

ORDINANCE NO. 583

AN ORDINANCE ADOPTING AMENDMENTS TO THE RESIDENTIAL  
DEVELOPMENT STANDARDS AND THE PERMITTED USES IN RESIDENTIAL  
ZONES IN THE VENETA ZONING AND DEVELOPMENT CODE

WHEREAS, the City relies on the Veneta Zoning and Development Code (Ordinance No. 579) for control of most land-use actions; and

WHEREAS, Ordinance No. 579 regulates almost all aspects of development in the City's residential zones; and

WHEREAS, from time to time, the City must update its land-use regulations as state statute changes; and

WHEREAS, the City desires to provide for the development of a variety of housing types and to promote the development of housing in the City; and

WHEREAS, on November 15, 2023, the City provided proper notice of the proposed amendments to the Department of Land Conservation and Development; and

WHEREAS, on March 5, 2024, the Veneta Planning Commission conducted a properly advertised public hearing on the amendments proposed herein and recommended that the City Council adopt the proposed amendments; and

WHEREAS, on April 8, 2024, the Veneta City Council conducted a properly advertised public hearing and first reading on the proposed amendments; and

WHEREAS, based upon all materials relevant to the proposal, staff reports, findings made by the Veneta Planning Commission, and testimony and comments submitted at public hearings, both orally and in writing, the Veneta City Council has made the findings of fact as set forth in Exhibit A.

NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:

Section 1. The City Council hereby adopts the Findings of Fact set forth in the above recitals and attached as Exhibit A as its basis for adopting amendments to the Veneta Zoning and Development Code (Ordinance No. 579).

Section 2. Veneta Zoning and Development Code (Ordinance No. 579) is hereby amended as follows:

- a. Section 3.01, Classification of Base Zones, is hereby amended as set forth on the attached Exhibit B-1.

- b. Section 4.01 'General Development Standards in Residential Zones' is hereby renumbered to Section 4.00 and renamed 'General Development Standards and Permitted Uses'
- c. Table 4.1, General Development Standards in Residential Zones, is hereby amended as set forth on the attached Exhibit B-2.
- d. Table 4.2, Permitted and Conditional Uses in Residential Zones, is hereby amended as set forth on the attached Exhibit B-3.
- e. Section 4.01 'Rural Residential (RR)', Subsection 2(D) is hereby amended as set forth on the attached Exhibit B-4.
- f. Section 4.02 'Single Family Residential (SFR)' is hereby renamed 'Low-Density Residential (LDR)' and amended as set forth on the attached Exhibit B-5.
- g. Section 4.03, General Residential (GR), Subsection 5 is hereby amended as set forth on the attached Exhibit B-6.
- h. Section 4.03, General Residential (GR), Subsection 6 is hereby amended as set forth on the attached Exhibit B-7.
- i. Section 4.04, Residential-Commercial (RC), Subsection 4 is hereby amended as set forth on the attached Exhibit B-8.
- j. Section 4.04, Residential-Commercial (RC), Subsection 5 is hereby amended as set forth on the attached Exhibit B-9.
- k. Section 4.06, Community Commercial (CC), Subsection 5 is hereby amended as set forth on the attached Exhibit B-10.
- l. Section 4.14, Planned Development Subzone (/PD), Subsection 7(E) is hereby amended as set forth on the attached Exhibit B-11.
- m. Section 5.04, General Standards for Single Family Detached Dwellings, is hereby amended as set forth on the attached Exhibit B-12.
- n. Section 5.12, Landscaping, Subsection 7 is hereby amended as set forth on the attached Exhibit B-13.
- o. Section 5.14, Improvement Requirements, Subsection 1 is hereby amended as set forth on the attached Exhibit B-14.
- p. Section 5.15, Signs, Subsection 3(C) is hereby amended as set forth on the attached Exhibit B-15.
- q. Section 5.17, Cottage Housing Development (CHD), Subsection 2 is hereby amended as set forth on the attached Exhibit B-16.
- r. Section 5.17, Cottage Housing Development (CHD), Subsection 5(A) is hereby amended as set forth on the attached Exhibit B-17.
- s. Section 5.29, Residential Design Standards, is hereby amended to add a new Subsection 6, as set forth on the attached Exhibit B-18.
- t. Section 5.30, Back Yard Chickens, Subsection 1 is hereby amended as set forth on the attached Exhibit B-19.

- u. Section 5.30, Back Yard Chickens, Subsection 5(A) is hereby amended as set forth on the attached Exhibit B-20.
- v. Section 8.11, Special Standards Governing Certain Conditional Uses, Subsection 8 is hereby amended as set forth on the attached Exhibit B-21.
- w. Section 8.11, Special Standards Governing Certain Conditional Uses, Subsection 11 is hereby amended as set forth on the attached Exhibit B-22.
- x. Section 8.11, Special Standards Governing Certain Conditional Uses, Subsection 20 is hereby amended as set forth on the attached Exhibit B-23.
- y. Section 14.02, Definitions, is hereby amended to insert the terms Duplex, Quadplex, Single-Room Occupancy, and Triplex in alphabetical order as set forth on the attached Exhibit B-24.

Section 3. The Veneta Zoning Map is hereby amended as shown in Exhibit C.

Section 3. All unamended provisions of Ordinance No. 579 shall remain in full force and effect.

Section 4. This Ordinance will go into full force and effect on the 30<sup>th</sup> day after City Council enactment.

READ FOR A FIRST TIME, BY TITLE ONLY, this 8th day of April, 2024, no Council person in attendance having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, AND FOR FINAL ADOPTION, this 13<sup>th</sup> day of May, 2024, no Council person in attendance having requested that it be read in full.

PASSED AND ADOPTED by a 5 vote for and 0 against by the City of Veneta Council this 13<sup>th</sup> day of May, 2024.

Keith Weiss  
Keith Weiss, Mayor

Executed on 5/13/2024

ATTEST:

Jennifer Mirabile  
Jennifer Mirabile, City Recorder

Executed on 5/13/2024

## EXHIBIT A

**VENETA CITY COUNCIL  
FINDINGS OF FACT  
FOR ORDINANCE NO. 583  
File No. A-7-23**

**AN ORDINANCE ADOPTING AMENDMENTS TO THE RESIDENTIAL DEVELOPMENT  
STANDARDS AND THE PERMITTED USES IN RESIDENTIAL ZONES  
IN THE VENETA ZONING AND DEVELOPMENT CODE**

**A. General Findings.** The Veneta City Council finds the following:

1. The City provided public notice to the Oregon Department of Land Conservation and Development (DLCD) on November 15, 2023, at least 35 days prior to the first public hearing, and provided notice in *The Register Guard* on February 16, 2024 for the Planning Commission public hearing and on March 11, 2024 for the City Council public hearing per Veneta Zoning and Development Code, Section 11.09(3)(D). Notice was mailed to affected property owners on February 9, 2024.
2. The Planning Commission held a public hearing on March 5, 2024, on the proposed amendments to the Veneta Zoning and Development Code and recommended adoption to the City Council.
3. The Veneta City Council conducted a public hearing and first reading on April 8, 2024, on the proposed amendments to the Veneta Zoning and Development Code.
4. Based on the findings below, the City Council concluded that the proposed amendments are in conformance with the applicable Statewide Planning Goals, the Veneta Comprehensive Plan, and the Veneta Zoning and Development Code.

**B. Statewide Planning Goals and Proposed Findings**

**1. Citizen Involvement (Goal 1)**

*Objective: To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

**Findings:** The Planning Commission and City Council conducted public hearings on the proposal prior to adopting the proposed amendments. Notice of the proposal was submitted to the Department of Land Conservation and Development on November 15, 2023, at least 35 days in advance of the first public hearing. Notice of the proposal was published in the *Register Guard*

on February 16, 2024 for the Planning Commission public hearing and on March 11, 2024 for the City Council public hearing.

Because the proposed amendments will restrict uses currently permitted in some zones, notice to affected property owners was mailed on February 9, 2024. Notice was also posted at City Hall, Fern Ridge Library, and on the City website on February 14, 2024.

Legislative decisions first require a Planning Commission public hearing, at which the Planning Commission makes a recommendation to the City Council, which then makes a decision based on stated findings. The Planning Commission and City Council hearings were duly noticed and open to the public. Phone numbers were publicly advertised for citizens to call into the meetings if they were unable to attend in person. The Planning Commission public hearing was held on March 5, 2024. The City Council public hearing and first reading was held on April 8, 2024.

**Conclusion:** The City ensured that members of the public had an opportunity to comment on the proposed amendments, which is consistent with Goal 1.

**2. Land Use Planning (Goal 2)**

*Objective: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**Findings:** The proposed amendments will amend the existing land use regulations regarding residential development standards and permitted uses in residential zones, keeping with the goal of establishing a land use planning process as the basis for decision and actions related to the use of land, in this case, specifically the use of land for residential development.

**Conclusion:** The proposed amendment is consistent with Goal 2.

**3. Agricultural Lands (Goal 3)**

*Objective: To preserve and maintain agricultural lands*

**Findings:** There are no agricultural lands within city limits. Goal 3 is not applicable.

**4. Forest Lands (Goal 4)**

*Objective: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreation opportunities and agriculture.*

**Findings:** There are no forest lands within city limits. Goal 4 is not applicable.

**5. Natural Resources, Scenic and Historic Areas, and Open Spaces (Goal 5)**

*Objective: To protect natural resources and conserve scenic and historic areas and open spaces.*

**Findings:** No natural resources, scenic or historic areas, or open spaces will be affected by the proposed amendments. Goal 5 is not applicable.

**6. Air, Water and Land Resources Quality (Goal 6)**

*Objective: To maintain and improve the quality of the air, water and land resources of the state.*

**Findings:** The quality of the air, water and land resources of the state will not be affected by the proposed amendments. Goal 6 is not applicable.

**7. Areas Subject to Natural Hazards (Goal 7)**

*Objective: To protect people and property from natural hazards.*

**Findings:** The proposed amendment would not have any effect on the protection of people and property from natural hazards. Goal 7 is not applicable.

**8. Recreational Needs (Goal 8)**

*Objective: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

**Findings:** The proposed amendment would not have any effect on the recreational system or needs of the City. Goal 8 is not applicable.

**9. Economic Development (Goal 9)**

*Objective: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Findings:** The proposed amendment would have no effect on the economic development of the City. Goal 9 is not applicable.

**10. Housing (Goal 10)**

*Objective: To provide for the housing needs of citizens of the state.*

**Findings:** The proposed amendments are intended to encourage the development of a variety of housing types in Veneta by expanding the types of housing permitted in the City's residential zones and by amending the City's residential development standards to move towards clear and objective standards for residential development. This will promote diverse residential development within the City, giving current and prospective residents a range of choices to meet their housing needs.

**Conclusion:** The proposed amendments are consistent with Goal 10.

**11. Public Facilities and Services (Goal 11)**

*Objective: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

**Findings:** The proposed amendment will not affect any public facilities and services. Goal 11 is not applicable.

**12. Transportation (Goal 12)**

*Objective: To provide and encourage a safe, convenient and economic transportation system.*

**Findings:** The proposed amendments are not expected to have any significant effect on the transportation system of Veneta. Goal 12 is not applicable.

**13. Energy Conservation (Goal 13)**

*Objective: To conserve energy.*

**Findings:** The proposed amendments are not expected to have any effect on the conservation of energy within Veneta. Goal 13 is not applicable.

**14. Urbanization (Goal 14)**

*Objective: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

**Findings:** The proposed amendments will increase the opportunity for providing a variety of housing types within the City, therefore accommodating the urban population inside Veneta's urban growth boundary, ensuring the efficient use of urban land, and providing for livable communities.

**Conclusion:** The proposed amendments are consistent with Goal 14.

**15. Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes, Ocean Resources (Goals 15-19)**

**Findings:** No part of the Willamette River Greenway is within city limits, and there are no coastal, ocean, estuarine, or beach and dune resources within city limits. Goals 15-19 are not applicable.

**C. Compliance with Statutory and Administrative Requirements and Veneta Comprehensive Plan**

**Specific Findings.** VLDO 11.20(3) and (4) require legislative amendments to comply with applicable provisions of the Comprehensive Plan text and map, statutes, and administrative rules. The following findings demonstrate compliance with the approval criteria in VLDO 11.20(3) and (4):

## **Statutory and Administrative Requirements**

**Findings:** Oregon House Bill 3395 of the 2023 Legislative Session included amendments to state statute that requires local governments to update their land use regulations. ORS 197.758(3) now reads:

*Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of 2,500 or greater and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.*

The proposed amendments in File No. A-7-23 will bring the City into compliance with this state statute.

House Bill 3395 also requires local governments to allow single-room occupancies in all zones that permit single-family dwellings. The proposed amendments will permit single-room occupancies in all of the City's residential zones, in accordance with House Bill 3395.

Additionally, ORS 197.307(4) requires that local jurisdictions adopt only clear and objective standards regulating the development of housing. The proposed amendments include changes to some of the residential development standards in order to bring the City into compliance with this statute. Specifically, these amendments will repeal the existing standards for multi-family in the Single-Family Residential zone, which are not clear and objective, and adopt new standards that are clear and objective. The proposed amendments will also repeal some standards regulating single-family dwellings that are not clear and ob

The City adopts the findings for the Statewide Planning Goals contained in Section A of this Exhibit to demonstrate that, if applicable, these proposed amendments do comply with the Oregon Administrative Rules implementing the statewide planning goals.

## **Comprehensive Plan Provisions**

### **Growth Management Element**

*Goal: Provide sufficient buildable lands and open space areas to allow Veneta to develop as the retail and service center for the Fern Ridge area and to develop a commercial and light industrial employment base.*

**Findings:** This element is not applicable to the proposed amendment.

### **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.*

**Findings:** This element is not applicable to the proposed amendments.

### **Residential Land and Housing Element**

*Goals:*

1. *Provide an adequate supply of residential land and encourage land use regulations that allow a variety of housing types that will be able to meet the housing needs of a range of age groups, income levels, and family types.*
2. *Encourage efficient land development patterns that minimize service and infrastructure costs.*
3. *Encourage land use patterns that provide livable neighborhoods; allow mixed uses, and allow a variety of housing types.*
4. *Encourage land use patterns that protect and enhance Veneta's natural resources.*
5. *Facilitate new housing starts to ensure there is adequate opportunity and choice to acquire safe, sanitary, and affordable housing.*
6. *Maintain an attractive residential community in an appealing rural setting.*

**Findings:** The proposed amendments are intended to implement land use regulations that allow and promote a greater variety of housing types. Minimum lot sizes will be reduced for many housing types, encouraging development of a variety of housing types, and the amendment will change some of the residential development standards to be clearer and more objective, to remove possible barriers to the development of different housing types in the City. This will help create livable neighborhoods by providing a greater amount of choice in housing type and facilitating new housing starts.

**Conclusion:** The proposed amendments are consistent with this element.

### **Economic Development Element**

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

1. *Guide the responsible expansion and growth of business and industry in Veneta and the Fern Ridge area.*
2. *Develop a working relationship with economic development-related public and private agencies, community groups, and business organizations.*
3. *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. Veneta Comprehensive Plan 28*
4. *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.*
5. *Limit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses.*

**Findings:** This element is not applicable to the proposed amendments.

**Utilities**

*Goal: Upgrade and develop adequate water, sewer, storm drainage and other appropriate utilities to serve the planning population (Other utilities could potentially include telecommunications, electric, cable, solid waste, etc.).*

**Findings:** This element is not applicable to the proposed amendments.

**Community Facilities and Services**

Upgrade and develop adequate community facilities and services to serve the planning population. The community facilities element of the Comprehensive Plan includes those public and semipublic activities in the community, with the exception of utilities and parks and open space. Each of these are considered as separate elements.

**Findings:** This element is not applicable to the proposed amendments.

**Transportation**

*Mission: Veneta will support its residents' pursuit of healthy and prosperous lives through developing a transportation system that meets the needs of the present and anticipates the future.*

**Findings:** This element is not applicable to the proposed amendments.

**Parks and Open Space**

*Goal: Develop a variety of neighborhood parks, open space areas, and recreational facilities for use by the residents of Veneta.*

**Findings:** This element is not applicable to the proposed amendments.

**Natural Resources**

*Goals:*

1. *Conserve open space and protect natural and scenic resources, including wildlife corridors.*
2. *Conserve and protect Veneta's significant wetland resources.*

**Findings:** This element is not applicable to the proposed amendments.

**Air, Water, and Land Resource Quality**

*Goal: Preserve the quality of Veneta's Air, Water, and Land Resources*

**Findings:** This element is not applicable to the proposed amendments.

**Areas Subject to Development Constraints**

*Goal: Protect life and property from natural hazards and disasters*

**Findings:** This element is not applicable to the proposed amendments.

**D. Conclusion.** For all the reasons set forth above, the proposed amendment to Veneta Zoning and Development Code complies with the Oregon Statewide Planning Goals and the City of Veneta Comprehensive Plan.

## **Exhibit B-1**

### Section 3.01

For the purposes of this ordinance the following basic zones are hereby established:

<u>BASIC ZONES</u>	<u>ABBREVIATED DESIGNATION</u>
Rural Residential	RR
Low-Density Residential	LDR
General Residential	GR
Residential-Commercial	RC
Broadway Commercial	BC
Community Commercial	CC
Highway Commercial	HC
Industrial-Commercial	IC
Medium Industrial	MI
Public Facilities and Parks	PFP

## Exhibit B-2

<b>Table 4.1 General Development Standards in Residential Zones</b>					
	<b>RR</b>	<b>LDR</b>	<b>GR</b>	<b>RC</b>	<b>Notes</b>
<b>Lot Size</b>	4.01	4.02	4.03	4.04	See the Section noted at left for specifics.
<b>Minimum Lot Size (in square feet)</b>					
Single-Family Detached	1 acre*	6,000	6,000	5,000	See individual zones for specifics. *See Section 4.01(5)
Single-Family Attached	1 acre	3,000	3,000	3,000	
Duplex		6,000	6,000	5,000	
Triplex		10,000	8,000	5,000	
Quadplex		12,000	10,000	5,000	
Multi-Family (5 units and above)		18,000	10,000	5,000	
<b>Minimum Lot Width (in feet)</b>					
Single-Family Detached, Duplex, Triplex, Quadplex, and Multi-Family		60	60	50	
Single-Family Attached		30*	30*	30	*No more than four (4) single-family attached dwellings may be consecutively attached in the LDR and GR zones (See Sections 4.02(5) and 4.03(5))
<b>Minimum Setbacks – Primary Structure</b>		All measurements are minimum feet from property line. See Figure 4.1			
Front	20	20	10*		(On corner lots, frontage property is addressed on) *May increase depending on building height
Side	10	5*	5	5	May increase depending on building height *For multi-family in the LDR zone, see Section 5.29(6)
Side – Zero Lot Line	X	10 / 0	10 / 0	10 / 0	See Figure 4.2; new subdivisions only as of February 2021
Rear	10	5*	5	5	May increase depending on building height *For multi-family in the LDR zone, see Section 5.29(6)
<b>Minimum Setbacks – Accessory Structure</b>					
Front	20	20	20	15	(On corner properties, frontage property is addressed on)
Side	10	5	5	5	May increase depending on building height
Rear	3	3	3	3	
Garage/Carport facing public ROW	20	20	20	20	
Garage/Carport facing alley	5	5	5	5	With a minimum 20'-wide alley
<b>Lot Coverage</b>					
Maximum Lot Coverage, all structures	30%	40%	50%	50%	Subject to all other applicable standards
<b>Height</b>					
Maximum Height	35	35	35	35	

### Exhibit B-3

<b>P</b> Permitted outright	<b>SPR</b> Permitted with Site Plan Review	<b>CUP</b> Conditional Use Permit
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**Table 4.2 Permitted and Conditional Uses in Residential Zones**

<b>Residential</b>	<b>RR</b>	<b>LDR</b>	<b>GR</b>	<b>R-C</b>	<b>Notes</b>
	4.01	4.02	4.03	4.04	See the Section noted at left for specifics.
Single Family Detached (SF-D)	P	P	P	P	See 5.04 General Standards for SF-D
Single Family Attached	P	P	SPR	SPR	
Manufactured Home (on individual lot)	P	P	P	P	See 5.29 Residential Design Standards
Manufactured Home Park			CUP	CUP	See 8.11 (3). See ORS Chapter 446
Duplex		P	P	P	See 5.29 Residential Design Standards
Triplex		SPR	SPR	SPR	See 5.29 Residential Design Standards
Quadplex		SPR	SPR	SPR	See 5.29 Residential Design Standards
Multifamily		SPR*	SPR	SPR	See 5.29 Residential Design Standards *See Section 5.29(6)
Single-Room Occupancy		SPR*	SPR	SPR	*Maximum of 6 units permitted in the LDR zone
Home Occupation – Minor	P	P	P	P	See Article 12
Home Occupation – Major	CUP	CUP	CUP	CUP	See Article 12
Residential Care Home (Adult Foster Care)	P	P	P	P	5 or fewer residents. See ORS 443
Residential Care Facility		SPR*	SPR	SPR	6+ residents. See ORS 443 *See Section 5.29(6)
<b>Non-Residential / Accessory</b>	<b>RR</b>	<b>LDR</b>	<b>GR</b>	<b>R-C</b>	
Accessory Dwelling Unit (ADU)	P	P	P	P	Accessory to SF-D only; max one. See 5.01 & 5.31
Accessory Dwelling – temp hardship	CUP	CUP	CUP		See 5.01. CUP – See Section 8.11 (3)
Accessory Structure <2500sf	P	SPR	SPR	SPR	See 5.01
Accessory Structure >2500sf	CUP	CUP	CUP	CUP	See 5.01. CUP – See Section 8.11 (8)
Agriculture/Horticulture – domestic	P	P	P	P	Non-commercial, incidental to primary residential use.
Agriculture/Horticulture – commercial	P			SPR	See 4.01
Animal Husbandry – Domestic	P	SPR	SPR	SPR	See 4.01. In LDR & GR, must be >1 acre.
Animal Husbandry – Commercial	CUP			SPR	See 8.11 (9)
Bed & Breakfast	CUP	CUP	CUP	CUP	See 8.11(22)
Chickens		P	P	P	See 5.30. Does not incl fowl allowed under ag uses.
Day Care – Family Child Care	P	P	P	P	See ORS 329A CUP – See Section 8.11 (10)
Day Care – Commercial	CUP	CUP	CUP	CUP	See ORS Chapter 329A CUP – See Section 8.11 (10)
Dog Kennel	CUP				See 8.11 (7)
Neighborhood Commercial Center		CUP	CUP		See 8.11 (6)
Public & Semi-Public use or facility	CUP	CUP	CUP	SPR	See 8.11 (2)
Public Utility	CUP	CUP		CUP	Electric/Water/Sewer/Storm/Telecom & Transp not in the TSP

## **Exhibit B-4**

### Section 4.01, Subsection 2(D)

- D. When a RR zone is reclassified to another zone, all those land uses granted under item (D) above shall be completely discontinued within a period of six (6) months from the date of reclassification except for properties one acre in size or larger and zoned LDR or GR.

## Exhibit B-5

### Section 4.02

- 1) Purpose. To provide areas suitable and desirable for primarily single-family and public service uses, with options and flexibility to provide a variety of housing through clustering and planned developments, including the provision of limited multi-family use subject to lot size and density standards. The net density in the LDR zone shall not exceed eight (8) dwelling units per acre. Lots in the LDR zone are subject to the minimum lot area and dimensional standards of the zone.
- 2) Uses Permitted Outright. The following uses are permitted outright:
  - A. All uses provided in Table 4.2 and similar uses as provided by Section 2.05
  - B. One duplex on a corner lot, provided driveway access is taken from an alley or from two local streets; i.e., one for each dwelling unit. Access from a collector street may be approved where the driveway access is setback at least 50 feet from the street intersection and the City Engineer finds that applicable sight distance requirements are met.
- 3) Uses Permitted Subject to Site Plan Review. The following uses are permitted subject to site plan review, as described in Section 6.01:
  - A. All uses provided in Table 4.2 and similar uses as provided by Section 2.05
  - B. One dwelling within a subdivision may be used as a temporary sales office. If the garage is used it shall be converted back to a garage before permanent occupancy.
  - C. Single-Room Occupancies with a maximum of six (6) units.
  - D. Residential Care Facilities (See Section 5.29(6)).
- 4) Conditional Uses. The following uses and their accessory uses may be permitted subject to the provisions of Article 8, Conditional Uses. Conditional Uses may also be subject to the provisions of Article 6, Site Plan Review.
  - A. All uses provided in Table 4.2 and similar uses as provided by Section 2.05.
- 5) Lot Size and Width. Except as provided in Articles 5, 6 and 8, the minimum lot size and width shall be as follows:
  - A. The minimum lot area is 6,000 square feet for single-family detached homes and duplexes, 3,000 square feet for single-family attached homes, 10,000 square feet for triplexes, 12,000 square feet for quadplexes, and 18,000 square feet for multi-family. An additional 2,000 square feet is required for all proposed lots with an average pre-development slope of 15% or greater (See Section 5.25). Smaller lots may be approved through a Specific Development Plan or Planned Unit Development.
  - B. The minimum lot width is sixty (60) feet. Lot widths may be reduced to thirty (30) feet for single-family attached homes, provided that not more than four (4) dwellings are consecutively attached.
  - C. The Planning Commission may require larger lot areas, at the time a land division is granted, when it determines that it is necessary to do one of the following:
    1. Protect natural drainage-ways.
    2. Provide drainage or utility easements.
    3. Protect future right-of-way.
    4. Protect un-buildable steep slope areas above the 450-foot elevation level.
    5. Protect flood plain hazard areas.
  - D. Smaller lots may be allowed if public space in addition to that required by section 5.26 Parkland Dedication Requirements, is dedicated or otherwise permanently preserved to protect natural resources or provide recreational opportunities. When the provisions of this section are utilized to develop smaller lots than would otherwise be allowed by the base

zone, the following standards shall apply and shall supersede the standards for the base zone.

1. In no case shall the gross density of the development exceed the maximum gross density of the site if it were developed with standard minimum lot sizes for the base zone, irrespective of wetland or Greenway areas.
2. In no case will the minimum lot size be less than 70% of the minimum lot size for the base zone.
3. Developments seeking to qualify for such a density bonus may be required to relocate structures currently within the Greenway subzone to less sensitive areas.
4. Side yards shall be no less than 5 feet on a side.
5. Front yard setbacks shall be no less than ten (10) feet, except garage and carport openings shall be setback at least twenty (20) feet.
6. Exceptions to these setback requirements may be allowed when necessary to provide a larger buffer between waterways or other natural resources and development.
- E. When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities.

6) Yards. Except as provided in Articles 5, 6 and 8, or as otherwise allowed under Section 4.02(5)(D), yards shall be as follows:

- A. See Table 4.1
- B. Back and side yards shall be a minimum of 5 feet when the building elevation closest to the property line is 22 feet or less in building height, and a minimum of 10 feet when the building elevation closest to the property line is greater than 22 feet in building height.
- C. Yards shall be landscaped as provided in Section 5.12.
- D. See Section 5.09 for additional setbacks on designated streets, or construction of new streets. Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets, or construction of new streets.
- E. See Veneta Tree Preservation and Protection Ordinance for possible setback exemptions for the preservation of heritage trees.

7) Lot Coverage. All buildings shall not occupy more than forty percent (40%) percent of the lot area. In the case that any portion of the primary dwelling is taller than twenty-two (22) feet, the maximum allowable lot coverage is thirty percent (30%). When lots smaller than 6,000 square feet are approved under subsection 4.02(5)(D), an additional ten percent (10%) of each such lot may be covered by buildings. See Table 4.1.

8) Building Height. Except as provided in Articles 5, 6 and 8, or as otherwise required by Section 4.02, no building shall exceed the height limit in Table 4.1.

9) Residential Design Standards. All residential developments, including land divisions, individual dwelling units, and residential care homes, as applicable, and projects that are subject to Site Plan Review or Planned Unit Development review, shall conform to the design standards in Section 5.29.

## Exhibit B-6

### Section 4.03, Subsection 5

Lot size and Width. Except as provided in Articles 5, 6 and 8, the minimum lot size and width shall be as follows:

- A. The minimum lot size is 6,000 square feet for single-family homes and duplexes, 3,000 square feet for single-family attached homes, 8,000 square feet for triplexes, and 10,000 square feet for quadplexes and multi-family.
- B. The minimum lot width is 60 feet.
- C. The minimum lot width may be reduced to thirty (30) feet for single-family attached homes, provided that not more than four (4) dwellings are consecutively attached.
- D. The Planning Commission may require larger lot areas, at the time a land division is granted, when it determines that it is necessary to do one of the following:
  1. Protect natural drainage-ways
  2. Provide drainage or utility easements.
  3. Protect future right-of-way.
  4. Protect unbuildable steep slope areas above the 450-foot elevation level.
  5. Protect flood plain hazard areas.
- E. Smaller lots may be allowed if public space in addition to that required by section 5.26 Parkland Dedication Requirements, is dedicated or otherwise permanently preserved to protect natural resources or provide recreational opportunities. When the provisions of this section are utilized to develop smaller lots than would otherwise be allowed by the base zone, the following standards shall apply and shall supersede the standards for the base zone.
  1. In no case shall the gross density of the development exceed the maximum gross density of the site if it were developed with standard minimum lot sizes for the base zone, irrespective of wetland or Greenway areas.
  2. In no case will the minimum lot size be less than 70% of the minimum lot size for the base zone.
  3. Developments seeking to qualify for such a density bonus may be required to relocate structures currently within the Greenway subzone to less sensitive areas.
  4. Side yards shall be no less than 5 feet on a side.
  5. Front yard setbacks shall be no less than ten (10) feet, except garage and carport openings shall be setback at least twenty (20) feet.
  6. Exceptions to these setback requirements may be allowed when necessary to provide a larger buffer between waterways or other natural resources and development.
- F. When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities.

## **Exhibit B-7**

### Section 4.02, Subsection 6

- 1) Yards. Except as provided in Articles 5 and 6, or as otherwise allowed under Section 4.03(5)(E), yards shall be as follows:
  - A. Front yards shall be a minimum of ten (10) feet when the building elevation closest to the property line is twenty-two (22) feet or less in building height, and a minimum of fifteen (15) feet when the building elevation closest to the property line is greater than twenty-two (22) feet in building height.
  - B. When a fifteen (15) foot front yard setback is required, an unenclosed front porch or patio may extend five (5) feet into the required front yard.
  - C. Back and side yards shall be a minimum of 5 feet when the building elevation closest to the property line is 22 feet or less in building height, and a minimum of 10 feet when the building elevation closest to the property line is greater than 22 feet in building height.
  - D. An unenclosed front porch or patio may extend eight (8) feet into a required street side setback.
  - E. Yards shall be landscaped as provided in Section 5.12.
  - F. See Section 5.09 for additional setbacks on designated streets. Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets, or construction of new streets.

## **Exhibit B-8**

### Section 4.04, Subsection 4

- 4) Lot Size and Width. Minimum lot sizes and widths shall be as follows:
  - A. Detached single family residential uses, duplexes, triplexes, quadplexes, and multi-family uses shall have a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet wide. Attached single-family (townhome) shall have a minimum lot size of 3,000 square feet and a minimum lot width of 30 feet wide.
  - B. Except as otherwise provided by Articles 5, 6 and 8, the minimum lot area for non-residential uses is 3,000 square feet.
  - C. When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed in conformance with the minimum lot sizes, densities, and other applicable requirements of Articles 4 and 5, including but not limited to future streets, alleys and utility extensions, as applicable.

## **Exhibit B-9**

### Section 4.04, Subsection 5

#### 5) Yards.

- A. Front yards for dwellings not contained in a mixed-use building shall be a minimum of fifteen (15) feet, except unenclosed front porches may extend eight (8) feet into required front yards.
- B. Front yards for buildings containing commercial uses, including mixed-use buildings, shall be a minimum of five (5) feet and a maximum of twenty (20) feet; the maximum setback is met when at least fifty (50) percent of a building's front elevation is placed within 5-20 feet of the ultimate planned street right-of-way line. Additional setbacks may be required pursuant to Articles 5, 6, or 8. For the purpose of this subsection, buildings designated as containing commercial uses shall have a minimum floor-to-ceiling height on the ground floor of fourteen (14) feet and conform to the commercial design standards in Section 5.13.
- C. Front yards abutting a residential zone (RR, LDR, GR) shall be twenty (20) feet, except unenclosed front porches may extent eight (8) feet into required front yards.
- D. Back and side yards, abutting a residential zone (RR, LDR, and GR) shall be five (5).
- E. 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.
- F. Yards shall be landscaped pursuant to Section 5.12. Within the downtown area, up to eighty percent (80%) of required landscapes may be improved with hardscape features, subject to Site Plan Review.
- G. See Section 5.09 for additional setbacks on designated streets, or construction of new streets.
- H. See Veneta Tree Preservation and Protection Ordinance for possible setback exemptions for the preservation of heritage trees.

## **Exhibit B-10**

### Section 4.06, Subsection 5

5. Yards. Except as provided in Articles 5, 6 and 8, and as required below, there are no minimum yards:
  - A. Front yards abutting a residential zone (RR/LDR/GR) shall be a minimum of twenty (20) feet.
  - B. Back and side yards abutting a residential zone (RR/LDR/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.

## **Exhibit B-11**

### Section 4.14, Subsection 7(E)

E. Density. Greater overall density may be allowed under a /PD subzone but only by recommendation of the Planning Commission and approval of the City Council based on the entire development design. Areas dedicated to the public shall be excluded when determining the net density of the development. In any PUD subzone, established in an LDR basic zone, the net density shall not exceed 3,000 square feet of site area per dwelling unit. In any PUD subzone, established in a GR basic zone, the net density shall not exceed 2,200 square feet of site area per dwelling unit.

## **Exhibit B-12**

### **Section 5.04**

All new single family detached dwellings shall:

- 1) Meet current energy standards as adopted by the State of Oregon.
- 2) Be occupied only for residential purposes.
- 3) Conform to all residential use development standards for one-family dwellings.
- 4) Be constructed or installed in accordance with the Oregon Residential Specialty Code as adopted by the City or as defined within the statutes of the State of Oregon.
- 5) Be placed or constructed on foundations:
  - A. Stick-built homes shall have foundation systems in accordance with the Oregon Residential Specialty Code;
  - B. Manufactured dwellings shall be placed on an excavated and back-filled foundation, enclosed at the perimeter with no more than sixteen (16) inches of enclosing material exposed above grade. Where the building site has a sloped grade, no more than sixteen (16) inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the sixteen (16) inch limitation will not apply.
- 6) Have a minimum width of eighteen (18) feet as measured by the narrowest elevation.
- 7) Reserved.
- 8) Have a roof with eaves and gable overhangs of not less than six (6) inches measured from the vertical side of the structure and shall include gutters.
- 9) Have an enclosed garage or carport. The maximum size of the garage or carport shall be three stalls, with a maximum floor area of 900 square feet. The garage may be attached to house or detached.
- 10) Have electrical meter base attached either to the garage or dwelling unit.
- 11) Have a roof with a nominal pitch of 3 feet in height for each twelve feet in width.

### **Exhibit B-13**

#### Section 5.12, Subsection 7

- 7) Parking lots shall be screened from abutting single-family land uses by a combination of sight-obscuring fences, walls and landscaping adequate to provide privacy and separation for the abutting land use.

## **Exhibit B-14**

### Section 5.14, Subsection 1

- 1) Water and Sewer connections. All developments requiring water within the LDR, GR, RC, BC, CC, IC, and MI zones shall be connected to City water and sanitary sewers. Developments in the RR zone and HC zone on Highway 126, east of Territorial Road, shall be required to hook up to city water and sanitary sewer when available, but connections are not required for development to occur.

## **Exhibit B-15**

### Section 5.15, Subsection 3(C)

C. Residential District: All property zoned Rural Residential, General Residential or Low-Density Residential. Also includes residential uses in the Residential-Commercial zone. The Residential District has two sub-districts: Single-Family Residential and Multi-Family Residential.

## **Exhibit B-16**

### Section 5.17, Subsection 2

- 2) Applicability.
  - A. CHDs are allowed in the LDR, GR, and RC zones.
  - B. All CHD proposals must show consistency with the requirements of this Section. Where the regulations of this Section are not specific, the standards of the base zone and other applicable Sections of this ordinance prevail.
  - C. CHD projects are exempt from the General Standards for Single Family Detached Homes contained in VLDO Section 5.04 (6) and (9), and the Residential Design Standards in VLDO Section 5.29.
  - D. All CHD proposals are subject to Type III Site Plan Review.
  - E. If individual lots or unit ownership (condominiums) are proposed, the application will be reviewed through the Type III procedure for a Subdivision concurrent with Site Plan Review.

## **Exhibit B-17**

### **Section 5.17, Subsection 5(A)**

- A. The minimum density for CHDs is as follows:
  - 1. LDR zone: eight dwelling units per gross acre.
  - 2. GR and RC zones: 12 dwelling units per gross acre.

## Exhibit B-18

### Section 5.29, Subsection 6

#### 6) Multi-Family Uses and Residential Care Facilities in the Low-Density Residential (LDR) Zone.

The following standards shall apply to all multi-family uses (5 units or more) and all residential care facilities in the Low-Density Residential Zone.

- A. Setbacks. The side and rear setbacks shall be ten (10) feet when the structure is twenty-two (22) feet or less in height, and fifteen (15) feet when the structure is greater than twenty-two (22) feet in height.
- B. Landscaping. A landscaped strip that is five (5) feet wide is required along all property lines whenever the multi-family use or residential care facility abuts a lot zoned Low-Density Residential. The landscaped strip counts toward the landscaping requirements of Section 5.12 of this ordinance.
  1. The landscaped strip shall contain one (1) tree every twenty (20) feet.
  2. Trees shall be selected from the City's adopted tree list and shall be appropriate for the location based on the criteria found therein.
  3. The landscaped strip shall contain a minimum of six (6) five-gallon shrubs or accent plants per 1,000 square feet of landscaping.
- C. Screening. Multi-family uses and residential care facilities shall be screened from abutting lots zoned Low-Density Residential through sight-obscuring fences, walls, and landscaping in accordance with Section 5.12(9) of this ordinance.

## **Exhibit B-19**

### Section 5.30, Subsection 1

- 1) The keeping of chickens on lots less than one (1) acre in size within the Low-Density Residential, General Residential, and Residential – Commercial Zoning Districts is subject to all of the following conditions:
  - A. No person shall keep chickens until a backyard chicken permit application has been approved by City Building and Planning Official. See Section 5.30(5) below.
  - B. One (1) chicken is allowed for each one thousand five hundred (1,500) square feet of lot area, up to a maximum of ten (10) chickens.
  - C. No chickens are allowed on properties occupied by multi-family housing, including duplexes.
  - D. Roosters are not allowed.

## **Exhibit B-20**

Section 5.30, Subsection 5(A)

A. An application for a permit to keep chickens is required in the following instances:

1. To keep chickens on a lot less than one acre in size, in the Low-Density Residential, General Residential, and Residential-Commercial Zoning Districts.

## **Exhibit B-21**

### Section 8.11, Subsection 8

- 8) Accessory Structures Larger than 2,500 Square Feet in LDR, GR, RC, and RR Zone.
  - A. Shall require a building permit.
  - B. Shall not interfere with preservation of significant natural resources.
  - C. Shall be located so that grading and filling are kept to a minimum and natural feature such as drainage swales, rock outcroppings, and slopes are retained.
  - D. Shall minimize detrimental impacts on neighboring properties (such as obstruction of views, limiting solar access, and intrusion on privacy). Planning Commission may impose conditions such as maximum height of structure, minimum setbacks, and required buffering in order to limit detrimental impacts.

## **Exhibit B-22**

Section 8.11, Subsection 11

11. Reserved.

### **Exhibit B-23**

Section 8.11, Subsection 20  
20. Reserved.

## Exhibit B-24

### Section 14.02

**Duplex.** Two attached or detached dwelling units on a Lot or Parcel.

**Quadplex.** Any configuration of four attached or detached dwelling units on a Lot or Parcel. Also referred to as a Fourplex.

**Single-Room Occupancy.** A residential development with no fewer than four attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.

**Triplex.** Any configuration of three attached or detached dwelling units on a Lot or Parcel.

## Attachment B

