

**CITY OF VENETA
BUILDING AND PLANNING OFFICIAL
NOTICE OF DECISION**

DATE MAILED: July 23, 2024

IN THE MATTER OF: Cedarworks Spa and Sauna Storage and Warehousing Site Plan Review (File No. SR-24-3)

APPLICANT/OWNER: CWS @ Tangleoowd, LLC
4065 W 11th Ave, #16
Eugene, OR 97402

ADDRESS: 25201 & 25211 Jeans Road
MAP / TAX LOT NO. 17-05-31-20 /1600 & 1700

On July 23, 2024, the Building and Planning Official **approved with conditions** the Cedarworks Spa and Sauna Storage and Warehousing Site Plan Review (City File No. SR-24-3) following the Type II administrative decision process in Section 11.06 of the Veneta Zoning and Development Code. The Building and Planning Official found that the proposed development met all of the relevant city code criteria listed in the final order.

Materials concerning this decision, including the staff report and final order, are available for review during the regular office hours of 9:00 a.m. to 5:00 p.m. Monday through Friday at Veneta City Hall located at 88184 Eighth Street; Veneta, OR. Physical copies may be purchased at Veneta City Hall and digital copies may be obtained upon request.

A decision of the Building and Planning Official may be appealed to the Planning Commission. To file an appeal, a notice of appeal must be filed with the City Administrator within 12 days of the date the notice of decision is mailed. Unless a condition of approval specifies otherwise or the decision is appealed, a Type II decision becomes effective 12 days after the City mails the notice of decision. **Therefore, the appeal period for this decision expires at 5:00 pm on August 4, 2024.** Appeals must be in writing, along with a land use application and fee. The written notice of appeal shall include all matters specifically appealed, including a brief summary of the material presented to the Building and Planning Official upon which the decision, which is being appealed, was based.

If you have any questions concerning this letter or the decision, please contact Daniel Findlay, Associate Planner, at dfindlay@ci.veneta.or.us or call (541) 935-2191.

Exhibit A

FINAL ORDER OF THE VENETA BUILDING AND PLANNING OFFICIAL

Cedarworks Spa and Sauna Storage and Warehousing Site Plan Review (File No. SR-24-3)

A. The Veneta Building and Planning Official finds the following:

1. The Veneta Building and Planning Official has reviewed all material relevant to the Site Plan Review (SR-24-3) which has been submitted by the applicant and the general public regarding this matter.
2. The Veneta Building and Planning Official provided proper notice of the limited land use decision in accordance with Section 11.06(2) of the Veneta Zoning and Development Code.
3. The Veneta Building and Planning Official followed the required procedure and standards for approving the Site Plan Review as required by Article 6 of the Veneta Zoning and Development Code.

B. The Veneta Building and Planning Official APPROVES with conditions the Cedarworks Spa and Sauna Storage and Warehousing Site Plan Review (File No. SR-24-3). The applicant shall comply with the following conditions of approval:

GENERAL CONDITIONS OF APPROVAL:

1. This approval will expire on July 23, 2027 unless a building permit has been issued and substantial construction pursuant thereto has taken place, in accordance with Veneta Zoning and Development Code Section 6.09.
2. The applicant shall submit and receive approval by the City of a sign permit for any sign requiring one in accordance with Veneta Zoning and Development Code Section 5.15.
3. The applicant shall maintain in a clean and weed-free manner all on-site landscaping and screening in accordance with Veneta Zoning and Development Code Section 5.12(1).
4. All garbage collection areas, service facilities, and air conditioning facilities shall be screened to obscure view from beyond the boundary of the property in accordance with Veneta Zoning and Development Code Section 4.08(7)(D). All sight-obscuring screening shall be installed in accordance with Veneta Zoning and Development Code Section 5.12(9).

5. Per Veneta Zoning and Development Code Section 5.12(6)(G), non-plant ground covers shall be confined to areas underneath plants and cannot be a substitute for ground cover plants.

PRIOR TO CONSTRUCTION

6. Prior to construction, the applicant shall submit and receive approval by the City of an outdoor lighting plan that complies with Veneta Municipal Code Chapter 15.15. Lighting on the site shall not interfere with traffic or limit visibility.
7. Prior to construction, the applicant shall submit final plans clarifying the size of the new water line proposed with the new meter to connect to the 1.5" existing water line.
8. Prior to construction, the applicant shall submit and receive approval of final plans that shows the following:
 - a. The size of the water line proposed with the new meter to connect to the 1.5" existing water line;
 - b. A 5-foot landscaped buffer strip along the entire north property line;
 - c. The paved parking area extended north until it meets the 5-foot buffer strip required by Condition No. 8(b);
 - d. The pipe between the catch basin and the storm cleanout under the sand filter is not labeled with a material type, size, or slope. These details will be required;
 - e. All ADA stalls and access aisles shall be dimensioned;
 - f. The access aisle for the ADA parking stall in the east portion of the parking lot shall be located on the passenger side of the stall, in accordance with ORS 447.233(d);
 - g. Additional grade call-outs for ADA stalls and loading areas are required. Design grades should be 1.5% or less for the slope across the stalls and access aisles (x-direction, or cross slope) and 1.5% or less for the longitudinal slope of the stalls and access aisles. The finished grade of the constructed facilities shall be 2.0% or less for cross slopes and 2.0% or less for longitudinal slopes for all ADA stalls and access aisles;
 - h. The grade in the area between the end of the slotted drain and the TC call out in the ADA parking stall will need to be revised to provide a longitudinal slope of 1.5% or less design finished grade; and

- i. Design finish grades for the accessible path at head of parking on the west side of the parking area adjacent to the ADA parking access aisle at the east side. If the accessible path is to be grade-separated, please show design finished grade elevation points for access ramps as well. The grading plan for the walkway (grade separated or not) will need to provide front and back of walk elevations at key locations, including where it matches up to the ADA loading area/access aisle and at any and all grade breaks.

9. Prior to construction, the applicant shall submit and receive approval by the City of an Operations and Maintenance plan for the stormwater detention facility.

PRIOR TO CERTIFICATE OF OCCUPANCY

- 10. Prior to Certificate of Occupancy, the applicant shall install 1 short-term bicycle parking space in accordance with Veneta Zoning and Development Code Section 5.20.
- 11. Prior to Certificate of Occupancy, the applicant shall construct a 5-foot sidewalk along the frontage of the site in accordance with the approved site plan.
- 12. Prior to Certificate of Occupancy, the applicant shall complete all improvements shown on the approved final landscape plan in accordance with Veneta Zoning and Development Code Section 5.12(2).

C. **IT IS HEREBY ORDERED that the City of Veneta Building and Planning Official approves with conditions the Cedarworks Spa and Sauna Storage and Warehousing Site Plan Review (City File No. SR-24-3) based on the information presented in the following findings of fact:**

Veneta Zoning and Development Code

Article 6 – Site Plan Review

Section 6.05 – Approval Criteria

- 1) *After an examination of the site and prior to approval of plans, the Planning Commission or Building and Planning Official must make the following findings:*
 - A. *That all provisions of city ordinances are complied with.*

Findings: As will be discussed and determined throughout these findings, the proposal meets the applicable provisions of City ordinances. In instances where conditions of approval are warranted and necessary, the findings related to that particular matter will be discussed and addressed under the relevant section of the Veneta Zoning and Development Code and other applicable provisions of City ordinances.

B. That traffic congestion is avoided; pedestrian, bicycle and vehicular safety are

protected; and future street right-of-way is protected.

Findings: The proposed use is not expected to generate a number of trips that will have a significant impact on traffic congestion on Jeans Road. As will be discussed further below in this final order, the proposed use as conditioned meets the requirements of the VZDC in regards to off-street parking and pedestrian, bicycle, and vehicular safety. There is no future street right-of-way needed for Jeans Road because it is classified as a Major Collector road, which has a standard width of 60 feet according to the Transportation System Plan, and the right-of-way width for Jeans Road is 60 feet where the site fronts Jeans. This criterion is met.

C. *That proposed signs or lighting will not, by size, location, or color, interfere with traffic or limit visibility.*

Findings: The applicant is not proposing any signs at this phase of development. Approval of a sign permit will be required before any signs are installed on the site.

Outdoor lighting is required to comply with Veneta Municipal Code Chapter 15.15. Chapter 15.15.070 states:

- 1) *Submission Contents. The applicant for any permit required by any provision of the laws of this jurisdiction, in connection with proposed work involving outdoor lighting fixtures, shall submit as part of the application for permit evidence that the proposed work will comply with this chapter. The submission shall contain, but shall not necessarily be limited to the following, all or part of which may be required elsewhere in the laws of this jurisdiction upon application for the required permit:*
 - a. *Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors (a source of shielding), and other devices; description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices. Additionally, the description may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required)*

The applicant will be required to submit an outdoor lighting plan prior to construction. A condition of approval has been added to ensure that this criterion is met.

Condition of Approval: The applicant shall submit and receive approval by the City of a sign permit for any sign requiring one in accordance with VZDC Section 5.15.

Condition of Approval: Prior to construction, the applicant shall submit and receive approval by the City of an outdoor lighting plan that complies with Veneta Municipal Code Chapter 15.15. Lighting on the site shall not interfere with traffic or limit visibility.

D. *That adequate water, sewer, and other required facilities for the proposed use are available.*

Findings: The proposed use will connect the building to City water and sanitary sewer and there is adequate capacity to serve the development. This criterion is met.

- E. *That drainageways are protected, existing drainage patterns are maintained, and drainage facilities are provided in accordance with Section 5.16 of this ordinance.*

Findings: Stormwater currently drains to the northwest. The applicant is proposing to detain and treat stormwater using a bottomless sand filter facility at the northwest corner of the site. The stormwater facility will contain a pipe that runs south, where it will connect with the City's stormwater system. No other drainageways are present on the site. See the findings under Section 5.16 for further discussion and for the specific conditions of approval.

- F. *That the extent of emissions and potential nuisance characteristics are reasonably compatible with the land use district, adjacent land uses and the standards of all applicable regulatory agencies having jurisdiction.*

Findings: The proposed use of the site for storage and warehousing is consistent with the purpose of the Industrial-Commercial zone, which is to 'provide areas suitable for limited manufacturing, warehousing, and commercial activities which have minimal emissions or nuisance characteristics.' The proposed use is compatible with adjacent land uses because the adjacent land uses are a boat and RV storage facility to the south, undeveloped lots to the north and east, and a vacant industrial storage/warehousing building to the west. All surrounding properties are zoned Industrial-Commercial. The proposed use does not contain any outdoor operations that would create a nuisance for surrounding land uses.

- G. *Where the applicant has requested an adjustment to Site Plan Review criteria (Type II Site Plan Review) pursuant to the Veneta Zoning and Development Code, the applicant shall identify all applicable criteria in this ordinance and specifically address each adjustment.*

Findings: This criterion is not applicable as the applicant has not requested any adjustments to the Site Plan Review criteria.

- 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:*
 - A. *Meets the purpose and intent of the applicable design standard being adjusted.*
 - B. *Conforms with the design guidelines provided in Section 5.13 or 5.29 as applicable.*
 - C. *Promotes pedestrian safety, convenience and comfort.*
 - D. *Contains architectural features substituting for code required features which are consistent with the overall design intent and composition of the building.*
 - E. *Maintains or enhances compatibility between new development and existing uses,*

including aesthetics and privacy for residential uses.

Findings: The proposed use is in an industrial use in the Industrial-Commercial zone. These criteria do not apply.

Article 4 – Use Zones

Section 4.08 – Industrial Commercial (IC)

- 1) *Purpose. To provide areas suitable for limited manufacturing, warehousing, and commercial activities which have minimal emissions or nuisance characteristics.*

Findings: The proposed use is for storage and warehousing, which will have minimal emissions and nuisance characteristics on surrounding properties. This criterion is met.

- 2) *Uses Permitted subject to Site Plan Review. 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 uses provided in Table 4.4 and similar uses as provided by Section 2.05.*
 - B. *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.*
 - C. *Interim agricultural cultivation on undeveloped land provided the spraying, dust, odors and other side effects such uses do not interfere with the successful operations of adjacent land uses.*
 - D. *The requirement for Site Plan Review may be waived by the Director if there is a Change of Use in an existing building or development site with all improvements in place and similar or reduced on/offsite impacts and trip generation.*

Findings: This criterion is met because the proposed use falls under the 'Storage and Warehousing' use category identified in Table 4.4, which is permitted in the Industrial-Commercial zone subject to Site Plan Review approval. The request is being processed as a Site Plan Review.

- 3) *Conditional Uses. 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 uses provided in Table 4.4 and similar uses as provided by Section 2.05.*
 - B. *The requirement for Site Plan Review may be waived by the Director if there is a Change of Use in an existing building or development site with all improvements in place and similar or reduced on/offsite impacts and trip generation.*

Findings: This subsection is not applicable as the use does not require a Conditional Use Permit.

4. **Yards.** Yards shall be as specified in Table 4.3 except as follows:
 - A. Front yards shall be a minimum of twenty (20) feet when a lot abuts a residential zone.
 - B. Back and side yards shall be a minimum of twenty (20) feet from property line when a lot abuts a residential zone.
 - 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.

Findings: The proposed use complies with the setbacks of the Industrial-Commercial zone as identified in Table 4.3. The subject site does not abut a residential zone. Jeans Road does not need any additional right-of-way. No heritage trees are proposed to be removed.

5. **Lot Coverage.** Lot coverage shall be as specified in Table 4.3, provided the requirements of Articles 5, 6, and 8, as applicable, are met.

Findings: The subject site has an area of approximately 21,780 square feet. The maximum lot coverage in the Industrial-Commercial zone is 80%, which means that the maximum lot coverage for this site is 17,424 sf. The total combined area of the two proposed buildings is approximately 5,135 sf, a lot coverage of 23.6%. This criterion is met.

6. **Off-street Parking and Loading.** Off-street parking shall be provided as specified in Section 5.20.

Findings: See the findings further below under Section 5.20.

7. **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.

City Engineer's Findings: There are two water connections shown, with one 1" water connection shown to an existing meter at the southwest corner of the site, in the right-of-way, and one 1" water connection to the existing 1.5" water line with a new meter in the southeast portion of the site. The new 1" waterline proposed with the new meter to connect to the 1.5"

existing waterline does not match Landscape irrigation Sheet LA-2 (Note M2 on LA-2 is for 3/4" waterline per Civil Sheets).

Findings: The applicant is proposing to connect to the City's water system. The projected water use is within the City's water system capabilities. The City Engineer did not object to the applicant's proposed water use or water utility plan beyond the above comment. A condition of approval has been added to ensure the applicant addresses the City Engineer's comment.

Condition of Approval: Prior to construction, the applicant shall submit final plans clarifying the size of the new water line proposed with the new meter to connect to the 1.5" existing water line.

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.*

Findings: The applicant is proposing to connect to the City's sanitary sewer system. The projected sewer use is within the City's sewer system capabilities. The City Engineer did not object to the proposed sewer connection.

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.*

Findings: As conditioned, this criterion will be met. See the findings under Section 5.16 for further discussion.

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.*

Findings: The applicant's site plan does not show garbage collection areas, service facilities, or air conditioning facilities. A condition of approval has been added to ensure that this criterion is met.

Condition of Approval: All garbage collection areas, service facilities, and air conditioning facilities shall be screened to obscure view from beyond the boundary of the property with sight-obscuring fence, walls, or landscaping in accordance with VZDC Section 4.08(7)(D). All sight-obscuring screening shall be installed in accordance with VZDC Section 5.12(9).

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.

Findings: The proposed use is not expected to cause any emission of odorous matter because it is for storage and warehousing inside a building. This criterion is met.

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.*

Findings: The proposed use of outdoor storage is not expected to produce noise that exceeds DEQ standards set forth in Oregon Administrative Rules, Chapter 340, Division 35, and the Veneta Noise Ordinance No. 299 because it will be for storage and warehousing inside a building.

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.*

Findings: The development site is not entirely compliant with this criterion because the applicant's site plan shows a portion of the site as a gravel 'overflow parking' area. Detail 3 on Sheet 3 out of 5 shows the transition between the asphaltic concrete parking area and the gravel area being a concrete edge strip that does not preclude access onto the gravel. This design does not meet the criterion of a "paved dust-free...surface of asphaltic concrete or Portland cement or other approved materials." Additionally, VZDC Section 4.08(7)(G) requires vegetative screens or buffers to minimize dust drift onto abutting properties. The following condition of approval has been added to ensure that the proposal complies with VZDC Section 4.08(7)(G).

Condition of Approval: Prior to construction, the applicant shall submit and receive approval of a final site plan that shows the following:

- 1) A 5-foot landscaped buffer strip along the entire north property line.
- 2) The paved parking area extended north until it meets the aforementioned 5-foot buffer strip.

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.

Findings: See the findings under Section 5.12 – Landscaping for a further discussion of the site's landscaping.

Article 5 – Supplementary Provisions

Section 5.12 – Landscaping

All yards, required screening areas, and parking areas shall be landscaped in accordance with the following requirements:

- 1) *Provisions for landscaping, screening and maintenance are a continuing obligation of the property owner and such areas shall be maintained in a clean, weed free manner.*

Findings: Staff finds it necessary to condition the proposal in order to require the applicant to maintain landscaping on an ongoing basis.

Condition of Approval: The applicant shall maintain in a clean and weed-free manner all on-site landscaping and screening in accordance with Veneta Zoning and Development Code Section 5.12(1).

- 2) *Site plans indicating landscape improvements shall be included with the plans submitted to the Building and Planning Official or Planning Commission for approval. Issuance of a Building permit includes these required improvements which shall be completed before issuance of a Certificate of Occupancy.*

Findings: Staff finds the applicant has submitted the necessary proposed landscape plans. Required landscape improvements shall be completed before issuance of a Certificate of Occupancy.

Condition of Approval: Prior to Certificate of Occupancy, the applicant shall complete all improvements shown on the approved final landscape plan in accordance with Veneta Zoning and Development Code Section 5.12(2).

- 3) *Minimum Landscaped Area. The minimum percentage of required landscaping is as follows:*
 - A. *Residential and Residential-Commercial Zones: 20% of each lot for residential developments, 10% for commercial or mixed use.*
 - B. *Community Commercial and Broadway Commercial Zones: 10% of the site.*
 - C. *Highway Commercial Zone: 10 % of the site.*
 - D. *Industrial Zones (IC, LI, MI): 5% of the site.*
 - E. *When the above requirements conflict with landscaping requirements found elsewhere in this ordinance, the standard which maximizes landscaped area shall apply.*

Findings: The subject site is zoned Industrial-Commercial, thus, a minimum of 5% of the site is required to be landscaped. The site area is approximately 21,780 square feet, meaning that a minimum of 1,089 square feet of landscaping is required. The applicant's landscape plan shows greater than 1,089 square feet of landscaping. This criterion is met.

- 4) *Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:*
 - A. *One tree, minimum 2" caliper.*
 - B. *Four 5-gallon shrubs or accent plants.*

Findings: The applicant is proposing to landscape approximately 3,095 square feet of the site, meaning that a total of three trees and twelve 5-gallon shrubs or accent plants are required. The applicant is proposing a total of 13 new trees and to preserve 1 existing tree. The applicant is proposing more than twelve shrubs or accent plants. This criterion is met.

- 5) *Minimum percentage Ground Cover. All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material (subsections (6)(F) & (G), below), shall have ground cover plants that are sized and spaced to achieve 75% coverage of the area not covered by shrubs and tree canopy.*

Findings: All landscaped area that is not planted with trees and shrubs or covered with non-plant material have ground cover plants that are sized and spaced to achieve 75% lot coverage of the area not covered by shrubs and tree canopy. This criterion is met.

- 6) *Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below. "Coverage" is based on the projected size of the plants at maturity, i.e., typically three (3) or more years after planting.*
 - A. *Existing Vegetation. Existing non-invasive vegetation may be used in meeting landscape requirements.*
 - B. *Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, soil, exposure, water availability, and drainage conditions. Applicants are encouraged to select native plants which are drought tolerant to reduce the demand on the City's water supply.*
 - C. *Plant Establishment. Unless a certified landscape architect specifically recommends otherwise, all new landscaping shall be irrigated for a minimum of two (2) years to ensure viability.*
 - D. *Soil amendment. When new vegetation (including sod) is planted, topsoil shall be added and/or soils amended or aerated as necessary, to allow for healthy plant growth. Compaction of the planting area shall be minimized whenever practical and compacted soils shall be amended and/or aerated as necessary prior to planting.*

- E. *"Invasive" plants, shall be removed during site development and the planting of new invasive species is prohibited. Lists of locally invasive species are available through the local USDA extension office.*
- F. *Hardscape features, May cover up to ten percent (10%) of the required landscape area; except in the Downtown Area where publicly accessible hardscape features may cover up to eighty percent (80%) of the required landscape area, subject to approval through Site Plan Review. Swimming pools, sports courts, and similar active recreation facilities, as well as paving for parking and access, may not be counted toward fulfilling the landscape requirement.*
- G. *Non-plant Ground Covers. Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover no more than 25 percent of the area to be landscaped and shall be confined to areas underneath plants. Non-plant ground covers cannot be a substitute for ground cover plants.*

Findings: The applicant is not proposing to plant any invasive species. The applicant is proposing to irrigate the new landscaping. The applicant is not proposing to cover more than 10% of the required landscape area with hardscape features. The applicant does propose a 5-foot mulch-only strip along the north property line of Tax Lot 1700. This conflicts with the requirement that "Non-plant Ground Covers...shall be confined to areas underneath plants. Non-plant ground covers cannot be a substitute for ground cover plants." A condition of approval has been added to ensure that this criterion is met.

Condition of Approval: Per Veneta Zoning and Development Code Section 5.12(6)(G), non-plant ground covers shall be confined to areas underneath plants and cannot be a substitute for ground cover plants.

- 7) *Multi-family sites and 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.*

Findings: There are no abutting single-family land uses. This criterion is not applicable.

- 8) *Garbage collection areas, service facilities and air conditioning facilities located outside the building shall have sight-obscuring screening. Mechanical equipment, lights, emissions, shipping/receiving areas, and garbage collection areas for industrial, commercial, and public facility uses shall be located away from residential areas, schools, and parks.*

Findings: The applicant's site plan does not show garbage collection areas, service facilities, or air conditioning facilities. A condition of approval has been added to ensure that this criterion is met.

Condition of Approval: All garbage collection areas, service facilities, and air conditioning facilities shall be screened to obscure view from beyond the boundary of the property in

accordance with VZDC Section 4.08(7)(D). All sight-obscuring screening shall be installed in accordance with VZDC Section 5.12(9).

- 9) *When a sight-obscuring fence, wall, or hedge is required under the provisions of this ordinance, it must meet the following provisions:*
 - A. *In order to be "sight-obscuring", fences and walls must be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence or wall. Hedges shall be of an evergreen species which will meet and maintain year-round the same standard within three (3) years of planting. Creative use of deciduous hedge materials may be proposed to provide screening in conjunction with wider planting areas. Deciduous hedges may be approved on a case by case basis as the sole discretion of the Planning Official.*
 - B. *Fences and walls must be maintained in a safe condition and opacity must be maintained. Wooden materials shall be protected from rot, decay and insect infestation. Plants forming hedges must be replaced within six (6) months after dying or becoming diseased to the point that the opacity required is not met.*

Findings: The applicant is not proposing any sight-obscuring fences, walls, or landscaping.

- 10) *When adjacent land uses are of a different type and the proposed use may impact the adjacent land uses, the Building and Planning Official or Planning Commission may require sight-obscuring fencing, walls, and/or landscaping. In order to provide appropriate buffering and screening, the Building and Planning Official or Planning Commission may increase the required yard dimension.*

Findings: The proposed use is not expected to impact the adjacent land uses because all surrounding lots are zoned Industrial-Commercial and all surrounding uses are industrial uses of similar or less intensity.

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

Findings: The applicant is proposing a bottomless sand filter to detain and treat on-site runoff. Plantings are not required in these facilities, and the City Engineer did not object to the proposed landscaping of the stormwater detention facility.

Section 5.16 – Stormwater Detention and Treatment

As the City of Veneta develops, impervious surfaces create increased amounts of stormwater runoff, disrupting the natural hydrologic cycle. Without stormwater management, these conditions decrease groundwater recharge while increasing channel erosion and the potential for localized flooding. The City continues to use swales and other more natural methods to control and convey stormwater run-off, incorporating wetlands and other natural systems into stormwater drainage plans to the greatest extent possible rather than relying exclusively on pipes. Runoff from urban areas is a major source of pollution and watershed degradation. The City is currently a Designated Management Agency (DMA) under the Willamette Basin TMDL

and as such, is responsible for reducing pollutant loads transported to surface waters from runoff. In order to protect and enhance watershed health and long-term livability, the City requires that development comply with the following stormwater management criteria.

- 1) *For all projects that create greater than or equal to 1000 square feet of new impervious surface, stormwater detention and treatment facilities shall be provided. Detention and treatment facilities shall be designed and sized according to the City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 which is adopted as the City's Stormwater Management Manual. Where the manual and this section conflict, this section shall prevail.*
- 2) *The intent of these requirements is as follows:*
 - A. *To maintain runoff peak flows at predevelopment levels*
 - B. *To provide treatment of runoff to limit the transport of pollutants to area waterways.*
 - C. *To limit accumulation of ponded water by discouraging the use of detention ponds and other centralized stormwater facilities through the dispersal of small detention and treatment facilities throughout a development. Preference shall be given to detention and treatment systems designed to drain completely within 24 hours to limit standing water.*
 - D. *To encourage the use of vegetated treatment systems over structural pollution control devices.*
- 3) *Exceptions or alternatives to the requirements and standards of the Stormwater Management Manual may be allowed by the City Engineer based on specific site conditions provided that detention and treatment requirements are met in conformance with the intent as stated above. Applicants are encouraged to use either the Simplified Approach or Presumptive Approach to size facilities.*
- 4) *The following storm data (Eugene Airport) shall be used in sizing facilities.*

24-HOUR RAINFALL DEPTHS

Recurrence Interval, Years	2	5	10	25	100
Flood Control. Destination: 24-Hour Depths, Inches	3.12	3.6	4.46	5.18	6.48

Pollution Reduction: 24-Hour Depths. 1.4 Inches

City Engineer's Findings:

- 1) The pipe between the catch basin and the storm cleanout under the sand filter is not labeled with a material type, size, or slope. Please provide these details on the sheet.
- 2) The Stormwater Management Plan includes references to the Eugene Stormwater Management Plan and includes a reference to a conversation with Kyle Schauer, PW Director on the sheets notes. The City is planning on adopting the current (2014) Eugene

Stormwater Management Manual (EWSMM), so this is acceptable, however, the ESWMM also requires an Operations and Maintenance Plan, which was not provided. Please provide an O&M plan for stormwater as required per the ESWMM.

Findings: Staff has added the following conditions of approval to ensure that the applicant addresses the issues raised by the City Engineer. As conditioned, this criterion is met.

Condition of Approval: Prior to construction, the applicant shall submit and receive approval by the City of final plans showing the following:

- a. The pipe between the catch basin and the storm cleanout under the sand filter is not labeled with a material type, size, or slope. These details will be required.

Condition of Approval: Prior to construction, the applicant shall submit and receive approval by the City of an Operations and Maintenance plan for the stormwater detention facility.

Section 5.20 – Off-Street Parking Requirements

For each new structure or use, each structure or use increased in area and each change in the use of an existing structure, there shall be provided and maintained off-street parking areas in conformance with the provisions of this section.

- 1) *Design and improvement requirements for residential parking for single-family and multi-family dwellings.*
 - A. *Except where the City Engineer has approved a porous paving system to manage storm water runoff and water quality, all parking areas, driveways, and driveway approaches shall be surfaced with two (2) inches of asphaltic concrete or six (6) inches Portland Cement concrete over approved base or other materials approved by the City Engineer. Paved driveways are not required in situations approved by the Planning Commission or Building and Planning Official in which the driveway will be used temporarily until further land divisions or development occur.*
 - B. *Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper so placed to prevent a motor vehicle from extending over the property line.*
 - C. *Off-street parking areas shall not be located in a required front yard, except that driveways may be used for off-street parking.*
 - D. *A house with one street frontage and at least one hundred feet of width, or any house with two local street frontages may be served by a circular drive. Driveways shall not cover more than fifty percent (50%) of the required front yard area. Driveways shall not be constructed in required clear vision areas. All City standards including but not limited to those relating to storage of RVs, trailers, or inoperable vehicles, shall continue to apply.*

Findings: This subsection is not applicable, as the proposed use is not residential.

- 2) *Design and improvement requirements for parking lots (not including single-family or multi-family dwellings).*
 - A. *All required parking lots, driveways, and driveway approaches shall be surfaced with two (2) inches of asphaltic concrete, six (6) inches Portland Cement concrete over approved base, or other materials approved by the City Engineer which are designed to reduce or slow rates of stormwater runoff. All parking lots shall be graded so as not to drain storm water over the sidewalk or onto any abutting property.*

Findings: The applicant is proposing to pave most parking areas with asphaltic concrete. See the findings under Section 4.08(7)(G) for a more thorough discussion and conditions of approval regarding paving parking areas. The parking lot is graded so that stormwater does not run over the sidewalk or onto any abutting property.

- B. *Service drives and parking spaces on surfaced parking lots shall be clearly and permanently marked. Parking spaces, except for handicap spaces, shall have a minimum dimension of eighteen (18)' X nine (9)' exclusive of maneuvering and access area. The dimension includes the area in front of the curb stop over which the front of a vehicle would extend. Handicap spaces shall be provided as required by the Oregon State Structural Specialty Code.*

Findings: The proposed parking spaces all have a minimum dimension of 18' by 9' exclusive of maneuvering and access area. Handicap spaces are discussed further below under the findings for Section 5.20(12). This criterion is met.

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

Findings: The applicant is proposing one service driveway/vehicular circulation area that will provide access to all parking spaces. At its narrowest, this two-way service driveway is 20 feet wide. This criterion is met.

- D. *Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper so placed to prevent a motor vehicle from extending over the property line.*

Findings: No parking spaces are proposed to be adjacent a property line. This criterion is not applicable.

- E. *Service driveways to off-street parking lots shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and*

maximum safety of pedestrian and vehicular traffic on the site. The number of service driveways shall be limited to the minimum that will allow the property to accommodate and service the traffic anticipated.

Findings: The applicant is proposing one service driveway/vehicular circulation area that will provide access to all off-street parking spaces. This criterion is met.

F. *All off-street parking lots within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the Building and Planning Official to minimize disturbances to adjacent residents.*

Findings: The site does not abut a residential district. This criterion is not applicable.

G. *A grading structure and drainage plan shall be submitted to the City Building and Planning Official and approved by the City Engineer.*

City Engineer's Findings:

- 1) Please add dimensions to ADA stalls and access aisles.
- 2) The access aisle for the ADA parking stall in the east portion of the parking lot shall be located on the passenger side of the stall. Please refer to ORS 447.233(d).
- 3) Please provide additional grade call-outs for ADA stalls and loading areas. Design grades should be 1.5% or less for the longitudinal slope across the stalls and access aisles (x-direction, or cross slope) and 1.5% or less for the longitudinal slope of the stalls and access aisles. The finished grade of the constructed facilities shall be 2.0% or less for cross slopes and 2.0% or less for longitudinal slopes for all ADA stalls and access aisles.
Note: It is possible (and acceptable) to exceed 1.5% design and 2.0% finished/constructed slope on the diagonal dimension across the parking stall and/or access aisle, where the slope is shown in the west parking area's ADA access aisle.
- 4) The plan appears to include a flush matchline between the concrete walk around the building areas and the surfacing in the parking area. The grade in the area between the end of the slotted drain and the TC call out in the ADA parking stall will need to be revised to provide a longitudinal slope of 1.5% or less design finished grade.
- 5) Please provide design finish grades for the accessible path at head of parking on the west side of the parking area adjacent to the ADA parking access aisle at the east side. If the accessible path is to be grade separated, please show design finished grade elevation points for access ramps as well. The grading plan for the walkway (grade separated or not) will need to provide front and back of walk elevations at key locations, including where it matches up to the ADA loading area/access aisle and at any and all grade breaks.

Findings: VZDC 5.20(2)(G) requires a grading plan approved by the City Engineer. A condition of approval has been added to ensure that the applicant addresses the City Engineer's comments.

Condition of Approval: Prior to construction, the applicant shall submit and receive approval of final plans containing the following information:

- b. All ADA stalls and access aisles shall be dimensioned.
- c. The access aisle for the ADA parking stall in the east portion of the parking lot shall be located on the passenger side of the stall, in accordance with ORS 447.233(d).
- d. Additional grade call-outs for ADA stalls and loading areas are required. Design grades should be 1.5% or less for the slope across the stalls and access aisles (x-direction, or cross slope) and 1.5% or less for the longitudinal slope of the stalls and access aisles. The finished grade of the constructed facilities shall be 2.0% or less for cross slopes and 2.0% or less for longitudinal slopes for all ADA stalls and access aisles.
- e. The grade in the area between the end of the slotted drain and the TC call out in the ADA parking stall will need to be revised to provide a longitudinal slope of 1.5% or less design finished grade.
- f. Design finish grades for the accessible path at head of parking on the west side of the parking area adjacent to the ADA parking access aisle at the east side. If the accessible path is to be grade-separated, please show design finished grade elevation points for access ramps as well. The grading plan for the walkway (grade separated or not) will need to provide front and back of walk elevations at key locations, including where it matches up to the ADA loading area/access aisle and at any and all grade breaks.

H. *Parking lots shall be provided with landscaping as provided in Section 5.12 and other suitable devices in order to divide the parking lot into sub-units to provide for pedestrian safety, traffic control and to improve the appearance of the parking lot. A minimum of one shade tree per sixteen (16) parking spaces shall be provided in planter islands distributed throughout the lot. A maximum of twenty (20) spaces shall be allowed between planter islands.*

Findings: There are eight proposed parking spaces, which is below the minimum for required parking lot landscaping. This criterion is not applicable.

- I. *Parking lot lighting must comply with Veneta Municipal Code Chapter 15.15*

Findings: See the findings under Section 6.05(C) for a further discussion of outdoor lighting. As conditioned, this criterion is met.

3) *Location standards for parking lots.*

- A. *Off-street parking shall be provided for development in all zones. Off street parking areas may be located no farther than 400 feet from the building or use they are*

required to serve, with the exception of uses within the Broadway Commercial (BC) zone which are subject to the requirements of Section 4.05(11).

B. *Parking lots and loading docks for new public, and semi-public buildings shall be located to the side or rear of the building, except as approved through Type II Site Plan Review.*

C. *Loading docks for new commercial, industrial, public, and semi-public buildings shall be located to the side or rear of the building.*

Findings: The proposed off-street parking spaces are less than 400 feet from the building they're serving. The parking lot is not located between the buildings and the street. No loading docks are proposed as part of this development.

10) *The Building and Planning Official or the Planning Commission may approve the use of on-street parking spaces in lieu of required off-street parking spaces in the Broadway Commercial, Community Commercial, Residential-Commercial, Industrial-Commercial and Public Facilities & Park zones.*

Findings: The applicant has not proposed the use of on-street parking spaces in lieu of the required off-street parking spaces. This criterion is not applicable.

11) *Space requirements for off-street parking shall be consistent with Table 5.20(a) below. Fractional space requirements shall be counted as a whole space. When square feet are specified, the area measured shall be the gross floor area of all buildings but shall exclude any space within a building used for off-street parking, loading or service functions not primary to the use. When the requirements are based on the number of employees, the number counted shall be those working on the premises during the largest shift at peak season. A reduction in the number of required spaces not to exceed (fifty) 50% of the required spaces may be permitted by the Planning Commission. A reduction in excess of 50% may be permitted through a Type II Site Plan Review, pursuant to Article 6, if evidence is provided to show that a reduced amount of parking is sufficient and will not cause any detrimental impacts to on-street parking or other parking areas. For example, an employer working with Lane Transit District to provide bus passes to employees or who offers van pools or other transportation demand management measures may need fewer parking spaces for employees.*

Table 5.20(a) Off-Street Parking Requirements			
Use Categories	Motor Vehicle Parking Requirement	Bicycle Parking Requirement	Type and % Bicycle Parking
Storage Facilities	One (1) space per 800 square feet of gross floor area	1 per 5,000 sf/FA	25% LT / 75% ST

Findings: The proposed use of storage and warehousing falls under the definition of 'Industrial uses which are primarily warehousing and distribution' in Table 5.20(a). This use requires 1

space per 800 square feet of gross floor area. The applicant's gross floor area is approximately 5,134 sf, meaning 7 parking spaces are required. This criterion is met because the applicant is proposing 8 parking spaces.

The use also requires 1 bicycle parking space per 5,000 square feet of floor area, meaning that 1 bicycle parking space is required. This criterion is met because the applicant is proposing 1 short-term bicycle parking space.

Condition of Approval: Prior to Certificate of Occupancy, the applicant shall install 1 short-term bicycle parking space in accordance with VZDC Section 5.20.

12) Accessible Parking Spaces. Parking shall be provided for disabled persons, in accordance with the Americans with Disabilities Act. Accessible parking is included in the minimum number of required parking spaces listed in Table 5.20(b).

<i>Table 5.20(b) Minimum Accessible Parking Requirements</i>			
<i>Total Number of Parking Spaces Required</i>	<i>Total Minimum Number of Accessible Parking Spaces (60" and 96" aisles)</i>	<i>Van Accessible Parking Spaces with min. 96" wide access aisle</i>	<i>Accessible Parking Spaces with min. 60" wide access aisle</i>
1 to 25	1	1	0

Findings: The applicant is proposing 7 off-street parking spaces, which means that 1 accessible parking space is required. This criterion is met because the applicant is proposing to provide 2 accessible parking spaces, both of which have a 96" wide access aisle.

Section 5.22 – Pedestrian and Bicycle Access and Circulation

1) Internal pedestrian and bicycle circulation shall be provided within new commercial, office, and multifamily residential developments through the clustering of buildings, construction of hard surface pedestrian walkways, multi-use paths for shared pedestrian and bicycle travel, landscaping, or similar techniques.

Findings: The proposed use is not a commercial, office, or multifamily residential development. This criterion is not applicable.

2) Pedestrian and bicycle access to transit facilities shall be provided from new commercial, employment, and multi-family residential developments and new activity centers shall be provided while existing developments shall provide safe and accessible pedestrian and bicycle access to transit facilities when a site changes uses or is retrofitted.

Findings: There are no transit facilities adjacent to or within the surrounding area of the proposed use. This criterion is not applicable.

3) *Internal pedestrian and bicycle systems shall connect with external existing or planned systems. Pedestrian access from public sidewalks to the main entrances of public, semi-public, commercial, and multi-family buildings shall not cross driveways or parking lots.*

Findings: The applicant is proposing two pedestrian walkways, one to each building, that connect with the external planned public sidewalk. This criterion is met.

4) *All streets shall have sidewalks except rural local streets and rural lanes unless there is compelling evidence that other pedestrian systems meet the needs of pedestrians.*

Findings: The site currently does not have sidewalk where it fronts Jeans Road. The applicant is proposing to construct sidewalk along the frontage of the site. A condition of approval has been added to ensure this sidewalk is constructed.

Condition of Approval: Prior to Certificate of Occupancy, the applicant shall construct a 5-foot sidewalk along the frontage of the site in accordance with the approved site plan.

5) *Compliance with the commercial design standards for and mixed-use, residential and commercial development, respectively, in Chapters 5.13 and 5.29, is required.*

Findings: The proposed use is industrial and is thus not subject to the requirements of this criterion.

6) *Safe, Direct, and Convenient. Walkways/paths within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets and existing or planned transit stops, based on the following criteria:*

- A. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.*
- B. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.*
- C. "Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.*
- D. "Primary entrance" for residential buildings is the front door (i.e., facing the street). For multi-family buildings in which units do not have their own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway that serves as a common entrance for more than one dwelling.*

Findings: The applicant is proposing two walkways from the public sidewalk. This criterion is met because each walkway travels directly north along the front of the building, providing a direct walkway that is free from hazards and leads towards the primary entrance of the building.

Section 5.27 – Traffic Impact Analysis

- 1) *A Traffic Impact Analysis (TIA) and review is required when one of the following conditions exists:*
 - A. *The development will generate more than 100 vehicle trips during the a.m. or p.m. peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip Generation Manual. In developments involving a land division, the peak hour trips shall be calculated based on the likely development that will occur on all lots resulting from the land division.*
 - B. *The proposal is immediately adjacent to an intersection that is functioning at a level of service below LOS D, the City's minimum acceptable operating condition during the weekday peak hour.*
 - C. *The Traffic Impact Analysis is required by the State or County due to increased traffic on a State or County road within the City's Urban Growth Boundary.*
 - D. *The proposed use is expected to generate or receive traffic by vehicles exceeding 26,000 pounds gross vehicle weight as part of daily operations. "Daily operations" includes, but is not limited to, delivery to or from the site of materials or products processed, sold, or distributed by the business occupying the site. Trips associated with routine services provided to the site by others, such as mail delivery, garbage pickup, or bus service, are exempt from this provision.*
 - E. *An access driveway that does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate, creating a safety hazard.*
 - F. *An access driveway that does not meet the access spacing standard of the roadway on which the driveway is located.*
 - G. *A change in internal traffic patterns that may cause safety problems, such as back-up onto public streets or traffic conflicts in the approach area.*

Findings: The proposal is not expected to generate more than 100 trips during the a.m. or p.m. peak hour. The proposal is not immediately adjacent to an intersection that is functioning at a level of service below LOS D. A TIA was not required by the County or State. The proposed use is not expected to generate or receive traffic by vehicles exceeding 26,000 pounds gross vehicle weight as part of daily operations. The proposed access driveway will meet minimum intersection sight distance requirements. There are no proposed changes in internal traffic patterns. This criterion is not applicable.

Section 5.28 – Street Trees

When street trees are proposed, their selection and installation shall be according to the following requirements. Planting of street trees shall generally follow construction of curbs and sidewalks, however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction.

- 1) **Species selection.** *Trees shall be selected from the City's adopted tree list and shall be appropriate for the planning location based on the criteria found therein.*

- 2) Caliper Size. All street trees shall be a minimum of 2 inch caliper at time of planting.
- 3) Spacing and Location. Street trees shall be planted within the street right-of-way within existing and proposed planting strips or in sidewalk tree wells on streets without planting strips, except when utility easements occupy these areas. Street tree spacing shall be determined by the type of tree(s) selected and the canopy size at maturity and, at a minimum, the planting area shall contain 16 square feet, or typically, 4 feet by 4 feet. In general, trees shall be spaced at 30-40 foot intervals, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers. All street trees shall be placed outside utility easements and clear vision areas.
- 4) Growth Characteristics. Trees shall be selected based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection by developers and approval by the City:
 - A. Provide a broad canopy where shade is desired, except where limited by available space.
 - B. Use low-growing trees for spaces under low utility wires.
 - C. Select trees which can be "limbed-up" to comply with vision clearance requirements.
 - D. Use species with similar growth characteristics on the same block for design continuity.
 - E. Use deciduous trees for summer shade and winter sun, unless unsuited to the location due to soil, wind, sun exposure, annual precipitation, or exhaust.

Findings: The subject site fronts Jeans Road for approximately 200 feet. Section 5.28(3) requires street trees at a 30-40 foot interval, meaning that 6-7 street trees are required. The applicant is proposing 7 street trees. This criterion is met.

The applicant is proposing 2 separate species for the street trees: *Acer griseum* and *Lagerstroemia indica 'Whit II'*. Section 5.28(4)(D) requires that developers should use species with similar growth characteristics for design continuity. *Acer griseum* has a mature height of 25' and grows slowly. *Lagerstroemia indica 'Whit II'* grows moderately quickly and has a mature height of 15-20'. These growth characteristics are similar, thus, this criterion is met.

Veneta Municipal Code, Title 8 - Health and Safety
Chapter 8.10 Tree Cutting, Destruction and Removal

Section 8.10.030 Tree removal permit required.

No person shall remove or transplant any tree without first obtaining a tree removal permit as required by this chapter. (Ord. 483 § 3, 2008)

Findings: The applicant submitted and received approval of a Type B Tree Removal Permit prior to submittal of the Site Plan Review application. Staff approved this Type B Tree Removal Permit (City File No. TP-24-3) on April 4, 2024. The approval was for the removal of 16

significant trees.

Chapter 8.10.120 Mitigation.

(1) Requirement Established. Type B or C tree removal permit grantees shall plant one replacement tree for each significant tree removed in excess of the three that could otherwise be removed under a Type A permit. Type D permit grantees shall mitigate nonfir trees as required by VMC 8.10.100(2)(c). Mitigation is not required for removal of hazardous, dead, or dying trees.

Findings: The approval under TP-24-3 was for the removal of 16 significant trees. Per the standards of VMC 8.10.120(1), 13 replacement trees will be required. The applicant's landscape plan shows 13 new trees being planted on the site. This criterion is met.

D. Unless a condition of approval specifies otherwise or the decision of the Building and Planning Official is appealed, this decision will become effective twelve (12) days after the City mails the notice of decision. A decision of the Building and Planning Official may be appealed to the Planning Commission within twelve (12) days of the date the notice of decision is mailed, in accordance with Section 11.06(6) of the Veneta Zoning and Development Code. An appeal of the Planning Commission's decision must be submitted to the City Council within 12 days of the Planning Commission's decision becoming final. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.



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Associate Planner

7-23-2024
Date