

ORDINANCE NO. 590

AN ORDINANCE AMENDING THE VENETA ZONING AND DEVELOPMENT CODE TO ADOPT THE 2014 EUGENE STORMWATER MANAGEMENT MANUAL

WHEREAS, the City relies on the Veneta Zoning and Development Code as the City's source of most land use regulations, including stormwater management regulations; and

WHEREAS, the City's current adopted stormwater management manual is the 2008 Portland Stormwater Management Manual; and

WHEREAS, the City desires to amend the Veneta Zoning and Development Code to adopt the 2014 Eugene Stormwater Management Manual ("Proposed Amendments"); and

WHEREAS, on June 25, 2024, the City provided notice of the Proposed Amendments to the Department of Land Conservation and Development; and

WHEREAS, on October 1, 2024, the Veneta Planning Commission conducted a properly advertised public hearing on the Proposed Amendments and, having received no objections, recommended that the City Council adopt the Proposed Amendments; and

WHEREAS, on November 18, 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. Findings. The City Council hereby adopts the Findings of Fact attached as Exhibit A as its basis for adopting the Proposed Amendments to the Veneta Zoning and Development Code.

Section 2. Amendments. Veneta Zoning and Development Code, Section 5.16, Stormwater Detention and Treatment, is hereby amended as set forth in the attached Exhibit B.

Section 3. Unamended Provisions. All unamended provisions of Veneta Zoning and Development Code shall remain in full force and effect.

Section 4. Severability. The sections, subsections, paragraphs, and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 5. Effective Date. This Ordinance will go into full force and effect on the 30th day after City Council enactment.

READ FOR A FIRST TIME, BY TITLE ONLY, this 18th day of November, 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 9th day of December, 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 9th day of December, 2024.

Keith Weiss
Keith Weiss, Mayor

ATTEST:

Jennifer Mirabile
Jennifer Mirabile, City Recorder

**EXHIBIT A
To ORDINANCE NO. 590**

**VENETA CITY COUNCIL
FINDINGS OF FACT
File No. A-24-4**

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 June 25, 2024, at least 35 days prior to the first public hearing, and provided notice in *The Register Guard* on September 17, 2024 for the Planning Commission public hearing and on November 4, 2024 for the City Council public hearing per Veneta Zoning and Development Code, Section 11.09(D).
2. The Planning Commission held a public hearing on October 1, 2024 on the proposed amendments to 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 November 18, 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 by the City to the Department of Land Conservation and Development on June 25, 2024, at least 35 days in advance of the first public hearing. Notice of the proposal was published in the *Register Guard* for the Planning Commission public hearing on September 17, 2024, and on November 4, 2024 for the City Council Public Hearing. Notice was also posted at City Hall, Fern Ridge Library, and on the City website for both the City Council and Planning Commission public hearings.

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 October 1, 2024. The City Council public hearing and first reading was held on November 18, 2024.

Conclusion: The City ensured that members of the public were informed of the proposed amendments 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 replace the 2008 Portland Stormwater Management Manual with the 2014 Eugene Stormwater Management Manual as the City's adopted stormwater management manual. The proposed amendments are consistent with Goal 2 because the use of a more current and more local stormwater manual will help ensure that the land use planning process and policy framework for stormwater detention and treatment is accurate and in line with other local jurisdictions.

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: The proposed amendments are consistent with Goal 5 because they will adopt a more current stormwater manual than the City currently uses. The best practices and requirements outlined in this manual will help protect the quality of the City's stormwater system, which comprises and makes use of wetlands and drainageways.

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 proposed amendments are consistent with Goal 6 because the provision of adequate stormwater detention and treatment facilities under the new stormwater manual will keep pollutants out of the City's stormwater system, improving the water resources of the City.

7. Areas Subject to Natural Hazards (Goal 7)

Objective: To protect people and property from natural hazards.

Findings: The proposed amendments are consistent with this goal because the provision of adequate stormwater detention and treatment facilities under the 2014 Eugene Stormwater Management Manual will keep stormwater runoff flows from new development to pre-development rates, helping to protect life and property from flooding.

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 amendments would not have any effect on recreation. 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 amendments would not have any 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 would not have any effect on housing in the City. Goal 10 is not applicable.

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: Goal 12 is not applicable because the proposed amendments are not expected to have any impact on the City's transportation system.

13. Energy Conservation (Goal 13)

Objective: To conserve energy.

Findings: Goal 13 is not applicable because the proposed amendments are not expected to have any impact on the City's transportation system.

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 are consistent with Goal 14 because they will adopt the 204 Eugene Stormwater Management Manual, which will help provide for livable communities, as proper stormwater detention and treatment increases water quality and helps prevent flooding.

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: There are no statutory or administrative requirements that directly apply to the proposed amendments. The City adopts the findings for the Statewide Planning Goals contained in Section B 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 because the proposed amendments are not expected to have any effect on the rate of growth or amount of buildable lands in the City.

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: The proposed amendments are consistent with this element because the provision of adequate stormwater detention and treatment facilities under the 2014 Eugene Stormwater Management Manual will further the goal of creating a city with efficient and ecologically sensitive infrastructure, as the stormwater detention and treatment facilities will be required to be developed in accordance to locally-relevant and well-tested standards, and will help reduce impacts to the local ecology by reducing flooding and improving water quality.

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: This element is not applicable to the proposed amendment because the proposed amendments are not expected to have an effect on residential land and housing within the City.

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 because the proposed amendments are not expected to have an effect on the economic development of the City.

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: The proposed amendments are consistent with this goal because the adoption of a more current stormwater manual will help ensure that new storm drainage facilities are developed adequately to properly detain and treat stormwater runoff from new developments.

Community Facilities and Services

Goal: 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 because the proposed amendments are not expected to have an effect on community facilities and services.

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 because the proposed amendments are not expected to have an effect on the transportation system of the City.

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: The proposed amendments are not applicable because they are not expected to have an effect on parks and open space within the City.

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: The proposed amendments are consistent with this element because they will adopt a more current stormwater manual than the City currently uses. The best practices and requirements outlined in this manual will help protect the quality of the City's stormwater system, which comprises and makes use of wetlands and drainageways.

Air, Water, and Land Resource Quality

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

Findings: The proposed amendments are consistent with this element. because the provision of adequate stormwater detention and treatment facilities under the new stormwater manual will keep pollutants out of the City's stormwater system, improving the water resources of the City.

Areas Subject to Development Constraints

Goal: Protect life and property from natural hazards and disasters

Findings: The proposed amendments are consistent with this element because the provision of adequate stormwater detention and treatment facilities under the 2014 Eugene Stormwater Management Manual will keep stormwater runoff flows from new development to pre-development rates, helping to protect life and property from flooding.

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

Exhibit B to Ordinance No. 590

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 Eugene Stormwater Management Manual (2014), 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 | | | | | |