY COMMENTS

Agency comments were received from the following and attached as Exhibit:

- Lane Branch, P.E., City Engineer (Branch Engineering, Inc)
- Kyle Schauer, Public Works Director, City of Veneta.
- John Norrena, Emerald People's Utility District, Engineering Technician.

- Oregon Department of State Lands, Wetlands Program.

PUBLIC NOTICE

A notice was mailed to all property owners and tenants within 300-feet of the site on May 2, 2016 in accordance with Veneta's Land Development Ordinance No. 493, Section 2.11(1)(3)(5) & (8). Notice was also posted at the site on 5/2/16. Notice was published in the Fern Ridge Review on May 11, 2016.

PUBLIC COMMENTS

None.

ISSUES

Utilities

If the proposed fenced area contains any utility poles, the Emerald People's Utility District (EPUD) requires coordination with the applicant to ensure access to utility poles at all times. In addition, the proposed final order includes a condition to comply with OSHA requirements per EPUD and requirement that any associated structures/roofs cannot be readily accessible (i.e. no fixed ladders that may permit access to the top of the structures).

Stormwater

The proposed final order includes a condition of approval that all materials being stored consist of the Exempt or Low Risk category as described in Exhibit D per the City Engineer.

100-Year Floodplain Overlay Zone

The proposal is located within 100-Year Floodplain Overlay Zone as shown on the adopted Veneta Zoning Map. Veneta Land Development Ordinance No. 493, Section 4.13(5)(a) requires a development permit to be obtained before construction or development begins within the flood plan subzone. Therefore, the proposed final orders include a condition of approval for the applicant to submit and receive approval of a Floodplain Permit, prior to building permit approval, for the proposed detached canopy and Connex storage containers. The Floodplain permit will require compliance with the general and specific standards for flood-hazard reduction listed in Veneta Land Development Ordinance No. 493, Section 4.13(6) & (7) including but not limited to provisions for anchoring all new construction to prevent floatation, collapse or lateral movement of the structure. The Connex storage containers will require floodplain permit approval.

Greenway – Open Space Subzone

The proposed development including Connex storage containers, detached canopy structure and fencing are located in the Greenway Subzone as shown on the adopted Veneta Zoning Map. Veneta Land Development Ordinance No. 493, Section 4.12(5) prohibits any new structures or development (including fences), other than those allowed as permitted uses or approved as conditional uses, within the Greenway - Open Space Subzone. Veneta Land Development Ordinance No. 493, Section 8.11(19)(g) includes special conditional use standards for development in a Greenway-Open Space Subzone, that the proposal must comply with including, *“Exceptional and undue hardship upon property owners or developer is avoided. For purposes of this subsection, hardship means the subject property will have no economically viable use*

without the Conditional Use Permit. The hardship must arise from conditions inherent in the land which distinguish it from other land in the neighborhood.”

Staff is asking the Planning Commission to decide whether or not the development can meet this standard. Two final order options (Option ‘A’ and Option ‘B’) have been prepared for Planning Commission consideration. The difference between the two options is Option ‘A’ recommends conditional approval and includes a finding that the proposal does comply with VLDO Section 8.11(19)(g) in that exceptional and undue hardship upon the property owner is avoided with the approval of the conditional use permit. The conditional use permit will allow a current occupant of the West Lane Shopping Center to store bulk landscaping materials on site on the same lot as the retail business.

Option ‘B’ recommends denial of the conditional use permit with a finding that states that the applicant does not comply with VLDO 8.11(19)(g) given there are other opportunities for the retail business (High Lights Garden Supply) to store bulk landscaping materials off-site and utilize off-site storage facilities in lieu of the Connex storage containers and the property owner would still have an economically viable use without Conditional Use Permit approval.

STAFF RECOMMENDATIONS

Staff has prepared two proposed final orders (Option ‘A’ & Option ‘B’) for Planning Commission consideration as described above (see Issues: Greenway - Open Space Subzone).

The Planning Commission may:

1. Approve the Conditional Use Permit based on the findings and conditions of approval in the Proposed Final Order, Option ‘A’.
2. Modify the proposed findings and/or conditions of approval in the Proposed Final Order, Option ‘A’ or Option ‘B’.
3. Deny the Conditional Use Permit, based on findings by the Commission as to why the applicant does not meet the Conditional Use Permit standards and criteria.
4. Continue the public hearing on the Conditional Use Permit if more information is needed.

EXHIBITS

- A. Proposed Final Order, Option ‘A’ - Conditional Approval
- B. Proposed Final Order, Option ‘B’ - Denial
- C. Applicant’s Submittal
- D. Public Works Director comments
- E. City Engineer comments
- F. Emerald People Utility District comments
- G. Oregon Department of State Lands - Wetlands Program response

EXHIBIT A

**OPTION 'A'
PROPOSED FINAL ORDER
VENETA PLANNING COMMISSION
CONDITIONAL USE PERMIT (CUP-1-16), HIGH LIGHTS GARDEN SUPPLY**

A. The Veneta Planning Commission finds the following:

1. The Veneta Planning Commission held a public hearing on June 7, 2016 on the Conditional Use Permit after providing public notice as required by Section 2.11 of Veneta's Land Development Ordinance 493.
2. The Veneta Planning Commission has reviewed and used as evidence all material relevant to the Conditional Use Permit that has been submitted by the applicant, staff, referral agencies, and the general public in creating the findings and conclusions stated in the proposed final order.
3. The Veneta Planning Commission followed the required procedures and standards for taking action on a Conditional Use Permit as required by Section 8.03 of Veneta's Land Development Ordinance No. 493.

B. The Veneta Planning Commission approves with conditions the High Lights Garden Supply, Conditional Use Permit (CUP-1-16) to allow outside storage (bulk landscape materials and forklift) exceeding 180 days and development (storage containers, detached canopy and fencing) in the Greenway-Open Space Subzone at the West Lane Shopping Center.

The applicant shall comply with the following conditions of approval:

CONDITIONS OF APPROVAL

GENERAL CONDITION OF APPROVAL:

1. **Compliance with OSHA Requirements for all work is required per Emerald People's Utility District including the provision that structures/ roofs cannot be readily accessible (i.e. no fixed ladders that would permit access to top of structures).**
2. **If the fenced area will enclose an area that contains utility poles, provisions must be made with Emerald People's Utility District so that access to utility poles is available at all times.**

3. All materials stored in the uncovered fenced outside storage area shall be in the Exempt or Low Risk category in accordance with Veneta Land Development Ordinance No. 493, Section 8.11(19)(c) and the City Engineer.
4. The detached canopy structure and Connex storage containers require building permit approval.

PRIOR TO BUILDING PERMIT APPROVAL:

5. The applicant shall submit and receive approval of a Floodplain permit for structures (detached canopy and Connex storage containers) proposed within the Floodplain Subzone in accordance with Veneta Land Development Ordinance No. 493, Section 4.13(5)(a) - Development Permit Required.

C. **IT IS HEREBY ORDERED THAT** the Veneta Planning Commission approves with conditions the Conditional Use Permit (CUP-1-16) based on the information presented in the following findings of fact. Applicable code requirements are noted in italic font while findings and conditions are noted in bold font.

*The Veneta Land Development Ordinance No. 493, Article 4 – Use Zones.
Section 4.07 Highway Commercial (HC)*

- (1) *Purpose. To provide services to accommodate travelers and to provide large scale commercial services needed to serve the Fern Ridge area.*

The proposal is consistent with this standard. The proposed use is outside storage associated with a retail business, High Lights Garden Supply, within the West Lane Shopping Center which provides large scale commercial services consistent with the purpose of the HC zone.

- (3) *Conditional Uses. In an HC zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6, Site Plan Review, and Article 8, conditional Uses.*

(a) Open display, sales or storage outside exceeding 180 days.

The proposal is consistent with this standard. The applicant is pursuing conditional use permit approval for outside storage (bulk landscape materials and forklift) exceeding 180 days at the West Lane Shopping Center.

*The Veneta Land Development Ordinance No. 493, Article 8 – Conditional Uses.
Section 8.10 General Standards of Approval*

- (12) *Standards for commercial and industrial uses with open display or storage outside the building. These standards also apply to open display or storage outside exceeding 180 days, material recycling operations and outdoor sales of commercial*

merchandise. Open display or storage may be allowed by the Planning Commission if it meets the following standards:

- (a) Storage areas shall be located behind buildings to minimize the visibility of approved storage.*

The proposal is consistent with this standard. The submitted site plan (Sheet EXH 3) depicts the proposed location of outside storage behind the existing building at the West Lane Shopping Center. Outside storage is proposed to include a six-hundred and fifty foot (650) fenced area to secure stored bulk landscape materials and a forklift.

- (b) Except for the sales of commercial merchandise, any outdoor storage shall be surrounded by a sight-obscuring fence, wall, or landscaping.*

The proposal is consistent with this standard. The applicant is proposing to screen the proposed outdoor storage area with a sight obscuring fence (chain link with slats obscuring 75% visibility) in conformance with Veneta Land Development Ordinance No. 493, Section 5.12(9).

- (c) Display of commercial merchandise must not encroach on any required yards, parking spaces or vehicular circulation areas. Additional setbacks may be required by the Planning Commission.*

This standard is not applicable. The proposal does not include a display of commercial merchandise. The proposal involves storage of commercial merchandise screened by a sight obscuring fence. Access will be limited to store employees.

*Section 8.11 Special Standards Governing Conditional Uses.
Certain conditional uses shall meet the following standards:*

- (1) Requirements for front, back or side yards for conditional uses may be increased by one (1) foot for each foot by which the building height exceeds that specified for the district.*

This standard is not applicable. In the Highway Commercial (HC) zone, the back and side yard setback of 10-feet applies to properties which abut a residential zone. The subject site does not abut a residential zone. The outside storage is proposed within existing striped paved parking spaces occupying eight (8) spaces.

- (19) Standards for development in the GW subzone. The development must comply with all standards listed below. If the proposed development cannot comply with all the standards, the Planning Commission must determine what balance is needed between the public benefits provided by standards (a) through (e) and the private benefits provided by standards (f) and (g).*

(a) Fish and wildlife habitats and wildlife movement corridors will be protected.

The proposal is consistent with this standard. A referral request was sent to the Oregon Department of State Lands – Wetlands Program and response indicated that the proposed activities appear to avoid impacts to jurisdictional wetlands and waters. The proposal does not impact fish and wildlife habitats or wildlife movement corridors given it is already developed.

(b) Scenic qualities and viewpoints will be preserved.

The proposal is consistent with this standard. Scenic qualities and viewpoints will be preserved. The proposed storage area will be obscured behind the West Lane Shopping Center and existing building.

(c) Natural drainageways are protected and the stormwater plans comply with an approved stormwater drainage management plan. Erosion will be prevented or controlled.

As conditioned, the proposal is consistent with this standard. The City Engineer has required that all materials stored in the uncovered fenced outside storage area shall be Exempt or Low Risk per City of Portland’s stormwater manual. As a general condition of approval, all materials stored in the uncovered fenced outside storage area shall be Exempt or Low Risk in accordance with Veneta Land Development Ordinance No. 493, Section 8.11(19)(c) and the City Engineer.

(d) Significant trees and other site vegetation will be preserved.

The proposal is consistent with this standard. The site is developed with paving and will not impact any significant trees or other site vegetation as shown on the Site Plan (Sheet EXH 3).

(e) Stream corridors and wetland will be protected and provided with buffers.

The proposal is consistent with this standard. A referral request was sent to the Oregon Department of State Lands – Wetlands Program and response indicated that the proposed activities appear to avoid impacts to jurisdictional wetlands and waters. The Greenway-Open Space Subzone on which the proposed outside storage area is located has already been impacted by existing imperious surface as described below (Section 4.12). In addition, the City Engineer has required that all materials stored in the uncovered fenced outside storage area to be Exempt or Low Risk per City of Portland’s stormwater manual.

(f) The practical needs of construction activity are provided for in terms of ingress and egress.

The proposal is consistent with this standard. Although the Lane Fire Authority did not respond to a referral request, the existing twenty (20) foot fire lane behind the existing structures will be maintain as shown on the proposed Site Plan (Sheet EXH 3).

- (g) Exceptional and undue hardship upon property owner or developer is avoided. For purposes of this subsection, hardship means the subject property will have no economically viable use without the Conditional Use Permit. The hardship must arise from conditions inherent in the land which distinguish it from other land in the neighborhood.*

The proposal is consistent with this standard. Exceptional and undue hardship upon the property owner is avoided with the approval of this conditional use permit. The conditional use permit approval will allow a current occupant of the West Lane Shopping Center to store bulk landscaping materials and forklift on-site and allow development (detached canopy structure, Connex storage containers and fencing) in the Greenway-Open Space Subzone Overlay, on the same lot as retail business. The subject site is an existing developed shopping center and location of proposed storage would be placed upon existing paved impervious surface and behind the existing building. The area behind the existing West Lane Shopping Center building is currently used for loading and unloading of commercial merchandise, deliveries and temporary storage of pallets related to deliveries. The proposed storage will not encroach on the existing travel and maneuvering area (20-foot fire lane). The greenway subzone did not exist in the affected area when the shopping center was constructed in 1998.

Section 4.12 Greenway-Open Space Subzone (/GW)

(2) Boundaries.

- (a) The boundaries of the GW subzone are shown on the Veneta Zoning Map, updated November 23, 2009, and hereby adopted by reference. In instances where the Greenway boundary shown on the Veneta Zoning Map and the boundary as defined herein are different, the language of this section shall take precedence.*

The proposed conditional use is located within the Greenway - Open Space Subzone as shown on the adopted Veneta Zoning Map.

(3) Prohibited Uses.

- (a) Any new structures or development (including fences), other than those allowed as permitted uses or approved as conditional uses, construction or ground disturbing activities, gardens, lawns, dumping materials of any kind, and operation of heavy machinery.*

The proposal is consistent with this standard. The applicant is requesting conditional use permit approval for development in the Greenway-Open Space

Overlay Subzone (detached canopy, Connex storage containers and fencing). The area of proposed storage is already developed with existing paving.

Section 4.13 – Flood Plain Subzone (/FP)

(5) Administration.

- (a) Development Permit Required: A development permit shall be obtained before construction or development begins within the flood plain subzone. The permit shall be for all structures including manufactured dwellings, as set forth in the “Definitions”, Section 4.13(3), and for all development including fill and other activities, also set forth in the definition Section 4.13(3).*

As conditioned, the proposal is consistent with this standard. As a general condition of approval, the detached canopy structure and Connex storage containers require building permit approval. Prior to building permit approval for the detached canopy structure and Connex storage containers, the applicant shall submit and receive approval of a Floodplain permit for the structures (detached canopy and Connex storage containers) proposed within the Floodplain Subzone in accordance with Veneta Land Development Ordinance No. 493, Section 4.13(5)(a) – Development Permit Required.

Section 5.12 – Landscaping. *All yards, required screening areas, and parking areas shall be landscaped in accordance with the following requirements.*

(9) When a sight-obscuring fence, wall, or hedge is required under the provisions of this ordinance, it must meet the following provisions:

(a) In order to be “sight-obscuring”, fences and walls must be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence or wall. Hedges shall be of an evergreen species which will meet and maintain year-round the same standard within three (3) years of planting. Creative use of deciduous hedge materials may be proposed to provide screening in conjunction with wider planting areas. Deciduous hedges may be approved on a case by case basis as the sole discretion of the Planning Official.

(b) Fences and walls must be maintained in a safe condition and opacity must be maintained. Wooden materials shall be protected from rot, decay and insect infestation. Plants forming hedges must be replaced within six (6) months after dying or becoming diseased to the point that the opacity required is not met.

The proposal is consistent with this standard. A sight-obscuring fence is required as stated at Veneta Land Development Ordinance No. 493, Section 8.10(12)(b). The applicant is proposing to screen the outside storage area with a sight obscuring fence (chain link with slats obscuring 75% visibility) in conformance with Veneta Land Development Ordinance No. 493, Section 5.12(9).

(11) All stormwater detention facilities shall be landscaped according to City standards.

Not applicable, see findings under Section 5.16 below. This standard is not applicable. The proposal does not involve new impervious surface.

Section 5.20 Off-Street Parking Requirements

(1) Design Improvement requirements for parking lots (not including single-family or multi-family dwelling).

(c) Parking lots shall be served by a service driveway so that no backing movements or other maneuvering within a street other than an alley shall be required. Design for parking arrangements and turning movements shall be approved by the Building and Planning Official. Two-way driveways shall have a minimum width of twenty (20) feet and a maximum width of 30 feet. One-way driveways shall have a minimum width of twelve (12) feet and a maximum width of sixteen (16) feet.

The proposal is consistent with this standard. The maneuvering area for vehicles to travel behind the existing building will remain the same as shown on the Site Plan (Sheet EXH 3). The proposed outside storage area will occupy eight (8) existing parking spaces and not impede travel through or around the existing vehicular maneuvering area behind the existing building.

(4) Required parking spaces shall be available for the parking of operable motor vehicles for residents, customers, patrons and employees only and shall not be used for storage of vehicles, materials, or for repair or servicing.

This standard is not applicable. The proposed outside storage will occupy eight (8) parking spaces, current occupancy at the West Land Shopping Center requires two-hundred and seventy-eight (278) spaces including one (1) ADA and one (1) van accessible) and four-hundred and six (406) spaces exist. In summary, even with the elimination of eight (8) parking spaces the shopping center will have more than the required parking spaces available.

(11) Space requirements for off-street parking shall be consistent with Table 5.20(a) below.

The proposal is consistent with this standard. The proposed use will occupy eight (8) existing parking spaces as shown on the Site Plan (EXH 3). There are two-hundred and seventy-eight (278) parking spaces needed to meet the off-street parking requirement based on current occupancy.

D. This approval shall become final on the date this decision and supporting findings of fact are signed by a representative of the Veneta Planning Commission below. An appeal of the Planning Commission's decision must be submitted to the City Council within 15 days after the final order has been signed and mailed. An appeal of the

City Council's decision must be submitted to the Land Use Board of Appeals within 21 days of the Council's decision becoming final. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

XXXXXXXXXXXXXXXXXXXX

James Eagle Eye, Chairperson
Veneta Planning Commission

XXXXXXXXXXXXXXXXXXXX

Date

EXHIBIT B

**OPTION 'B'
PROPOSED FINAL ORDER - DENIAL
VENETA PLANNING COMMISSION
CONDITIONAL USE PERMIT (CUP-1-16), HIGH LIGHTS GARDEN SUPPLY**

A. The Veneta Planning Commission finds the following:

1. The Veneta Planning Commission held a public hearing on June 7, 2016 on the Conditional Use Permit after providing public notice as required by Section 2.11 of Veneta's Land Development Ordinance 493.
2. The Veneta Planning Commission has reviewed and used as evidence all material relevant to the Conditional Use Permit that has been submitted by the applicant, staff, referral agencies, and the general public in creating the findings and conclusions stated in the proposed final order.
3. The Veneta Planning Commission followed the required procedures and standards for taking action on a Conditional Use Permit as required by Section 8.03 of Veneta's Land Development Ordinance No. 493.

B. The Veneta Planning Commission denies the High Lights Garden Supply, Conditional Use Permit (CUP-1-16) to allow outside storage (bulk landscape materials and forklift) exceeding 180 days and development (detached canopy, storage containers and fencing) in the Greenway-Open Space Subzone at the West Lane Shopping Center.

C. IT IS HEREBY ORDERED THAT the Veneta Planning Commission denies the Conditional Use Permit (CUP-1-16) based on the information presented in the following findings of fact. Applicable code requirements are noted in italic font while findings are noted in bold font.

*The Veneta Land Development Ordinance No. 493, Article 4 – Use Zones.
Section 4.07 Highway Commercial (HC)*

(1) Purpose. To provide services to accommodate travelers and to provide large scale commercial services needed to serve the Fern Ridge area.

The proposal is consistent with this standard. The proposed use includes outside storage and development associated with a retail business, High Lights Garden Supply, within the West Lane Shopping Center which provides large scale commercial services consistent with the purpose of the HC zone.

(3) Conditional Uses. In an HC zone, the following uses and their accessory uses are

permitted subject to the provisions of Article 6, Site Plan Review, and Article 8, conditional Uses.

(a) Open display, sales or storage outside exceeding 180 days.

The proposal is consistent with this standard. The applicant is pursuing conditional use permit approval for outside storage (bulk landscape materials and forklift) exceeding 180 days at the West Lane Shopping Center.

*The Veneta Land Development Ordinance No. 493, Article 8 – Conditional Uses.
Section 8.10 General Standards of Approval*

(12) Standards for commercial and industrial uses with open display or storage outside the building. These standards also apply to open display or storage outside exceeding 180 days, material recycling operations and outdoor sales of commercial merchandise. Open display or storage may be allowed by the Planning Commission if it meets the following standards:

(a) Storage areas shall be located behind buildings to minimize the visibility of approved storage.

The proposal is consistent with this standard. The submitted site plan (Sheet EXH 3) depicts the proposed location of outdoor storage behind the existing building at the West Lane Shopping Center. Outside storage is proposed to include bulk landscape materials and a forklift.

*Section 8.11 Special Standards Governing Conditional Uses.
Certain conditional uses shall meet the following standards:*

(19) Standards for development in the GW subzone. The development must comply with all standards listed below. If the proposed development cannot comply with all the standards, the Planning Commission must determine what balance is needed between the public benefits provided by standards (a) through (e) and the private benefits provided by standards (f) and (g).

(a) Exceptional and undue hardship upon property owner or developer is avoided. For purposes of this subsection, hardship means the subject property will have no economically viable use without the Conditional Use Permit. The hardship must arise from conditions inherent in the land which distinguish it from other land in the neighborhood

The proposal is not consistent with this standard given there are other opportunities for the retail business (High Lights Garden Supply) to store bulk landscaping materials off-site and utilize other off-site storage facilities in lieu of the Connex storage containers and the property owner would still have an economically viable

use without Conditional Use Permit approval.

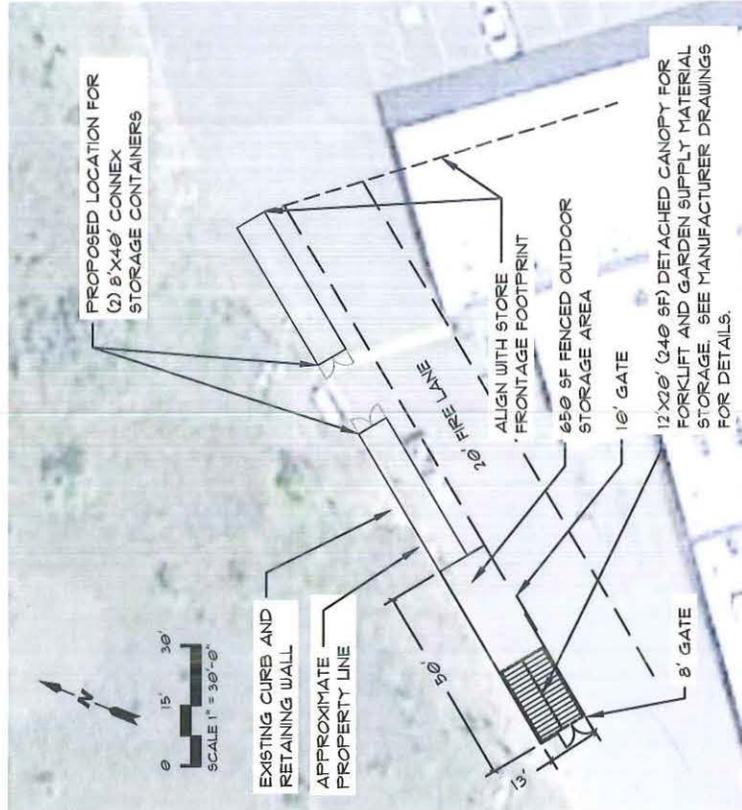
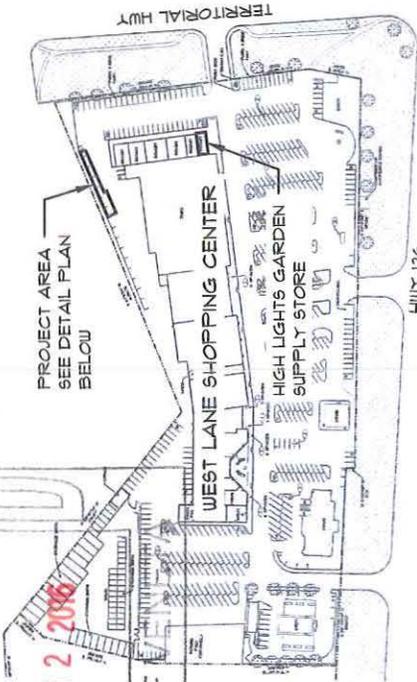
- D. This denial shall become final on the date this decision and supporting findings of fact are signed by a representative of the Veneta Planning Commission below. An appeal of the Planning Commission’s decision must be submitted to the City Council within 15 days after the final order has been signed and mailed. An appeal of the City Council’s decision must be submitted to the Land Use Board of Appeals within 21 days of the Council’s decision becoming final. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.**

XXXXXXXXXXXXXXXXXXXX

James Eagle Eye, Chairperson
Veneta Planning Commission

XXXXXXXXXXXXXXXXXXXX

Date



NARRATIVE:

THE INTENT OF THIS CONDITIONAL USE PERMIT APPLICATION EXHIBIT DRAWING IS TO SHOW THE PROPOSED LAYOUT OF (2) 8'x40' CONNEX STORAGE CONTAINERS FOR THE HIGH LIGHTS GARDEN SUPPLY STORE AT THE EXISTING WEST LANE SHOPPING CENTER.

CONDITIONAL USE PERMIT COMPLIANCE STATEMENT:

- (VENETA LAND DEVELOPMENT ORDINANCE NO. 493 AND AMENDMENTS, ARTICLE 8.)
- 8.10 GENERAL STANDARDS OF APPROVAL (1-5)
PROPOSED DEVELOPMENT MEETS ALL CRITERIA.
 - 8.10 (12)
 - (A) STORAGE CONTAINERS, CANOPY AND FENCED AREA ARE LOCATED BEHIND BUILDINGS TO MINIMIZE VISIBILITY.
 - (B) ALL OUTDOOR STORAGE TO BE INSIDE SIGHT-OBSCURING FENCE ENCLOSURE, INCLUDING EXTERIOR CANOPY FOR FORKLIFT STORAGE. ALL OTHER STORAGE TO BE WITHIN CONNEX STRUCTURES.
 - (C) PROPOSED DEVELOPMENT MEETS 0' SETBACK REQUIREMENT FOR BACK OF LOT.

NOTES:

1. PARKING: CURRENT PARKING AVAILABILITY IS 406 FOR THE WEST LANE SHOPPING CENTER. TOTAL SPACES REQUIRED IS 218 SPACES (INCLUDING 1 ADA AND 1 VAN ACCESSIBLE SPACE). THE STORAGE AREA WILL BE LOCATED OVER (8) UN-USED EXISTING PARKING SPACES, DOES NOT ELIMINATE MORE PARKING SPACES THAN ARE REQUIRED BY SECTION 5.20 AND DOES NOT RESULT IN VEHICULAR TRAFFIC CONGESTION OR DOES NOT IMPEDE BICYCLE OR PEDESTRIAN ACCESS.
2. STORM WATER CATCH BASIN INLETS WITHIN 50' FROM THE STORAGE AREA WILL BE PROTECTED WITH BEST MANAGEMENT PRACTICES.
3. THE MATERIALS BEING STORED SHALL BE SCREENED FROM VIEW WITH A SIGHT-OBSCURING FENCE IN COMPLIANCE WITH SECTION 5.12 (9) OF THE VENETA LAND DEVELOPMENT ORDINANCE. FENCE WILL BE CHAIN LINK WITH SLATS OBSCURING 15% VISIBILITY.
4. THE GARDEN SUPPLY MATERIALS DO NOT CREATE AN ATTRACTIVE NUISANCE AS DEFINED BY VENETA MUNICIPAL CODE.

PROJECT INFORMATION:

PROPERTY OWNER:
LU LU LLC
JP HAMMER PROPERTIES
545 CONGER ST
EUGENE, OR 97402
541-683-1166

PROJECT APPLICANT:
HIGH LIGHTS GARDEN SUPPLY, LLC
JEFF SCHLAGETER
541-653-4881
PO BOX 111
ELMIRA, OR 97431

PROJECT ADDRESS:
88330 TERRITORIAL HWY
VENETA, OREGON 97481

NE/4 NE/4 SEC 36 T11S R6W W1M
MAP: 17-06-36-11 TAX LOT: 900
ZONE: HIGHWAY COMMERCIAL

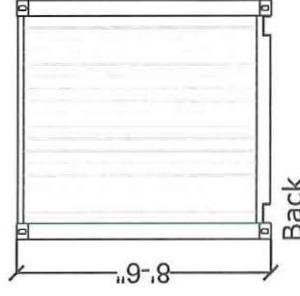
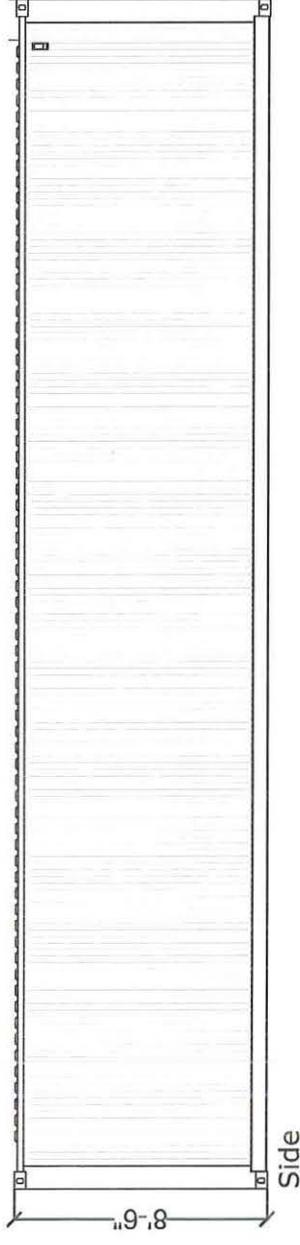
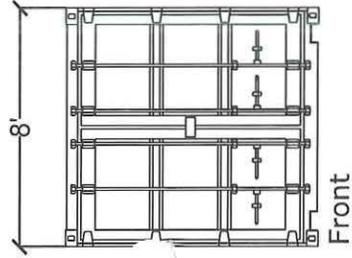
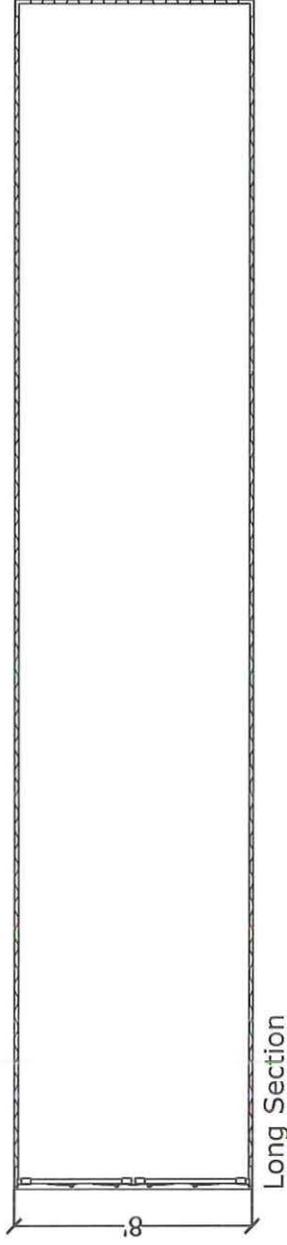
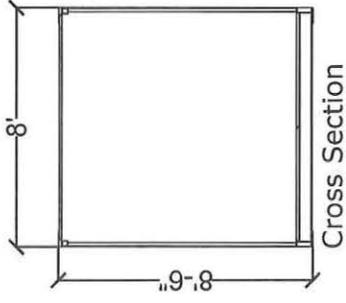
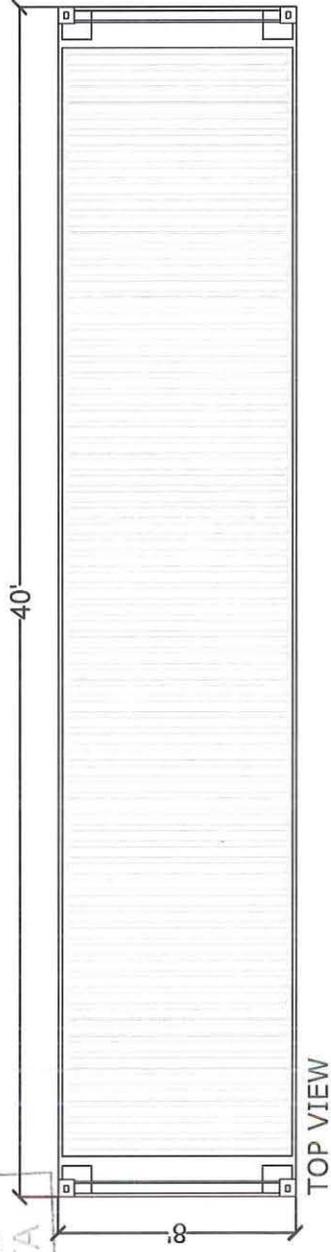
BUGBEY & ASSOCIATES
LANDSCAPE ARCHITECTURE
88665 Fahlhaber Rd Elmira, OR 97437
541-654-1513
bugbey@a@gmail.com



HIGH LIGHTS GARDEN SUPPLY, LLC
88330 TERRITORIAL HWY
VENETA, OREGON 97487
CONDITIONAL USE APPLICATION
PERMIT EXHIBIT DRAWING

DATE: 05/11/2016
REV:
REV:
DRAWN BY: SBB
CHECKED BY: SBB
SHEET:

EXH 3



HIGH LIGHTS STORAGE CONTAINER ELEVATION DRAWINGS

NOT TO SCALE





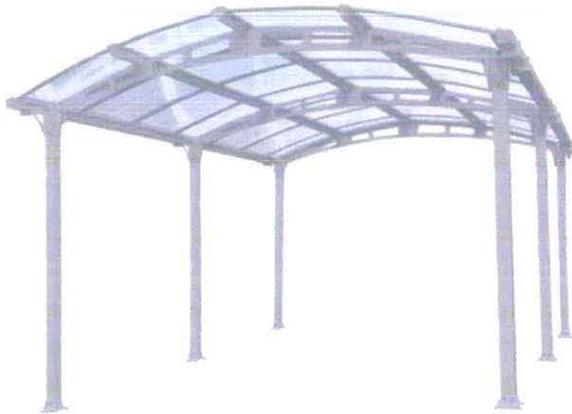
What can we help you find?



Palram Model # 701592 Internet # 202724311

Arcadia 5,000 12 ft. x 16 ft. Carport with Polycarbonate Roof

★★★★★ (22) Write a Review Questions & Answers (39)



\$1,999.00 /piece

- Sturdy & durable - designed to resist extreme weather conditions
- Pre-drilled/cut profiles & panels, all screws & anchors included
- Highly rated for quality, value and design

PRODUCT NOT SOLD IN STORES

Open Expanded View

Click Image to Zoom



PRODUCT OVERVIEW Model # 701592 Internet # 202724311

Palram introduces the stylish and durable Arcadia 5,000 Carport, outdoor structure and gathering area. Palram's carports are designed to meet your needs for outdoor protection for your car, boat, recreational vehicle and outdoor furniture from extreme weather conditions. They are strong and stable, require no maintenance and have long term durability. Attention to small details gives an added value to your carport such as a gutter system to drain water away and anchoring hardware. The Arcadia 5,000 is a high performance carport designed to be easily installed by 2 people; No experience, no special skills and no special tools required. The Arcadia 5,000 provides your family with an elegant shelter that is sturdy, maintenance and rust-free for many years to come.

- Assembled dimensions: 142-1/2 in. W x 197-1/2 in. D x 95-1/4 in. H
- Cover: advanced engineered and durable clear polycarbonate roof panels provide UV protection and are high impact and shatter resistant
- UV protected panels do not turn yellow
- Slide and lock roofing panel system requiring no climbing for installation
- Frame: anthracite granulated rust-resistant powder-coated frame made of heavy duty aluminum and laser cut galvanized steel connectors
- Ready to assemble pre-drilled profiles, pre-cut panels, all screws and anchors included
- Includes 2 rain gutters 2 in. Dia directs rainwater sideways and allows water collection
- Structure can be relocated
- Designed and constructed with maintenance-free materials

SPECIFICATIONS

DIMENSIONS

Approximate Depth (ft.)	16	Assembled Width (in.)	142.5 in
Approximate Width (ft.)	12	Highest Clearance (in.)	86.2
Assembled Depth (in.)	197.6 in	Lowest Clearance (in.)	73.2
Assembled Height (in.)	95.3 in		

DETAILS

Assembly Required	Yes	Maximum Wind Resistance (mph)	75
Carport Features	Gutter included,Hardware included,Rust resistant,UV protection,Water resistant	Parking Layout	Single-Wide
Frame Color Family	Grays	Product Weight (lb.)	416.8 lb
Frame Gauge	12	Returnable	90-Day
Frame Material	Metal	Roof Color Family	Clear
Maximum Roof Load (lb./ sq. ft.)	30	Roof Material	Plastic

WARRANTY / CERTIFICATIONS

Manufacturer Warranty	10 Year Limited
-----------------------	-----------------

MORE PRODUCTS WITH THESE FEATURES

Parking Layout: **Single-Wide**

Approximate Width (ft.): **12 - 18**

Approximate Depth (ft.): **12 - 18**

Price: **\$1000 - \$2000**

Review Rating: **4 & Up**

Frame Color Family: **Grays**

Roof Color Family: **Clear**

City of Veneta
M E M O R A N D U M

DATE: May 2, 2016
TO: Kyle Schauer, Public Works Director, City of Veneta
FROM: Lisa Garbett, Associate Planner
City of Veneta
RE: CONDITIONAL USE PERMIT CUP-1-16, High Lights Garden Supply
Assessor's Map & Tax Lot 17-06-36-11-00900

The City has received a request for a conditional use permit approval for outside storage (shipping containers, fenced area and detached canopy) exceeding 180 days at the West Lane Shopping Center.

This request is being forwarded for your review, comment and conditioning. If you have conditions of approval you would like incorporated into the City's consideration of this request, please list them and return to this office by May 9th, 2016.

Please reference file number CUP-1-16 in your reply.

- We are not affected by the proposal.
- We have reviewed the proposal and have no comments. 
- Our comments are attached.
- Our comments are:

City of Veneta - P.O. Box 458 - Veneta, Oregon 97487
Phone (541) 935-2191 - Fax (541) 935-1838

City of Veneta
M E M O R A N D U M

DATE: May 2, 2016
TO: Lane Branch, P.E., City Engineer
FROM: Lisa Garbett, Associate Planner
City of Veneta
RE: CONDITIONAL USE PERMIT CUP-1-16, High Lights Garden Supply
Assessor's Map & Tax Lot 17-06-36-11-00900

The City has received a request for a conditional use permit approval for outside storage (shipping containers, fenced area and detached canopy) exceeding 180 days at the West Lane Shopping Center.

This request is being forwarded for your review, comment and conditioning. If you have conditions of approval you would like incorporated into the City's consideration of this request, please list them and return to this office by May 9th, 2016.

Please reference file number CUP-1-16 in your reply.

- We are not affected by the proposal.
- We have reviewed the proposal and have no comments.
- Our comments are attached.
- Our comments are:

All material stored in the uncovered fenced outdoor storage area shall be Exempt or Low Risk per City of Portland's stormwater manual.

City of Veneta - P.O. Box 458 - Veneta, Oregon 97487

City of Veneta
M E M O R A N D U M

DATE: May 2, 2016
TO: Emerald People's Utility District (EPUD)
FROM: Lisa Garbett, Associate Planner
City of Veneta
RE: CONDITIONAL USE PERMIT CUP-1-16, High Lights Garden Supply
Assessor's Map & Tax Lot 17-06-36-11-00900

The City has received a request for a conditional use permit approval for outside storage (shipping containers, fenced area and detached canopy) exceeding 180 days at the West Lane Shopping Center.

This request is being forwarded for your review, comment and conditioning. If you have conditions of approval you would like incorporated into the City's consideration of this request, please list them and return to this office by May 9th, 2016.

Please reference file number CUP-1-16 in your reply.

- We are not affected by the proposal.
- We have reviewed the proposal and have no comments.
- Our comments are attached.
- Our comments are: **In addition, if the fenced area will enclose an area with our poles within, provisions need to be made so we have access to our poles at all times.**

APPLICANT MUST COMPLY WITH OSHA REQUIREMENTS FOR ALL WORK, SUMMARY IS ATTACHED (EMAIL)

STRUCTURES / ROOFS CANNOT BE READILY ACCESSIBLE, ie NO FIXED LADDERS ETC THAT WOULD PERMIT ACCESS TO TOP OF STRUCTURES.

OUR ASSESSMENT OF THESE STRUCTURES AND CLEARANCE TO OUR LINES ASSUMES THE "ROOFS" ARE INACCESSIBLE.

City of Veneta - P.O. Box 458 - Veneta, Oregon 97487
Phone (541) 935-2191 - Fax (541) 935-1838

Power line safety – evaluating the work zone

1926.1408
Division 3/CC

If a crane is going to operate within 20 feet of an overhead power line up to 350 kV, do the following:

NOTE: Not applicable to utility owner/operators.

Power line safety – evaluating the work zone

Determine the power line’s voltage.

Ask the utility owner or utility operator for the information. Allow two working days for a response.

— 1926.1408 (c)

Use Table A to determine the crane’s Minimum Approach Distance (**MAD**) to the power line.

— 1926.1408 (a)(2)(iii)

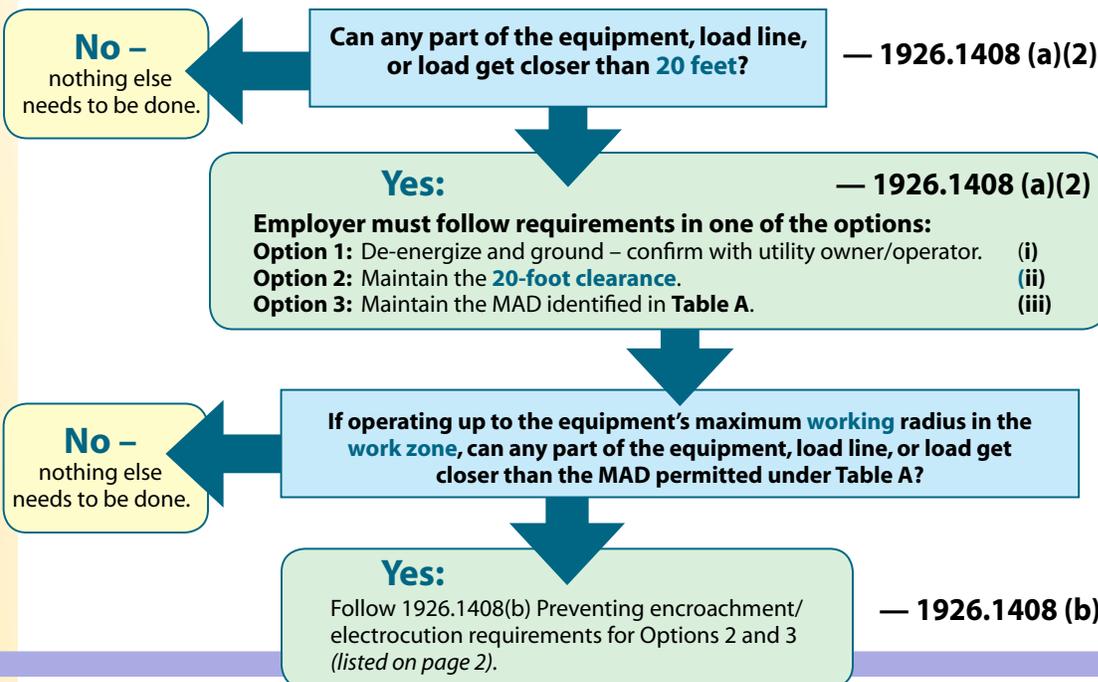
Table A	
Power line voltage – nominal kV, alternating current	Minimum Approach Distance (feet)
Up to 50	10
More than 50 to 200	15
More than 200 to 350	20
More than 350 to 500	25
More than 500 to 750	35
More than 750 to 1,000	45
More than 1,000	See 1926.1408

Once you know the **MAD**, identify your work zone by either:

A
Mark boundaries at or outside your MAD with items such as flags or range limit/range control warning devices. The operator must not operate the crane beyond those boundaries.
— 1926.1408 (a)(1)(i)

- or -

B
Define the work zone as an area 360 degrees around the crane, up to the crane’s maximum working radius, for the actual crane work.
— 1926.1408 (a)(1)(ii)



Website:
www.orosha.org
Salem Central Office
350 Winter St. NE, Rm. 430
Salem, OR 97301-3882
Phone: 503-378-3272
Toll-free: 800-922-2689
Fax: 503-947-7461



Requirements for preventing encroachment.

- (1) Conduct a planning meeting.
Meet with the operator and the other workers who will be in the area to review the location of the power line(s), and steps that will be implemented to prevent encroachment.
- (2) Non-conductive tag lines
If tag lines are used, they must be non-conductive.
- (3) Erect an elevated warning line, barricade, or line of signs, in view of the operator.
The warning line must have flags or similar high-visibility markings at 20 feet from the powerline if using Option (2) or at the minimum approach distance under Table A if using Option (3). If the operator is unable to see the warning line, a dedicated spotter must be used who is in continuous contact with the operator.
- (4) Do at least one of the following:
 - Use a proximity alarm set to give sufficient warning to prevent encroachment.
 - Use a dedicated spotter who is in continuous contact with the operator.
Dedicated spotter must:
 - Be equipped with a visual aid to assist in identifying the minimum clearance distance, such as clearly visible lines painted on the ground, a clearly visible line of stanchions, or a set of clearly visible line-of-sight landmarks.
 - Be positioned to effectively gauge the clearance distance.
 - Use equipment that enables the dedicated spotter to communicate directly with the operator.
 - Give timely information to the operator so that the required clearance distance can be maintained.
 - Use a device that automatically warns the operator when to stop movement, such as a range-control warning device that is set to give the operator sufficient warning to prevent encroachment.
 - Use a device that automatically limits range of movement.
 - Use an insulating link/device that is installed at a point between the end of the load line (or below) and the load.

Resources:

- Oregon OSHA construction crane rule
www.cbs.state.or.us/osha/pdf/rules/division_3/div3cc.pdf#page=25
- Oregon OSHA crane publication
www.cbs.state.or.us/osha/pdf/pubs/4927.pdf
- Cranes and Derricks Federal Register
www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=21692
- Crane Construction Advisory Committee
www.cbs.state.or.us/osha/standards/crane_constr.html
- Crane Fact Sheet
www.cbs.state.or.us/osha/pdf/pubs/fact_sheets/fs37.pdf

Exhibit G



WETLAND LAND USE NOTIFICATION RESPONSE
OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone (503) 986-5200
www.oregonstatelands.us

DSL File Number: WN2016-0178

Cities and counties have a responsibility to notify the Department of State Lands (DSL) of certain activities proposed within wetlands mapped on the Statewide Wetlands Inventory. Lisa Garbett from city of Veneta submitted a WLUN pertaining to local case file #: CUP-1-16.

Activity location:

township: 17S range: 06W section: 36 quarter-quarter section:
tax lot(s): 900
street address:
city: county: Lane
latitude: 44.054941 longitude: -123.354946

Mapped wetland/waterway features:

Oregon Removal-Fill requirement (s):

A state permit is required for 50 cubic yards or more of removal and/or fill in wetlands, below ordinary high water of streams, within other waters of the state, or below highest measured tide where applicable.

Your activity:

A state permit will not be required for the proposed project because based on the submitted site plan the project appears to avoid impacts to jurisdictional wetlands and waters.

Contacts:

For permit information and requirements contact DSL Resource Coordinator (see website for current list) http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands_Waterways

For wetland delineation report requirements and information contact DSL Wetlands Specialist (see website for current list)

http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands_Waterways

For removal-fill permit and/or wetland delineation report fees go to

http://www.oregon.gov/DSL/PERMITS/docs/rf_fees.pdf

A permit may be required by the U.S. Army Corps of Engineers (503-808-4373).

This is a preliminary jurisdictional determination and is advisory only.

VENETA PLANNING COMMISSION

AGENDA ITEM SUMMARY

Title/Topic: Veneta Sign Code Update

Meeting Date: June 7, 2016
Department: Community Development/
Economic Development

Staff Contact: Claudia Denton
Email: cdenton@ci.veneta.or.us
Telephone Number: 541-935-2191 Ext. 312

ISSUE STATEMENT

Staff is presenting a draft update to the Veneta Sign Code (Veneta Land Development Ordinance no. 493, Section 5.15 – Signs), and in particular, suggesting the creation of a Downtown District with separate standards from the current Commercial District. Staff is asking the Planning Commission to review the proposed changes and provide feedback and recommendations.

BACKGROUND

The Veneta Sign Code has not been updated in several years. As downtown Veneta is developing, staff recommends updating the Sign Code to reflect the interests of creating human scale signage that contributes to a more pedestrian and bike friendly downtown.

In particular, staff recommends lowering the maximum sign height and square footage in the downtown area. Several businesses, two of which are downtown, have expressed interest in requesting funds from the recently adopted Redevelopment Tool Kit for needed signage. As such, it would be in the City's best interest to update the code to have the sign standards reflect the interests of the City and Urban Renewal Agency (source of the Redevelopment Tool Kit funding).

The proposed updates to the Sign Code include the addition of a Downtown District, comprised of the Broadway Commercial and Residential-Commercial zones, excluding residential uses; the addition or revision of several definitions; the explicit prohibition of roof signs; the prohibition of plastic signs in the Downtown District; an updated Table of Permitted Signs; and a general update of language for clarity and quality.

Staff has consulted with Kyle Wilds with The Sign of Quality regarding the prohibition of plastic signs and various sign elements, to minimize any potential cost burdens on business owners.

Staff is also creating a Veneta Sign Code *Downtown District Design Guide* and updating the sign permit application. The Design Guide is attached for reference only.

COMMISSION OPTIONS

Review and discuss draft changes to the Veneta Sign Code; provide feedback and recommendations.

ATTACHMENTS

- A. Draft Update of the Veneta Sign Code
- B. Draft of the Veneta Sign Code Downtown District Design Guide (for reference only)

Suggested Sign Code Update - Draft

SECTION 5.15 SIGNS

(1) Purpose.

- (a) This section of the Veneta Land Development Ordinance will be referred to as the Veneta Sign Code.
- (b) The general purpose of signs is to communicate.—The public benefits from this expression of speech, particularly in identifying businesses.—This benefit supports the Comprehensive Plan Goal of establishing Veneta as a service and retail center for the Fern Ridge area and an attractive residential community.
- (c) The purpose of this section is to safeguard, preserve, and enhance economic, recreational, and aesthetic values through regulation of the size, number, location, illumination, construction and maintenance of signs; and thereby protect public health, safety and general welfare.

(2) Definitions.

SIGN:—Any identification, description, illustration, symbol or device which is placed, painted, or affixed directly or indirectly upon a building, structure, flag or land visible from a public right-of-way.

- (a) **Alteration:**—Any change ~~excluding content, and~~ including but not limited to the size, shape, method of illumination, position, location, materials, construction, or supporting structure of a sign, but excluding content.
- (b) **Area:**—The area included within the outer dimensions of a sign.—In the case of a multi-faced sign, the area of each face shall be included in determining sign area, ~~excepting~~ double-faced signs placed no more than 24 inches back-to-back.—The area of odd-shaped signs made up of individual letters mounted to the wall of a building shall be the area enclosed within the outline or perimeter around the sign or letters.
- (c) **Building Sign:**—A sign attached to, projecting from, erected against or painted on the building, or on the face of a marquee, awning, canopy or building fascia or to a wall or fence which is intended to be read from a public right-of-way.
- (d) **Blade Sign:**—Blade signs may be hung below roof overhangs, canopies or awnings over public or private pedestrian ways in accordance with Section 5.15–(10)–(h).—Such signs shall be uniform in size and placement in relationship to such signs on adjacent buildings, but in no case shall they be

larger than ~~10 inches in height or three feet in length~~ six square feet in size.
Lettering shall not exceed six inches in height.

- (e) Business:—A commercial or industrial enterprise.
- (f) Construction Sign: A temporary, non-illuminated sign placed at a construction site which identifies the contractor, architect, lending institution and/or development project.—The sign shall be removed once construction is complete.
- (g) Directional Sign:—A permanent sign which is designated and erected solely for the purpose of directing traffic.
- (h) Election:—The time designated by law for voters to cast ballots for candidates and measures.
- (i) Election Signs:—A temporary, non-illuminated sign erected for the purpose of advertising an election candidate or issue.—All election signs must be removed within 30 days following an election.—A candidate who intends to run again in the following election must still comply with this ~~30-day~~ 30-day requirement.—Such a candidate shall not re-erect election signs until either (1) 30 days has elapsed since that candidate's election signs were removed, or (2) until the filing deadline for the upcoming election, whichever is a shorter period of time.
- (j) Flashing Sign:—An illuminated sign; ~~(or a sign constructed of reflective material to simulate movement);~~ ~~on or within~~ which light is not maintained stationary and constant in intensity and color at all times.
- (k) Free-Standing Sign:—A non-temporary sign erected on a free-standing frame, mast or pole and not attached to any building.—Signs shall comply with the size and height standards for the sign district in which the sign is located and with the Uniform Sign Code (USC).
- (l) Garage, Yard or Estate Sale Sign:—A temporary sign which advertises a public sale for the purpose of disposing of personal property.
- (m) Grand Opening:—A ~~30-day~~ 30-day period which encompasses the date a newly established business opens to the public.
- (n) Human-scale: A type of design or development in which people feel safe and comfortable walking from place to place because buildings, streetscapes, parking areas, landscaping, lighting, and other components of the built environment are designed foremost with pedestrians in mind.
- (oA) Illegal Sign:—A sign which is not authorized by or is erected in violation of

the Veneta Sign Code.

- (pe) Illuminated Sign:—Any sign which has characters, letters, figures, or designs with the source of illumination being on the surface of the sign or from within the sign.
- (qp) Indirectly Lighted Sign:—A sign having a source of illumination directed toward the sign so that a beam of light falls upon the exterior surface of a sign.
- (rq) Logo:—Pictures, figures, symbols, letters, sign copy or similar graphic design which advertises or identifies a business, building or use.
- (sf) Monument Sign:—A low to the ground, free-standing sign mounted in a frame that is incorporated into the overall design of the sign.—The total square footage of a monument sign shall include the supporting frame.—Signs shall comply with the size and height standards for the sign district in which the sign is located and with the Uniform Sign Code (USC).
- (ts) Murals:—Mosaic, wall decoration or painted scene, graphic art technique or combination or grouping of mosaics, murals,—paintings or graphic art techniques applied, implanted or placed directly onto a wall or fence.—With the exception of the artist's signature, the mural shall contain no printed text or logo and shall be intended as a decorative or ornamental feature or to highlight a building's architectural or structural features.
- (ut) Non-conforming Sign:—An existing sign, lawful at the time of enactment of this ordinance, which does not conform to the requirements of the Veneta Sign Code.
- (vu) On-Site Information Sign:—A sign used for the purpose of communicating to persons on the development site.—Such a sign may be visible but shall not convey a message to persons not on the site.—A sign which conveys a message where any portion of the message is easily legible or discernible to a person of ordinary vision from any location off the site commonly visited by members of the public shall not qualify as an on-site information sign.—On-site information signs may include but are not limited to menu boards and building directories.
- (w) —Plastic: a group of synthetic or natural organic materials that may be shaped when soft and then hardened, including many types of resins, resinoids, polymers, cellulose derivatives, casein materials, and proteins, used in construction and decoration.
- (xv) Portable Sign:—A single or double surface painted or poster type sign which is not permanently attached to a building, structure or the ground which is to

be displayed for more than 30 days per calendar year.— It shall be constructed of weather-resistant paper, cloth, wood, plastic, or metal, or other material with sufficient structural integrity to withstand wind and moisture, so as to maintain appearance and service for the term of use. The maximum dimensions for sandwich boards, sidewalk signs, and curb signs is 42 inches tall by 30 inches wide.

(~~yw~~) Public Sign:— Any sign placed by a public officer or employee in the performance of a public duty, including but not limited to traffic signals and control signs, warning lights, street identification signs, directional signs, informational signs or legal notices.

(~~zx~~) Real Estate Signs:— A temporary, non-illuminated sign advertising the prospective sale, rental or lease of the building(s) or property on which the sign is located.— The sign shall be removed once the property is sold or leased.

(~~aa~~) Roof Sign: A sign affixed to the roof of the building or structure, rising above the roof level at any point. Signs affixed to the roof edge and hanging below the roof are not classified as roof signs.

(~~bby~~) Sign Band: A small rectangular space recessed into an exterior building wall that is designed for a building sign which may be engraved into the building façade or mounted onto the sign band. May have integrated lighting for the sign so that internal signage illumination is not necessary.

(~~ccz~~) Sign Copy:— Any combination of letters or text which advertise or identify a business, building or use, including logos.

(~~ddaa~~) Sign Height:— The vertical distance from grade to the highest point of a sign or a sign structure.

~~(bb)~~ Subdivision Identification Sign: ~~A sign placed at the entrance to a neighborhood development which identifies a subdivision by name.~~

(~~eeee~~) Temporary Sign:— A sign which is not permanently affixed to a building, structure or the ground, including all devices such as banners, pennants, sandwich boards, sidewalk signs, curb signs and balloons which will be displayed for ~~less than~~ 30 days or less per calendar year. The maximum dimensions for sandwich boards, sidewalk signs, and curb signs is 42 inches tall by 30 inches wide.

(~~ffed~~) Unsafe Sign:— Any sign or supporting structure which constitutes a hazard to the public health, safety or welfare by reason of structural design or construction, inadequate maintenance, lack of repair or dilapidation.

(ggee) Vehicle Sign:— Any sign permanently or temporarily placed on or attached to a motor vehicle, where the vehicle is used in the regular course of business for purposes other than the display of signs.

(hhff) Wall Sign:— See Building Sign.

(iigg) Warning Signs:— Signs which warn the public of the existence of danger, hazardous materials or relating to trespass and containing no advertising material.

(jjhh) Window Sign:— Any sign attached to or painted on the inside surface of a window.

(3) Designated Sign Districts.— ~~Three~~ Four sign districts have been established to ensure that sign size and location will provide the most visibility for each business while protecting the aesthetic qualities of surrounding uses.— The size, height and distance allowed between signs vary by district, taking into account traffic speeds and types of uses in each district.— Refer to ~~Tables A and B~~ for Permitted Signs to determine whether or not a sign is allowed in the following districts and what specific requirements may apply.— In addition to specific requirements for each district, signs must comply with all other sections of the Veneta Sign Code.

(a) Highway 126 Corridor District:— All property zoned Highway C commercial, Community Commercial, Industrial-C commercial, Light Industrial, Medium Industrial, and Public Facilities and Parks, which ~~abut Highway 126,~~ except residential uses.

(b) Business District(s):— All property zoned Highway C commercial, Community Commercial, ~~residential/commercial,~~ Industrial-C commercial, Light Industrial, Medium Industrial, and Public Facilities and Parks which ~~do not abut Highway 126,~~ except residential uses.

(c) Residential District:— All property zoned R rural R residential, G general R residential or S single-F family R residential.— Also includes residential uses in the R residential-C commercial zone. The Residential District has two sub-categories: Single-Family Residential and Multi-Family Residential.

(d) Downtown District: All property zoned Broadway Commercial and Residential-Commercial, except residential uses. Signs in the Downtown District should be human-scale and directed primarily at people walking and biking, in addition to people driving.

If property is visible from a state highway, a permit from the Oregon Department of Transportation (ODOT) may be required in addition to any city permits.

(4) Authorization of Similar Signs.— The Building or Planning Official may permit in a

particular sign district a type of sign not specifically listed in the Veneta Sign Code, provided the sign is of the same general type as the signs permitted there by code. The decision of the building and planning official may be appealed to the Planning Commission using procedures specified in Section 2.07 of this ordinance.

- (5) Prohibited Signs. Any sign not exempted or allowed pursuant to the Veneta Sign Code, except by approval of variance, is not permitted. The following signs are prohibited:

(a) Plastic signs in the Downtown District, except portable or temporary signs. Internal plastic elements that are not visible are allowed.

(b) Sign cabinets in the Downtown District.

(c) Message boards or letter boards with interchangeable lettering in the Downtown District.

(d) Roof signs as defined in the Veneta Sign Code.

(e) Signs or devices that move; appear to move; have moving parts or can move by wind or other means; or display flashing, intermittent, scintillating or varying degree of intensity lights including LCD and similar screen type displays (flags and time/temperature signs excepted).

(f) Strings of lights and "neon type" tubing used to outline or border any feature of the building are not permissible. (Neon tubing is allowed in the actual composition of a sign.)

(g) Strings of pennants, tinsel and lights except for grand openings and holiday lights (from November 15 to January 15).

(h) Signs which project more than six (6) inches above the roof of a building.

(i) Signs that may be confused with public traffic signs or highway identification signs, or graphically appear similar to these types of signs.—This includes, but is not limited to, signs which use the words "stop, slow, caution, look, danger" or any other word, phrase, symbol or character that may mislead or confuse vehicle operators.

(j) Any signs (except blade signs) located on or above public rights-of-way without written consent of the applicable jurisdiction.

(k) Signs placed on, affixed to, or painted on any motor vehicle, trailer or other mobile structure which is inoperable or not registered, licensed and insured for use on public highways.

(l) Unsafe or illegal signs as defined by the Veneta Sign Code.

(m) Internally illuminated signs in the residential district, except address or name plates.

(n) Signs which exceed this Code's size, distance, or height restrictions, or conflict with any other provision of the Veneta Sign Code.

(6) Temporary Signs.— There is no limit to the size or number of temporary signs allowed on a lot or parcel, except as indicated in Table 5.15 for specific types of temporary signs (such as election signs, real estate signs and garage sale signs). Unless otherwise specified, a temporary sign may only be displayed for ~~up to~~ 30 days or less per calendar year.— Signs that will be displayed for more than 30 days per year are considered "portable signs" and require a permit (see Table 5.15). Although no permit is required for a temporary sign, the Building and Planning Official must be notified of any temporary signs not listed in Table 5.15, for tracking purposes.— The placement of temporary signs must conform to the requirements listed in the Veneta Sign Code.

(7) Permitted Signs.— Table 5.15 below list the types of signs which are allowed within the three designated sign districts.— In addition to the conditions listed in these tables, all signs must comply with all other applicable sections of the Veneta Sign Code.

Table of Permitted Signs

Type of Sign	Hwy 126		Business District		Single Family Residential		Multi Family Residential	
	Permitted	Requires Permit	Permitted	Requires Permit	Permitted	Requires Permit	Permitted	Requires Permit
Free-standing or Monument Signs	Y	Y	Y	Y	N	N/A	Y	Y
	1 per lot or parcel Max Height: 35' - Max Size: 100 sq.ft.		1 per lot or parcel Max Height: 20' - Max Size: 64 sq.ft.				1 per lot or parcel Max Height: 20' - Max Size: 64 sq.ft.	
Building Signs	Y	Y	Y	Y	N	N/A	Y	Y
	Total area of all building signs shall not exceed 6% of buildings footprint (sq.ft.)		Total area of all building signs shall not exceed 6% of buildings footprint (sq.ft.)				Total area of all building signs shall not exceed 6% of buildings footprint (sq.ft.)	
Subdivision Identification Signs	N	N/A	N	N/A	Y	Y	N	N/A
					1 Free-standing or monument sign Max Height: 20' Max Size: 32 sq.ft.			
Portable Signs	Y	Y	Y	Y	N	N/A	Y	Y
	Total area of all building signs shall not exceed 6% of buildings footprint (sq.ft.)		Total area of all building signs shall not exceed 6% of buildings footprint (sq.ft.)				Total area of all building signs shall not exceed 6% of buildings footprint (sq.ft.)	
Flags	Y	N	Y	N	Y	N	Y	N
	Maximum Height: 35' Maximum Size: 20 sq.ft.		Maximum Height: 35' Maximum Size: 20 sq.ft.		Maximum Height: 35' Maximum Size: 20 sq.ft.		Maximum Height: 35' Maximum Size: 20 sq.ft.	
Election Signs	Y	N	Y	N	Y	N	Y	N
	Time Limit (see definition) Maximum Size: 32 sq.ft.		Time Limit (see definition) Maximum Size: 12 sq.ft.		Time Limit (see definition) Maximum Size: 4 sq.ft.		Time Limit (see definition) Maximum Size: 4 sq.ft.	
Real Estate or Construction Signs	Y	N	Y	N	Y	N	Y	N
	Time Limit (see definition) 1 per lot - Maximum Size: 36 sq.ft.		Time Limit (see definition) 1 per lot - Maximum Size: 36 sq.ft.		Time Limit (see definition) 1 per lot - Maximum Size: 4 sq.ft.		Time Limit (see definition) 1 per lot - Maximum Size: 36 sq.ft.	
Driveway Entrance/Exit Signs	Y	N	Y	N	Y	N	Y	N
	Maximum Height: 2 1/2 ft.		Maximum Height: 2 1/2 ft.		Maximum Height: 2 1/2 ft.		Maximum Height: 2 1/2 ft.	
Address Plates	Y	N	Y	N	Y	N	Y	N
	Maximum Size: 1 sq.ft.		Maximum Size: 1 sq.ft.		Maximum Size: 1 sq.ft.		Maximum Size: 1 sq.ft.	
Directional Signs	Y	N	Y	N	Y	N	Y	N
	Maximum Height: 2 1/2 ft.		Maximum Size: 2 sq.ft.		Maximum Size: 2 sq.ft.		Maximum Size: 2 sq.ft.	
Blade Signs	Y	N	Y	N	Y	N	Y	N
	1 per business entrance Maximum Size: 6 sq.ft.		1 per business entrance Maximum Size: 6 sq.ft.					
Public Sign	Y	N	Y	N	Y	N	Y	N
Window Signs	Y	N	Y	N	N	N	N	N
Holiday lights, decorations, and banners	Y	N	Y	N	Y	N	Y	N
On-site Information Signs	Y	N	Y	N	Y	N	Y	N
Murals	Y	N	Y	N	Y	N	Y	N
Garage, Yard or Estate Sale Signs	N	N	N	N	Y	N	Y	N
Warning Signs	Y	N	Y	N	Y	N	Y	N
Name Plates/Sign Bands	N	N	N	N	Y	N	Y	N

Current Table. Changes.

TABLE A: Permitted Signs

Type of Sign	Highway 126 Corridor District		Business District		Downtown District		Residential District	
	Permitted	Requires Permit	Permitted	Requires Permit	Permitted	Requires Permit	Permitted	Requires Permit
Free-Standing or Monument Signs	Y	Y	Y	Y	Y	Y	Y	Y
	1 per lot or parcel. Max height: 35 ft. Max size: 100 sq. ft.		1 per lot or parcel. Max height: 20 ft. Max size: 64 sq. ft.		No plastic signs. No sign cabinets. Max height: 8 ft. Max size: 20 sq. ft.		1 per subdivision. Max height: 20 ft. Max size: 32 sq. ft.	1 per lot or parcel. Max height: 20 ft. Max size: 64 sq. ft.
Building Signs	Y	Y	Y	Y	Y	Y	N	Y
	Total area of all building signs shall not exceed 6% of building's footprint (sq. ft.)		Total area of all building signs shall not exceed 6% of building's footprint (sq. ft.)		Total area of all building signs shall not exceed 6% of building's footprint (sq. ft.) No plastic signs. No sign cabinets.		N/A	Total area of all building signs shall not exceed 6% of building's footprint (sq. ft.)
Portable Signs	Y	Y	Y	Y	Y	Y	N	Y
	1 per street frontage. Max height: 42 inches Max width: 30 inches		1 per street frontage. Max height: 42 inches Max width: 30 inches		1 per street frontage. Max height: 42 inches Max width: 30 inches		N/A	1 per street frontage.
Temporary Signs	N	N/A	N	N/A	N	N/A	N	N/A
	Time & size limits (see definition). 1 sandwich board, sidewalk sign, or curb sign per street frontage.		Time & size limits (see definition). 1 sandwich board, sidewalk sign, or curb sign per street frontage.		Time & size limits (see definition). 1 sandwich board, sidewalk sign, or curb sign per street frontage.		Time & size limits (see definition). 1 sandwich board, sidewalk sign, or curb sign per street frontage.	N/A
Flags	Y	N	Y	N	Y	N	Y	N
	Max height: 35 ft. Max size: 20 sq. ft.		Max height: 35 ft. Max size: 20 sq. ft.		Max height: 35 ft. Max size: 20 sq. ft.		Max height: 35 ft. Max size: 20 sq. ft.	Max height: 35 ft. Max size: 20 sq. ft.
Election Signs	Y	N	Y	N	Y	N	Y	N
	Time limit (see definition) Max size: 32 sq. ft.		Time limit (see definition) Max size: 12 sq. ft.		Time limit (see definition) Max size: 4 sq. ft.		Time limit (see definition) Max size: 4 sq. ft.	Time limit (see definition) Max size: 4 sq. ft.
Real Estate or Construction Signs	Y	N	Y	N	Y	N	Y	N
	Time limit (see definition). 1 per lot. Max size: 36 sq. ft.		Time limit (see definition). 1 per lot. Max size: 36 sq. ft.		Time limit (see definition). 1 per lot. Max size: 36 sq. ft.		Time limit (see definition). 1 per lot. Max size: 36 sq. ft.	Time limit (see definition). 1 per lot. Max size: 36 sq. ft.
Driveway Entrance/Exit Signs	Y	N	Y	N	Y	N	Y	N
	Max height: 2 ½ ft.		Max height: 2 ½ ft.		Max height: 2 ½ ft.		Max height: 2 ½ ft.	Max height: 2 ½ ft.
Address Plates	Y	N	Y	N	Y	N	Y	N
	Max size: 1 sq. ft.		Max size: 1 sq. ft.		Max size: 1 sq. ft.		Max size: 1 sq. ft.	Max size: 1 sq. ft.
Directional Signs	Y	N	Y	N	Y	N	Y	N
	Max size: 2 sq. ft.		Max size: 2 sq. ft.		Max size: 2 sq. ft.		Max size: 2 sq. ft.	Max size: 2 sq. ft.
Blade Signs	Y	N	Y	N	Y	N	Y	N
	1 per business entrance. Max size: 6 sq. ft.		1 per business entrance. Max size: 6 sq. ft.		1 per business entrance. Max 6 sq. ft.		1 per business entrance. Max 6 sq. ft.	Max size: 2 sq. ft.
Public Sign	Y	N	Y	N	Y	N	Y	N
Window Signs	Y	N	Y	N	Y	N	Y	N
Holiday Lights, Decorations, And Banners	Y	N	Y	N	Y	N	Y	N
On-Site Information Signs	Y	N	Y	N	Y	N	Y	N
Murals	Y	N	Y	N	Y	N	Y	N
Garage, Yard, & Estate Sale Signs	N	N/A	N	N/A	N	N/A	Y	N
Warning Signs	Y	N	Y	N	Y	N	Y	N
Name Plates/Sign Bands	N	N/A	N	N/A	N	N/A	Y	N

(8) Sign Permits.

(a) A sign permit is required in each of the following instances:

1. Upon the erection of any new sign except signs specifically listed in Table 5.15 as signs not requiring a permit.
2. To make structural or electrical alteration to an existing sign, including a change in the size, shape, materials or location.
3. To replace a pre-existing sign.

(b) Information required for a sign permit:

1. A drawing to scale shall be submitted which indicates fully the material, color, dimensions, size, shape and height above grade. The drawing shall show the structural elements of the proposed sign and supporting structure(s) and any other information needed to show that the sign will not interfere with traffic safety, public health, or general welfare.
 - a. Building Signs: The diagram shall show where the sign will be attached to the building, including the distance the sign will project from the wall to which it is attached and the height above the finished ground surface over which it is mounted.
 - b. Free-standing Signs: In addition to the diagram a site plan shall be submitted which shows the placement of the sign on the property with relation to property lines, driveways, sidewalks, parking areas and buildings.
2. The size and types of all other permitted signs located on the applicant's building or property.
3. For free-standing signs, the applicant shall show the distance, measured in feet, to free-standing signs on adjacent lots.

(c) In addition to a sign permit, all illuminated signs require a City of Veneta electrical permit.

(d) A permit shall expire if a sign is not installed, as approved, within 180 days from the date of approval. Reapplication shall include a new, fully completed application form and a new application fee.

(9) Permit Fees. Sign permit fees which are due and payable upon receipt of a permit shall be set by separate resolution adopted by the council.

(10) Placement of Signs. In addition to requirements of the sign district in which a sign

is located, placement of signs must comply with the following:

- (a) No signs in excess of 2½ feet in height shall be placed in the vision clearance area as described in Section 5.03 or within ten (10) feet of driveways.—A portion of the sign area, excluding the base or supporting structure, may extend into the vision clearance area or within ten (10) feet of a driveway, provided it is at least eight (8) feet above grade.
 - (b) No sign or portion thereof shall be erected within a future street right-of-way unless and until an agreement is recorded stipulating that when street improvements are made the sign will be removed or relocated at no expense to the City.
 - (c) No sign or portion thereof shall be erected within public utility easements.
 - (d) No sign or portion thereof shall be placed where it obstructs ingress or egress through any door, window, fire escape, or like facility required or designated for safety or emergency use.
 - (e) No sign shall interfere with on-site traffic, bicycle or pedestrian circulation.
 - (f) No sign may be placed where it hides from view any official traffic sign or signal.
 - (g) No sign or portion thereof shall extend beyond any property line of the premises on which such sign is located.
 - (h) No sign projecting from a building may be less than eight (8) feet above the ground over which it projects and may not interfere with traffic circulation or public safety.
- (11) Calculating Sign and Wall Areas.—The total area for building signs shall not exceed the area permitted in this sign district in which the building is located.—The area shall include all signs attached to, projecting from, erected against or painted on a wall or portion of a wall, including any fascia, awning, canopy or marquee attached to the wall, which is visible to the public.—If any sign painted on a roof or attached to a fence is visible and intended to be read from a public right-of-way, the total area of the roof painting or fence sign shall be included in the total area permitted for building signs.—The total area permitted for building signs may be divided into multiple signs or used for one single sign and may also be used for portable signs.
- (12) Vehicle Signs.—The City does not regulate signs placed on, affixed to, or painted on any operable motor vehicle, trailer or other mobile structure which is registered, licensed and insured for use on public highways.

(13) Illuminated Signs.— Illuminated signs, except those listed ~~in~~ as Prohibited Signs, are permitted in all sign districts.— In addition to the requirements of the sign district in which the sign is located, illuminated signs must comply with the following:

- (a) No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.
- (b) No sign may be illuminated or use lighting which causes a direct glare on adjacent properties.
- (c) External illumination shall be shielded so that the light source elements are not directly visible from a residential use which is adjacent to or across a street from the source of illumination.

(14) Sign Maintenance.— Signs and supporting structures shall be maintained to protect public safety and to prevent deterioration.— Sign maintenance includes copy changes, painting, repainting, cleaning and normal maintenance and repair but does not include a structural or electrical change.

(15) Unsafe or Illegal Signs.— Any sign determined by the Building or Planning Official to be an unsafe or illegal sign is subject to the following:

- (a) If the Building or Planning Official finds that any sign is unsafe or illegal, enforcement action shall be taken as prescribed in Section 2.10.— Failure to remove or alter said sign as directed shall subject the permittee or property owner to the penalties prescribed in Section 2.10.
- (b) The Building and Planning Official may remove or cause to be removed any sign which is so unsafe or insecure it constitutes a real and immediate danger to persons or property.
- (c) Any sign removed because it has been determined to be unsafe or illegal shall not be re-established until a valid permit has been issued.

(16) Non-Conforming Signs.

- (a) A non-conforming sign may continue to be used until altered, replaced, modified or moved at which time the sign shall be brought into conformance with all provisions of the Veneta Sign Code.
- (b) General maintenance, repair and copy changes which do not add to the size or shape of the sign shall be permitted.

- (c) If a non-conforming sign is totally or substantially destroyed, a future sign on the site shall comply with the provisions of the sign district in which the property is located.

| (17) Variations.—A request for a variance must comply with Article 10.—Variations will not be granted where the following sign regulations are involved:

- (a) Prohibited Signs
- (b) Abatement of unsafe signs
- (c) Construction and Maintenance standards of the Uniform Sign Code
- (d) Placement of a sign in the Clear Vision Area

| (18) General Exemption.—All public signs are exempt from the Veneta Sign Code.

Veneta Sign Code Downtown District Design Guide



This guide includes:

- Information about the Veneta Sign Code
- Additional Requirements for the Downtown Area
- Visual Recommendations for the Downtown Area



Month, Day, 2016

Information about the Veneta Sign Code & Downtown District

The Veneta Sign Code describes the regulations and requirements for the five sign districts in Veneta: the Highway 126 District, Business District, Downtown District, Single Family Residential District, and Multi-Family Residential District. This guide describes the specific regulations and requirements for the Downtown District, shows preferred styles, and offers suggestions. This guide is not meant to be a comprehensive legal tool, but rather a guide during the design process of a new or improved sign.

Additional Requirements for the Downtown District

The Downtown District is comprised of the Broadway Commercial and Residential-Commercial zones. To signify and complement the Downtown area, the Downtown District has specific regulations for signage height, type, and material to support the compact streets, human-scale development, and walkable business district.

MAP:

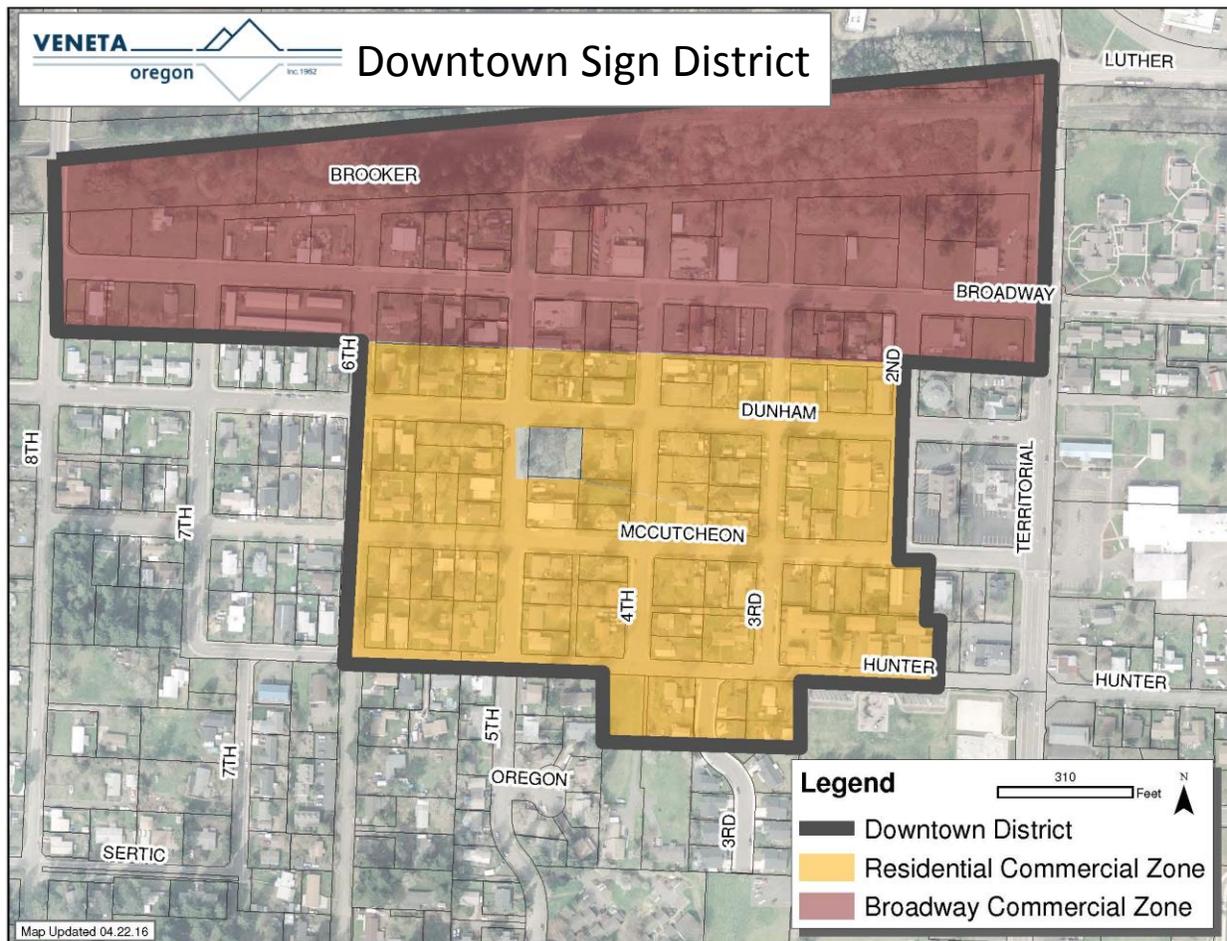


Figure 1: Map of the Downtown District Sign Code Area, which is comprised of the Residential-Commercial zone and Broadway Commercial zone in Downtown Veneta..

Portion of Veneta Sign Code Table A: Permitted Signs

Type of Sign	Downtown District	
	Permitted	Requires Permit
Free-Standing or Monument Signs	Y	Y
	1 per lot or parcel. No plastic signs. No sign cabinets. Max height: 8 ft. Max size: 20 sq. ft.	
Building Signs	Y	Y
	Total area of all building signs shall not exceed 6% of building's footprint (sq. ft.) No plastic signs. No sign cabinets.	
Portable Signs	Y	Y
	1 per street frontage. Max height: 42 inches Max width: 30 inches	
Temporary Signs	N	N/A
	Time & size limits (see definition). 1 sandwich board, sidewalk sign, or curb sign per street frontage.	
Flags	Y	N
	Max height: 35 ft. Max size: 20 sq. ft.	
Election Signs	Y	N
	Time limit (see definition) Max size: 4 sq. ft.	
Real Estate or Construction Signs	Y	N
	Time limit (see definition). 1 per lot. Max size: 36 sq. ft.	
Driveway Entrance/Exit Signs	Y	N
	Max height: 2 ½ ft.	
Address Plates	Y	N
	Max size: 1 sq. ft.	
Directional Signs	Y	N
	Max size: 2 sq. ft.	
Blade Signs	Y	N
	1 per business entrance. Max 6 sq. ft.	
Public Sign	Y	N
Window Signs	Y	N
Holiday Lights, Decorations, And Banners	Y	N
On-Site Information Signs	Y	N
Murals	Y	N
Garage, Yard, & Estate Sale Signs	N	N/A
Warning Signs	Y	N
Name Plates/Sign Bands	N	N/A

DEFINITIONS:

For a full list of definitions, please review the Veneta Sign Code, Section 5.15 of the Veneta Land Development Ordinance.

- **Building Sign:** A sign attached to, projecting from, erected against or painted on the building, or on the face of a marquee, awning, canopy or building fascia or to a wall or fence which is intended to be read from a public right-of-way.
- **Blade Sign:** Blade signs may be hung below roof overhangs, canopies or awnings over public or private pedestrian ways in accordance with Section 5.15(10)(h). Such signs shall be uniform in size and placement in relationship to such signs on adjacent buildings, but in no case shall they be larger than 10 inches in height or three feet in length. Lettering shall not exceed six inches in height.
- **Free-Standing Sign:** A non-temporary sign erected on a free-standing frame, mast or pole and not attached to any building. Signs shall comply with the size and height standards for the sign district in which the sign is located and with the Uniform Sign Code (USC).
- **Human-scale:** A type of design or development in which people feel safe and comfortable walking from place to place because buildings, streetscapes, parking areas, landscaping, lighting, and other components of the built environment are designed foremost with pedestrians in mind.
- **Illuminated Sign:** Any sign which has characters, letters, figures, or designs with the source of illumination being on the surface of the sign or from within the sign.
- **Indirectly Lighted Sign:** A sign having a source of illumination directed toward the sign so that a beam of light falls upon the exterior surface of a sign.
- **Monument Sign:** A low to the ground, free-standing sign mounted in a frame that is incorporated into the overall design of the sign. The total square footage of a monument sign shall include the supporting frame. Signs shall comply with the size and height standards for the sign district in which the sign is located and with the Uniform Sign Code (USC).
- **Portable Sign:** A single or double surface painted or poster type sign which is not permanently attached to a building, structure or the ground which is to be displayed for more than 30 days per calendar year. It shall be constructed of weather-resistant paper, cloth, wood, plastic, or metal, or other material with sufficient structural integrity to withstand wind and moisture, so as to maintain appearance and service for the term of use. The maximum dimensions for sandwich boards, sidewalk signs, and curb signs is 42 inches tall by 30 inches wide.
- **Sign:** Any identification, description, illustration, symbol or device which is placed, painted, or affixed directly or indirectly upon a building, structure, flag or land visible from a public right-of-way.
- **Temporary Sign:** A sign which is not permanently affixed to a building, structure or the ground, including all devices such as banners, pennants, sandwich boards, sidewalk signs, curb signs and balloons which will be displayed for 30 days or less per calendar year. The maximum dimensions for sandwich boards, sidewalk signs, and curb signs is 42 inches tall by 30 inches wide.

REQUIREMENTS:

- Signs should be human-scale, directed at people walking, biking, and driving.
- Free-standing signs should be no taller than eight feet.
- Blade signs should be directed to people on the sidewalk.
- Illumination elements must be contained or shielded per Veneta Sign Code standards.

PROHIBITED ELEMENTS:

- No plastic signs. Internal plastic elements that are not visible are allowed. This does not apply to portable or temporary signs.
- No sign cabinets.
- No letter board or message board signs with interchangeable lettering.
- No roof signs.

Prohibited elements:

No plastic signs.



Figure 2: Example of prohibited sign.

Alternative:

Consider metal options or other materials.



Figure 3: Example of permissible sign.

Prohibited elements:

No plastic signs, sign cabinets, letter or message boards, or signs over 8 ft. allowed.



Figure 3: Example of prohibited sign.

Alternative:

Free-standing signs 8 ft. or lower made from non-plastic materials are allowed.



Figure 4: Example of permissible sign.

Visual Recommendations for the Downtown Area

SIGNS SHOULD BE:

- Well-built to withstand outside conditions
- Attractive
- Directed to people walking, biking, and driving

SIGNS SHOULD NOT BE:

- Directed to vehicular traffic
- Too large or too high for the surroundings
- Poor quality or unaesthetic
- Made of plastic (internal plastic elements that are not visible are allowed)
- Considered a 'sign cabinet'

EXAMPLE MATERIALS:

- Metal
- Stone
- Wood
- Glass

EXAMPLE SIGNS:

- The sign on the left is made of glass and metal. It is human-scale, attractive, good quality, and adheres to the downtown district requirements.
- The sign on the right is made of Corten (rusted) steel with contained LED illumination elements. The sign is attractive, good quality, and adheres to the downtown district requirements.



BLADE SIGNS:



FREE-STANDING SIGNS:



WALL SIGNS:



MONUMENT SIGNS:



ILLUMINATED SIGNS:



City of Veneta

MEMORANDUM

Date: June 7, 2016
To: Planning Commission
From: Lisa Garbett, Associate Planner
Subject: Interpretation Request

Staff is requesting an interpretation request in terms of Veneta Land Development Ordinance No. 493, Section 4.15(5) – Amendments to the Specific Development Plan, does a new street constitute a minor or major amendment to a Specific Development Plan?

Currently, Veneta Land Development Ordinance No. 493, section 4.15(5) code section calls out the elimination of a street as a major amendment, but fails to categorize the addition of a street. Staff recently processed an amendment to the Southwest Area Specific Plan (SWAP), Specific Development Plan as a minor amendment which included addition of a street. Given there was no change in the land use (residential to residential) involved, benefit of an additional street connection that would have been approved through a tentative subdivision, and the minor impact of expanding an approved utility crossing to a street crossing, staff processed the application as a minor amendment.

Veneta Land Development Ordinance No. 493, Section 4.15(5) – Amendments to the Specific Development Plan. Amendments to the specific development plan are classified as minor or major amendments as follows:

- (a) Minor amendments are those which result in any of the following:
 - 1. Changes in the circulation plans that require a public street, easement, or pathway to be shifted by up to 100 feet in any direction.
 - 2. A change in the land use plan that requires a shift in land uses (including park sites) by up to 100 feet in any direction.
 - 3. A modification in the street or utility plan that is required on the basis of more detailed engineering and grading plans. Overall connections identified in the specific development plan are maintained.

- (b) Major amendments are those which result in any of the following:
 - 1. A change in the development standards.
 - 2. Changes in the circulation plan that results in a shift of a public street, easement, or pathway by more than 100 feet, or result in the elimination of any public street, easement or pathway.
 - 3. A change in the land use plan that results in the elimination or reduction of a proposed land use or a shift in land uses (including park sites) by more than 100 feet in any direction.

Do we need to amend the code to specify what process is necessary for addition of a new street?

City of Veneta
M E M O R A N D U M

Date: June 7, 2016
To: Planning Commission
From: Lisa Garbett, Associate Planner
Subject: Administrative Decisions (April & May 2016) as of May 25, 2016

April

- 2 - Portable Sign Permits (25561 Hwy 126)
- 6 - Building Permits (4 new single family residential and 2 residential additions)

May

- 1 - Southwest Area Specific Plan (SWAP) Minor Amendment
- 1 - Temporary Use Permit (West Lane Shopping Center, High Lights Garden Supply)
- 2 - Type A Tree Permit (24806 Sertic Rd. and 88001 10th St.)
- 1 - Type B Tree Permit (24803 Parkside Dr.)
- 2 - Building Permits (1 new single family residential and 1 residential addition)

Link to Land Use Decisions on City Website:

<http://www.venetaoregon.gov/planning/page/land-use-decisions>

Darci Henneman

From: Calvin Kenney <ckenney@uoregon.edu>
Sent: Wednesday, April 06, 2016 9:10 AM
To: Ric Ingham; Darci Henneman; Kay Bork; Shauna Hartz
Subject: CoV positions

All-

As a follow up from our conversation last night; this email is to advise you that since I will be temporarily living outside the City of Veneta while my new home is constructed, I will need to resign from the City of Veneta Planning Commission and Budget committee.

As I spoke last night, I hope to be able to find an opportunity to volunteer with these boards once I re-establish residency within the City of Veneta.

Regards,

Calvin Kenney