

**AGENDA**  
**Veneta Planning Commission**  
TUESDAY – April 5, 2016 – 6:30 p.m.  
Veneta City Hall

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**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. February 2, 2016 (pgs. 3-6)
- b. March 1, 2016 (pgs. 7-10)

**4. LEGISLATIVE PUBLIC HEARING**

- a. Veneta Land Development Ordinance Amendments (A-1-16). Off-street Parking Location Standards/Property Line Adjustment.
  - 1. Open Hearing
  - 2. Staff Report (pgs. 11-18)
  - 3. Public Testimony
  - 4. Questions from the Planning Commission
  - 5. Close of Public Hearing
  - 6. Deliberation and Decision

**5. ADMINISTRATIVE DECISIONS**

**6. OTHER**

**7. 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

## February 2, 2016

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

Others: Kay Bork, Community Development Director; Lisa Garbett, Associate Planner; Ric Ingham, City Administrator, Phil Velie, Michael Weishar

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### I. Review Agenda

Chair James Eagle Eye opened the Veneta Planning Commission meeting at 6:30 p.m. and reviewed the agenda.

### II. Public Comment

None

### III. Review partition Request, M-1-15, Sproat Ranch Estates Lots 1 and 2

#### a. Request approval of a tentative plan for a two (2) lot partition of tax lot 902 that lies within Veneta City limits and the Veneta Urban Growth Boundary

Garbett said the partition is for a 16.9 acre parcel of which 2.04 acres is in Veneta City limits. She said the remaining 17.5 acres lies within Lane County and according to the Lane County planner, the subdivision application has been put on hold until April. She said the applicant is proposing private wells and septic systems on proposed lots 1 and 2 within City limits. The site is on Jeans Rd. There is a non-significant wetland which is not regulated by the Veneta Wetland Protection Ordinance because it's been deemed non-significant in our associated Natural Resource Study. There is a condition of approval that the Oregon Dept. of State Lands (DSL) regulates wetlands regardless of whether or not the City's Natural Resource Study says it's significant or not. DSL recommended a wetland delineation for proposed lot 1 and may require a removal fill permit. The application was deemed complete on July 8, 2015 and on November 4, 2015 the applicant signed a waiver to the 120 day rule not to exceed 245 days. The 245 day timeline expires March 9, 2016. Notice was mailed to property owners within 300 feet and posted at the site on July 9, 2015. The reason for the completeness review and time period that occurred before staff brought this to the Planning Commission was related to the applicant and the City Engineer reviewing a couple of site distance documents. Jeans Rd. slightly curves east of the proposed site and because of that curve, the City Engineer wanted to see more information from the applicant's engineer in terms of sight distance. Two comments were received, a telephone call from Mr. Martin on Jesse James. His concern was the impact to the water supply in the area. The second letter was received from Mr. and Mrs. Campbell on Jeans Rd., their concerns were related to light pollution for the new access and site distance due to the curve of Jeans Rd. The latter written comment was included in the staff report. Key issues in the staff report were in regards to water and sewer for lots 1 and 2. The City Engineer and Public Works Director are not requiring extension of City services but there is a condition of approval for the applicant to sign an irrevocable petition for future public improvements for water and sewer. The proposed access to the development is a proposed private easement named Sproat Ranch Rd. Applicant is proposing a 20 ft. paved width with utility easements, this is the same as Lane County. Staff recommended approval with conditions.

In response to a question from Len Goodwin, Garbett said the most recent tentative partition plan dated December 29, 2015 does not show where the future secondary access to the Northeast Employment Center would be.

Ingham said the applicant also owns the NE Employment Center.

Len Goodwin said it's not within the jurisdiction of the Planning Commission but he's concerned about the long road ending with a cul-de-sac and no secondary access to the adjoining parcel; the NE Employment Center. He said Lane County has failed to act and wonders if the City has been asked to comment on the action before Lane County.

Garbett said Lane County planners indicated that they postponed its decision until April and her understanding is that access needed to be granted by the City before Lane County would decide on the County portion.

Len Godwin wonders about approving an access here and then the County deciding something different which means the entire development is at risk. He's concerned that the cart may be before the horse. This is critical as we develop out. Jesse James is a stranded street and for us to take an action that sets in motion another long stranded street that goes well beyond the fire authority's recommended limit. He said just a turn-around is inadequate for nine lots but at this point we're only talking about lots 1 and 2 and he's concerned that by approving lots 1 and 2 we would allow or encourage that to happen.

In response to a question from Len Goodwin, Garbett said staff emailed a few proposed conditions but the second sight distance study had not been submitted yet so staff indicated to the County that these were tentative proposed conditions of approval.

Bork said we are relying on Lane Fire Authority to comment on the length of the roads.

Len Goodwin said he expects Lane Fire Authority to comment regarding the fire safety but they would not comment with respect to connectivity - that would be the City's responsibility.

In response to questions from James Eagle Eye, Garbett said the City Engineer's recommendation to widen the roadway by 6 ft. is needed to accommodate future bicycle and pedestrian traffic. She said we could modify condition of approval No. 5 to read "that the applicant may construct a 6 ft. wide asphalt shoulder along the site frontage". Garbett said the City Engineer did not recommend additional easements on adjacent property so he's fine with the study that recommended the site distance on lot 1.

In response to a question from Len Goodwin, Garbett said currently, there are three uncontrolled intersections on Jeans Rd., east of Territorial Rd. and Huston Rd.

**MOTION: Len Goodwin made a motion to approve the partition request M-1-15. Kevin Conlin seconded the motion which did not pass with a vote of 1 to 4. James Eagle Eye voted to approve the partition request.**

Bork asked the Planning Commission for specific conditions of denial of the application.

Len Goodwin said the speed study notwithstanding, he finds the recommended easement inadequate to provide adequate safety. The existence of four uncontrolled intersections on the north side of Jeans Rd. between those two major intersections is a risk which is inappropriate and if this were to be approved, it would have to be as a controlled intersection with a stop sign. He is unwilling to approve in the absence of clear indication from Lane County that they do not have conditions of approval which would cause this to be a failed development. He's concerned that the proposed development fails to provide secondary access through the adjoining property which is already commented to have secondary access to the NE Employment Center.

Lily Rees concurred with Len Goodwin.

Kevin Conlin said he may be willing to place a little more faith regarding the easement but in essence, he agrees with Len Goodwin.

Len Goodwin said he doesn't like to be in a position of denying an application. He believes conditions should be approved whenever possible and it's very unfortunate to be in a position to recommend a denial but in the absence of dealing with these issues, he would recommend denial of the application.

In response to a question from Bork, Len Goodwin said the Planning Commission did not approve the recommended final order but the applicant is entitled to a decision and should not be subjected to waiting for the 245 day extension to expire and then moving onto the City Council for an appeal. If they wish to appeal then we need to give them a denial.

**MOTION: Len Goodwin made a motion to deny approval of the partition request M-1-15. Kevin Conlin seconded the motion which passed with a vote of 4-1. James Eagle Eye voted against the denial of approval of the partition request.**

#### **IV. Review Code Amendment Options for New Off-Street Parking Locations**

Bork said as requested, staff brought forward some code amendment options for the Planning Commission to consider relating to the discussion for the veterinary clinic and the discussion last month about amending the code provisions, more specifically, implementing a possible Track 2 process which would allow parking location standards to fall under that Track 2 process - similar to other commercial design standards. Bork reviewed the options.

Len Goodwin said he doesn't want loading docks in the front of a building, under any circumstance. He would like to see parking moved around as a Track 2 process but loading docks should be on the side or rear of the building.

Bork said staff will include language to require loading docks to the rear or side of the building as its own provision or amend a provision for inclusion.

Bork said Option 2a would amend the mix use design standards to include the Community/Commercial zone and allow it to go through Track 2 changes. There are a few Community/Commercial zones in the Southwest Area Plan (SWAP) that might fit in with the neighborhood if their parking was to the side or rear and more pedestrian oriented like Broadway/Commercial. So new development would go through the Track 2 process if they can't meet that standard. She said this would still meet the intent but we want to have people think of that as their first option if it makes sense in that neighborhood. Staff is proposing doing away with the parking lot location requirements for industrial but requiring it for public and semi-public uses.

In response to a question from James Eagle Eye, Bork said it would be removed from commercial and industrial.

Len Goodwin said he's fine with 4b with a modification to address loading docks.

There was a consensus of the Planning Commission that this is the direction staff should follow.

#### **V. Administrative Decisions**

Garbett said staff approved two Type "A" Tree Removal permits issued which are described on the City's website under Land Use Decisions and the Planning tab.

Len Goodwin said next Tuesday Lane County Commissioners are holding a public hearing on the Fern Ridge Community Policing District at Deep Woods Event Center on Territorial Rd.

**VI. Other**  
None

**VII. Adjourn**  
Chair James Eagle Eye adjourned the Veneta Planning Commission at 7:15 p.m.

XXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
James Eagle Eye, Chairman

ATTEST:

XXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Darci Henneman, City Recorder

# Minutes of the Veneta Planning Commission

## March 1, 2016

Present: James Eagle Eye, Len Goodwin, Kevin Conlin (arrived at 6:31 p.m.), Calvin Kenney, and Lily Rees

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

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### I. REVIEW AGENDA

Chair James Eagle Eye opened the Veneta Planning Commission meeting at 6:28 p.m. and reviewed the agenda.

### II. PUBLIC COMMENT

None

### III. APPROVAL OF MINUTES

**MOTION: Len Goodwin made a motion to approve the January 5, 2016 minutes and February 2, 2016 minutes. Lily Rees seconded the motion which passed with a vote of 4-0.**

### IV. (QUASI-JUDICIAL) PUBLIC HEARING – LIMITED LAND USE DECISION

a. Site Plan Track 2 Adjustment to Commercial Design Standard, Veneta Land Development Ordinance No. 493, Section 5.13(2)(k), File # SR-5-15 - Track 2

- Chair James Eagle Eye opened the Public Hearing at 6:30 p.m.
- Commission members declaration of potential conflicts of interest; disclosure of “ex-parte” contact

Kevin Conlin said Mr. Haddock approached him last month about this issue and he indicated to Mr. Haddock that it was in his best interest to discuss his concerns with staff. He said he and Mr. Haddock attend the same parish but that will not affect his decision tonight.

- Staff report  
Garbett reviewed the staff report. She said the Track 2 Site Plan Review process allows alternatives to the Commercial and Mixed Use Design Standards of Section 5.13 of Veneta Land Development Ord. No. 493 that may be granted by the Planning Commission following a public hearing where the Commission finds that the alternative design meets the approval criteria. She said the applicant is proposing three new yurt structures containing exterior materials which are an acrylic coated polyester fabric for the sides and a fire retardant vinyl-laminate material for the roof. However, the code requires “new structures to contain exterior materials of durable wood, concrete fiber, natural stone or materials of similar durability.” An alternative is an acrylic polyester fabric and a laminate for the roof. The structures are made by Pacific Yurts in Cottage Grove, Oregon. Staff recommended conditional approval based on the Findings in the Final Order (SR-5-15 – Track 2) to include a fence or similar sight obstructing vegetation on north and east property lines and proposed alternative building materials. Also, if the Planning Commission does not approve of the adjustment requested then a condition of approval can be added to the site plan major amendment (limited land use) that requires the structures to be constructed of durable wood, composite, or other options listed in the code.

Mr. Haddock passed around sample construction materials. He said the sample with the silver padding is the insulation, the other samples are exterior color options, and the thick one is the roofing material.

In response to a question from James Eagle Eye, Garbett said there were no referral responses for the Track 2 changes. She said referral requests were sent to the City Engineer, ODOT, City Public Works, and Lane Fire Authority.

- Testimony from the applicant

**Jim Haddock, 87945 Sherwood St., Veneta, OR**

Mr. Haddock said the Lane Fire Authority Fire Marshal indicated there was a problem with locating the turnaround in the rear of the property so he adjusted the placement of the yurts to allow for an adequate turn. The Fire Marshal then indicated that the turnaround didn't need to be located that far back into the development because the fire trucks can reach from the back side of the building. He said the building inspector indicated that fire sprinklers are not needed if the yurts are placed 10 ft. apart. He said no smoking signs will be posted everywhere and instead of bark-o-mulch, rock will be on the ground around the outside of the yurts. He said after those items were addressed, the Fire Marshal approved the site. Mr. Haddock said he has a lot of experience with house and salon rentals and after evicting the previous renter last June, he and his wife decided on yurts made in Cottage Grove. He said Veneta doesn't have any overnight lodging and he thought this type of housing would be appealing. He said each of the three yurts will have it's own motif; one vintage, one modern and one whimsy and the porch overhangs will fit each style. He said the interior of the salon will have a nautical motif.

Garbett said she did not receive a written referral response from Lane Fire Authority, however, she spoke with the Fire Marshal and he verbally responded that a fire turn around was not necessary at that time and during the formal referral request, Chief Ney said Fire Marshal Chappell would respond.

Len Goodwin said the roofing material is fire retardant not fire resistant. He said he would like some reassurance from Lane Fire Authority that the product is safe and that the risk of fire is no greater in these buildings than in others. He would like to condition approval on a response from Lane Fire Authority that the structure is safe for all purposes so they can move forward with approval. He said he doesn't want to delay it or stall it by sending it back but he wants something on the record that Lane Fire Authority approves the materials.

There was a consensus of the Planning Commission that either of the following would be sufficient for approval: The materials used to construct the yurts 1) Must meet the Uniform Building Code or 2) Be approved by Lane Fire Authority.

Garbett suggested the Finding could be added under "maintain compatibility with adjacent properties".

- Testimony in support of the application

None

- Testimony opposed to the application

None

- Testimony neither in support of nor opposed to the application

**Herb Vloedman 25515 Luther Ln., Veneta, OR**

Mr. Vloedman commended the applicant on bringing forward a very creative idea to Veneta. He said we have a lodging void and this may be something that can ignite a larger facility to come to Veneta. These yurts are in state parks and many campgrounds. He said he looks forward to this and it should bring some excitement to the community.

- Summation by staff  
None
- Rebuttal from the applicant  
None
- Chair James Eagle Eye closed the Public hearing at 6:52 p.m.

**MOTION:**        **Len Goodwin made a motion to approve the Track 2 Site Plan based on the findings in the Proposed Final Order and to include a condition that the structures will comply with the Uniform Building Code prior to final site plan approval. Kevin Conlin seconded the motion which passed with a vote of 5-0.**

## V. LIMITED LAND USE DECISION

### a. Site Plan Major Amendment, File #SR-5-15(A)

Garbett said this major amendment is for the same Yurtel. The bed and breakfast is a permitted use in Community/Commercial and the site was previously a salon so there's a change of use. The site includes an existing 1000 sq. ft. building which will be the office and the breakfast area. Three yurts will be constructed each with a full bathroom. The site is adjacent to Territorial Rd. which is a minor arterial per Veneta Transportation System Plan. The applicant is proposing several pathways throughout to accessible parking areas to each yurt. She said the applicant met with staff and the proposal meets code requirements. The findings are clear and there's not a lot of conditions. She said a ramp proposed for one path area to provide accessible needs for guests. Referrals were received from the City Engineer, City Public Works Director, ODOT and Dept. of State Lands (DSL). She said a small greenway is located in the southeast corner of the site and DSL said there's likely no wetlands on the site and the proposed structures are outside the greenway area. Notice was mailed to all property owners within 300 ft. for the entire contiguous site and posted at the Property on January 27, 2016. No comments were received.

Len Goodwin said he noticed the additional parking spaces are specified as gravel and asked why they're not paved. He said there is nothing in the staff report referencing whether or not the kitchen which will supply food for the breakfast, complies with City code and with the Lane County Dept. of Health. He said there's nothing in the staff report from the Health Dept.

Garbett said she didn't send a referral to Lane County Dept. of Health to get the requirements because the breakfast area is not considered a commercial kitchen because they're offering small portions of food, muffins, bagels, etc.

Bork said the kitchen will be addressed when the applicant submits the building permit.

Garbett said the applicant is meeting the parking requirements with the paved parking area south of the entrance and with the parking spaces to the front of the building. She said the gravel areas didn't require approval from the City Engineer.

In response to a question from Kevin Conlin, Garbett said the parking lot complies with the American Disabilities Act for the appropriate number of accessible parking spaces.

**MOTION:**        **Len Goodwin made a motion to approve the Site Plan (Major Amendment) with specified conditions of approval based on the Findings in the Proposed Final Order. Kevin Conlin seconded the motion which passed with a vote of 5-0.**

Mr. Haddock said he contacted the Lane County Dept. of Health which inspected the building and made some recommendations. He said bed and breakfast establishments don't have to follow the same guidelines that commercial kitchens are required to follow. He said all Lane County Dept. of

Health recommendations will be complied with.

**VI. PLANNING COMMISSION REVIEW AND COMMENT**

Proposed Amendments to Parking Lot Locational Standards

Bork said at the February 2, 2016 meeting, the Planning Commission reviewed several amendment options to the code that address issues with the City's parking lot locational standards and discrepancies. After reviewing the options, the Planning Commission selected Option 2a and Option 4a which Bork reviewed as well as the proposed amendments to the code sections. She said staff is proposing an additional housekeeping amendment to the Veneta Land Division (VLD) Ordinance. She said in 2008 ORS 92.010(12) was amended to include language regarding property line adjustments. She said VLD currently doesn't include that language so staff is recommending amending VLD to include that language. .

After a brief discussion, it was the consensus of the Planning Commission to direct staff to move forward with the amendments.

**VII. ADMINISTRATIVE DECISIONS**

Garbett said staff made three administrative approvals since the last Planning Commission meeting; two Type A Tree permits and a portable sign permit. Staff also had a few pre-development meetings. One was for development of the corner of Highway 126 and Territorial Rd. where Red Barn Realty is located. The applicant wanted to wait until the code is amended so he can eliminate the property line. The second development would extend Cherry Lane to the west and develop the property into about nine lots but it may include a wetland delineation. She said the property has many trees and the old wigwam and the developer plans to add to Oak Island Park.

**VIII. OTHER**

2015 Year End Planning and Building Activity Report

Garbett reviewed the year-end report which summarized all of the approved building applications. She said the most significant is final phase of Applegate Landing and others include the West Lane Technical Learning Center (WLTLC) in the West Lane Shopping Center, Veneta Elementary remodel, approval of the Veneta Veterinary Hospital, several Type A Tree permits, two temporary use permit renewals (the fireworks sales and the Christmas tree sales), six site plan amendments of which two or three were administrative and no variances were processed. She said hopefully the Madrone Ridge final plat will be submitted soon but the applicant has a couple of years before it expires.

Bork said single family building permits are up from 13 in 2014 to 25 in 2015 and Hayden Homes has only 18 lots before they build out Phase 3. She said next Monday night is the Council public hearing for the appeal of the Sproat Ranch partition. She said attorney Bill Kloos submitted the appeal. She said she will provide the appeal materials upon request.

**IX. ADJOURN**

Chair James Eagle Eye adjourned the Veneta Planning Commission at 7:10 p.m

XXXXXXXXXXXXXXXXXXXX  
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James Eagle Eye, Chairman

ATTEST:

XXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Darci Henneman, City Recorder

**VENETA PLANNING COMMISSION  
STAFF REPORT  
File # A-1-16**

FILE: File # A-1-16 Amendments to Land Development Ordinance 493 and Land Division Ordinance 494

HEARING DATE: April 5, 2016

REPORT DATE: March 14, 2016

APPLICANT: City of Veneta

PROPERTY OWNER: Not Applicable

LOCATION: Citywide

PUBLIC NOTICE: Public Notice Published/Posted, March 9, 2016  
DLCD Notice February 22, 2016

PROPOSAL: Amend the Veneta Land Development Ordinance No. 493, Sections 2.11(10), 5.13(2)(1), 5.20(3)(c), 6.05(2) and 13.02 and Veneta Land Division Ordinance 494, Sections 3.02 and 8.06.

**REQUEST**

Planning Commission is being asked to make a recommendation to City Council on proposed code amendments to Veneta Land Development and Land Division Ordinances relating to 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.”

**BACKGROUND**

Per Veneta Land Development Ordinance 493, *“an amendment to the text of the Land Division and Land Development Ordinance may be initiated by the City Council, the City Planning Commission or by application of a property owner or city resident. Staff is requesting City Council initiate the proposed code amendments to be prepared by staff.”*

On January 5, 2015 an interpretation request was brought before the Commission in order to define whether or not an applicant’s site plan complied with the intent of the off-street parking standards listed in Veneta Land Development Ordinance No. 493, Section 5.20(3)(c). The Planning Commission expressed the need to review and possibly amend the off-street parking standards at the following meeting.

At the February 2, 2016 meeting, Planning Commission initiated the amendments. Planning Commission proposed amending section 5.13(2)(1) to allow off-street parking location standards to be adjusted under the Track 2 process for all commercial development by adding the CC zone to this section. Planning Commission agreed the Highway Commercial zone is not required to meet the parking lot location standards (side and rear of building) since this zoning district is intended to serve auto travelers and therefore recommended eliminating the reference to all commercial uses from Section 5.20(3)(c). Planning Commission also elected to exclude industrial uses from the off-street parking location standards at section 5.20(3)(c), but still require loading docks be located to the side or

rear of buildings for all development. Public and semi-public uses listed in section 5.20(3)(c) will still be required to meet the parking lot location standards (side and rear of building).

### **APPROVAL CRITERIA**

1. Veneta Land Development Ordinance 493, Section 11.0 Amendments.

Staff Response: Section 11.0 states: “An amendment to the text of this ordinance may be initiated by the City Council, the City Planning Commission or by application of a property owner or city resident.” On February 2, 2016 Planning Commission directed staff to draft amendments to the Land Development Ordinance and Land Division Ordinance.

2. Compliance with the Comprehensive Plan and Applicable Statewide Planning Goals.

Staff Response: Attachment A, Proposed Final Order (A-1-16), includes findings of the proposal’s consistency with applicable provisions of the Veneta Comprehensive Plan and Land Development and Land Division Ordinance.

### **AGENCY AND PUBLIC COMMENTS**

The required 35-day notice was sent to DLCD, on February 22, 2016 at least 35-days prior to the first public hearing.

Notice of Public Hearing was published in the Fern Ridge Review and posted at City Hall, March 9, 2016 at least 10 days prior to the first hearing Per Veneta Land Development Ordinance 493, Section 2.11(1).

No public comments were received as of the date of the staff report.

### **POSSIBLE ACTIONS BY THE PLANNING COMMISSION**

In considering the proposed amendments, the Planning Commission may take the following actions after the closing of the record:

1. Move to recommend approval of the proposed amendments as presented in Exhibit A of the Proposed Final Order.
2. Move to recommend revisions to any of the recommended provisions contained in Exhibit A. Modify the proposed draft language and recommend approval to the City Council with specific changes.
3. Move to not recommend approval of the proposed amendments as presented in Exhibit A of the Proposed Final Order.
4. If more research is needed, the Commission may direct staff to conduct the needed research and bring revised language to the next Planning Commission meeting.

### **STAFF RECOMMENDATION**

If no changes are recommended by Planning Commission at this time, staff recommends approval of the amendments as presented.

**SUGGESTED MOTION**

*“I move that the Veneta Planning Commission recommend approval of the amendments to Land Development Ordinance 493, and Land Division Ordinance 494 as presented in Exhibit A of the proposed Final Order.”*

**ATTACHMENTS**

1. Final Order A-1-16 and Exhibit A – Proposed Amendments to Veneta Land Development Ordinance 493 and Land Division Ordinance 494.



**FINAL ORDER  
VENETA PLANNING COMMISSION**

**AMENDMENTS TO VENETA LAND DEVELOPMENT ORDINANCE 493 AND  
LAND DIVISION ORDINANCE 494  
File (A-1-16)**

**A. The Veneta Planning Commission finds the following:**

1. The Planning Commission held a public hearing on April 5, 2016 on the proposed amendments after providing the required notice per Section 2.11 of Veneta's Land Development Ordinance No. 493.
2. The Veneta Planning Commission recommended adoption of the proposed amendments to the Land Development and Land Division Ordinances as presented in Exhibit A to Final Order A-1-16.
3. The proposed amendments to the Veneta Land Development Ordinance are consistent with the goals and policies of the adopted Veneta Comprehensive Plan Ordinance No. 523, and therefore comply with all applicable statewide planning goals.
4. These amendments do not alter the intent or purpose of any portion of the Land Development and Land Division Ordinances. The intent of these amendments is to provide flexibility, clarity, and consistency within the Land Development and Land Division Ordinances.

**FINDINGS**

Applicable Ordinance and Comprehensive Plan provisions are set forth in *italics*, below. Findings showing compliance with the applicable criteria and standards are in **bold**.

Amendments to Land Development and Land Division Ordinances are summarized as follows and attached as **Exhibit A** to the Planning Commission Final Order:

**FINDINGS OF CONSISTENCY FOR COMPREHENSIVE PLAN NO. 523**

*Chapter III PLAN ELEMENTS AND POLICIES*

*B. Community, Building, and Site Design Element*

**GOAL:**

*“Create a city with efficient and ecologically sensitive infrastructure; an environment that aesthetically stimulates us; and buildings, sidewalks, trails, and other public facilities that are accessible to everyone.”*

**POLICIES:**

*“8. Promote building and site design that contribute positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass,*

*frontages, entries, and yards to public streets and adjacent properties. The architecture and scale of commercial buildings should provide attractive street frontages and minimize the placement of parking lots and loading docks along public streets.*

9. *Construct new commercial or public buildings with parking to the side or in the rear.”*

**FINDINGS:**

1. **The amendments to Veneta Land Development Ordinance 493 are consistent with Comprehensive Plan policies 8 and 9 above. The amendments maintain the City’s desire to require parking lots and loading docks to the rear and sides of buildings in the commercial core and downtown areas of the City and allow flexibility in design for challenging sites through an alternative design process. Through a public hearing process, alternative designs must meet criteria which promotes pedestrian safety, convenience and comfort and contains architectural features substituting for code required features.**

**FINDINGS OF CONSISTENCY FOR LAND DEVELOPMENT ORDINANCE**

*“PURPOSE OF LAND DEVELOPMENT ORDINANCE NO. 493: The purpose of this ordinance is to establish standards and procedures for the orderly development of land within the City of Veneta; to assist in implementing the Veneta Comprehensive Plan and to promote the public health, safety and general welfare.”*

**FINDINGS:**

1. **The amendments to the Land Development Ordinance No. 493 do not affect the stated purpose of the Land Development Ordinance.**
2. **The proposed amendments clarify existing regulations and also allow an alternative site plan review process, which will promote orderly development within the City.**

**FINDINGS OF CONSISTENCY FOR LAND DIVISION ORDINANCE 494**

*“SECTION 1.02 PURPOSE: The purpose of this ordinance is to establish standards and procedures for the division of land within the jurisdiction of the City of Veneta. These regulations are necessary in order to provide uniform procedures and standards for the division of land; to provide for the proper width and arrangement of streets; to coordinate proposed development with any overall plan; to provide for utilities and other public facilities; to avoid undue congestion of population; to assure adequate sanitation and water supply; to provide for the protection, conservation, and proper use of land; and in general to protect the public health, safety and welfare.”*

**FINDINGS:**

1. Oregon Revised Statute 92.010(12) 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.”
2. The amendment brings the definition of “property line adjustment” into compliance with Oregon Revised Statute 92.010(12). Consistency with state statutes will ensure uniform procedures and standards, consistent with the purpose of the Land Division Ordinance.

**CONCLUSIONARY FINDINGS**

Based on the information and findings stated above, the proposed text amendments to the Veneta Land Development Ordinance 493 and Land Division Ordinance Divisions 494, complies with all applicable polices of Ordinances and Comprehensive Plan. The Veneta Planning Commission hereby approves the proposed amendments, and adopts these findings of fact.

XXXXXXXXXXXXXXXXXXXX  
James Eagle Eye

XXXXXXXXXXXXXXXXXXXX  
Date



## EXHIBIT A

### Proposed Amendments Veneta Land Development Ordinance 493 and Land Division Ordinance 494 File A-1-16

Additions are indicated with underlined text and deleted text is indicated with ~~strikeout~~.

#### VENETA LAND DEVELOPMENT ORDINANCE 493

1. Amend Veneta Land Development Ordinance Section 2.11(10)

“ A notice of hearing on an amendment to a zoning map or text amendment shall be mailed to the Land Conservation and Development Commission (LCDC) 45 35 days prior to the first evidentiary hearing date.”

2. Amend Veneta Land Development Ordinance Section 5.13(2)(l)

Where new off-street parking is to be provided in the RC, and BC, and CC zones, it shall not be located between a buildings' primary entrance and any street, except as approved through Track 2 Site Plan Review. (see figure 5.13(d) below).”

3. Amend Veneta Land Development Ordinance Section 5.20(3)(c) and add new subsection (d):

“(c) Parking lots and loading docks for new ~~commercial, industrial,~~ public, and semi-public buildings shall be located to the side or rear of the building, except as approved through Track 2 Site Plan Review.”

“(d) Loading docks for new commercial, industrial, public, and semi-public buildings shall be located to the side or rear of the building.”

4. Amend Veneta Land Development Ordinance Section 6.05(2)

“Alternatives to the Commercial and Mixed Use Design Standards of Section 5.13, or Residential Design Standards of Section 5.29 or Off Street Parking Location Standards Section 5.20(3)(c) may be granted by the Planning Commission following a public hearing where the Commission finds that the alternative design:”

5. Amend Veneta Land Development Ordinance Section 13.02 DEFINITIONS

#### PROPERTY LINE ADJUSTMENT

The ~~relocations or elimination of a common property line between two abutting properties. An adjusted property line created by the relocation of a common boundary~~ shall be surveyed and monumented in accordance with ORS 92.065(3); a survey, complying with ORS 209.250, shall be filed with the county surveyor; and the property line adjustment shall be recorded with the Lane County Department of Deeds and Records.

## VENETA LAND DIVISION ORDINANCE 493

1. Amend Veneta Land Division Ordinance Section 3.02 PROPERTY LINE ADJUSTMENT REVIEW CRITERIA

“(1) The property line adjustment is a relocation or elimination of all or a portion of the common property line between abutting properties that does not create and additional lot or parcel not create any new lots or parcels.”

2. Amend Veneta Land Division Ordinance Section 8.06 DEFINITIONS

PROPERTY LINE ADJUSTMENT      The relocations or elimination of a common property line between two abutting properties. An adjusted property line ~~created by the relocation of a common boundary~~ shall be surveyed and monumented in accordance with ORS 92.065(3); a survey, complying with ORS 209.250, shall be filed with the county surveyor; and the property line adjustment shall be recorded with the Lane County Department of Deeds and Records.