

AGENDA
Veneta Planning Commission
MONDAY – April 6, 2015 – 7:00 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. March 3, 2015 Planning Commission (pgs. 3-8)

4. Review Of Veneta’s Comprehensive Plan Economic Element And Land Development Ordinance – Bob Parker (pgs. 9-43)

5. Other

6. 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.

Minutes of the Veneta Planning Commission

March 3, 2015

Present: James Eagle Eye, Calvin Kenney, Len Goodwin, Kevin Conlin

Absent: Lily Rees

Others: Ric Ingham, City Administrator; Kay Bork, Community Development Director; Lisa Garbett, Associate Planner; Darci Henneman, Assistant City Recorder; Scott Morris, A & O Engineering, Inc.

I. Review Agenda

Chair James Eagle Eye opened the Veneta Planning Commission meeting at 7:05 p.m. and reviewed the agenda.

II. Public Comment

None

III. Approve Minutes

- a. December 8, 2014 Joint Meeting of the City Council and Planning Commission

MOTION: Kevin Conlin made a motion to approve the December 8, 2014 minutes of the City Council and Planning Commission Joint meeting. Len Goodwin seconded the motion which passed with a vote of 4-0.

- b. February 3, 2015 Planning Commission

MOTION: Len Goodwin made a motion to approve the February 3, 2015 minutes of the Planning Commission meeting. Kevin Conlin seconded the motion which passed with a vote of 4-0.

IV. Request for Tentative Subdivision & Type C Tree Removal Approval, S-2-14 Madrone Ridge

- a. Request approval of a tentative plan to divide 21.22 acres into 96 parcels & associated Type C Tree Removal permit.

Garbett reviewed the staff report. She said this is a vacant property immediately west of Applegate Landing Phase 3 and exists to the north of 8th St. and Oaks Orchard.

Natural Resources

Garbett said the Planning Commission is being asked if 27 replacement trees that are proposed to be planted on lots, can be considered replacement trees and mitigation credit. If approved this could present a challenge in developing the property because according to code, the trees need to be planted prior to plat. She said the applicant may be required to enter into an assurance bond for the cost of replacing the trees should the trees die.

Garbett provided the Planning Commission with an update to proposed condition 24 regarding the trees. She reviewed the update which includes credit for retaining existing trees. She said the applicant shall sign and record an Irrevocable Development Agreement, for each affected lot, prior to issuance of the building permit. The applicant shall also post a three-year performance bond in favor of the City in the amount of \$6,750 (27 replacement trees x \$250 in lieu of planting).

Transportation

Garbett said the applicant is proposing flag lots on lots 28 through 30, 47 through 50 and 87 through 89. All these lots will have access from Perkins Rd. Current code allows up to three lots that can share an access pole with a minimum width of 20 ft. She said the applicant has exceeded this with proposed 28 ft. paved widths. A shared access agreement between those lots sharing access to the private drive is also proposed.

Stormwater

Garbett said the applicant is proposing a stormwater Detention pond outside City limits and in Lane County jurisdiction. Staff contacted Lane County for a referral and they indicated a special use permit with conditions would be necessary. The City Engineer commented that off-site drainage will need to be intercepted and routed around the proposed lots and conveyed through the site for each phase of development. The Madrone Ridge Homeowner's Association will be responsible for performing maintenance on all stormwater swales and detention ponds. The applicant will be required to execute and record stormwater agreements for maintenance of all stormwater swales and detention ponds. The agreement shall provide for City maintenance and monitoring of the ponds and open drainage for functionality only. She said an Operations and Maintenance Agreement with the applicant, property owner, and the City will be required for each pond.

In response to a question from Len Goodwin, Garbett said the homeowner's association would be responsible for maintaining the stormwater detention ponds. She said we would require the developer to bond the survival of the 27 replacement trees, even though they are the property of individual property owners.

Len Goodwin said it would be difficult to regulate trees on individual lots in terms of once they become replacement trees, they become significant. He said there is no security for the survival of those 27 trees.

Bork said the performance bond is for the street trees and the Development Agreement would be to assure the trees are planted. She said we can require the developer to bond trees on private property. She said the only status the trees will have is that they would become significant and the homeowner would be required to contact the City if they wanted to remove a tree. She said we could require a Development Agreement with property owners of the 27 replacement trees.

Len Goodwin said that may be a problem with having only one tree per lot.

In response to a question from James Eagle Eye, Bork said it is difficult to administratively monitor the trees.

In response to a question from Calvin Kenney, Bork said we would need to expand the Urban Growth Boundary (UGB) in order to include the detention pond that is currently under Lane County's jurisdiction.

In response to a question from James Eagle Eye, Bork said the City will sign the Development Agreement with the developer and the City Engineer can draft the Maintenance Agreement which will include a condition that the City be allowed to monitor and maintain the detention pond. She said we will also require an access easement which is part of the permitting process.

Len Goodwin said the stormwater code would not apply on land outside of our jurisdiction so how is the City able to contractually enforce a requirement that isn't consistent with Lane County. He said he's concerned about relying on a Homeowners' Association because they tend to become dysfunctional and disappear and we end up, by default, taking over maintenance. He said it's never a satisfactory solution.

Garbett said proposed condition number 26 is a typographical error so she would like to omit that

from the proposed condition of approval. It's in regard to maintenance plan to the stormwater facility outside City limits and is already addressed in condition number 5.

In response to a question from James Eagle Eye, Garbett said Schauer reviewed the sewer drain lines and she doesn't believe there was a recommended condition for those. She said Schauer proposed that sewer laterals be located within the right of way of streets.

Bork said according to Schauer's memo, they should be located in the rights-of-way and not in the backyard. There is no distinction between collection and lateral in his memo. She said we may need to add an easement for the location of the collectors.

Mr. Morris said collection it's needed on a hillside or you have to put a pump system under each house. He said if the collection system is running parallel with the street, on the downhill side, in the 14 ft. easement. Just the laterals from the uphill side will run from their direct property into the easement of that lot. He said all of the uphill lots will be in the right of way and tie into a parallel line. He said what Schauer and the City Engineer didn't want was laterals from an uphill lot going across the street and tying in behind someone else's house.

Garbett said a 10 ft. private utility easement is proposed on the east side of lots 86 and 87 and lots 66 and 67. She said on May 19, 2014 staff mailed and posted, at the site, public notice of the development in accordance with notice requirements of Veneta land Division Ordinance No. 494. She said no public comments were received.

Len Goodwin said he's not thrilled with the flag lots and felt this was an odd arrangement for those lots. He said he is concerned about providing security for the 27 replacement trees but he doesn't know what the solution would be. And he's troubled by the thought of putting a Homeowners' Association in charge of a fairly significant set of stormwater facilities which, by default, will likely become the responsibility of the City. He said most cities struggle with similar situations and the logical solution is for the stormwater facilities to become City property to maintain but we don't have the resources to do it. He said when the Homeowners' Association dissolves, the City will take responsibility so it seems logical to make them public facilities and secure resources through the Development Agreement to ensure that the City can afford to maintain them for the life of the development.

Ingham said when the Homeowners' Association goes away the City should be able to enforce the Development Agreement to assess the property owners for the monthly HOA fees in order to maintain those facilities.

Len Goodwin said in most cases the developer is long gone.

Ingham said we would include that language in the Subdivision Agreement to allow the City to assess an amount similar to an HOA fee.

Len Goodwin said if there is some way to provide some assurance that the City has the legal capacity to assess in the event of that situation would ease some of his concerns. He said maybe we could create an assessment district at the time of development and assess the property owners for an appropriate amount of money to maintain the stormwater facility. He said 10 years down the road, it's likely the Homeowners' Association will be dissolved and the City will be asked to assume responsibility after the stormwater pond has deteriorated.

Ingham suggested that could be done after the subdivision plan is adopted.

In response to a question from Bork, Len Goodwin said he would like to know if it is possible to do that. If not, he suggested it fall to the Homeowners' Association because he doesn't want to stall the development. But if there's some way to enforce it, outside of relying on the Homeowners'

Association, he would find that preferable.

Bork said that can be added as a condition; that we will enter into a stormwater agreement with those two options and require the maintenance of the stormwater facilities be maintained by the property owners if the Homeowners' Association does not maintain the swales.

Len Goodwin said we could include a stormwater assessment district, operated and maintained by the City of Veneta. He said all properties are benefitted, so there's no legal impediment on having it but he doesn't know how we would create it with a developer and property owners and have it run with the land.

In response to a question from Bork, Len Goodwin said we need to determine who has fee simple ownership of the pond outside the UGB.

Bork said she will get a legal opinion on how we would handle that.

In response to a question from Calvin Kenney, Len Goodwin said if we use the assessment approach, the stormwater facility would be deeded to the City of Veneta so it starts out as City maintained and the homeowners pay for the maintenance.

James Eagle Eye said he would like to get feedback from Schauer and he agreed with Len Goodwin. He said some of the stormwater ponds are in that situation. He said we need to find a way to recoup those maintenance costs, if and when the stormwater facility is no longer maintained by the Homeowners' Association. He said he would like to have that conversation with Schauer to confirm that's something the City can take on at this point.

In response to a question from James Eagle Eye, Garbett said Schauer indicated to her that he only wanted to maintain the detention pond for functionality and not do any repairs. She said he would know how to maintain it but the City Engineer would be the one to condition it further.

Len Goodwin said detention ponds do and can break and failures happen.

Mr. Morris said he worked with Schauer and the City Engineer on this quite a bit. He said they cleared up that 90% of the maintenance of these things is the inlet/outlet structure and the part of the swale that cleans the water. He said all of that is in City limits. He said the intake structure, next to Perkins Rd., comes in and runs along the swale, before it gets to the county, and overflows in the storage pond. He said the only part that's outside of City limits is the storage area, (tank or pond) and then it overflows back into another swale that runs back to Perkins Rd. and that's where the intake is. He said Schauer and the City Engineer said all the structures needed to be in City's right-of-way close to the street. He said it is his understanding that the City crews would maintain the inlet and outlet structures because that's where 90% of the maintenance is anyway (cleaning out pipes). He said it's not 100% on County land and the bulk of the maintenance will be done in City limits adjacent to Perkins Rd.

James Eagle Eye said there's still clean up, vegetation and trash.

Len Goodwin said ponds do acquire occasional clean up and vegetation control.

Mr. Morris said 80% of the maintenance will be done inside City limits and about 20% of the overall maintenance cost will be on the land outside the UGB.

Bork thanked Mr. Morris for the clarification and said the discussion about maintenance by the Planning Commission is regardless of where it's located, it's more of a policy issue. She asked for direction from the Planning Commission. She said we can leave the condition as it is or we can move forward with the Development Agreements, with follow-up from legal counsel to

determine if there is potential to create these kind of assessments. She said it's a major policy change for the City and she's not sure how easy it is to do but we can look into it.

Len Goodwin suggested staff look into it.

James Eagle Eye said if we can include assessment language it would definitely be worth adding that language.

In response to questions from James Eagle Eye, Garbett said lots 87, 88 and 89 have three flagpoles with a 28 ft. drive with sidewalks. She said the utility plans show the proposed utility access for all flag lots and private drives.

Len Goodwin said the easement is 50 ft. wide and the private drive is 28 ft. centered so you have 11 feet on each side.

Garbett said there's a 28 ft. paved width, and 5 ft. sidewalks on each side.

Mr. Morris said it's meant to mirror the street to the north. He said the plan started out with street stubs that Schauer didn't want unless they were connected to the County which was contrary to the plan for the area.

In response to a question from James Eagle Eye, Garbett said the applicant's proposal conforms with the maximum 600 ft. block length but where Madone Ridge Dr., connects north, future development may have to bring the cross street south a little bit to make that block length work but there's nothing out of conformance with how the applicant has proposed the block length.

Bork said with regard to a question from Len Goodwin regarding how to address the 27 trees in honoring the code. She said another option is to require the applicant pay in lieu of planting without the ability to plant them prior to final plat or to allow the trees to be planted prior to final plat with those issues that we know will come up.

Len Goodwin said what about a combination requiring a deposit and, following final plat, if the trees are plant, the deposit would be refunded.

James Eagle Eye said it becomes a significant tree on an individual lot and the City has no follow through at that point. He said we've had that issue in the past and the required trees end up on private lots and then they go away.

Bork said the only way we could address that is with a Development Agreement recorded against each lot requiring the tree be kept. She said the only benefit to the property owner is they can count that against the landscaping requirements when they construct their home.

In response to a question from Mr. Morris, Bork said we don't require a bond for the landscaping requirements and if the tree die, it dies. She said the code may require a time period that the trees must stay alive. She said if the Planning Commission agrees to allow the trees to be planted, we would recommend a Development Agreement be recorded against every property so the homeowners are aware of the responsibility. She said that's the best we can do inform the property owner of that requirement.

Len Goodwin said we should allow the planting to be deferred but the risk to the trees, if they're planted now is significant.

Garbett said our code is in conflict because we allow them to be credited for landscaping but the trees will be planted at a time that's not going to ensure their survival.

Garbett said staff is recommending the Planning Commission approve option 2 which would credit 27 trees on individual lots.

Bork said if the Planning Commission approved option 2, she suggested adding language that the applicant shall post or deposit an amount equivalent to the 27 replacement trees and security satisfactory to the City Administrator. She said we would remove the three year performance bond because the trees would fall under the street requirements of survival of three years.

Ingham said staff will get feedback from legal about the Homeowners' Association and the maintenance of the detention ponds.

Bork said we could approve the subdivision requiring the Development Agreement be recorded. She said the Development Agreement could include language to allow the City to assess property owners if the storm detention swales and ponds are not maintained to City standards.

MOTION: Len Goodwin made a motion to approve the subdivision subject to conditions set by staff. Kevin Conlin seconded the motion which passed with a vote of 4-0.

V. Other

Bork reminded the Planning Commission of the 5:30 p.m. meeting on March 9th of the Veneta City Council and Planning Commission to review the economic opportunity analysis and strategic plan

VI. Adjourn

Chair James Eagle Eye adjourned the Veneta Planning Commission at 7:54 p.m

XXXXXXXXXXXXXXXXXXXXXXXXX

James Eagle Eye, Chairman

ATTEST:

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Darci Henneman, Assistant City Recorder

February 26, 2015

To Kay Bork, Community Development Director
From Bob Parker, Michael Howard and Aniko Drlik-Muehleck
SUBJECT REVIEW OF VENETA'S COMPREHENSIVE PLAN ECONOMIC ELEMENT AND
LAND DEVELOPMENT ORDINANCE

INTRODUCTION

Community Planning Workshop (CPW) is assisting the City of Veneta with and update of the Economic Development element of its Comprehensive Plan. The project includes two major products: (1) an Economic Opportunity Analysis (EOA), and (2) an Economic Development Strategic Plan. The EOA will provide information about local and regional economic trends and data and an inventory of buildable employment lands, which will serve as the foundation for the Economic Development Strategic Plan.

Task 5 of our work program requires CPW conduct a review of the City of Veneta's Comprehensive Plan and Land Development Ordinances related to economic development. This memorandum presents our review and recommendations and represents the product for Task 5. This review focuses on the Comprehensive Plan's Economic Development Element and commercial and industrial land use designations in the Land Development Ordinance. The purpose of the review was to identify opportunities to better align comprehensive plan policies or development code language to support the 2015 Economic Opportunities Analysis.

We identify potential issues and provide suggestions to revise, improve, or delete them from the documents. We include accompanying line-edits and suggestions directly in the Comprehensive Plan and Land Development Ordinance (See Appendix 1 and 2). In some cases, we offer direct revision of language, but in other cases, we suggest that staff and the Planning Commission review our comments and agree on appropriate revisions. We directly call out areas Staff should review and edit in writing and with yellow highlights in the Land Development Ordinance section.

COMPREHENSIVE PLAN ECONOMIC DEVELOPMENT ELEMENT

This section presents a review of the City's existing Economic goals as presented in the Veneta Comprehensive Plan.

Goal

Existing Goal: Pursue the economic interest of the City of Veneta by constructing and implementing policies and programs, including but not limited to the following functions:

- a) Guide the responsible expansion and growth of business and industry in Veneta and the Fern Ridge area.

- b) Develop a working relationship with economic development-related public and private agencies, community groups, and business organizations.
- c) Engage in dialogue with interested parties about the development of Veneta's industrially and commercially zoned properties, and other development and interests related to Comprehensive Plan Goals.

CPW Comment: The current goal and its sub points do not directly address the requirements for comprehensive plans stipulated by Oregon's Statewide Planning Goal 9 and OAR 660-015-0009. Specifically, the current goal makes no mention of maintaining an adequate supply of land or compatibility of uses. We therefore suggest that the Plan incorporate language from Goal 9 to supplement or replace the existing language.

Proposed Amendments: Add the following the goal:

Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses.

Limit uses on or near sites zoned for specific industrial and commercial uses to those that are compatible with proposed uses.

Policies

The Comprehensive Plan policies generally align well with the City's goal of promoting commercial and industrial development in land primed for growth. We will not comment on policies that serve as strong guides for economic development. We provide commentary on policies phrased as aspirations rather than actionable strategies, as well as policies with vague or confusing language. The Planning Commission should consider (1) removing policies from the comprehensive plan or (2) re-working policies so they guide the City's actions with greater clarity. Finally, we propose four new policies to include so the Economic Element more closely aligns with Statewide Planning Goal 9.

Aspirational Policies

The following section lists aspirational policies. We provide general comments and guiding questions that apply to every policy listed. We also provide some examples of clearly actionable policies to guide revision of the language if the Economic Development Committee chooses to keep these policies in the comprehensive plan.

Policy 1 – Enhance Veneta's role as the Fern Ridge commercial and service center.

Policy 2 – Encourage businesses which provide meaningful employment and sense of financial security to local residents.

Policy 3 – Encourage locally-owned businesses to provide a full spectrum of products and services for the community.

Policy 4 – Encourage a diverse mix of unique and interesting shops.

Policy 24 – Support cottage industries.

CPW Comment: The above policies do not explain *how* the City should act to achieve the policy’s intended outcome. In many instances, the city’s land use regulations have little ability to achieve the desired outcomes. Finally, it is not clear how these policies would apply to individual land use decisions. Our view is that these policies are better suited for inclusion in the economic development strategy—and are reflected in the draft strategy.

Example of Actionable Policies: The following policies include a description of what mechanisms the City should employ to implement the policy. If the Committee chooses to re-write any aspirational policies, the language and concepts below can serve as a guide.

Policy 5 – Establish and actively enforce nuisance and property maintenance regulations to create attractive, well-maintained industrial and commercial areas.

Policy 6 – Diversify and expand Veneta’s economic base by providing opportunities for mixed-use areas for both industrial and commercial development.

Policy 7 – Maintain a list and description of vacant and redevelopable sites designated for commercial and/or industrial development.

CPW Comment: The policies above all provide direction that can be implemented by Community Development and should be maintained.

Policy 18 – Encourage commercial development on unconstrained lands as a first priority, even though some property adjacent to Highway 126 is constrained.

CPW Comment: Most of the constrained commercial land adjacent to Highway 126 is owned by the city. As a practical matter, developers will likely seek out unconstrained sites since wetland review can add considerable time and cost to the entitlement process.

Policy 19 – Encourage commercial development that results in more employees per acre and thus does not require as much land to meet the projected employment need.

CPW Comment: Based on discussions about the Economic Development Strategy, it is not clear that this is a priority for the City. Our view is that the city is more interested in attracting businesses that support the overall economy of Veneta and less on the density of employment. That said, commercial development such as self-storage units can have very low employment and high land requirements. As such, this policy is more aligned with strategies and actions in the Economic Development Strategy.

Recommended New Policies

To better comply with Statewide Planning Goal 9, we recommend adding in the following policies:

Policy I – The City shall conduct an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends every ten years or as changing economic conditions dictate.

Policy II – The City shall develop and periodically review policies concerning the economic development opportunities in the community.

Policy III – The City shall provide a 20-year supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.

LAND DEVELOPMENT ORDINANCE

This section presents a review of the City's Land Use Development Ordinance standards for the following land use designations:

- Broadway Commercial (Section 4.05)
- Community Commercial (Section 4.06)
- Highway Commercial (Section 4.07)
- Industrial-Commercial (Section 4.08)
- Light Industrial (Section 4.09)
- Medium Industrial (Section 4.10)

These designations include most of the land the City targets for economic development activities. The permitted, conditional, and prohibited uses should therefore align with the City's economic and community development goals. The following sections contain our suggestions for improving alignment with economic development goals, clarifying use definitions, and removing unnecessary details. We recommend periodic review of the zone designations as the City moves forward with its economic development strategy.

Broadway Commercial (BC)

Section 4.05 (2) (b): Retail store or shops not exceeding 10,000 square feet including:

1. Cafes, ice cream, and soda shops.
2. Restaurants (excluding drive-thru facilities), tasting rooms, catering and other food services.
3. Bakeries (with retail outlet).
4. Pharmacy or variety stores.
5. Medical Marijuana Facility, when not located within 1,000 feet of real property comprising a public park.

For purposes of this subsection, "within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet or less in every direction from any point on the

boundary line of the real property comprising an existing, public park. This buffer shall not apply to new parks located within 1,000 feet of an existing Medical Marijuana Facility.

6. Personal service establishments such as beauty and barber shops, shoe repair shops and tailor or dress-making shops.

CPW Comment: It is unnecessary to list these specific uses since *any* retail use would be considered, not just the items listed.

Purposed New Language: Delete all numbered items. We recognize that regulating the location of medical marijuana facilities may be important to the city. Given the passage of Ballot Measure 91 in 2014, Veneta may need to review its policy on siting of retail marijuana establishments.

Section 4.05 (2) (l): Technical support and telemarketing centers, except on ground floor.

CPW Comment: There does not seem to be a compelling reason to limit technical support and telemarketing activities to upper floors. We therefore suggest deleting the final clause.

Purposed New Language: Technical support and telemarketing centers.

Section 4.05 (2) (n): Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.

CPW Comment: “Low impact public and semi-public uses” could use better definition. Will the City, for example, allow churches in this zone? We recommend the Planning Commission discuss whether it wants to create a more specific list of approved uses or include other language that will clarify permitted or excluded public and semi-public uses.

Purposed New Language: None.

Section 4.05 (2) (p): Residential uses within a commercial structure, provided the residential use does not occupy more than 50 percent of the ground floor space in the structure if the any previous use of the structure has been commercial. Residential shall not occupy the front 25 feet of ground floor space abutting a principal commercial street (Broadway or Territorial Road), except that residential use may be accessed via a breezeway, lobby, or similar entrance.

CPW Comment: The intent seems clear: to limit residential uses that front on Broadway or Territorial Road. The language could be clearer.

Purposed New Language: Residential uses within a commercial structure, provided:

- Residential use does not occupy more than 50 percent of the ground floor space if the space has previously been used for commercial activity.

- Residential does not occupy the front 25 feet of ground floor space abutting a principal commercial street (Broadway or Territorial Road).

Community Commercial (CC)

Section 4.06 (2) (s): Residential uses within commercial structures, provided the residential use does not occupy more than 50 percent of the structure and no dwelling unit occupies the front 25 feet of ground floor principal commercial street except that residential use may be allowed off the principal commercial street at the ground floor.

CPW Comment: This use definition seems to serve the same purpose as the definition in Section 4.05 (2) (p). For consistency with the BC zone, we recommend re-wording the definition with the same language we suggest for Section 4.05 (2) (p). The final clause (“except that residential use may be allowed off the principal commercial street at the ground floor”) also requires clarification. The Committee should interpret the language and re-write it to reduce ambiguity.

Purposed New Language: Residential uses within a commercial structure, provided:

- Residential use does not occupy more than 50 percent of the ground floor space if the space has previously been used for commercial activity.
- Residential does not occupy the front 25 feet of ground floor principal commercial street *except that residential use may be allowed off the principal commercial street at the ground floor.* [Interpret and re-write language in italics]

Highway Commercial (HC)

Section 4.07 (2) (f): Plant nursery.

CPW Comment: We recommend the Committee consider whether plant nurseries are compatible with the other uses in HC and whether they are a desired use in what is some of Veneta’s more valuable land assets. The City should review whether these uses can more appropriately be accommodated in other zones or whether limitations on the scale of these operations are appropriate.

Purposed New Language: None

Section 4.07 (2) (o): Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.

CPW Comment: [Same as Section 4.05 (2) (n)] “Low impact public and semi-public uses” need better definition. Will the City, for example, allow churches in this zone? We recommend the Planning Commission discuss whether it wants to create a more specific list of approved uses or include other language that will clarify permitted or excluded public and semi-public uses and whether these should be different than the BC or CC zone.

Purposed New Language: None

Industrial-Commercial (IC)

Section 4.08 (2) (d): Retail stores or shops not exceeding 10,000 square feet.

CPW Comment: It appears the intent of this restriction is to encourage industrial uses in the I-C zone. Restricting the size of stores to 10,000 sf might limit the range of retail options for the site. The 10,000 sf restriction would exclude stores such as Bi-Mart. Expanding the square footage to a maximum 30,000 sf would allow more flexibility of uses that potential retail developers would find attractive.

Purposed New Language: Retail stores or shops not exceeding 30,000 square feet.

Section 4.08 (2) (j): Indoor commercial amusement or recreation establishments.

CPW Comment: These uses are allowed in the BC, CC, and HC zones. The City should consider whether these uses should be allowed in all of these zones or restricted to one or more.

Purposed New Language: None

Section 4.08 (2) (k): Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.

CPW Comment: [Same as Section 4.05 (2) (n) and 4.07 (2) (o)] “Low impact public and semi-public uses” need better definition. Will the City, for example, allow churches in this zone? We recommend the Planning Commission discuss whether it wants to create a more specific list of approved uses or include other language that will clarify permitted or excluded public and semi-public uses and whether these should be different than the BC, CC or HC zones.

Purposed New Language: None

Section 4.08 (3) (d): Drive-thru facilities (e.g., banks, eating and drinking establishments, and others).

CPW Comment: Drive-thru’s create significant traffic and might detract from the overall purpose of the IC zone as a low-impact area. These uses are more appropriate in the CC and HC zones. We suggest removing drive-thru’s, even as a conditional use.

Purposed New Language: Consider deleting this conditional use.

Light Industrial (LI)

Section 4.09 (2) (m): Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.

CPW Comment: [Same as Section 4.05 (2) (n), 4.07 (2) (o), and 4.08 (2) (k)] “Low impact public and semi-public uses” need better definition. Will the City, for example, allow churches in this zone? We recommend the City consider a revised a list of approved uses or include other language that will clarify permitted or excluded public and semi-public uses. Note that the definitions of permitted and excluded public and semi-public uses may be different for the LI zone than the BC, HC, or IC zones.

Purposed New Language: None

Section 4.09 (3) (c): Interim use of stables provided the dust, odors, noise, and other side effects of such uses do not interfere with the successful operations of adjacent land uses.

CPW Comment: Stables seem unlikely to serve only as an interim use since they require a great deal of fixed infrastructure. We suggest the Committee consider if they want to permit this, even as a conditional use, as it may interfere with desired development.

Purposed New Language: Consider deleting this conditional use.

Medium Industrial (MI)

Section 4.10 (3) (d): Interim use of stables provided the dust, odors, noise, and other side effects of such uses do not interfere with the successful operations of adjacent land uses.

CPW Comment: [Same as Section 4.09 (3) (c)] Stables seem unlikely to serve only as an interim use since they require a great deal of fixed infrastructure. We suggest the Committee consider if they want to permit this, even as a conditional use, as it may interfere with desired development.

Purposed New Language: Consider deleting this conditional use.

APPENDIX I: COMPREHENSIVE PLAN REVISIONS

D. ECONOMIC DEVELOPMENT ELEMENT

NARRATIVE:

The purpose of economic development is to help expand the local economy. This element addresses State Economic Development Goal 9, "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

In Veneta, particular attention is directed toward developing the city as a commercial and service center for the Fern Ridge area. Veneta captures much of the regional commercial demand with the regional shopping center, West Lane Center, and to a lesser extent, with Harold's Fern Ridge Center.

The downtown area including West Broadway and streets to the south (Territorial Hwy, Dunham, McCutcheon, and W. Hunter) is comprised of small parcels ranging in size from 5,000 square feet to 2.5 acres. There is anticipated growth of government services, professional offices, minor retail, and personal services which now intermix with residential uses. The downtown area generally has water and sewer services available, although a portion of West Broadway does not have sewer service. Street improvements to urban standards are needed prior to dense commercial development in the area.

To attract new industries, Veneta must provide large buildable vacant parcels, serviced or readily serviceable with adequate public facilities, which are located in close proximity to Highway 126. Veneta has identified one industrial site in the plan, Tanglewood Park. The Tanglewood Park (54.67 acres) and Jeans Road (45.47 acres) sites have few development constraints.

The number of home-based businesses will continue to increase as an affordable, convenient option for economic development among Veneta residents. These businesses are often located in residential zones. They fit well in the downtown mixed-use area.

[Paragraph 3 amended by Ordinance 491, November 23, 2009]

GOAL:

Pursue the economic interest of the City of Veneta by constructing and implementing policies and programs, including but not limited to the following functions:

- a) Guide the responsible expansion and growth of business and industry in Veneta and the Fern Ridge area.
- b) Develop a working relationship with economic development-related public and private agencies, community groups, and business organizations.
- c) Engage in dialogue with interested parties about the development of Veneta's industrially and commercially zoned properties, and other development and interests related to Comprehensive Plan Goals.
- d) Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses
- e) Limit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses.

FINDINGS:

1. Veneta is a bedroom community to Eugene. Seventy-two percent of employed persons living in Veneta commuted to Eugene/Springfield for work in 1990.
2. ~~In 1990, 13 percent of jobs in Veneta were held by persons living in the Eugene/Springfield metropolitan area.~~ In 2011, 5% of Veneta residents were employed in Veneta. Fifty-one percent of Veneta residents work in the Eugene-Springfield Metropolitan area.
3. Veneta's economy has changed from timber-dependent to service-oriented.
4. Much of Veneta's commercial activity has moved from downtown to the West Lane Center, located along Highway 126.
5. There is commercial space available in Veneta, both in Harold's Fern Ridge Center and the West Lane Shopping Center. Professional and office services and retail could be expected to develop in this space.
6. Medium to large size parcels are available for industrial growth, but land for industrial growth has largely remained vacant due, in part, to lack of infrastructure, particularly sanitary sewer and buildings. Is this still true?
7. Lane County continues to experience strong economic growth with technology- and service-based businesses as significant contributors to the county's economy.

8. ~~In 1996, the highest percentage of jobs located in and around Veneta within Census Tract 9.01 was in retail trade (34%), followed by education (19%), and services (18%).~~ in 2012, Retail Trade and Accommodation and Food Services had the largest share of employees in Veneta, accounting for 15 percent and 18 percent of the workforce. Management of Companies and Enterprises (\$48,302) and Government (\$34,557) accounted for the largest average payroll of the sectors provided.
9. ~~The 1990 Census indicates that the highest percentage of residents in Veneta work in the operators, fabricators, and laborers occupation category. The next highest percentages are clerical and administrative support; services; and precision, production, craft, and repair occupations.~~ According to 2009-13 American Community Survey (ACS) data, Office and Administrative Support (20 percent), Management, Business, and Financial (18 percent), and Sales and Related (12 percent) occupations account for half of the jobs held by Veneta residents.
10. Occupations that have been difficult to fill in Lane County include heating, ventilation, and air conditions (HVAC) technicians; engineers' construction trades; truck drivers; and welders. Job openings at Hyundai and HMT have put pressure on local firms looking for employees. **Is this still true?**
11. In 1990, more than half of the persons in the Fern Ridge Area (Census Tracts 9 and 10) over the age of 25 completed some education beyond high school. Eighteen percent of persons in the Fern Ridge Area completed college
12. In 1996, Veneta had 504 jobs. In order to achieve a jobs/housing balance, Veneta will need to provide a total of 1,990 to 2,520 jobs in the year 2020. Veneta had an estimated 1,789 employees within its UGB in 2012. Additionally, based on this data, Veneta had a population/employment ratio of 3.03 in 2012.
13. ~~The majority of new jobs in Veneta are projected to be provided in the retail trade; and services and FIRE (finance, insurance, and real estate) sectors. Education; government; non-durable manufacturing; and construction sectors should also add a substantial number of jobs.~~ The sectors that will lead employment growth in Lane County for the ten-year period are Health Care and Social Assistance (adding 3,800 jobs), Government (adding 3,700 jobs), Leisure and Hospitality (adding 2,900 jobs), Professional and Business Services (adding 2,700 jobs), and Retail Trade (adding 2,100 jobs). Together, these sectors are expected to add 13,100 new jobs or 60 percent of employment growth in Lane County.
14. ~~Although increasing in number, the proportion of jobs in the retail trade and government sectors is projected to decrease as a percentage of the total employment in Veneta.~~ **True for government, but not necessarily for retail—particularly in light of the strategy**

15. Currently in Veneta, there is no durable manufacturing that does not involve lumber and wood products. There is no employment in the wholesale trade sector either. However, as Veneta's economy diversifies, each sector is expected to comprise two percent of total future employment.
16. Projections indicate that five percent of total jobs in Veneta will be home-based occupations.
17. ~~Sixty~~Seventy-nine acres of Veneta's undeveloped land designated for industrial or commercial development is constrained with wetlands and/or is within the 100-year floodplain.

POLICIES:

1. Enhance Veneta's role as the Fern Ridge commercial and service center. [Aspirational]
2. Encourage businesses which provide meaningful employment and sense of financial security to local residents. [Aspirational]
3. Encourage locally-owned businesses to provide a full spectrum of products and services for the community. [Aspirational]
4. Encourage a diverse mix of unique and interesting shops. [Aspirational]
5. Establish and actively enforce nuisance and property maintenance regulations to create attractive, well-maintained industrial and commercial areas.
6. Diversify and expand Veneta's economic base by providing opportunities for mixed use areas for both industrial and commercial development.
7. Maintain a list and description of vacant and redevelopable sites designated for commercial and/or industrial development.
8. Actively market available properties and community assets through recruitment organizations and the Internet.
9. Develop and conduct familiarization sessions for industrial realtors in order to attract appropriate industrial employers to create local manufacturing jobs.
10. Provide information and contacts for local businesses wishing to start-up or expand in the area. Encourage community financial institutions and civic groups to inform the business community about small business loans.

11. Check into feasibility of creating a federal Empowerment Zone (to leverage private investment and foster community development institutions) and establishing non-provider organizations such as the Rural Community Assistance Corporation.
12. Seek grant opportunities to pay for needed infrastructure such as roads or utilities that would encourage job creation.
13. Install utilities adjacent to employment sites so properties are ready to develop.
14. Encourage the installation of a fiber optics line to Veneta to help the city move more fully into the communication age.
15. Allow home occupations in accordance with provisions of City code. Additional or different home occupation practices will be allowed only through approval of an appropriate zone change.
16. Ensure that major traffic hazards are avoided along Highway 126 and have the Planning Commission review all commercial or industrial development adjacent to the highway. **[Does ODOT already require this?]**
17. Prevent excessive strip commercial development along Highway 126 in keeping with the state's goals of moving highway traffic quickly and safely through Veneta with minimal congestion. Limit development to uses which are not heavy traffic generators, thus avoiding potential traffic hazards and problems along the highway. **[How will this be accomplished? Consider combining with #16 to create a single traffic policy]**
18. Encourage commercial development on unconstrained lands as a first priority, even though some property adjacent to Highway 126 is constrained. **[Semi-Aspirational]**
19. ~~Encourage commercial development that results in more employees per acre and thus does not require as much land to meet the projected employment need.~~
20. Promote business development in the downtown area by:
 - upgrading city streets to include on-street parking, curbs, gutters, and sidewalks.
 - consolidating small parcels into larger parcels for commercial development;
 - fully utilizing the land through redevelopment;
 - promoting high density mixed use commercial-residential development within and adjacent to the downtown.
21. Serve the large-scale retail needs of Veneta and the surrounding area through continued development of West Lane Center, Fern Ridge Center, and Northeast Employment Center. These sites are desirable to commercial development because of their excellent

access to Highway 126 and Territorial Road, high visibility, available water and sewer, and large parcels.

22. Maintain and possibly expand the commercial area on Territorial Highway south of Bolton Hill Road. This area houses a family grocery store and feed 'n' seed store and is a neighborhood service area. Expansion of this commercial area could provide some services to future residential neighborhoods in southwest Veneta.
23. Promote visibility and pedestrian access to business by encouraging parking to be located at the sides or behind commercial buildings. Encourage an attractive streetscape through plantings and flexible set-backs that range from 20 feet to zero. Encourage the use of various architectural elements intended to enhance curb appeal and visual interest such as windows, awnings, and building articulations.
24. Support cottage industries.
25. Locate industrial lands adjacent to arterial or collector streets, rail, and public facilities to allow easy development on the sites.
26. Allow industrial uses which meet performance standards based on environmental impacts and resource demands.
27. Designate sufficient lands for industrial uses to encourage immediate industrial development in Veneta and protect lands in large parcels which will be needed for future industrial development.
28. Restrict industrial uses along Highway 126 to those uses which are located entirely within an enclosed building.
29. Use landscaping to create attractive business environments and conserve existing native and heritage trees.

[Additional Policies]

30. Conduct an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends.
31. Develop and periodically review policies concerning the economic development opportunities in the community
32. Provide a 20-year supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies
33. Limit uses on or near sites zoned for industrial and commercial uses to those which are compatible with proposed uses.

[Policies 20, 21, and 23 amended by Ordinance 491, November 23, 2009]

APPENDIX 2: LAND DEVELOPMENT ORDINANCE REVISIONS

SECTION 4.05 BROADWAY COMMERCIAL

In the BC zone, the following regulations shall apply:

- (1) Purpose. Create a pedestrian friendly environment within the downtown area with a mixture of land uses that provides direct, safe, and convenient access from residential areas to commercial services, public spaces, and transit connections while maintaining access for automobiles and bikes.
- (2) Uses Permitted Subject to Site Plan Review. In a BC zone, the following uses and their accessory uses are permitted subject to the site plan review provisions of Article 6, provided all operations, except off-street parking, recreational facilities, common areas (e.g., plazas), and permitted temporary activities associated with an allowed use, shall be conducted entirely within an enclosed building (excludes drive-thru facilities):
 - (a) Retail stores or shops exceeding 10,000 square feet and contained in a mixed-use building where residential uses are located above commercial space.
 - (b) Retail store or shops not exceeding 10,000 square feet including:
 - ~~1. Cafes, ice cream, and soda shops.~~
 - ~~2. Restaurants (excluding drive-thru facilities), tasting rooms, catering and other food services.~~
 - ~~3. Bakeries (with retail outlet).~~
 - ~~4. Pharmacy or variety stores.~~
 - ~~5. Medical Marijuana Facility, when not located within 1,000 feet of real property comprising a public park.~~

~~For purposes of this subsection, “within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in every direction from any point on the boundary line of the real property comprising an existing, public park. This buffer shall not apply to new parks located within 1,000 feet of an existing Medical Marijuana Facility.~~
 - ~~6. Personal service establishments such as beauty and barber shops, shoe repair shops and tailor or dress-making shops.~~

[No need to specify these uses]

- (c) Museums and art galleries.
- (d) Professional, financial and business offices.
- (e) Medical, dental clinics, or medical laboratories.
- (f) Financial institutions.
- (g) Indoor commercial amusement or recreation establishments.
- (h) Community buildings and social organizations, including but not limited to senior centers.
- (i) Bed and breakfast; boarding, lodging or rooming home.
- (j) Manufacturing and production of jewelry, candy or other similar items (less than 5,000 sq. ft. with retail outlet that is a minimum of twenty-five (25) percent the size of the manufacturing area).
- (k) Laundromat or cleaning agencies.
- (l) Technical support and telemarketing centers, ~~except on ground floor.~~
- (m) Residential uses contained in a mixed-use building (e.g., apartments or condominiums above commercial space, or residential use in a live-work building) where residential uses are located above commercial space.
- (n) Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.
- (o) Registered or certified family daycare in an existing structure currently used as a residence.
- (p) Residential uses within a commercial structure, provided:
 - Residential use does not occupy more than 50 percent of the ground floor space if the space has previously been used for commercial activity.
 - Residential does not occupy the front 25 feet of ground floor space abutting a principal commercial street (Broadway or Territorial Road), except that residential use may be accessed via a breezeway, lobby, or similar entrance.
- (q) Uses similar to the above permitted uses as provided by Section 2.05.

- (4) Conditional Uses. Except as provided in Section 4.05 (5) below, the following uses and their accessory uses are permitted in the BC zone subject to the provisions of Article 6, Site Plan Review, and Article 8, Conditional Uses:
- (a) Open display or storage outside exceeding 180 days.
 - (b) Parking lots and parking garages when not accessory to a primary permitted use, and screened in accordance with Section 5.12 Landscaping.
 - (c) Transportation improvements not identified by the City of Veneta Transportation System Plan.
 - (d) Uses similar to the above conditional uses as provided by Section 2.05.
- (5) Prohibited Uses.
- (a) Drive-thru facilities (e.g., banks, eating and drinking establishments, and others).
- (6) Lot Size and Width. In the BC zone, minimum lot sizes and widths shall be as follows:
- (a) Lot Size: 3,000 square feet.
 - (b) Lot Width: twenty (20) feet.
- (7) Yards. Except as provided in Articles 5, 6 and 8, in a BC zone, and as required below, there are no minimum yards:
- (a) Yards for off-street parking areas shall be a minimum of five (5) feet; additional yard area may be required under Articles 5, 6, or 8; e.g., for clear vision and compatibility with abutting uses. This standard does not apply to parking spaces in driveways for individual dwellings, except that driveways shall be designed so that parked vehicles do not encroach into the public right-of-way.
 - (c) Yards shall be landscaped pursuant to Section 5.12.
 - (d) See Section 5.09 for additional setbacks on designated streets.
 - (e) Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets.

- (8) Lot Coverage. In the BC zone, the maximum allowable lot coverage by buildings is seventy percent (70%). Up to eighty percent (80%) coverage may be approved for mixed-use developments incorporating residential and commercial uses. All lot areas not covered by buildings, parking lots, walkways etc. shall be landscaped pursuant to Section 5.12.
- (9) Building Height. Except as provided in Articles 5, 6 and 8, in a BC zone, the maximum building height is forty-five (45) feet; up to fifty-five (55) feet in height is allowed for mixed-use buildings that contain dwellings at a minimum density of twenty (20) units per acre; dwellings must be located above a ground floor commercial space that has a floor-to-ceiling height of at least fourteen (14) feet.
- (10) Building Orientation and Design. All development, including new structures and exterior remodels to existing structures or developments, shall comply with the design standards in Section 5.13. Multi-family buildings and attached single-family buildings, where allowed, shall comply with the design standards in Section 5.29.
- (11) Pedestrian Access. A sidewalk shall provide safe, convenient pedestrian access from the street to the primary building entrance. If the sidewalk must cross a parking lot or driveway, it shall be paved, raised and/or marked in a manner that calls attention to the sidewalk.
- (12) For additional requirements see Article 5 - Supplementary Provisions.

SECTION 4.06 COMMUNITY COMMERCIAL (CC)

In the CC zone, the following regulations shall apply:

- (1) Purpose. To provide areas suitable and desirable for a wide range of small commercial and business facilities to serve the Fern Ridge community.
- (2) Uses Permitted Subject to Site Plan Review. In a CC zone, the following uses and their accessory uses are permitted subject to the site plan review provisions of Article 6, provided all operations, except off-street parking, recreational facilities, common areas (e.g., plazas), and permitted temporary activities associated with an allowed use, shall be conducted entirely within an enclosed building (excludes drive-thru facilities):
 - (a) Retail stores or shops exceeding 10,000 square feet and contained in a mixed-use building where residential uses are located above commercial space.
 - (b) Retail store or shops not exceeding 10,000 square feet.

- (c) Personal or business service.
- (d) Household appliance and small equipment repair and maintenance service (retail outlet required).
- (e) Eating and drinking establishments, excluding drive-thru restaurants.
- (f) Museums and art galleries.
- (g) Professional, financial and business offices.
- (h) Medical, dental clinics or medical laboratories.
- (i) Medical Marijuana Facility, when not located within 1,000 feet of real property comprising a public park.

For purposes of this subsection, “within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in every direction from any point on the boundary line of the real property comprising an existing, public park. This buffer shall not apply to new parks located within 1,000 feet of an existing Medical Marijuana Facility.

- (j) Mortuary or crematorium.
- (k) Financial institutions.
- (l) Indoor commercial amusement or recreation establishments.
- (m) Bed and breakfast; boarding, lodging or rooming home.
- (n) Public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.
- (o) Day care facilities or registered or certified family daycare.
- (p) Parking lots and parking garages when not accessory to a primary permitted use, and screened in accordance with Section 5.12 Landscaping.
- (q) Plant nursery, provided uses and activities not enclosed in a building and exceeding 200 square feet of lot area (e.g., display of plants, landscape supplies, etc.) requires conditional use approval.
- (r) Residential uses contained in a mixed-use building (e.g., apartments or condominiums above commercial space, or residential use in a live-work

building) where residential uses are located above commercial space.

- (s) Residential uses within commercial structures, provided:
 - Residential use does not occupy more than 50 percent of the structure.
 - Residential does not occupy the front 25 feet of ground floor principal commercial street except that residential use may be allowed off the principal commercial street at the ground floor.
 - (t) Transportation facilities, consistent with the City of Veneta Transportation System Plan, including but not limited to public parking structures and transit facilities.
 - (u) Uses similar to the above permitted uses as provided by Section 2.05.
- (3) Conditional Uses. In a CC zone, the following uses and their accessory uses may be 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.
 - (b) Uses listed in (3) above that exceed the thresholds (e.g., floor space) or other conditions provided in (3) above.
 - (c) Parking lots and parking garages when not accessory to a primary permitted use, and screened in accordance with Section 5.12 Landscaping.
 - (d) Drive-thru facilities (e.g., banks, eating and drinking establishments, and others).
 - (e) Transportation improvements not identified by the City of Veneta Transportation System Plan.
 - (f) Uses similar to the above conditional uses as provided by Section 2.05.
- (4) Lot Size and Width. In the CC zone, minimum lot sizes and widths shall be as follows:
- (a) Lot Size: 3,000 square feet.
 - (b) Lot Width: twenty (20) feet.
- (5) Yards. Except as provided in Articles 5, 6 and 8, in a CC zone, and as required below, there are no minimum yards:
- (a) Front yards abutting a residential zone (RR, SFR, and GR) shall be a minimum of twenty (20) feet.

- (b) Back and side yards abutting a residential zone (RR, SFR, and GR) shall be ten (10) feet.
 - (c) Yards for off-street parking areas shall be a minimum of five (5) feet; additional yard area may be required under Articles 5, 6, or 8; e.g., for clear vision and compatibility with abutting uses. This standard does not apply to parking spaces in driveways for individual dwellings, except that driveways shall be designed so that parked vehicles do not encroach into the public right-of-way.
 - (d) Yards shall be landscaped pursuant to Section 5.12. Up to eighty percent (80%) of the required yard may consist of hardscape features, subject to Site Plan Review.
 - (e) See Section 5.09 for additional setbacks on designated streets.
 - (f) Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets.
- (6) Lot Coverage. In the CC zone, the maximum allowable lot coverage by buildings is seventy percent (70%). Up to eighty percent (80%) coverage may be approved for mixed-use developments incorporating residential and commercial uses. All lot areas not covered by development shall be landscaped pursuant to Section 5.12.
- (7) Building Height. Except as provided in Articles 5, 6 and 8, in a CC zone, the maximum building height is forty-five (45) feet; up to fifty-five (55) feet in height is allowed for mixed-use buildings that contain dwellings at a minimum density of twenty (20) units per acre; dwellings must be located above a ground floor commercial space that has a floor-to-ceiling height of at least fourteen (14) feet.
- (8) Building Orientation and Design. All development, including new structures and exterior remodels to existing structures or developments, shall comply with the design standards in Section 5.13.
- (9) Pedestrian Access. A sidewalk shall provide safe, convenient pedestrian access from the street to the primary building entrance. If the sidewalk must cross a parking lot or driveway, it shall be paved, raised and/or marked in a manner that calls attention to the sidewalk.
- (10) For additional requirements see Article 5 - Supplementary Provisions.

SECTION 4.07 HIGHWAY COMMERCIAL (HC)

In the HC zone, the following regulations shall apply:

- (1) Purpose. To provide services to accommodate travelers and to provide large scale commercial services needed to serve the Fern Ridge area.
- (2) Uses Permitted Subject to Site Plan Review. In a HC zone, the following uses and their accessory uses are permitted subject to Site Plan Review under Article 6, provided all operations except off-street parking, recreational facilities, common areas (e.g., plazas), and permitted temporary activities associated with an allowed use shall be conducted entirely within an enclosed building (excludes drive-thru facilities).
 - (a) Hotel or motel.
 - (b) Retail stores or shops.
 - (c) Personal or business service.
 - (d) Repair and maintenance service; excluding those which involve automobiles, trucks, motorcycles, buses, recreational vehicles, boats, and heavy equipment.
 - (e) Eating and drinking establishments, excluding drive-thru restaurants.
 - (f) Plant nursery. [For consideration: is this really a use the City wants to permit?]
 - (g) Museums and art galleries.
 - (h) Professional, financial and business offices.
 - (i) Medical, dental clinics or medical laboratories.
 - (j) Medical Marijuana Facility, when not located within 1,000 feet of real property comprising a public park.

For purposes of this subsection, “within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in every direction from any point on the boundary line of the real property comprising an existing, public park. This buffer shall not apply to new parks located within 1,000 feet of an existing Medical Marijuana Facility.
 - (k) Financial institutions.

- (l) Indoor commercial amusement or recreation establishments.
 - (m) Bed and breakfast; boarding, lodging or rooming home.
 - (n) Rental storage units.
 - (o) Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.
 - (p) Parking lots and parking garages when not accessory to a primary permitted use, and screened in accordance with Section 5.12 Landscaping.
 - (q) Outdoor sales of plants and pre-packaged garden supplies.
 - (r) Uses similar to the above permitted uses as provided by Section 2.05.
- (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) Recreational vehicle parks.
 - (b) Open display, sales or storage outside exceeding 180 days.
 - (c) Commercial dog kennels.
 - (d) Outdoor commercial amusement or recreation establishments.
 - (e) Drive-thru facilities (e.g., banks, eating and drinking establishments, and others).
 - (f) Automobile service stations, including maintenance and repair.
 - (g) Gas stations including truck fuel sales, truck servicing and overnight trucking facilities.
 - (h) Car or truck washes.
 - (i) Vehicle sales, rental or repair.
 - (j) Heavy equipment and truck rental/sales and repair.
 - (k) Material recycling operations excluding metal salvage yards and automobile junkyards.

- (l) Caretaker or watch person dwelling on the premises of a non-residential use.
 - (n) Transportation improvements not identified by the City of Veneta Transportation System Plan.
 - (o) Uses similar to the above conditional uses as provided by Section 2.05.
- (4) Yards. Except as provided in Articles 5, 6 and 8, in an HC zone, no yards are required except as follows:
- (a) No front yards are required.
 - (b) Back and side yards abutting a residential zone shall be ten (10) feet.
 - (c) Yards for off-street parking areas shall be a minimum of five (5) feet; additional yard area may be required under Articles 5, 6, or 8; e.g., for clear vision and compatibility with abutting uses and shall be landscaped in pursuant to Section 5.12.
 - (d) See Section 5.09 for additional setbacks on designated streets. Yard areas may be required for planned road right-of-way widths in order to permit the eventual widening of streets.
- (5) Pedestrian Access. A sidewalk shall provide safe, convenient pedestrian access from the street to the building entrance. If the sidewalk crosses the driveway, it shall be paved, raised and/or marked in a manner that calls attention to the sidewalk.
- (6) For additional requirements see Article 5 -Supplementary Provisions.

SECTION 4.08 INDUSTRIAL-COMMERCIAL (IC)

In an IC zone, the following provisions shall apply:

- (1) Purpose. To provide areas suitable for limited manufacturing, warehousing, and commercial activities which have minimal emissions or nuisance characteristics.
- (2) Uses Permitted subject to Site Plan Review. In an IC zone, the following uses and accessory uses are permitted, subject to the provisions of Article 6, Site Plan Review. All operations except off-street parking and temporary activities associated with the established businesses shall be conducted entirely within an enclosed building:
 - (a) All permitted uses in the Light-Industrial zone.

- (b) Rental storage units.
- (c) Caretaker or watch person dwelling on the premises of a non-residential use.
- (d) Retail stores or shops not exceeding 10,000 square feet. **[Consider expanding the 10,000 sf restriction]**
- (e) Personal or business service.
- (f) Medical Marijuana Facility, when not located within 1,000 feet of real property comprising a public park.

For purposes of this subsection, “within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in every direction from any point on the boundary line of the real property comprising an existing, public park. This buffer shall not apply to new parks located within 1,000 feet of an existing Medical Marijuana Facility.

- (g) Repair and maintenance service, excluding auto and truck service stations, maintenance, and repair.
 - (h) Eating and drinking establishments, excluding drive-thru restaurants.
 - (i) Professional, financial and business offices.
 - (j) Indoor commercial amusement or recreation establishments.
 - (k) Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.
 - (l) Outdoor sales of plants and pre-packaged garden supplies.
 - (m) Uses similar to the above permitted uses as provided by Section 2.05.
- (3) Conditional Uses. In an IC zone, the following uses and accessory uses are permitted, subject to the provisions of Article 6, Site Plan Review and Article 8, Conditional Uses.
- (a) All conditional uses in the Light-Industrial zone.
 - (b) Open display, sales or storage outside exceeding 180 days.
 - (c) Outdoor commercial amusement or recreation establishments.

- (d) ~~Drive-thru facilities (e.g., banks, eating and drinking establishments, and others).~~
 - (e) Commercial dog kennels.
 - (f) Plant nursery.
 - (g) Automobile service stations, including maintenance and repair.
 - (h) Gas Stations, including truck fuel sales, truck servicing and overnight trucking facilities.
 - (i) Car or truck washes.
 - (j) Heavy equipment and truck rental/sales.
 - (k) Material recycling operations excluding metal salvage yards and automobile junkyards.
 - (l) Outdoor sales of bulk landscaping and rock products.
 - (m) Caretaker or watch person dwelling on the premises of a non-residential use.
 - (n) Uses similar to the above conditional uses as provided by Section 2.05.
- (4) Yards. In an IC zone, yards shall be as follows:
- (a) Front yards shall be a minimum of ten (10) feet, except when a lot abuts a residential zone the minimum setback shall be twenty (20) feet.
 - (b) Back and side yards shall be a minimum of five (5) feet from property line, except when a lots abuts a residential zone the minimum setback shall be twenty (20) feet.
 - (c) Side yard requirements may be waived on common lot lines when adjoining lot owners enter into a joint development agreement for coordinated vehicular access and parking development and party wall or adjoining building walls meeting required fire separation requirements of the State Structural Specialty Code and Fire and Life Safety Code.
 - (d) Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets.
 - (e) See Veneta Tree Preservation and Protection Ordinance for possible

setback exemptions for the preservation of heritage trees.

- (5) Lot Coverage. Eighty percent (80%) lot coverage is allowed, provided the requirements of Articles 5, 6, and 8, as applicable, are met.
- (6) Off-street Parking and Loading. Off-street parking shall be provided as specified in Section 5.20 of this ordinance.
- (7) For additional requirements, see Article 5 - Supplementary Provisions.

SECTION 4.09 LIGHT INDUSTRIAL (LI)

In an LI zone, the following regulations shall apply:

- (1) Purpose. To allow for light industrial uses in a business park environment. Such development could include flexible space for a variety of small industrial manufacturing, storage, distribution and office uses. Such space is commonly used as business incubators for small local businesses and could ideally be used by artisans and craftspeople as industrial studio space.
- (2) Uses Permitted subject to Site Plan Review. In an LI zone, the following uses and accessory uses are permitted subject to Site Plan Review provided all operations except off-street parking are within an enclosed building. All uses must meet and continually comply with the Performance Standards of Section 4.09(4). Any uses specifically listed as only allowed in the Medium-Industrial district are not allowed in the Light-Industrial District.
 - (a) Small scale manufacturing, wholesaling, compounding, assembling, and processing.
 - (b) Plant-based food processing.
 - (c) Storage and warehousing, including mini-storage rental units.
 - (d) Research and development and testing laboratories and facilities.
 - (e) Construction businesses.
 - (f) Automotive, truck and heavy equipment repair and service.
 - (g) Media productions, including but not limited to TV and radio broadcasting, motion picture production, and newspaper/book publishing.
 - (h) Offices for business, labor, scientific, and professional organizations.

- (i) Retail sales in conjunction with manufacturing, provided the sales area is not greater than 25% of the total floor area.
- (j) Offices in conjunction with an industrial use.
- (k) Medical Marijuana Facility, when not located within 1,000 feet of real property comprising a public park.

For purposes of this subsection, “within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in every direction from any point on the boundary line of the real property comprising an existing, public park. This buffer shall not apply to new parks located within 1,000 feet of an existing Medical Marijuana Facility.

- (l) Parking lots and parking garages, including truck parking
- (m) Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.
- (n) Interim agricultural cultivation on undeveloped land provided the spraying, dust, odors and other side effects of such uses do not interfere with the successful operations of adjacent land uses.

[Suggested Addition: Eating and drinking establishments. Consider if this fits with the purpose of LI. Might support the small, artisan business uses.]

- (o) Uses similar to the above permitted uses as provided by Section 2.05.

(3) Conditional Uses Permitted. In the LI zone, the following conditional uses are permitted subject to the provisions of Article 8. All uses must meet and continually comply with the Performance Standards of Section 4.08 (4). All permitted uses are subject to Site Plan Review provisions of Article 6.

- (a) Open display, sales or storage outside exceeding 180 days.
- (b) Caretaker or watch person dwelling on the premises of a non-residential use.
- (c) Interim use of stables provided the dust, odors, noise, and other side effects of such uses do not interfere with the successful operations of adjacent land uses. [For consideration: is this a use the City really wants to permit?]
- (d) High impact transportation facilities such as heliports, helistops, and bus or train terminals.

- (e) Transportation improvements not identified by the City of Veneta Transportation System Plan.
 - (f) Uses similar to the above conditional uses as provided by Section 2.05.
- (4) Performance Standards.
- (a) Water Supply. All industrial uses must connect to the City of Veneta water system. Projected water use must be shown to be within Veneta's water system capabilities and approved by the City Engineer.
 - (b) Waste Water Standards. All industrial uses must be connected to the City of Veneta sanitary sewerage system. Veneta's sanitary sewerage system must be shown to be capable of treating the projected amount and quality of waste water and approved by the City Engineer.
 - (c) Stormwater Drainage. The development site, its operations and improvements thereon shall detain and treat all stormwater as required by Section 5.16 of this ordinance. There shall be no contamination of stormwater from solid or other wastes.
 - (d) Solid Waste Containers. Garbage collection areas, service facilities and air conditioning facilities located outside the building shall be appropriately screened and landscaped to obscure view from beyond the boundary of the development site. No hazardous wastes may be collected or stored within the development site.
 - (e) Odor Standards. No emission or odorous matter shall be produced in such a manner to cause a public nuisance or contribute to a condition of air pollution. An odor nuisance may be measured as an emission that occurs for sufficient duration or frequency so that two (2) measurements made within a period of one (1) hour, separated by not less than fifteen (15) minutes, are equal to or greater than a Centimeter No. O or equivalent dilution measured at the property line.
 - (f) Noise Standards. Operations must demonstrate, by noise production methods, that it shall not exceed DEQ standards set forth in Oregon Administrative Rules, Chapter 340, Division 35: "Oregon State Noise Control Regulations for Industry and Commerce," and the Veneta Noise Ordinance No. 299.
 - (g) Dust and Fugitive Emission Standards. Open operations on the development site require a paved dust-free and adequately drained durable surface of asphaltic concrete or Portland cement or other approved materials.

Vegetative screens or buffers shall be required to minimize dust "drift" onto abutting properties. Buffers are to be installed as required under parking area standards, Section 5.20.

- (h) Aesthetic Standards: Landscaping shall be installed around building areas and outdoor uses as required by the approved site plan or conditional use permit. Natural landscaping shall positively project the identity and image of the firm and of the City. Landscaping shall meet the standards established in Section 5.12.
- (5) Yards. In an LI zone, yards shall be as follows:
 - (a) Front yards shall be a minimum of ten (10) feet, except when a lot abuts a residential zone the minimum setback shall be twenty (20) feet.
 - (b) Back and side yards shall be a minimum of five (5) feet from property line, except when a lot abuts a residential zone the minimum setback shall be twenty (20) feet.
 - (c) Side yard requirements may be waived on common lot lines when adjoining lot owners enter into a joint development agreement for coordinated vehicular access and parking development and party wall or adjoining building walls meeting required fire separation requirements of the State Structural Specialty Code and Fire and Life Safety Code.
 - (d) Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets.
 - (e) See Veneta Tree Preservation and Protection Ordinance for possible setback exemptions for the preservation of heritage trees.
- (6) Lot Coverage. One hundred percent lot coverage will be allowed when minimum parking standards, loading space and required yards are provided and all performance standards are met.
- (7) Off-Street Parking and Loading. Off-street parking shall be provided as specified in Section 5.20 of this ordinance.
- (8) For additional requirements, see Article 5 - Supplementary Provisions.

SECTION 4.10 MEDIUM INDUSTRIAL (MI)

In an MI zone, the following regulations shall apply:

- (1) Purpose. To allow industrial uses which cater to the more traditional sectors.

These include secondary work products manufacturing and processing, other durable manufacturing enterprises.

- (2) Uses Permitted subject to Site Plan Review. In an MI zone, the following uses and accessory uses are permitted subject to Site Plan Review. All uses must meet and continually comply with the Performance Standards listed for the LI zone. Any uses specifically listed as only allowed in an MI zone (except item (a)) are not allowed in a LI zone.
- (a) All uses permitted in the LI zone.
 - (b) Large scale manufacturing, wholesaling, compounding, assembling, and processing.
 - (c) Recycling facilities.
 - (d) Manufacturing, assembling, and/or storage of:
 - 1) Chemicals and chemical products
 - 2) Lumber, wood, and paper products
 - 3) Metal and metal alloy products
 - 4) Paints, varnishes, lacquers, enamels and allied products
 - 5) Concrete blocks, cinder blocks
 - 6) Septic tanks
 - (e) Animal-based food processing (slaughter houses not allowed)
 - (f) Transportation improvements identified by the City of Veneta Transportation System Plan.
 - (g) Uses similar to the above permitted uses as provided by Section 2.05.
- (3) Conditional Uses Permitted. In the MI zone, the following conditional uses are permitted subject to the provisions of Article 8. All uses must meet and continually comply with the Performance Standards of Section 4.08 (4), unless specifically exempted. All conditional uses are subject to Site Plan Review provisions of Article 6.
- (a) Any of the above uses requiring relaxation of one or more of the performance standards.
 - (b) Open display, sales or storage outside exceeding 180 days.
 - (c) Caretaker or watch person dwelling on the premises of a non-residential use.
 - (d) Interim use of stables provided the dust, odors, noise, and other side

effects of such uses do not interfere with the successful operations of adjacent land uses. [For consideration: is this a use the City really wants to permit?]

- (e) Transportation improvements not identified by the City of Veneta Transportation System Plan.
 - (f) Uses similar to the above conditional uses as provided by Section 2.05.
- (4) Prohibited Uses. Heavy industrial uses are not allowed in the MI district, or anywhere in Veneta. The city does not have the utilities or services to support heavy industry, nor are there adequate locations to site these uses where they will not become a public nuisance or health and safety risk. Prohibited uses include but are not limited to:
- (a) Manufacturing, assembly, and/or distribution of explosives or fireworks.
 - (b) Batch plants for asphaltic or Portland cement concrete.
 - (c) Bulk plants or distribution facilities for refined flammable liquids.
 - (d) Foundries and stamping plants.
 - (e) Incineration or reduction of garbage, dead animals, offal and refuse.
 - (f) Leather tanning and finishing.
 - (g) Slaughter houses.
 - (h) Wrecking yards, metal salvage yards and automobile junkyards.
- (5) Yards. In an MI zone, yards shall be as follows:
- (a) Front yards shall be a minimum of twenty (20) feet.
 - (b) Back and side yards shall be a minimum of ten (10) feet from property line, except when a lot abuts a residential zone the minimum setback shall be twenty (20) feet.
 - (c) Side yard requirements may be waived on common lot lines when adjoining lot owners enter into a joint development agreement for coordinated vehicular access and parking development and party wall or adjoining building walls meeting required fire separation requirements of the State Structural Specialty Code and Fire and Life Safety Code.
 - (d) Yard requirements are in addition to any planned road right-of-way widths

in order to permit the eventual widening of streets.

- (e) See Veneta Tree Preservation and Protection Ordinance for possible setback exemptions for the preservation of heritage trees.
- (6) Lot Coverage. One hundred percent lot coverage will be allowed when minimum parking standards, loading space and required yards are provided and all performance standards are met.
- (7) Off-street Parking and Loading. Off-street parking shall be provided as specified in Section 5.20 of this ordinance.
- (8) For additional requirements, see Article 5 - Supplementary Provisions.

SECTION 6.04 IMPROVEMENT REQUIREMENTS [Veneta staff suggestion for consideration. These changes will require existing sites be brought up to minimum standards when there is a change in use.]

This section promotes upgrades to features of ~~nonconforming~~ development that affect a site's appearance and functionality when there is a change of use. ~~nonconforming developments may continue unless specifically limited by Section 6.04(1) below or by other provisions in this ordinance.~~

- (1) Development that does not comply with the following standards must be brought into compliance with current standards to an extent commensurate with the proposed changes.
 - (a) Landscaped setbacks for surface parking and exterior development areas;
 - (b) Interior parking lot landscaping;
 - (c) Landscaping in existing building setbacks;
 - (d) Minimum landscaped area (where land is not used for structures, parking, or exterior improvements);
 - (e) Screening;
 - (f) Paving of surface parking and exterior storage and display areas; and
 - (g) Construction of sidewalks abutting development site; and
 - (h) Commercial and residential design standards.

Add Definition: Change of Use. A change from one existing permitted use to another permitted use in the applicable zoning district. Change of use includes changes that require construction or alteration of existing buildings, structures, or open storage areas.