

ORDINANCE NO. 594

AN ORDINANCE ADOPTING HOUSEKEEPING AMENDMENTS  
TO THE VENETA ZONING AND DEVELOPMENT CODE

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

WHEREAS, the City must update and amend its implementing ordinances from time to time to fix scrivener errors and inconsistencies; and

WHEREAS, the City desires to be seen as development-friendly, and internal consistency, clarity, and ease of use of its implementing ordinances furthers that goal; and

WHEREAS, the City desires to amend the Veneta Zoning and Development Code to promote internal consistency, clarity, and ease of use, and to align the City's development regulations with state law ("Proposed Amendments"); and

WHEREAS, on August 22, 2024, the City provided notice of the Proposed Amendments to the Department of Land Conservation and Development; and

WHEREAS, on February 4, 2025, the Veneta Planning Commission conducted a properly advertised public hearing on the Proposed Amendments and recommended that the City Council adopt the Proposed Amendments; and

WHEREAS, on March 10, 2025, 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. The Veneta Zoning and Development Code is hereby amended as follows:

- a. Section 2.03, Unlawful Construction or Use, is hereby deleted.
- b. Section 2.10, Enforcement, Violations, and Penalties, is hereby amended as set forth in the attached Exhibit B-1.
- c. Section 4.00, General Development Standards and Permitted Uses, Table 4.2, Permitted and Conditional Uses in Residential Zones, is hereby amended as set forth in the attached Exhibit B-2.
- d. Section 4.00, General Development Standards and Permitted Uses, Table 4.4, Permitted and Conditional Uses in Commercial and Industrial Zones, is hereby amended as set forth in the attached Exhibit B-3.

- e. Section 4.01, Rural Residential (RR), Subsection 5(A), is hereby amended as set forth in the attached Exhibit B-4.
- f. Section 4.02, Low-Density Residential (LDR), Subsection 5(C), is hereby amended as set forth in the attached Exhibit B-5.
- g. Section 4.03, General Residential (GR), Subsection 5(D), is hereby amended as set forth in the Attached Exhibit B-6.
- h. Section 4.04, Residential-Commercial (RC), Subsection 2(B), is hereby amended as set forth in the attached Exhibit B-7.
- i. Section 4.05, Broadway Commercial (BC), Subsection 2, is hereby amended as set forth in the attached Exhibit B-8.
- j. Section 4.06, Community Commercial (CC), Subsection 2, is hereby amended as set forth in the attached Exhibit B-9.
- k. Section 4.07, Highway Commercial (HC), Subsection 2, is hereby amended as set forth in the attached Exhibit B-10.
- l. Section 4.08, Industrial-Commercial (IC), Subsection 2, is hereby amended as set forth in the attached Exhibit B-11.
- m. Section 4.09, Medium Industrial (MI), Subsection 2(C), is hereby amended as set forth in the attached Exhibit B-12.
- n. Section 4.12, Greenway – Open Space Subzone (/GW), Subsection 2(A), is hereby amended as set forth in the attached Exhibit B-13.
- o. Section 4.14, Planned Development Subzone (/PD), Subsection 4(B), is hereby amended as set forth in the attached Exhibit B-14.
- p. Section 5.01, General Provisions Regarding Accessory Uses, Subsection 5, is hereby amended as set forth in the attached Exhibit B-15.
- q. Section 5.09, Exceptions to Yard Requirements, Subsection 2, is hereby amended as set forth in the attached Exhibit B-16.
- r. Section 5.11, Short Term Rentals, Subsection 18, is hereby amended as set forth in the attached Exhibit B-17.
- s. Section 5.12, Landscaping, is hereby amended as set forth in the attached Exhibit B-18.
- t. Section 5.13, Commercial and Mixed-Use Design Standards, Subsection 1, is hereby amended as set forth in the attached Exhibit B-19.
- u. Section 5.13, Commercial and Mixed-Use Design Standards, Subsection 2(L), is hereby amended as set forth in the attached Exhibit B-20.
- v. Section 5.13, Commercial and Mixed-Use Design Standards, Subsection 3, is hereby amended as set forth in the attached Exhibit B-21.
- w. Section 5.14, Improvement Requirements, Subsection 6, is hereby amended as set forth in the attached Exhibit B-22.
- x. Section 5.15, Signs, Subsection 3, is hereby amended as set forth in the attached Exhibit B-23.
- y. Section 5.17, Cottage Housing Development (CHD), Subsection 2, is hereby amended as set forth in the attached Exhibit B-24.
- z. Section 5.20, Off-Street Parking Requirements, Subsection 3(B), is hereby amended as set forth in the attached Exhibit B-25.
- aa. Section 5.20, Off-Street Parking Requirements, Subsection 11, is hereby amended as set forth in the attached Exhibit B-26.

- bb. Section 5.20, Off-Street Parking Requirements, Subsection 14, is hereby amended as set forth in the attached Exhibit B-27.
- cc. Section 5.20, Off-Street Parking Requirements, Subsection 15, is hereby amended as set forth in the attached Exhibit B-28.
- dd. Section 5.26, Parkland Dedication Requirements, Subsection 2(A)(3), is hereby amended as set forth in the attached Exhibit B-29.
- ee. Section 5.26, Parkland Dedication Requirements, Subsection 3, is hereby amended as set forth in the attached Exhibit B-30.
- ff. Section 5.26, Parkland Dedication Requirements, Subsection 5, is hereby amended as set forth in the attached Exhibit B-31.
- gg. Section 5.28, Street Trees, Subsection 5, is hereby amended as set forth in the attached Exhibit B-32.
- hh. Section 5.29, Residential Design Standards, is hereby amended as set forth in the attached Exhibit B-33.
- ii. Section 6.01, Site Plan Review Purpose and Applicability, is hereby amended as set forth in the attached Exhibit B-34.
- jj. Section 6.03, Required Information on Site Plan, is hereby amended as set forth in the attached Exhibit B-35.
- kk. Section 6.05, Approval Criteria, is hereby amended as set forth in the attached Exhibit B-36.
- ll. Section 7.04, Allowable Temporary Uses, Subsection 2(B)(10), is hereby amended as set forth in the attached Exhibit B-37.
- mm. Section 7.04, Allowable Temporary Uses, Subsection 2(C)(2)(c), is hereby amended as set forth in the attached Exhibit B-38.
- nn. Section 8.02, Authorization to Grant or Deny, is hereby amended as set forth in the attached Exhibit B-39.
- oo. Section 8.11, Special Standards Governing Certain Conditional Uses, Subsection 8, is hereby amended as set forth in the attached Exhibit B-40.
- pp. Section 8.11, Special Standards Governing Certain Conditional Uses, Subsection 16(G), is hereby amended as set forth in the attached Exhibit B-41.
- qq. Section 11.01, Purpose and Applicability, Subsection 2(B), is hereby amended as set forth in the attached Exhibit B-42.
- rr. Section 11.01, Purpose and Applicability, Table 11.01, is hereby amended as set forth in the attached Exhibit B-43.
- ss. Section 11.03, Pre-Application Conference and Consolidation of Review, Subsection 2, is hereby amended as set forth in the attached Exhibit B-44.
- tt. Section 11.06, Type II Review Procedure (Administrative Decision), is hereby amended as set forth in the attached Exhibit B-45.
- uu. Section 11.14, Resubmittal of Applications, is hereby amended as set forth in the attached Exhibit B-46.
- vv. Section 12.06, Termination, is hereby amended as set forth in the attached Exhibit B-47.
- ww. Section 13.05, Submission Procedure, is hereby amended as set forth in the attached Exhibit B-48.
- xx. Section 13.08, Partitions, Subsection 1(E), is hereby amended as set forth in the attached Exhibit B-49.

yy. Section 13.08, Partitions, Subsection 2, is hereby amended as set forth in the attached Exhibit B-50.

zz. Section 13.08, Partitions, Subsection 4, is hereby amended as set forth in the attached Exhibit B-51.

aaa. Section 13.08, Partitions, Subsection 5(C)(6)(a), is hereby amended as set forth in the attached Exhibit B-52.

bbb. Section 13.09, Subdivisions, Subsection 1(E), is hereby amended as set forth in the attached Exhibit B-53.

ccc. Section 13.09, Subdivisions, Subsection 2, is hereby amended as set forth in the attached Exhibit B-54.

ddd. Section 13.09, Subdivisions, Subsection 4(A), is hereby amended as set forth in the attached Exhibit B-55.

eee. Section 13.09, Subdivisions, Subsection 5(C)(7)(a), is hereby amended as set forth in the attached Exhibit B-56.

fff. Section 13.09, Subdivisions, Subsection 5(F)(3), is hereby amended as set forth in the attached Exhibit B-57.

ggg. Section 13.10, Design Standards, Subsection 1, is hereby amended as set forth in the attached Exhibit B-58.

hhh. Section 13.10, Design Standards, Subsection 3, is hereby amended as set forth in the attached Exhibit B-59.

iii. Section 13.10, Design Standards, Subsection 7, is hereby amended as set forth in the attached Exhibit B-60.

jjj. Section 13.11, Improvement Requirements, Subsection 3, is hereby amended as set forth in the attached Exhibit B-61.

kkk. Section 13.11, Improvement Requirements, Subsection 4, is hereby amended as set forth in the attached Exhibit B-62.

III. Section 13.11, Improvement Requirements, Subsection 6(A), is hereby amended as set forth in the attached Exhibit B-63.

mmm. Section 14.02, Definitions, is hereby amended as set forth in the attached Exhibit B-64.

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 30<sup>th</sup> day after City Council enactment.

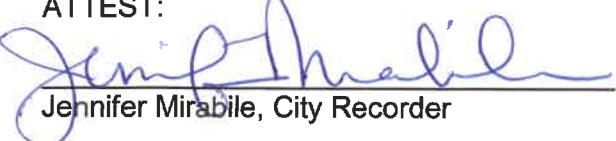
READ FOR A FIRST TIME, BY TITLE ONLY, this 10th day of March, 2025, no Council person in attendance having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, AND FOR FINAL ADOPTION, this \_\_\_\_\_ day of \_\_\_\_\_, 2025, 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  
14<sup>th</sup> day of April, 2025.

  
\_\_\_\_\_  
Robbie McCoy, Mayor

ATTEST:

  
\_\_\_\_\_  
Jennifer Mirabile, City Recorder

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**EXHIBIT A**  
**To ORDINANCE NO. 594**

**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 August 22, 2024, at least 35 days prior to the first public hearing, and provided notice in *The Register Guard* on January 14, 2025 for the Planning Commission public hearing and on February 12, 2025 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 February 4, 2025 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 March 10, 2025, 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 proposed amendments are consistent with Goal 1 because the City ensured that members of the public were informed of the proposed amendments and had an opportunity to comment on the proposed changes. The Planning Commission and City Council conducted public hearings on the proposal prior to adopting the proposed amendments. The City provided notice to the Department of Land Conservation and Development on August 22, 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 January 24, 2025, and on February 12, 2025 for

the City Council Public Hearing. Notice was also posted at City Hall, Fern Ridge Library, and on the City website.

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 February 4, 2025. The City Council public hearing and first reading was held on March 10, 2025.

**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 are consistent with this goal because they are intended to 'clean up' various typos, bad citations, and inconsistencies in the Veneta Zoning and Development Code (VZDC), which will help clarify the City's land use planning process and policy framework. The amendments will also implement changes in accordance with Senate Bill 1537 of the 2024 legislative session, which will bring the City into compliance with the new state requirements for processing land use planning applications. Specifically, the amendments will require that Limited Land Use Decisions are processed according to the statutory procedure outlined in ORS 197.195 only. This will clarify the land use planning process and policy framework related to the use of land.

**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 amend Section 4.12 to clarify that the boundaries for the Greenway – Open Space Subzone are as shown on the

current Veneta Zoning Map, not the zoning map from November of 2009. The Greenway – Open Space Subzone is an overlay zone that restricts development within 50 feet from the boundary of all significant wetlands, and can also be implemented to provide open space. This will further protection of natural resources by removing the potential for conflicting sources of Greenway boundary locations, ensuring that the City can enforce the Greenway – Open Space regulations in areas shown as being within this subzone on the current zoning map.

**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 not expected to have a significant impact on the quality of the air, water and land resources of the state.

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

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

**Findings:** The proposed amendments are not expected to have a significant impact on the protection of people and property from natural hazards.

**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 are consistent with Goal 8 because they clarify that the parkland dedication requirements of VZDC Section 5.26 apply to triplexes and quadplexes in addition to single-family homes, duplexes, and multi-family developments, which will help further provide the City with parkland or, if a fee in lieu of parkland is required by the City, funds to acquire new parkland.

**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 are consistent with Goal 9 because the amendments will, in general, expand the permitted uses in commercial and industrial zones. Bed & Breakfasts, hotels, electric vehicle charging stations, day cares, laundromats, vehicle service stations, and car/truck/boat washes are all uses that the amendments will permit in more zones than were previously permitted.

The amendments will remove previously permitted uses in some cases. General Retail above 10,000 square feet will be required to be part of a mixed-use development in both the Residential-Commercial (RC) zone and the Community-Commercial (CC) zone. However, this is not expected to have a significant effect on economic activity or development because there are

very few lots in the RC zone above 10,000 square feet in size, and most lots in the RC zone have already developed. Furthermore, a mixed-use development would provide additional customers for retail uses on the ground floor, which would encourage economic development and activity.

## **10. *Housing (Goal 10)***

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

**Findings:** The proposed amendments are consistent with Goal 10 because the amendments will exempt single-family attached housing from the requirement for residential lots to abut a public street for at least 50 feet in the Low-Density Residential zone, making it more feasible to develop a variety of housing types in the city beyond single-family detached housing.

The amendments will also modify the definitions for the terms “Dwelling, single-family,” “Dwelling, single-family attached,” and “Dwelling, single-family detached” to remove standards that were not clear and objective. The amendments will modify the definitions to not contain any development standards at all, and instead simply define the terms. The removal of these vague and subjective standards will help further the goal to provide for the housing needs of citizens of the state by removing barriers in conflict with the requirement of ORS 197.307(4) for clear and objective standards for the development of housing.

The amendments will also implement the requirements of Senate Bill 1537 of the 2024 legislative session to process Limited Land Use Decisions according to the statutory procedure in ORS 197.195 only. Many residential developments, such as subdivisions, partitions, site plan reviews for multi-family housing, are included in the definition of Limited Land Use Decision. In some cases, partitions and site plan reviews were already processed at an administrative level, but the amendments will require this to be the case for all Limited Land Use Decisions. Following the statutory procedure for Limited Land Use Decisions for residential developments will help reduce barriers to housing development, as applicants will no longer need to seek approval from the Planning Commission at a public hearing, which will potentially decrease the time needed to receive land use approval for the development of housing.

The amendments will clarify that the parkland dedication requirements of Section 5.26 apply to triplexes and quadplexes, but this is not a new requirement. Section 5.26(A)(3) already requires parkland dedication for multi-family developments. Section 14.02 defines “Dwelling, Multi-family” as “[a]ttached housing where each dwelling unit is not located on a separate lot.” This definition already includes developments with three and four units. The amendments are only intended to clarify an existing regulation, not create a new one. For this reason, this specific change is not expected to have a significant effect on the provision for the housing needs of citizens of the state.

## **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 a significant 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 energy conservation within the City.

**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 the amendments will increase the number of permitted and conditional uses in commercial and industrial zones, making it easier for commercial and industrial developments to locate within Veneta's urban growth boundary, furthering the goal of providing urban employment inside urban growth boundaries. Bed & Breakfasts, hotels, electric vehicle charging stations, day cares, laundromats, vehicle service stations, and car/truck/boat washes are all uses that the amendments will permit in more zones than were previously permitted.

**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:** The proposed amendments are intended to bring the Veneta Zoning and Development Code into compliance with the changes made to ORS 197.195 as part of Senate Bill 1537 of the 2024 legislative session, which requires Limited Land Use Decisions to be processed according to

the statutory procedures in ORS 197.195 only. The amendments will require that all Limited Land Use Decisions be processed according to the City's Type II procedure. The amendments will modify the City's Type II procedure to fully align with the statutory procedure. For these reasons, the proposed amendments will comply with the applicable statutes in ORS 197.195.

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 all other 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:** The proposed amendments are consistent with this element because they will increase the number of permitted and conditional uses in commercial and industrial zones, which will further the goal of developing a commercial and light industrial employment base by allowing a wider variety of uses. Bed & Breakfasts, hotels, electric vehicle charging stations, day cares, laundromats, vehicle service stations, and car/truck/boat washes are all uses that the amendments will permit in more zones than were previously permitted.

#### **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 because the proposed amendments are not expected to have a significant impact on the creation of a city with efficient and ecologically sensitive infrastructure, an environment that is aesthetically stimulating, and buildings, sidewalks, trails, and other public facilities that are accessible to everyone.

#### **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 consistent with this element because the amendments will exempt single-family attached housing from the requirement for residential lots to abut a public street for at least 50 feet in the Low-Density Residential zone, making it more feasible to develop a variety of housing types in the city beyond single-family detached housing.

The amendments will also modify the definitions for the terms “Dwelling, single-family,” “Dwelling, single-family attached,” and “Dwelling, single-family detached” to remove standards that were not clear and objective. The amendments will modify the definitions to not contain any development standards at all, and instead simply define the terms. The removal of these vague and subjective standards will help further the goal to provide for the housing needs of citizens of the state by removing barriers in conflict with the requirement of ORS 197.307(4) for clear and objective standards for the development of housing.

The amendments will also implement the requirements of Senate Bill 1537 of the 2024 legislative session to process Limited Land Use Decisions according to the statutory procedure in ORS 197.195 only. Many residential developments, such as subdivisions, partitions, site plan reviews for multi-family housing, are included in the definition of Limited Land Use Decision. In some cases, partitions and site plan reviews were already processed at an administrative level, but the amendments will require this to be the case for all Limited Land Use Decisions. Following the statutory procedure for Limited Land Use Decisions for residential developments will help reduce barriers to housing development, as applicants will no longer need to seek approval from the Planning Commission at a public hearing, which will potentially decrease the time needed to receive land use approval for the development of housing.

The amendments will clarify that the parkland dedication requirements of Section 5.26 apply to triplexes and quadplexes, but this is not a new requirement. Section 5.26(A)(3) already requires parkland dedication for multi-family developments. Section 14.02 defines “Dwelling, Multi-family” as “[a]ttached housing where each dwelling unit is not located on a separate lot.” This definition already includes developments with three and four units. The amendments are only intended to clarify an existing regulation, not create a new one. For this reason, this specific change is not expected to have a significant effect on housing development 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:** The proposed amendments are consistent with this element because the amendments will, in general, expand the permitted uses in commercial and industrial zones. Bed & Breakfasts, hotels, electric vehicle charging stations, day cares, laundromats, vehicle service stations, and car/truck/boat washes are all uses that the amendments will permit in more zones than were previously permitted.

The amendments will remove previously permitted uses in some cases. General Retail above 10,000 square feet will be required to be part of a mixed-use development in both the Residential-Commercial (RC) zone and the Community-Commercial (CC) zone. However, this is not expected to have a significant effect on economic activity or development because there are very few lots in the RC zone above 10,000 square feet in size, and most lots in the RC zone have already developed. Furthermore, a mixed-use development would provide additional customers for retail uses on the ground floor, which would encourage economic development and activity.

#### **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 because the proposed amendments are not expected to have an effect on the water, sewer, and storm drainage utilities of the City.

#### **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 a significant impact 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 consistent with this element because they clarify that the parkland dedication requirements of VZDC Section 5.26 apply to triplexes and quadplexes in addition to single-family homes, duplexes, and multi-family developments, which will help further provide the City with parkland or, if a fee in lieu of parkland is required by the City, funds to acquire new parkland.

#### **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 amend Section 4.12 to clarify that the boundaries for the Greenway – Open Space Subzone are as shown on the current Veneta Zoning Map, not the zoning map from November of 2009. The Greenway – Open Space Subzone is an overlay zone that restricts development within 50 feet from the boundary of all significant wetlands, and can also be implemented to provide open space. This will further protection of natural resources by removing the potential for conflicting sources of Greenway boundary locations, ensuring that the City can enforce the Greenway – Open Space regulations in areas shown as being within this subzone on the current zoning map.

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

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

**Findings:** This element is not applicable because the proposed amendments are not expected to have a significant impact on the preservation of the quality of Veneta's air, water, and land resources.

#### **Areas Subject to Development Constraints**

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

**Findings:** This element is not applicable because the proposed amendments are not expected to have a significant impact on the protection of life and property from natural hazards and disasters.

**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-1: Section 2.10**

- 1) Unlawful Construction or Use. Any use or structure established, operated, erected, moved, altered, enlarged, painted, or maintained contrary to this ordinance is unlawful and a public nuisance, and may be abated as provided in Veneta Municipal Code Chapter 8.05. The City may, as an alternative or in addition to other remedies or penalties set forth herein, institute injunction, mandamus, or other appropriate proceedings to prevent, enjoin, abate or remove the violation.
- 2) Responsibility. In any enforcement action the person or persons owning or occupying the premises at the time of the violation shall be presumed to be the person or persons who constructed, moved, caused or maintained the unlawful activity, use, condition, or structure. This presumption may be rebutted by either the city or the defendant both of whom shall have the right to show that the offense was committed by someone other than, or in addition to, the person charged. This provision shall not be construed as relieving a person in possession and control of property from any duty imposed upon him or her by this ordinance.  
Records of the Lane County assessor showing the person or persons to whom the taxes are assessed for the premises shall constitute prima facie evidence that the person or persons are in possession or control of the premises. Evidence of the name of a person or persons displayed on a sign or signs located on premises which is zoned commercial or industrial shall constitute prima facie evidence that the person or persons whose name is displayed is in possession or control of the premises. This provision shall not be construed to relieve any agent, manager, employee or other person who actually committed a violation from responsibility.
- 3) Inspection and Right of Entry. When necessary to investigate a suspected violation of this ordinance, or an application for or revocation of any permit issued under this ordinance, the City Administrator and/or his designee may enter on any site or any structure open to the public for the purpose of investigation, provided entry is done in accordance with law. No site or structure that is closed to the public shall be entered without the written consent of the owner or the occupant unless a search warrant is obtained.
- 4) Enforcement Procedures.
  - A. Within a reasonable time after notification of a violation of this ordinance, the Building and Planning Official shall notify the property owner that such a violation exists.
  - B. Where the violation does not involve a structure, action to rectify such shall be made within 30 days. Where the violation involves a structure, action to rectify such shall be made within 60 days.
  - C. Where the violation, in the opinion of the City Administrator and/or his designee, may adversely affect the health, safety or welfare of an individual, group or the community as a whole if not corrected immediately, action to rectify the problem may be required immediately or within a reasonable time as established by the City Administrator and/or his designee.
  - D. The City Administrator and/or their designee has the discretion of referring the matter to the City Attorney to institute any necessary legal proceedings to enforce the provisions of this ordinance.
- 5) Penalty. A person violating a provision of this ordinance shall, upon conviction, be fined not less than \$105.00 nor more than \$500.00 for each violation. A violation of this ordinance shall be considered a separate offense for each day the violation continues.

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**Exhibit B-2: Section 4.00, General Development Standards and Permitted Uses, Table 4.2**

**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 <1000 sf	P	P	P	P	See 5.01
Accessory Structure >1000 sf	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 Home	P	P	P	P	See ORS 329A See Section 14.02
Day Care Facility	CUP	CUP	CUP	SPR	See ORS Chapter 329A See Section 14.02 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-3: Section 4.00, General Development Standards and Permitted Uses, Table 4.4**  
**– Permitted and Conditional Uses in Commercial and Industrial Zones**

Applicable Section	R-C	B-C	C-C	H-C	I-C	M-I	R-C zone allows all uses permitted outright and conditionally in G-R, B-C & C-C
	<b>4.04</b>	<b>4.05</b>	<b>4.06</b>	<b>4.07</b>	<b>4.08</b>	<b>4.09</b>	
2nd+ floor Residential above Commercial	SPR	SPR	SPR				Vertical Mixed Use (Residential above Commercial)
Residential & Commercial on ground floor	SPR	SPR	SPR				Horizontal M.U. (Residential behind Commercial)
Caretaker dwelling				CUP	CUP	CUP	See Section 8.11 (4)
Agricultural Cultivation					SPR	SPR	Interim use until development; no off-site impacts
Bed & Breakfast/Boarding/Lodging/Rooming	CUP	SPR	SPR	SPR			
Day Care - Family Child Care Home	P	SPR	SPR	SPR			See ORS 329A. See Section 14.02
Day Care Facility	SPR	SPR	SPR	SPR	SPR	SPR	See ORS 329A. See Section 14.02
Commercial Amusement/Recreation, Indoor	SPR	SPR	SPR	SPR			
Commercial Amusement/Rec, Outdoor				CUP	CUP		See 8.11 (15)
Community/Social Organizations	SPR	SPR					
Construction / Contractor businesses					SPR	SPR	
Dog Kennel				CUP	CUP	P	
Eating & Drinking Establishments	SPR	SPR	SPR	SPR	SPR	SPR	
Electric Vehicle Charging Station	P	P	P	P	P	P	
General Office and Services	SPP	SPR	SPR	SPR	SPR	SPR	
General Retail < 40,000 sf	SPR*	SPR*	SPR*	SPR	SPR	SPR	*Retail uses above 10,000 sf must be mixed-use
General Retail > 40,000 sf	CUP*	CUP*	CUP*	CUP			*Retail uses above 10,000 sf must be mixed-use
Laundromat or Cleaning Agency	SPR	SPR	SPR	SPR	SPR	SPR	
Low Impact Public Use	SPR	SPR	SPR	SPR	P	P	
Manufacturing - Artisan/Craft	SPR	SPR					<5,000sf, minimum 25% area dedicated to retail
Manufacturing - Light & Food Processing					SPR	SPR	Plant-based food processing only
Manufacturing / Wholesaling					SPR	SPR	Incl compounding, assembling, and processing
Material recycling and salvage yards				CUP*	CUP*	SPR	*Excluding metal salvage yards, automobile junkyards
Marijuana Facility					SPR	SPR	See Section 14.02
Marijuana Retail	SPR	SPR	SPR	SPR	SPR	SPR*	See ORS 475C.097. See Section 14.02 *See Section 4.09(2)(B)
Mortuary / Crematorium	SPR		SPR				
Motel / Hotel	SPR	SPR	SPR	SPR			
Museums, Art Galleries	SPR	P	SPR	SPR			
Nursery (plants), including outdoor sales	SPR		SPR	SPR	CUP		*Supersedes CUP requirement in 8.11
Outdoor Storage Yard					CUP	CUP	Incl storage of materials/vehicles/inventory. See 5.32
Recreational Vehicle (RV) Park				CUP			See 8.11 (14)
Repair & Maintenance	SPR		SPR	SPR		SPR	Including appliance & small engine repair
Repair & Maintenance - Vehicles					SPR	SPR	Including motor vehicles, RVs, boats, etc.
Storage & Warehousing, Mini Storage					SPR	SPR	
Auto/Vehicle Service stations				CUP	CUP	CUP	Including fuel sales. See 5.05, 8.11 (16) and 8.11 (17)
Car/Truck/Boat washes				CUP	CUP	CUP	CUP - see 8.11 (16) and 8.11 (17)
Drive-Through Facilities	CUP		CUP	CUP	CUP	CUP	Primary or accessory use. See 8.11 (16) and 8.11 (17)
Heavy Equipment/Truck Sales/Rental/Repair				CUP	CUP	SPR	See 5.05, 8.11 (16) and 8.11 (17)
Overnight Truck Facility/Parking				CUP	CUP	CUP	See 5.05, 8.11 (16) and 8.11 (17)
Parking Lots (stand-alone; not associated with a use)	CUP	CUP	CUP	SPR	SPR	SPR	See 5.12 for landscaping

Vehicle Sales/Rental/Repair				CUP	CUP	P	See 5.05, 8.11 (16) and 8.11 (17)
Transportation Facilities in TSP, incl. parking	SPR		P			SPR	
Transportation Improvements not in TSP	CUP	CUP	CUP	CUP	CUP	CUP	
"High Impact" Transp & Recreation Facilities					CUP		All high trip generators - CUP - See 8.11 (13)
Stables						CUP	See 8.11(18)
<b>Permitted only as a Secondary Use</b>							See Article 14 - Definitions
Outdoor Storage Area	CUP	CUP	CUP	P	P	P	See Section 5.32
Outdoor Sales and Display	P	P	P	P	P	P	See Section 5.33

**Exhibit B-4: Section 4.01(5)(A)**

- A. The minimum legal lot size is one (1) acre, or larger as needed to permit compliance with the requirements of the Department of Environmental Quality for the location of on-site disposal systems and domestic wells. Determination of minimum legal lot size and land division approval will be made on a case-by-case basis by the City based on the carrying capacity of the land, availability of sewage disposal systems and type of water supply.

**Exhibit B-5: Section 4.02(5)(C)**

- C. The City 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.

**Exhibit B-6: Section 4.03(5)(D)**

- D. The City 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.

**Exhibit B-7: Section 4.04(2)(B)**

- B. All uses requiring Site Plan Review in the GR, BC and CC zones, shall require Site Plan Review.

**Exhibit B-8: Section 4.05(2)**

- 2) Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the site plan review provisions of Article 6, provided all operations except off-street parking, recreational facilities, common areas (e.g., plazas), and permitted temporary activities associated with an allowed use shall be conducted entirely within an enclosed building (excludes drive-thru facilities):
  - A. All uses provided in Table 4.4 and similar uses as provided by Section 2.05.
  - B. Residential uses shall be contained in a mixed-use building (e.g., apartments or condominiums above commercial space, or residential use in a live-work building) where residential uses are located above commercial space.
  - C. Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System Plan.
  - D. Registered or certified family daycare in an existing structure currently used as a residence.
  - E. Residential uses within a commercial structure, provided the residential use does not occupy more than 50 percent of the ground floor space in the structure if the any previous use of the structure has been commercial. Residential shall not occupy the front 25 feet of ground floor space abutting a principal commercial street (Broadway or Territorial), except that residential use may be accessed via a breezeway, lobby, or similar entrance.

**Exhibit B-9: Section 4.06(2)**

2) Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the site plan review provisions of Article 6, provided all operations except off-street parking, recreational facilities, common areas (e.g., plazas), and permitted temporary activities associated with an allowed use shall be conducted entirely within an enclosed building (excludes drive-thru facilities):

- A. All uses provided in Table 4.4 and similar uses as provided by Section 2.05.
- B. Retail stores or shops exceeding 10,000 square feet when contained in a mixed-use building where residential uses are located above commercial space.
- C. Residential uses contained in a mixed-use building (e.g., apartments or condominiums above commercial space, or residential use in a live-work building) where residential uses are located above commercial space.
- D. Residential uses within commercial structures, provided the residential use does not occupy more than 50 percent of the structure and no dwelling unit occupies the front 25 feet of ground floor principal commercial street except that residential use may be allowed off the principal commercial street at the ground floor.

**Exhibit B-10: Section 4.07(2)**

2) Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to Site Plan Review under Article 6, provided all operations except off-street parking, recreational facilities, common areas (e.g., plazas), and permitted temporary activities associated with an allowed use shall be conducted entirely within an enclosed building (excludes drive-thru facilities).

- A. All uses provided in Table 4.4 and similar uses as provided by Section 2.05.

**Exhibit B-11: Section 4.08(2)**

3) 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. 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 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.

**Exhibit B-12: Section 4.09(2)(C)**

C. 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 Marijuana Facility.

**Exhibit B-13: Section 4.12(2)(A)**

- A. The boundaries of the GW subzone are shown on the Veneta Zoning Map which is hereby adopted by reference. In instances where the Greenway boundary shown on the Veneta Zoning Map and the boundary as defined herein are different, the language of this section shall take precedence.

**Exhibit B-14: Section 4.14(4)(B)**

- B. The applicant shall petition for a Type IV amendment to the zoning map as specified in Article 11. Ten (10) copies of the General Development Plan and Program shall be submitted to the Building and Planning Official at least 45 days prior to the date of public hearing. The Building and Planning Official shall notify Lane County about applications that may have a potential impact or effect on lands, services or facilities outside the City limits.

**Exhibit B-15: Section 5.01(5)**

- 5) Except for garages and carports, accessory structures in the LDR, GR, and RC zones, including those not requiring a building permit, shall not be located between any front or side street and a principal building. Accessory structures not requiring a building permit are not required to have back or side yard setbacks provided that stormwater from the roof of the structure does not flow onto the neighboring property.

**Exhibit B-16: Section 5.09(2)**

- 2) In any residential zone, the minimum front yard set-back for a part of the building may be modified by not more than five (5) feet, provided the average front yard depth shall not be less than the standard of the zone. Garage and carport front yard set-backs shall not be reduced below twenty (20) feet, except when permitted under Section 5.09(1).

**Exhibit B-17: Section 5.11(18)**

- 18) Operator, or hosting platform/booking agent/intermediary, will collect Transient Room Tax and remit to City as required by VMC Chapter 3.50.

**Exhibit B-18: Section 5.12**

All yards, required screening areas, parking areas, and planter strips within the public right-of-way 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.
- 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.
- 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, 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

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.

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

**Exhibit B-19: Section 5.13(1)**

1) Purpose and Applicability. The following standards are minimum requirements for new developments that are subject to Site Plan Review or Planned Unit Development approval in the RC, BC and CC zones. The standards are intended to protect and enhance the appearance, safety, and economy of Veneta through appropriate building and site plan regulations. The standards may be adjusted by the City through the Site Plan Review process (see Section 6.05(2)).

**Exhibit B-20: Section 5.13(2)(L)**

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

**Exhibit B-21: Section 5.13(3)**

3) Design Guidelines. The following guidelines are to be applied by the Building and Planning Official in evaluating Site Plan Review applications for compliance with the design standards in subsection 5.13(2), and in evaluating adjustments through Site Plan Review for consistency with the intent of this section.

**Guideline #1: Primary Entrances**



Corner entrance



Entrances oriented to plaza



Typical entrance

**Orienting primary building entrances** close to the street, or adjacent to a pedestrian plaza that is connected to a street, creates a comfortable human scale at the street edge, encourages linked walking trips between multiple destinations and allows for natural surveillance of public spaces for security.

Adjustments to subsection 5.13(2)(A-B) should be allowed only where orienting primary entrances in this way would be detrimental to pedestrian comfort or safety. In such cases, the design must provide features that achieve the above purpose and compensate for any out-of-direction travel that pedestrians will experience.

## Guideline #2: Covered Entrances



Upper story projection



Awnings



Recessed entry & canopy or eave overhang

**Covered building entrances** provide shade in summer months and shelter from the rain. Even small shelters can improve the walking environment, or provide a refuge from a downpour while drivers search for their car keys. Pedestrian shelters should be designed based on an understanding of prevailing winds, sun exposure, storm drainage, and building maintenance considerations.

Adjustments to subsection 5.13(2)(C) should be allowed only where adequate protection from the elements is provided by other means immediately adjacent to a building's primary entrance. Examples of such features may include bus waiting shelters, covered bicycle parking areas, and similar weather protection shelters.

## Guideline #3: Building Base/Middle/Top



**A clearly defined base, middle, and top to a building** creates a rhythm or coherence along the street and promotes a human scale by anchoring the building to its site. Alternatives to providing a distinct base, middle, and/or top treatment may be approved through an Adjustment to subsection 5.13(2)(d) where the design incorporates other elements that achieve the same purpose (e.g., large rollup windows and balconies pictured above achieve that purpose).

#### Guideline #4: Varied Roof Lines and Building Height Transitions



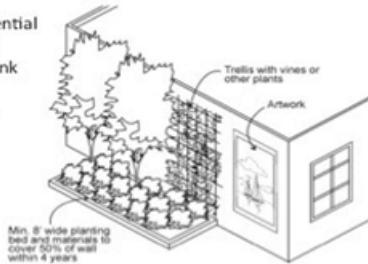
**Varying roof lines that provide transitions in building height and screen mechanical equipment** are important to creating an appropriate building scale and sense of place. Where abrupt changes in building height are unavoidable, and an Adjustment to one or more of the standards in subsection 5.13(2)(E-G) is sought, taller buildings should have features that draw attention down to the street level and reduce the perception of height, such as additional detailing around windows, strong base treatments, large storefront windows with awnings or canopies, and similar features. Where practical, the tallest feature on a building (e.g., tower or cupola) should be oriented toward a street corner or plaza and the design of the building should emphasize the importance of such public spaces.

#### Guideline #5: Building Planes (Avoid Blank Walls)

Optimal compliance, with vertical & horizontal building plane divisions, per subsection 5.13(2)(h)



Example of potential Adjustment for unavoidable blank wall; see also examples under Guideline #6



**Large exterior building surfaces are to be broken down into smaller planes** to provide a human scale, and to create a sense of place that is different in downtown Veneta than in the city's industrial and highway commercial areas. In general, the larger a building, the more important it is that the design incorporates visual relief by breaking up large building planes that are visible from adjacent streets, plazas and other public or quasi-public spaces. The code is intended to prevent designs with large, blank walls in those areas. Building planes should be divided vertically and horizontally to create a rhythm along the street.

Where an applicant requires an Adjustment to the window transparency standards in subsection 5.13(2)(H), the City is afforded wide latitude in interpreting this guidance and may require additional design features (e.g., windows, landscaping, artwork, applied roof forms, brackets or other ornamentation, changes in materials and/or textures, patterns or colors) to mitigate the aesthetic impacts of large uninterrupted wall planes. In this case, the applicant must provide a higher level of design detailing than otherwise required under the base code.

## Guideline #6: Wall Openings



Upper photo shows optimal compliance per subsection 5.13(2)(i). Lower photo shows potential Adjustment with display cases & trellises as mitigation for reduced window area on first floor



**Wall openings such as windows, doors, balconies and similar features provide a human scale, create a sense of place that is welcoming to pedestrians, and promote visual surveillance of public spaces from inside buildings for security.** In general, the more pedestrian traffic that is expected in the area, the more important it is that the design incorporates transparent windows and building entrances close to adjacent streets, walkways and plazas. The code is intended to prevent designs with large, blank walls in those areas.

Where an applicant requires an Adjustment to the window transparency standards in subsection 5.13(2)(I), the City is afforded wide latitude in interpreting this guidance and may require additional design features (e.g., display cases, artwork, landscaping, brackets or other ornamentation, changes in materials and/or textures, patterns or colors) to mitigate the aesthetic impacts of large uninterrupted wall planes and to ensure visual surveillance or to provide appropriate screening on the backs of buildings. In this case, the applicant must provide a higher level of design detailing than otherwise required under the base code.

## Guideline #7: Pedestrian Weather Protection



Left photo: Optimal compliance per subsection 5.13(2)(j). Right photo: Non-compliant; however, Middle photo shows potential Adjustments where additional weather protection is provided on side of building with greatest pedestrian use

**Pedestrian weather protection** at building entries and along sidewalks and shopping center walkways helps to create environments that are safe and comfortable for walking, which promotes public health (physical exercise) and safety. In general, the more pedestrian traffic that is expected in the area, the more important it is that the design incorporates weather protection (summer shade and protection from downpours) in that area. The code is intended to provide the most weather protection in areas with the highest pedestrian use.

Where an applicant requests an Adjustment to the weather protection standards in subsection 5.13(2)(J), the City is afforded wide latitude in interpreting this guide and may require additional design features, such as additional trees, covered bus waiting areas, covered bicycle parking areas, or other structures; or the City may require larger weather protection features than required by the base code in areas where pedestrian activity is expected. In this case, the applicant must provide a higher level of design detailing than otherwise required under the base code.

#### Exhibit B-22: Section 5.14(6)

6) Utility and Drainage Easements. Before approval of a building permit, the City may require that an easement agreement be executed between the city and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements wherever necessary. The easements shall be at least fourteen (14) feet wide and located adjacent to lot or parcel lines, except for easements adjacent to the right-of-way which may be reduced to six (6) feet in width.

#### Exhibit B-23: Section 5.15(3)

3) Designated Sign Districts. Four sign districts have been established to ensure that sign size and location will provide the most visibility for each business while protecting the aesthetic qualities of surrounding uses. The size, height and distance allowed between signs vary by district, taking into account traffic speeds and types of uses in each district. Refer to Table 5.15 for Permitted Signs to determine whether or not a sign is allowed in the following districts and what specific requirements may apply. In addition to specific requirements for each district, signs must comply with all other sections of the Veneta Sign Code.

- Highway 126 Corridor District: All property zoned Highway Commercial, Community Commercial, Industrial-Commercial, Medium Industrial, Public Facilities and Parks, which abut Highway 126.
- Business District(s): All property zoned Highway Commercial, Community Commercial, Industrial-Commercial, Medium Industrial, Public Facilities and Parks which do not abut Hwy

126.

- 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.
- D. Downtown District: All property zoned Broadway Commercial and Residential-Commercial, except residential uses.
  - i. Signs in the Downtown District should be human-scale and directed primarily at people walking and biking, in addition to people driving.

If property is visible from a state highway, a permit from the Oregon Department of Transportation (ODOT) may be required in addition to any city permits.

**Exhibit B-24: Section 5.17(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 Section 5.04 (6) and (9), and the Residential Design Standards in Section 5.29.
  - D. All CHD proposals are subject to Site Plan Review.
  - E. If individual lots or unit ownership (condominiums) are proposed, the application will be reviewed through the procedure for a Subdivision concurrent with Site Plan Review.

**Exhibit B-25: Section 5.20(3)(B)**

- 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 Site Plan Review.

**Exhibit B-26: Section 5.20(11)**

- 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 through Site Plan Review. A reduction in excess of 50% may be permitted through Site Plan Review 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.

**Exhibit B-27: Section 5.20(14)**

- 14) Off-Street Loading. Except as provided below, under subsection (b), in any zone, every building or part thereof hereafter erected and having a gross floor area of 10,000 square

feet or more, which is to be occupied for manufacturing, storage, warehousing, goods display, retail sales or as a hotel, hospital, mortuary, laundry, dry cleaning establishment or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained at least 1 off-street loading space, plus 1 additional such loading space for each additional 20,000 square feet of gross floor area.

- A. Said loading space shall be provided with access, driveways and surfacing in the same manner as for off street parking, except that each space shall be ten (10) feet wide and 25 feet long, with a height clearance of at least fourteen (14) feet. In the case where service vehicles of the truck and trailer category are utilized, the City may require additional length for required off-street loading spaces to accommodate up to a maximum overall length of 50 feet.
- B. Uses located on lots with at least 25 feet of frontage onto Brooker Lane, West Broadway, or Second Street may utilize those rights-of-way for required loading space(s) if sufficient right-of-way is available, subject to Site Plan Review. The City may impose conditions of approval on such right-of-way use to mitigate adverse impacts on traffic circulation, including measures to protect the operational safety and level of service on adjacent streets, pedestrian safety, and compatibility with adjacent land uses.

**Exhibit B-28: Section 5.20(15)**

15) Stacking and Queuing Areas. Apply to all developments that involve queuing of vehicles, loading and unloading of goods, materials, or people. All queuing areas are required to have an area for vehicle stacking to prevent or minimize congestion of public streets. Examples of uses include but are not limited to schools and drive- through services such as banks, car washes, and coffee stands.

A stacking space shall be a minimum of nine feet (9') in width and 20' in length and shall not be located within or interfere with any other circulation driveway, parking space, fire lane, or maneuvering area.

In all zoning districts where queuing of vehicles is necessary, vehicle stacking spaces shall be provided in the manner set forth in the following list of property uses:

**Table 5.20 (c) Vehicle Stacking and Queuing Requirements**

Use Category	Vehicle Stacking Requirements
Automated Teller Machine (ATM)	Three (3) stacking spaces.
Automobile Oil Change and Similar Establishments	Three (3) stacking spaces per bay.
Car Wash (Full Service)	Six (6) stacking spaces per bay.
Car Wash (Self-Service) - Open Bay	Two (2) stacking spaces per bay.
Car Wash (Self-Service) - Drying Areas/Vacuum Islands	Two (2) stacking spaces per drying/vacuum area.
Dry Cleaning, Pharmacy, or Other Retail Establishment with Drive-thru	Three (3) stacking space for first service window.
Financial Institution	Five (5) stacking spaces per window or service lane.
Elementary, Middle, Day Schools and Similar Child Training and Care Establishment	One (1) stacking space per 20 students provided on a through one-way drive.
Coffee Kiosk	Three (3) stacking spaces per window or service lane.
Food Service Kiosk	Five (5) stacking spaces for first window or other stopping point
General Kiosk (without Food Service)	Two (2) stacking spaces for first window other stopping point
Restaurant with Drive-thru	Five (5) stacking spaces for first window other stopping point

Other uses not specifically listed above shall furnish stacking and queuing spaces as required by the City. The City shall use the above list as a guide for determining requirements for such uses.

An alternate number of required stacking spaces can be approved by the City through Site Plan Review where the applicant demonstrates that the proposed plan meets applicable standards of the Veneta Zoning and Development Code for pedestrian circulation, safety, and traffic operations.

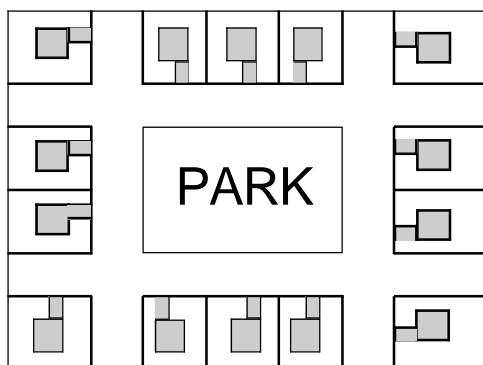
**Exhibit B-29: Section 5.26(2)(A)(3)**

3. Site Plan Review for a triplex, quadplex, multi-family development or manufactured home park; and

**Exhibit B-30: Section 5.26(3)**

- 3) MINIMUM PARK LAND STANDARDS. Land required or proposed for parkland dedication shall be contained within a continuous unit and must be suitable for active use as a neighborhood or mini-park. Exceptions to any or all of the following standards may be allowed if the City determines that the proposed dedication fulfills the purpose of this section. The location of any dedicated parkland shall be approved by the City.

- a. Homes must front on the parkland as shown in the example below:



- b. The required dedication shall be contained as a contiguous unit and not separated into pieces or divided by roadways. This standard does not apply to shared-use paths or trails, although such paths and trails shall maintain contiguity with the parkland and with other paths and trails wherever possible.
    - c. The parkland must be able to accommodate play structures, play fields, picnic areas, or other active park use facilities. The average slope of the active use parkland shall not exceed 15%.
    - d. Wetlands, and lands overlain by the Greenway Open-Space subzone may be included in dedicated tracts, but do not count towards the total lands required for dedication by this section.
    - e. Any retaining wall constructed at the perimeter of the park adjacent to a public right-of-way or alley shall not exceed 4 feet in height.
    - f. Once dedicated, the City will assume maintenance responsibility for the neighborhood or mini parkland.
    - g. Any shared-use path or trail, whether required by the Paths and Trails Master Plan or proposed by the applicant, may count towards the required area to be dedicated. If a shared-

use path or trail is proposed by the applicant and not required by the Paths and Trails Master Plan, acceptance of the shared-use path or trail will be at the discretion of the City. Area for the shared-use path or trail may be dedicated following the procedures of Section 5.26(4) or contained within an easement, subject to approval by the City.

**Exhibit B-31: Section 5.26(5)**

- 5) CASH IN LIEU OF DEDICATION. At the city's discretion only, the city may accept payment of a fee in lieu of land dedication. The city may require payment in lieu of land when the park land to be dedicated does not meet the standards stated above, or when a fee is determined to be in the best interest of the City as determined by the City. A payment in lieu of land dedication is separate from Park Systems Development Charges (SDC), and is eligible for a credit only for that portion of the SDC attributable to land acquisition. The amount of the fee in lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, and it shall be based on the average market value of undeveloped city lots of between 1 and 10 acres in size. The required fee-in-lieu-of shall be calculated by multiplying the acres required for dedication by the dollar/acre amount set by resolution.
  - a. The following factors shall be used in the choice of whether to accept land or cash in lieu:
    - i. The topography, geology, access, parcel size, and location of land in the development available for dedication;
    - ii. Potential adverse/beneficial effects on environmentally sensitive areas;
    - iii. Compatibility with the Parks Master Plan, Public Facilities element of the Comprehensive Plan, and the City of Veneta Capital Improvements Program in effect at the time of dedication;
    - iv. The City's current park and open-space needs
    - v. The feasibility of dedication.
  - b. Cash in lieu of parkland dedication shall be paid prior to approval of the final plat unless the developer provides a binding financial instrument acceptable to the City.

**Exhibit B-32: Section 5.28(5)**

- 5) Replacement. Replacement of street trees shall be the responsibility of the developer for a period of 2 years from the time of planting, and shall be guaranteed through a warranty bond prior to final plat.

**Exhibit B-33: Section 5.29**

- 1) Purpose and Applicability. The following standards are minimum requirements for new residential developments (any zone). The standards apply to single-family dwellings, manufactured homes on individual lots, duplex dwellings, triplexes, quadplexes, single-room occupancies, and multi-family projects, except mixed-use buildings with dwellings in upper stories are subject to the provisions of Section 5.13. The standards are intended to protect and enhance the appearance, safety, and livability of Veneta through appropriate building and site design regulations. The standards may be adjusted by the City through Site Plan Review (see Section 6.05(2)(b)).
- 2) Standards. Section 5.29 provides minimum standards for residential development site and building design in all zones where residential development is permitted. The standards are administered through building plan review (no land use permit required) where Site Plan Review is not required and through Site Plan Review where such review is required in accordance with

Article 6. The following graphics serve as examples of compliant development. The graphics are conceptual and do not prescribe a particular style.

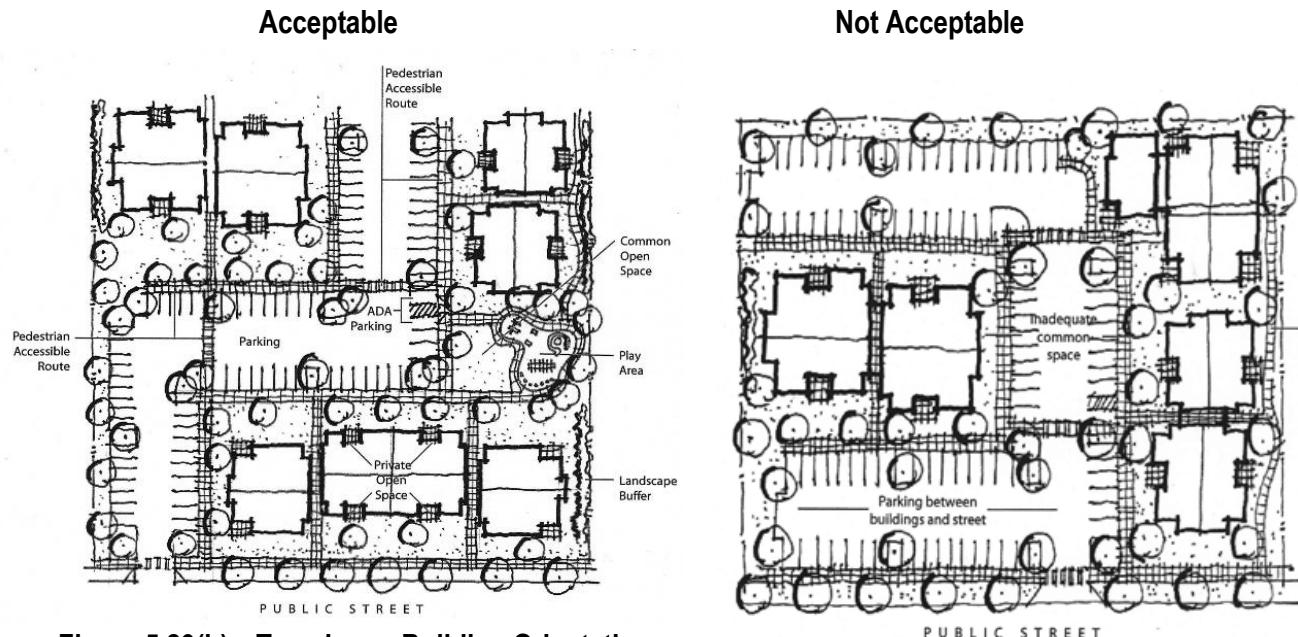
3) Building Orientation Standards. The following standards are intended to support residential development designs where walking and crime prevention is encouraged through natural surveillance (“eyes-on-the-street”).

- A. Primary building entrances (i.e., dwelling entrance, a lobby entrance, or breezeway/courtyard entrance serving a cluster of units) shall be oriented to abutting streets; this provision is met where entrances are visible from the street right-of-way. The standard does not apply where primary entrances for a multiple-unit building are oriented to an interior courtyard or common areas, or where buildings abut Highway 126 or a non-residential zone. See Figure 5.29(a).
- B. Off-street parking, driveways, and other vehicle areas.
  1. Parking for multi-family (except duplexes) developments shall not be placed between buildings and the street(s) to which building entrances are oriented, except vehicle drop-off and loading areas may be permitted through Site Plan Review, provided the vehicle circulation area is minimized and the building’s primary entrance is connected to an improved street sidewalk by a pedestrian walkway and the driveway/parking area is crossed by a raised concrete walkway of not less than six (6) feet in width. See Figure 5.29(a).
  2. Parking for attached single family dwellings (townhomes) must meet the following criteria, as generally shown in Figure 5.29(b):
    - a. Except for allowed front driveway parking for single family and duplex dwellings, off-street parking areas shall be oriented to alleys, or rear or side yards, and not front or street-facing yards. Where parking in a front or street-facing yard is unavoidable, curb openings shall be minimized. This standard is intended to protect the pedestrian environment and maximize the potential for on-street parking. It is met when two street-facing garages share one driveway access that does not exceed sixteen (16) feet in width where it opens onto the street; such driveways may be wider (e.g., flare out) behind the sidewalk, between the sidewalk and garage opening(s). Where shared driveways are not feasible, the decision-making body may require a landscape strip or island be provided between adjacent driveways to break up large areas of paving and capture and slow the rate of storm water runoff; alternatively, the decision-making body may approve driveways with landscape strips between paved treads to capture and slow the rate of storm water runoff.
    - b. Primary dwelling entrances shall be connected to adjacent streets by walkways; walkways serving individual townhome dwellings may be combined with driveways serving the same dwellings.
    - c. The maximum number of consecutively attached townhome units with garages facing the same street is four (4) (two driveways). Buildings on corner lots may contain more than four (4) dwelling units with garages facing streets provided that not more than four (4) townhome units face the same street.
    - d. Where a garage opening faces a street it must be setback at least twenty (20) feet from the street or otherwise oriented away from the street (e.g., side-loaded garage entry); where a building is placed less than twenty (20) feet from the street, the 20-foot garage setback may be accomplished by recessing the garage behind the front building elevation or turning the garage so that it is side-loaded. Side loaded garages within 50 feet of the front lot line shall have a minimum of 24 square feet of

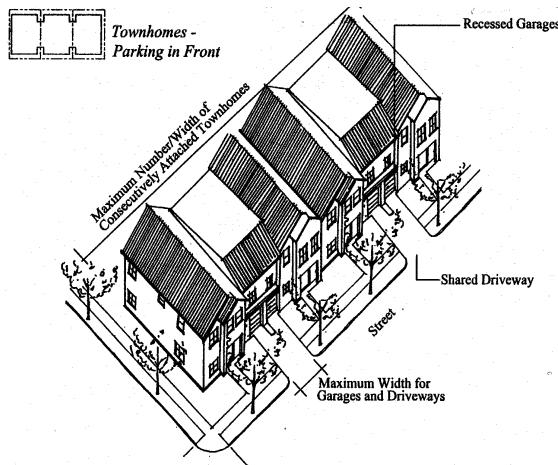
window area on the street facing side. These standards apply to both public street and private street or shared driveway frontages.

3. Where a lot contains multiple buildings or townhome units and there is insufficient street frontage to which all entrances can be oriented, primary building entrances may be oriented to common green, open space, plaza, or interior courtyard that is connected to the street sidewalk by a five (5) foot minimum width walkway. See Figures 5.29(a) and (c).

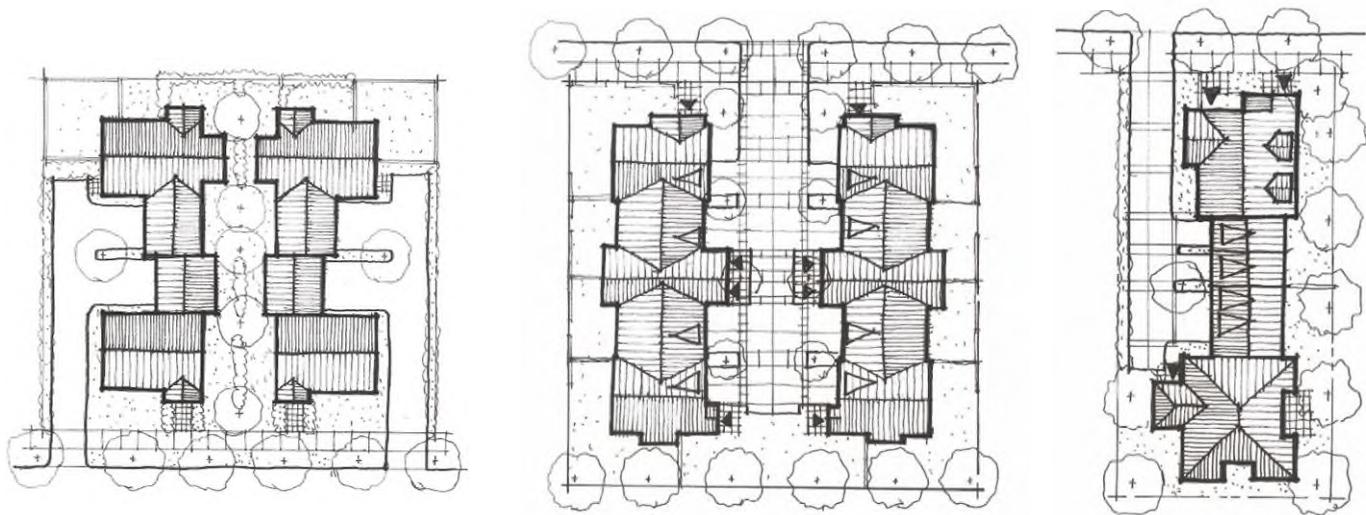
**Figure 5.29(a) – Building Orientation Examples**



**Figure 5.29(b) – Townhome Building Orientation**



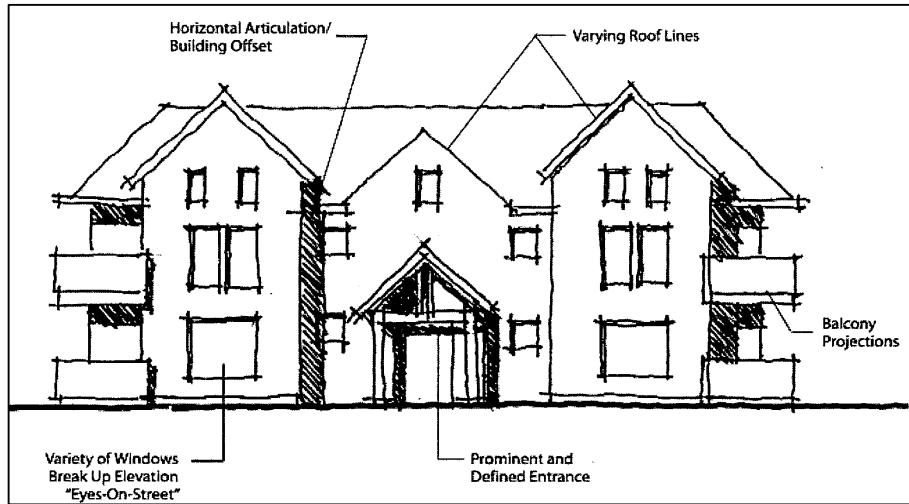
**Figure 5.29(c) – Building Orientation Options**



4) Building Design. The following standards are intended to promote neighborhood livability and compatibility between new and existing developments through architectural detailing, pedestrian-scale design, and street visibility.

- Building Length. The continuous horizontal distance, as measured from end- wall to end-wall, of individual buildings shall not exceed 160 feet.
- Articulation. All primary buildings shall incorporate architectural elements that break up large expanses of uninterrupted building surfaces or blank walls, as generally shown by Figure 5.29(d). Along all street-facing elevations, such elements shall occur at a minimum of two (2) elements every 40 feet. For multi-family uses, this requirement shall apply to all building elevations. Such elements must meet the following criteria:
  1. Recess (e.g., entrance, porch, balcony or similar feature) with a minimum depth of 6 feet.
  2. Extension (e.g., living area, porch, patio, entrance, overhang, or similar feature) that projects a minimum of 2 feet from the building plane and runs horizontally for a minimum length of 4 feet.
  3. Offsets or breaks in roof elevation: (gable, dormer, secondary roof, covered entrance, or similar feature) 2 feet or greater elevation change.

**Figure 5.29(d) – Building Length and Articulation (Multi-family Housing Example)**



C. Glazing/Eyes on the Street. All primary dwellings shall provide windows on building elevations that meet the following standards: on front elevations, 40 percent of the first floor and 30 percent of any floor above that must meet this standard; on street-side elevations, 30 percent of the elevation of each floor shall meet this standard. "Percent of elevation" is measured as the percentage of the horizontal plane (lineal feet) containing windows. This standard does not apply to flag lots.

D. Detailed Design. All dwellings shall provide the following detailing on all street-facing elevations (i.e., where the axis of the structure oriented within 45 degrees from street lot line). This standard is met by using at least six (6) of the architectural features in items "a" through "n," below, consistent with the overall composition and design integrity of building. The applicant may select the elements, except that the decision-making body may specify elements or detailing when a project is subject to a Type III Site Plan Review, Planned Unit Development review, or Conditional Use Permit review; in such cases, the decision-making body may require specific design elements or changes, consistent with the purposes of Section 5.29. See Figure 5.29(e).

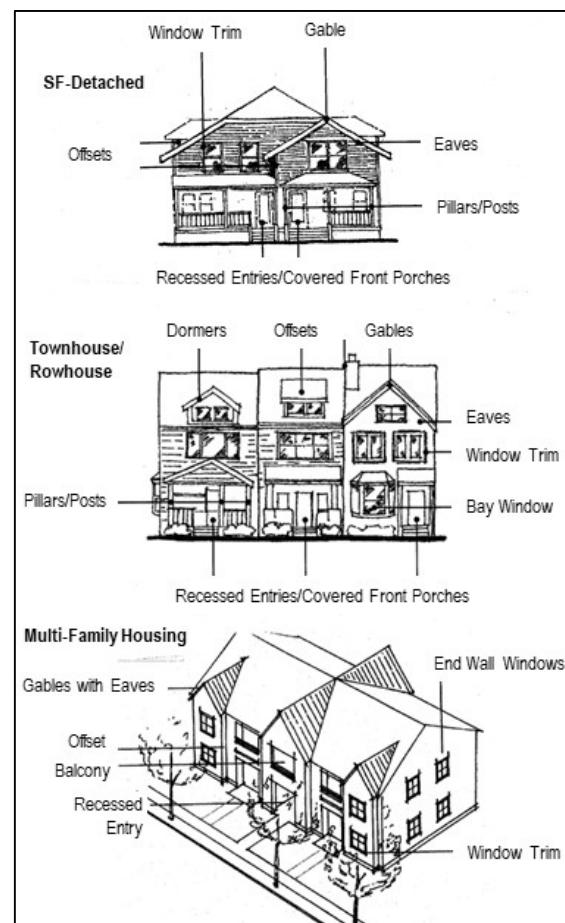
1. Dormers
2. Gables (two or more)
3. Recessed entries (recess by 4 feet or more)
4. Covered porch entries or portico (covered to at least a 4-foot depth)
5. Cupolas or towers
6. Pillars or posts (not less than 6"x6" post)
7. Eaves (minimum 12-inch projection)
8. Off-sets in building face or roof (minimum 16 inches)
9. Window trim (minimum 3 inches wide)
10. Bay windows
11. Balconies
12. Change in siding materials / decorative patterns: shingles, lap, tongue- in-groove, V-groove, paneling, board and batten, log construction, stone, brick, or split-face concrete block. Where different types of material are used (e.g., wood and stone), heavier materials shall be used on the base of the building
13. Decorative cornice, parapet, or pediment (e.g., for flat roofs)
14. An alternative feature providing visual contrast and aesthetic interest, similar to options 1-14, as approved through Site Plan Review.

5) Multifamily Housing – Open Space. Multi-family housing developments (5 units or more) shall provide open space to serve the active and passive recreational needs of occupants, to reduce crowding of occupants, to reduce the apparent scale and density of development and to provide visual relief in higher density projects. The standards may be adjusted by the City where innovative techniques such as rooftop gardens, historic preservation, natural features protection, or other low-impact or green building practices are used to meet the above intent. Figure 5.29(f) provides a conceptual illustration of the following standards.

A. Common open space. A minimum of ten percent (10%) of the site area shall be designated and permanently reserved as common open space, in accordance with all of the following criteria:

1. The site area is defined as the lot or parcel on which the development to be located, after subtracting any required dedication of street right- of-way and other land for public purposes (e.g., public park or school grounds, etc.);

**Figure 5.29(e) – Examples of Architectural Elements (illustrative only)**

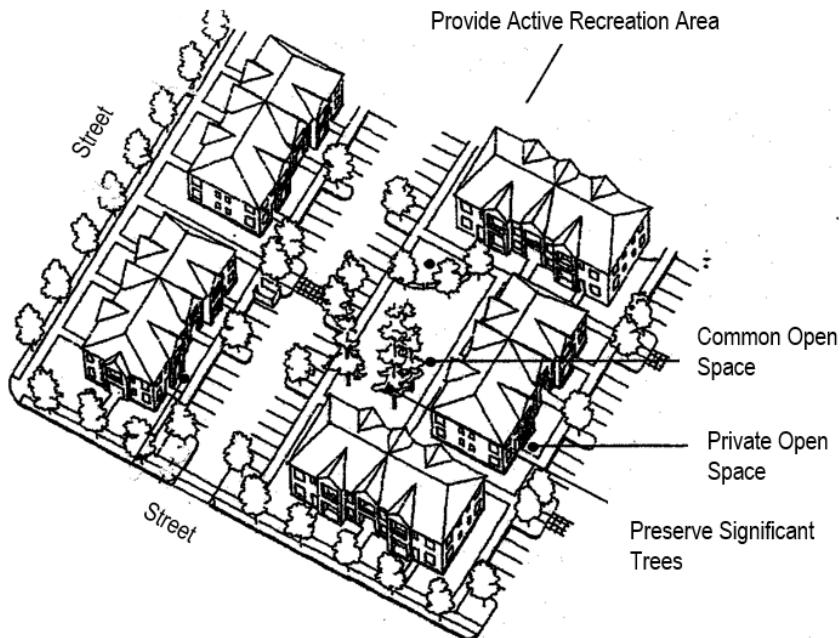


2. One or more of the following shall be provided in meeting the common open space requirement: outdoor recreation area for all residents of the development, including play fields, outdoor playgrounds, outdoor sports courts, swim pools, walking fitness courses, pedestrian amenities, or similar open space amenities, or protection of sensitive lands (e.g., trees, wetlands, riparian areas preserved).
3. Historic buildings or landmarks that are open to the public may count toward meeting the open space requirements when approved by the City;
4. Where common open space is designated for active recreational use (e.g., playfields, sports courts, etc.) it must be suitable for the intended use in terms of slope, accessibility, area, and dimensions;
5. Designated open space areas shall have a minimum width that is not less than twenty (20) feet and a minimum length that is not less than twenty (20) feet;
6. Where a public space with pedestrian amenities is provided between primary building entrance(s) and adjoining street(s) (e.g., plaza, extended sidewalk area with seating, or similar area), the requirement to provide common open space as described above may be reduced proportionately but in total shall not be less than five percent (5%) of the site;
7. The City may waive the common open space requirement for a multiple family project of not more than twenty (20) dwelling units that is located within 1,200 feet (measured walking distance) of a public park, where there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted pedestrian walkway or multi-use pathway connecting the site to the park. If the park is not developed, or only partially developed, the multiple family housing developer may improve parkland in an amount comparable to the common open space area that is waived or reduced (i.e., the area that would otherwise be required of the development) in meeting this provision.

B. Private open space. Private open space shall be provided for housing units based on all of the following criteria:

1. A minimum of fifty percent (50%) of all ground-floor housing units shall have private patios or decks containing at least forty-eight (48) square feet of usable surface. Ground-floor housing means the housing unit entrance (front or rear) is within five (5) feet of the finished ground elevation (i.e., after grading and landscaping);
2. A minimum of fifty percent (50%) of all upper-floor housing units shall have private patios or decks containing at least forty-eight (48) square feet of usable surface. Upper-floor housing means housing units that are more than five (5) feet above the finished grade.
3. Where it is not practical to provide private open space as provided in subsections (1) and (2), above, due to the existence of natural features or other physical site constraints, the private open space standard may be adjusted through Type III Site Plan Review, provided the development shall contain additional common open space to offset the reduction in private open space. At least forty-eight (48) square feet of additional common open space shall be provided for each housing unit lacking private open space. Open space required to offset the reduction of private open spaces shall not be counted towards the park dedication requirements in Section 5.26.

**Figure 5.29(f) – Examples of Multiple Family Open Space**



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-34: Section 6.01**

- 1) Purpose. The purpose of the site plan review procedures is to correlate the general ordinance requirements with the specific site conditions and proposed uses and changes of use through a comprehensive review process to assure that developments are in conformance with the applicable land use regulations of this ordinance.
- 2) Applicability. Site Plan Review is required for all new construction or expansion of existing uses

or structures exceeding 10% or 1,000 square feet, whichever is greater, of the original structure(s) on the site. Site Plan Review is not required for detached single-family dwellings on individual lots. Site Plan Review may be required where site or development characteristics, as determined by the Building and Planning Official, warrant a site plan review, including but are not limited to:

- A. Site is traversed by a natural drainageway or has demonstrated drainage limitations as shown on the utility plans required in Section 6.03(1)B.4. of this ordinance. Demonstrated drainage limitations are site or development conditions that prevent the unrestricted flow from areas draining through the site or that do not allow the extension of the system to serve such area as per the City's Drainage Master Plan, or that prevent stormwater from being directed to storm sewers or to natural drainageways in accordance with this ordinance.
- B. Site includes or is adjacent to Open Space and/or Greenway Areas designated on the Veneta Zoning Map as a Greenway subzone.
- C. Site is located in a Flood Hazard subzone.
- D. Site includes significant wetland resources, or is located within 50 feet of a wetland resource identified as locally significant in the Veneta Local Wetlands Inventory.
- E. Site has slopes of (15) fifteen percent (or greater) (see Section 5.25 of this ordinance).
- F. Site is an undersized lot.
- G. Expansion of parking lots, relocation of parking spaces on a site, or other changes which affect circulation, landscaping or drainage.

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/off-site impacts and trip generation. The Director or Planning Commission may waive any component of the Site Plan Review for a development if it finds the required information does not apply to the development, the information is already available to the City or the change of use does not increase traffic volume, water or sewer use or drainage.

- 3) Types of Review. Site Plan Review applications shall be submitted and processed pursuant to the Type II procedure set forth in Article 11 of this ordinance.

#### **Exhibit B-35: Section 6.03**

An application for a Site Plan Review or Amendment, as applicable, shall include the following information based on the size, scale and complexity of the development. The Building and Planning Official, at his or her discretion, may waive certain application submittal items where such items are not relevant to the review or the information is already available.

- 1) Site Plan. All maps must be drawn to scale and indicate clearly and with full dimensions, the following information:
  - A. Vicinity Map. A scaled vicinity map clearly showing the relationship of the proposed site to surrounding developments, tax lots, streets, storm drainage(s), sewer, water and other required public facilities.
  - B. Development Plans. A development plan shall include the following items in accordance with Article 5:
    1. Building and Land Use Plans.
      1. Location of all proposed buildings and existing buildings which will remain on the site.
      2. Floor elevations.
      3. Preliminary architectural plans showing one or all of the following for new buildings and major remodels in conformance with Section 5.13 or 5.29 of this ordinance:
        - i. Building elevations with building height and widths dimensioned, and materials

labeled;

- ii. Building materials, colors and type; a materials sample board may be required;
- iii. The name of the architect or designer.

4. Existing land uses adjacent to the property.
5. The phases, if any, of development construction. Such phases shall be clearly marked on the plan.

2. Parking and Traffic Flow Plans.
  1. Location, arrangement, number and dimensions of automobile garages and parking spaces, width of aisles, bays and angle of parking.
  2. Location, arrangement and dimensions of truck loading and unloading spaces, if any.
  3. Location of bikeways, pedestrian walkways, malls and trails.
  4. Traffic flow pattern showing the circulation of vehicles within and adjacent to the site, including fire equipment access and turnarounds.
  5. Stacking and queuing areas that involve queuing of vehicles, loading and unloading of goods, materials, or people shall provide an area for vehicle stacking in accordance with Section 5.20(15) of this ordinance.
  6. Location of all existing and proposed streets, public ways, railroad and utility rights-of-way within and immediately adjacent to the development.
  7. A Traffic Impact Analysis if required under Section 5.27 of this ordinance.
3. Landscaping and Site Improvements.
  1. Location and type of all landscaping proposed for the development, including irrigation systems in conformance with Section 5.12 of this ordinance.
  2. Location, height and materials of all walls, fences and screen plantings. Elevation drawings of typical walls and fences shall be included.
  3. Location, size, height and means of illumination of all proposed signs and lighting.
  4. Open space to be maintained and controlled by the owners of the property but not included in the development.
  5. Areas proposed to be dedicated or reserved for public parks, playgrounds, school sites, public buildings and others to be reserved or dedicated to the public.
4. Utility Plans.
  1. Existing and proposed contour map of the site.
  2. Location, flow elevations and capacities of all existing and proposed storm drainage facilities designed and constructed in accordance with Section 5.16 of this ordinance
  3. Location of all existing and proposed water mains.
  4. Location, flow elevations and certified capacities of all existing and proposed sewer lines.
  5. Location of all other underground facilities, including phone, electricity, and cable television.
5. Emissions or Potential Hazards. Specifications of the extent of emissions and potential hazard or nuisance characteristics caused by the proposed use including approvals of all regulatory agencies having jurisdiction.  
The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use including, but not limited to surface or groundwater pollution, noise, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference. Misrepresentations or omissions of required data shall be

grounds for termination of a Certificate of Occupancy.

All uses shall meet all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality and any other public agency having appropriate regulatory jurisdiction. Prior to construction, evidence shall be submitted to the City indicating that the proposed activity has been approved by all appropriate regulatory agencies.

Any such other data as may be necessary to permit the City to make the required findings.

6. Tree Removal Plans. If development of the proposed plan will require removal of trees as defined by Veneta Municipal Code 8.10, detailed tree removal plans are required. Plans shall be in conformance with VMC 8.10.
- 2) Additional Information. Prior to the end of the completeness review period, the Building and Planning Official may require an applicant to submit studies, reports or exhibits prepared by qualified professionals to show compliance with applicable criteria addressing specific site features or impacts including but not limited to:
  - A. Stormwater
  - B. Steep Slopes
  - C. Wetlands
  - D. Flood Plains
- 3) Deed Restrictions and easements. The applicant shall submit copies of all existing and proposed restrictions or covenants and any proposed easements.
- 4) Building Orientation and Design. All new or remodeled commercial, mixed-use or residential buildings that require a site plan review or site plan amendment shall comply with the commercial or residential design standards in Article 5 of this ordinance.
- 5) Program Elements.
  - A. Narrative statement documenting how each required criteria in this ordinance have been met, including those criteria that are required in accordance with Section 6.03(1) above.
  - B. A completed environmental assessment or environmental impact statement may be required by the Planning Commission or Building and Planning Official if it finds that a potential hazard, nuisance or emissions exists, existed or will be created by the development and has not been adequately addressed in the development plans and program.
  - C. A timetable indicating when utility and drainage facilities intended to serve the development are to be installed. If the development is to be constructed in stages, the timetable shall reflect this.
  - D. If the site plan calls for tree removal which would require a tree removal permit pursuant to Veneta Municipal Code Chapter 8.10.030, a tree removal permit, together with the required filing fee, must be submitted.

#### **Exhibit B-36: Section 6.05**

- 1) After an examination of the site and prior to approval of plans, the City make the following findings:
  - A. That all provisions of city ordinances are complied with.
  - B. That the following transportation needs are met:
    1. Traffic impacts are minimal or will be mitigated, consistent with Section 5.27;
    2. Pedestrian, bicycle, and vehicular safety is protected and traffic congestion is avoided;
    3. Public right-of-way width of adjacent streets is consistent with the City's Transportation

System Plan and future street right-of-way is protected;

- 4. Pedestrian and bicycle access and circulation is provided for in accordance with Section 5.22; and
- 5. Transit facility needs are provided for in accordance with Section 5.23.
- C. That proposed signs or lighting will not, by size, location or color, interfere with traffic or limit visibility.
- D. That adequate water, sewer, and other required facilities, for the proposed use are available.
- E. That drainageways are protected, existing drainage patterns are maintained and drainage facilities are provided in accordance with Section 5.16 of this ordinance.
- 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.
- G. Where the applicant has requested an adjustment to Site Plan Review criteria-pursuant to the Veneta Zoning and Development Code, the applicant shall identify all applicable criteria in this ordinance and specifically address each adjustment.

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 if the City 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.

**Exhibit B-37: Section 7.04(2)(B)(10)**

10. Signs. Signs are restricted to sandwich board signs only, with a maximum dimension of 42 inches tall by 30 inches wide. Each mobile vending unit is permitted to display one (1) portable sign (as defined in Section 5.15(2)(w)) with sign permit approval.

**Exhibit B-38: Section 7.04(2)(C)(2)(C)**

c. Five (5) feet from any side or rear lot line, except if such lot line abuts a residential zoning district, **then** the minimum setback shall be twenty (20) feet.

**Exhibit B-39: Section 8.02**

Conditional uses listed in this ordinance may be permitted, altered or enlarged upon authorization of the Planning Commission in accordance with the standards and procedures set forth in this article and shall be subject to Site Plan Review unless the requirement for Site Plan Review is waived by the Director pursuant to Section 6.01(1). Relaxation of any of these standards requires a variance in accordance with Article 10.

- 1) In taking action on a conditional use permit application, the Planning Commission may either approve or deny the application.
- 2) If an application is denied, the action must be based on reasons related to noncompliance with the Comprehensive Plan, incompatibility of the proposed use within the zone or to adjacent land uses, or inappropriate site location or failure to meet all applicable standards listed in

Sections 8.10 and 8.20 for the proposed use.

- 3) In approving a conditional use permit application, the Planning Commission shall impose any conditions which are necessary to ensure compliance with the standards of this ordinance or other appropriate State, County and City standards, rules, regulations and laws and standards established by any other City resolution.
- 4) In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in use or in lot area or an alteration or enlargement of a structure shall conform to the requirements for conditional use.
- 5) The Planning Commission may require that the applicant for a conditional use furnish the City with a performance bond or similar contractual arrangement of up to the value of the cost of the improvements to be guaranteed by such bond, in order to assure that the conditional use is completed according to the plans as approved by the Planning Commission.
- 6) The Planning Commission may require that an applicant for a conditional use enter into a contractual agreement with the City to assure that the applicant will provide his or her share of the development costs for streets; curbs; gutters; sidewalks and water, sewer and drainage facilities to City standards.
- 7) The applicant shall sign and record a Development Agreement in a form approved by the City Attorney against the property to assure that all conditions of approval are met by the applicant and future property owners.

**Exhibit B-40: Section 8.11(8)**

- 8) Accessory Structures Larger than 1,000 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-41: Section 8.11(16)(G)**

- G. Adjustments to the standards in a-f may be approved by the Planning Commission if the commission finds that potential adverse impacts on traffic circulation, pedestrian safety, and aesthetics are mitigated by alternative design features that are equal or superior to those that are required by the base code.

**Exhibit B-42: Section 11.01(2)(B)**

- B. Type II Procedure (Administrative Decision). Type II decisions are usually made by the Director and require the use of a limited amount of discretion. Type II decisions require public notice and allow for submission of written comment from the public, but a public hearing is not required. Director decisions are appealed to the Planning Commission. Procedures for Type II actions are contained in Section 11.06.

**Exhibit B-43: Section 11.01, Table 11.01**

**Summary of Applications by Type of Review Procedure**

Action	Procedure
Amendments	
- Comprehensive Plan text	Type V
- Comprehensive Plan map	Type V
- Zoning Map (may be quasi-judicial or Legislative)	Type IV / V
- Ordinance Text	Type V
Annexation	See <a href="#">ORS 222</a>
Conditional Use Permit	Type III
Extension of Time	Type I or III
Floodplain Development	Type I
Home Occupation (Minor or Major)	Type I or III
Interpretation of Ordinance	Type II or III
Mobile Vending	Type I
Modification to Approval	
- Minor Modification	Type I
- Major Modification	Per original review
Sign Permit	Type I
Site Plan Review	Type II
Temporary Use	Type I or II
Tree Removal	Type I
Variance	Type III

**Exhibit B-44: Section 11.03(2)**

2) **Consolidated Review Procedures.** An applicant may apply at one time for all permits and approvals needed for a project proposal. When applicable, the consolidated procedure shall be subject to the time limitations set out in ORS [227.178](#). To process consolidated applications, the City shall follow the highest review procedure required for any single application type submitted. For example, a consolidated application that includes a Type II and a Type III procedure would be subject to Type III review procedures. Limited Land Use Decisions shall not be reviewed according to a higher review procedure unless an applicant elects to have the Limited Land Use Decision reviewed according to a higher review procedure as part of a consolidated application.

**Exhibit B-45: Section 11.06**

Type II decisions are made by the Director with limited discretion, following public notice and a public written comment period. Type II decisions provide an opportunity for appeal to the Planning Commission.

**1) Application Requirements.**

- A. Application Form and Fee. Applications subject to Type II review shall be submitted on forms provided by the Director. All property owners of the subject parcel or their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless it includes all information required by this ordinance and the appropriate application fee.
- B. Submittal Information. The application shall include all of the following information.
  1. The information requested on the application form.
  2. Plans and exhibits required for the specific approval(s) sought.
  3. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
  4. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
  5. The required fee.

**2) Notice of Application.**

- A. Mailing of Notice of Application. The purpose of the notice of application is to give nearby property owners and other interested people the opportunity to review and submit written comments on the application before the City issues a decision. Within ten days of deeming a Type II application complete, the City shall mail a notice of a pending Type II application to the following:
  1. Owners of properties located within 100 feet of the perimeter of the subject site.
  2. Neighborhood groups or community organizations officially recognized by the City that include the area of the subject property.
- B. Content of Notice of Application. The notice of application shall include all of the following:
  1. The street address or other easily understandable reference to the location of the proposed use or development.
  2. A summary of the proposal.
  3. The applicable criteria for the decision, listed by commonly used citation.
  4. Date and time that written comments are due, and the physical address where comments must be mailed or delivered.
  5. An explanation of the 14-day period for the submission of written comments, starting from the date of mailing.
  6. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards are available for review and that copies will be provided at a reasonable cost.
  7. A statement that issues that may provide the basis for appeal to the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue (See ORS [197.195](#)(3)(c)(B)).
  8. The name and telephone number of a local government contact person.
  9. A brief summary of the Type II review and decision-making process.
- C. Certification of Notices. The City shall prepare an affidavit or other certification stating the date(s) the notices were mailed and posted, which shall be made a part of the file.

**3) Decision.**

- A. At the conclusion of the comment period, the Director shall review the comments received and prepare a decision approving, approving with conditions, or denying the application based on the applicable ordinance criteria. The Director shall prepare a decision within 60

days of the City's determination that an application is complete, unless the applicant agrees to a longer time period.

4) **Notice of Decision.**

- A. Mailing of Notice of Decision. Within five days after the Director renders a decision, the City shall mail notice of the decision to the following:
  1. Applicant.
  2. Any group or individual who submitted written comments during the comment period.
- B. Content of Notice of Decision. The notice shall include all of the following:
  1. A description of the nature of the decision.
  2. An explanation of the nature of the application and the proposed use or uses, which could be authorized.
  3. An explanation of applicable criteria and standards relevant to the decision, the facts relied upon in rendering the decision, and justification for the decision based on those criteria, standards, and facts set forth.
  4. The street address or other easily understandable reference to the location of the proposed use or development.
  5. The name and telephone number of a local government contact person.
  6. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and applicable criteria and standards are available for review and that copies will be provided at reasonable cost.
  7. A statement that the decision becomes final when the period for filing a local appeal has expired, and an explanation of the rights of appeal under subsection 11.06.

5) **Effective Date of Decision.** Unless the conditions of approval specify otherwise or the decision is appealed, a Type II decision becomes effective 12 days after the City mails the notice of decision.

6) **Appeal of Type II Decision.** A Type II decision made by the Director may be appealed to the Planning Commission, pursuant to the following:

- A. Who May Appeal. The following persons have standing to appeal a Type II decision.
  1. The applicant or owner of the subject property.
  2. Any person entitled to written notice, pursuant to subsection 11.06(4).
- B. Appeal Filing Procedure.
  1. Notice of Appeal. Any person with standing to appeal, as provided in subsection 11.06(6)(A), above, may appeal a Type II decision by filing a notice of appeal and paying the required appeal fee. An appeal fee shall not be required of neighborhood or community organizations recognized by the City and whose boundaries include the site. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded.
  2. Time for Filing. A notice of appeal shall be filed with the Director within 12 days of the date the notice of decision is mailed.
  3. Content of Notice of Appeal. The notice of appeal shall be accompanied by the required filing fee and shall contain:
    - a. An identification of the decision being appealed, including the date of the decision.
    - b. A statement demonstrating the person filing the notice of appeal has standing to appeal.
    - c. A statement explaining the specific issues being raised on appeal.

- d. A statement demonstrating that the appeal issues were raised during the public comment period.

The requirements of this section are jurisdictional and required for City acceptance.

- C. Scope of Appeal. Appeal hearings on Type II decisions made by the Director shall be *de novo* hearings before the Planning Commission. Appeals shall not be limited to the application materials, evidence and other documentation, and specific issues raised in the review leading up to the Type II decision, but may include other relevant evidence and arguments. The Planning Commission may allow additional evidence, testimony, or argument concerning any relevant ordinance provision.
- D. Appeal Hearing Procedure. Hearings on appeals of Type II decisions follow the Type III public notice and hearing procedures, pursuant to Section 11.07.

**Exhibit B-46: Section 11.14**

A Type II-IV application that is denied by the City shall not be eligible for resubmittal for one year from the date of the denial, unless evidence is submitted that conditions, the application, or the project design have changed to an extent that further consideration is warranted.

**Exhibit B-47: Section 12.06**

The Building and Planning Official or his/her designee may visit and inspect the site of home occupations to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice.

- 1) A home occupation which has been approved by staff may be revoked by staff if the home occupation is found to be in violation of the provisions of this ordinance. Enforcement procedures and penalties shall comply with Section 2.10. The revocation decision may be appealed to the Planning Commission.
- 2) A home occupation which has been approved as a conditional use by the Planning Commission may be revoked by the Planning Commission if the home occupation is found to be in violation of this ordinance or the conditions under which the permit was approved. Enforcement procedures and penalties shall comply with Section 2.10. The revocation decision may be appealed to the City Council.

**Exhibit B-48: Section 13.05**

Land division applications are subject to the pre-application conference requirements of Section 11.03 of this ordinance. Following preliminary review and the pre-development land division conference, where applicable, the land divider shall prepare an application and a tentative plan with other supplementary data required to indicate the general program and objectives of the proposed land division. The form of application shall be as prescribed by the City and shall be submitted to the Building and Planning Official who shall coordinate the process of review and action. The submission and informational requirements and review procedures shall be as specified for each land division classification contained in this ordinance.

Applications that are accompanied by the required application fee will be reviewed and, within 30 days of its receipt, the applicant will be notified as to the completeness. If the City determines that the application is complete, the City will process the application in accordance with the review procedures for the type of application that has been submitted.

Applications shall be processed in the following manner, consistent with the procedural standards in Article 11 of this ordinance:

Action	Procedure
Lot Line Adjustment/Consolidation	Type I
<b>Partition, Replat, or Vacation of 2-3 lots</b>	
Preliminary Plat	Type II
Final Plat	Type I
Minor Amendment	Type I
Major Amendment	Type II
<b>Subdivision, Replat or Vacation of &gt; 3 lots</b>	
Preliminary Plat	Type II
Final Plat	Type I
Minor Amendment	Type I
Major Amendment	Type II

Any Type I or II application made concurrently with a Type III application (such as those requiring approval of a Variance) shall be noticed and considered by the Planning Commission with the other application(s) at the higher review level. Limited Land Use Decisions shall not be reviewed according to a higher review procedure unless an applicant elects to have the Limited Land Use Decision reviewed according to a higher review procedure as part of a consolidated application.

An expedited procedure is allowed for developments meeting certain criteria. The criteria, application and notice requirements and action and appeal procedures are detailed in [ORS 197.360-197.380](#) and Section 11.19 of this ordinance.

#### **Exhibit B-49: Section 13.08(1)(E)**

##### E. Supplementary Information.

2. If any portion of the proposed partition meets the 15% slope criteria defined in Section 5.25 of this ordinance, the applicant shall submit all supplementary information required by Section 5.25.
3. A completed environmental assessment or environmental impact statement may be required by the City if the City finds that a potential hazard, nuisance, or emissions exists, existed or will be created by the development and has not been adequately addressed in the development plans and program.
4. Any development meeting the definition of a "Planned Development" or "Condominium" per state statute must comply with all applicable provisions of state law. If condominium ownership is proposed, common areas must be designated as 'general common elements' and private yard spaces must be designated as 'limited common elements' for the purposes of [ORS Chapter 100 – Condominiums](#).
5. The applicant is required to submit any information as may be required by the City to assist in evaluating the request.

#### **Exhibit B-50: Section 13.08(2)**

##### **2) Tentative Plan Review and Action Procedures.**

- A. Partition Tentative Plan Procedure. Tentative Plan applications require a Type II application and associated procedures, as set forth in Article 11 of this ordinance.

- B. Reserved.
- C. Dedications and Conditions of Approval. The City may require dedication of land and easements and may specify conditions or modifications to the tentative plan as necessary.
- D. Tentative Plan Approval. The action of the City shall be incorporated into a Final Order with all conditions of approval and a copy sent by mail to the applicant within seven (7) days of the decision. The original copy of the Final Order shall be retained in the City Planning files.
- E. Failure to Complete Partition Requirements. Tentative plan approval shall remain effective for three (3) years from the date the City took action. Within that three (3) year period, the applicant must submit a complete Final Plat for review along with all supplementary data required to meet the conditions of approval listed in the Final Order issued by the City. If the land divider is unable to proceed with the partition prior to the expiration of the three (3) year period following the approval of the tentative plan, the applicant must resubmit the tentative plan and make any revisions(s) necessary to meet changed conditions of modifications in laws or ordinances of the State of Oregon, Lane County, or the City of Veneta

**Exhibit B-51: Section 13.08(4)**

- 4) Amendments.
  - A. Minor Amendments. Minor amendments to an approved tentative plan may be approved or approved with conditions through a Type I review by the Building and Planning Official as long as the amendments substantially comply with the tentative plan, fully complies with all City ordinances and does not:
    - 1. Involve any interpretation of submission requirements or require findings that would set a precedent for other tentative plan amendments,
    - 2. Impact utilities, the transportation system, drainage, or natural features of the site,
    - 3. Require a variance,
    - 4. Raise questions of adequacy of services by the Public Works Superintendent, City Engineer, or any affected public or private agency, and
    - 5. Create more lots than the approved tentative plan.
  - B. Major Amendments. Major amendments to an approved tentative plan involve changes that do not meet the criteria listed under minor amendments. Major amendments to an approved tentative plan must be reviewed and processed in the same manner as required for the original partition plan and a new application and filing fee is required.

**Exhibit B-52: Section 13.08(5)(C)(6)(a)**

- a. All improvements have been installed in accordance with the requirements of these regulations and with the action of the City giving conditional approval of the tentative plan.

**Exhibit B-53: Section 13.09(1)(E)**

- E. Supplementary Information. The following supplemental information may be required.
  - 1. If any portion of the proposed subdivision meets the 15% slope criteria defined in Section 5.25 of this ordinance, the applicant shall submit all supplementary information required by Section 5.25.
  - 2. A completed environmental assessment or environmental impact statement may be required by the City if the City finds that a potential hazard, nuisance, or emissions exists, existed or will be created

by the development and has not been adequately addressed in the development plans and program.

3. Any development meeting the definition of a "Planned Development" or "Condominium" per state statute must comply with all applicable provisions of state law. If condominium ownership is proposed, common areas must be designated as 'general common elements' and private yard spaces must be designated as 'limited common elements' for the purposes of [ORS Chapter 100 – Condominiums](#).
4. The applicant is required to submit any additional information as may be required by the City to assist in evaluating the request.

**Exhibit B-54: Section 13.09(2)**

**2) Tentative Plan Review and Action Procedures.**

- A. City Staff Review and Action. Upon deeming an application complete, the CDD shall furnish one (1) copy of the tentative plan and supplementary material to the City Engineer and Public Works Superintendent. Public agencies believed to have an interest shall be provided notice of the proposal. These officials and agencies shall be given fifteen (15) days to review the plan and to suggest revisions that appear to be in the public interest.
- B. Subdivision Tentative Plan Procedure. Tentative Plan applications require a Type III application and associated procedures, as set forth in Article 11 of this ordinance.
- C. Dedication and Conditions of Approval. The City may require dedication of land and easements and may specify conditions or modifications to the tentative plan as necessary to ensure compliance with city regulations.
- D. Failure to Complete Subdivision Requirements. Tentative Plan approval shall remain effective for three (3) years from the date of approval. Within three (3) years, the applicant must submit a complete Final Plat application for review along with all supplementary data required to meet the conditions of approval listed in the Final Order. If the land divider is unable to proceed with the subdivision prior to the expiration of the three (3) year period following the approval of the tentative plan, the applicant must resubmit the tentative plan and make any revision(s) necessary to meet changed conditions or modifications in laws or ordinances of the State of Oregon, Lane County, or the City of Veneta.
- E. Performance Bonds and Irrevocable Agreements. At tentative plan approval, the applicant shall post a performance bond and enter into an Irrevocable Agreement between the applicant and the City, in a form as provided by the City, to assure that the subdivision improvements are completed. The performance bond shall be equal to the cost of public improvements including city water and sewer main extension and service and streets, which includes curbs, gutters and sidewalks with the City of Veneta. The cost of public improvements shall be based on an estimate by the City Engineer. Performance bonds shall be in the form of a surety bond, irrevocable letter of credit, cash, or other financial instrument acceptable to the City Attorney.

**Exhibit B-55: Section 13.09(4)**

**4) Amendments.**

- A. Minor Amendments. Minor amendments to any approved tentative subdivision plan may be approved, approved with conditions, or denied by staff through a Type I application as long as the amendments substantially comply with the tentative plan, fully comply with all City ordinances and do not:
  1. Involve any interpretation of submission requirements or require findings that would set a precedent for other tentative subdivision plan amendments;

2. Impact utilities, the transportation system, drainage, or natural features of the site;
3. Require a variance;
4. Raise questions of adequacy of services by the Public Works Superintendent, City Engineer, or any affected public or private agency; and
5. Create more lots than the approved tentative subdivision plan.

**Exhibit B-56: Section 13.09(5)(C)(7)(a)**

- a. All improvements have been installed in accordance with the requirements of these regulations and with the action of the City giving conditional approval of the tentative plan.

**Exhibit B-57: Section 13.09(5)(F)(3)**

3. A certificate for execution by the Building and Planning Official.

**Exhibit B-58: Section 13.10(1)**

- 1) Street Design Standards.
  - A. General. The function, location, width, and grade of streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate and safe traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried, considering the terrain. Where location is not shown on the street plan or in a development plan, the arrangement of streets shall either:
    1. Streets shall be interconnected and provide for continuation or appropriate extension to surrounding properties. Cul-de-sacs shall be allowed only when one or more of the following conditions exist:
      - a. Physical or topographic conditions make a street connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided.
      - b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or
      - c. Where streets would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of October 1, 1998 which preclude a required street connection.
Where cul-de-sacs are planned, multi-use paths connecting the end of the cul-de-sac to other streets or neighborhood activity centers shall be provided if feasible.
    2. Conform to a plan for the development area approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.
  - B. Standard right-of-way and street widths. The width of streets shall be adequate to fulfill city specifications as provided for in Section 13.11(2) of this ordinance, and, unless otherwise indicated on a development plan or approved by the City, streets shall have:

	Minor Arterial		Major Collector		Minor Collector		Local		Neighborhood Local	
Street Element	Standard Width	Alternative Minimum Width	Standard Width	Alternative Minimum Width	Standard Width	Alternative Minimum Width	Standard Width	Alternative Minimum Width	Standard Width	Alternative Minimum Width
ROW width	74	59	60	48	60	55	58	54	50	46
Paved Width (curb-to-curb)	52	41	38	30	40	37	36	36	28	28
Drive lanes	2 (12')	2 (11')	2 (11')	2 (10')	2 (10')	2 (10')	2 (10')	2 (10')	1 (14')	1 (14')
Center Turn Lane/Median	1 lane (12')	1 lane (11')	X	X	X	X	X	X	X	X
Bicycle Facilities	2 bike lanes (6', 2' buffer)	2 bike lanes (5')	2 bike lanes (6', 2' buffer)	2 bike lanes (5')	2 bike lanes (6')	2 bike lanes (5')	Shared Street	Shared Street	Shared Street	Shared Street
On-street parking	No	No	No	No	One side (8')	One side (7')	Both sides (8' each)	Both sides (8' each)	Both sides (7' each)	Both sides (7' each)
Pedestrian Facilities	2 sidewalks (6')	2 sidewalks (5')	2 sidewalks (6')	2 sidewalks (5')	2 sidewalks (6')	2 sidewalks (5')	2 sidewalks (6')	2 sidewalks (5')	2 sidewalks (6')	2 sidewalks (5')
Planter Strip	2 strips (5')	2 strips (4')	2 strips (5')	2 strips (4')	2 strips (4')	2 strips (4')	2 strips (5')	2 strips (4')	2 strips (5')	2 strips (4')

C. Alternatives to Standard Street design. The City, in consultation with Lane County Fire District #1 and Lane Transit District may approve alternate street right-of-ways and paving widths when the benefits of standard right-of-way or paving width are outweighed by the benefits of feasible alternatives. Alternatives to street design may include things like narrower or varying street widths, medians, and bulb-outs at intersections. Considerations include:

1. Emergency vehicle access
2. Self-protection of structures using sprinkler systems or other fire prevention means
3. Curb and sidewalk design that accommodates emergency vehicles and storm drainage (such as rolled curbs)
4. Provision for generous parking on site that would eliminate need for on-street parking
5. Location of proposed street relative to other streets (block length and connectivity)
6. Provision of transit service through special agreements and facilities
7. Pedestrian safety, particularly at intersections
8. Adequate rights-of-way or easements for public utilities
9. Existing development that limits paving and right-of-way widths
10. Topography
11. Environmental impacts

D. Reserve Strips. The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Commission or Building and Planning Official. One-foot reserve strips are used across the ends of stubbed streets adjoining undivided land or along half streets adjoining undivided land, and they shall be designated as such. Reserve strips may also be parallel to the right-of-way as a means of access control (prohibiting driveway access). Reserve strips shall have separate legal descriptions and documentation, and dedication shall be identified on the plat.

E. Alignment. As far as is practical, streets other than minor streets shall be in alignment with existing streets by continuation of the center lines thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction.

- F. Future extensions of streets. Where necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivisions or partition and the resulting dead-end streets must have a turn-around. Reserve strips may be required to preserve the objectives of street extensions.
- G. Division of property. Property with frontage onto two or more streets shall not be divided in a manner that would preclude access to a portion of the property from the road(s) with the lesser functional class. Access could be provided via an access easement.
- H. Intersection angles. Streets shall be laid out to intersect at right angles, and all other conditions shall require a variance. An arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection.
- I. Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided in accordance with the Veneta Transportation System Plan at the time of the land division.
- J. Half Streets. Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision or partition when in conformity with the other requirements of these regulations and when the City finds it will be practical to require the dedication of the other half when the adjoining property is developed. Whenever a half street is adjacent to the tract to be divided, the other half of the street shall be provided within such tract. Reserve strips may be required to preserve the objectives of half streets.
- K. Cul-de-sac. A cul-de-sac shall have a maximum length of 400 feet. A cul-de-sac shall terminate with a circular turn-around.
- L. Street names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the City and Lane County.
- M. Grades and curves. Grades shall not exceed six (6) percent on arterial, ten (10) per cent on collector streets or fifteen per cent on other streets. Center line radii of curves shall not be less than 300 feet on major arterial, 200 feet on secondary arterial or 100 feet on other streets. Where existing conditions, particularly the topography, make it otherwise impractical to provide buildable sites, the City may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope, preferably, of at least 0.3 per cent.
- N. Streets adjacent to railroad rights-of-way. Wherever the proposed land division contains or is adjacent to a railroad right-of-way, provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way.
- O. Marginal access streets. Where a land division abuts or contains an existing or proposed arterial street, the City may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- P. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are approved by the City. The corners of alley intersections shall have a visual clearance of not less than 45

degrees with fifteen (15) foot leg lengths.

Q. **Access Management.** New streets shall meet or exceed the minimum spacing requirements listed in the adopted Transportation System Plan (TSP). However, where no reasonable alternatives exist or where strict application of the standards would create a safety hazard, the City may allow a variance per Article 11 of this ordinance.

**Exhibit B-59: Section 13.10(3)**

**3) Building Sites.**

A. **Size and shape.** The size, width, shape and orientation of building sites shall be appropriate for the location of the land division and for the type of development and use contemplated, and shall comply with the following standards:

1. **Width.** Minimum lots widths shall be as specified in Article 4 of this ordinance.
2. **Depth.** Each lot or parcel shall have an average depth between the front line and lot or parcel rear line of not less than 80 feet and not more than 2-1/2 times the average width between the side lines. Exceptions are allowed for lots designed for single-family attached dwellings and for lots that are currently non-conforming and will be brought closer to conformity.
3. **Area.** Each lot or parcel shall comprise a minimum area as specified in Article 4 of this ordinance.
4. In areas that will not be served by a public sewer, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and shall take into consideration problems of sewage disposal, particularly problems of soil structure and water table as related to sewage disposal by septic tank.
5. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the City. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
6. The minimum lot size for flag lots shall be calculated for the area exclusive of the portion of the lot that provides access.

B. **Access.** Each lot and parcel (except those in the LDR, GR and RC zones intended for single-family attached housing) shall abut upon a street other than an alley for a width of at least 50 feet and 35 feet for a cul-de-sac. Flag lots shall be allowed in accordance with Section 13.10(3)(E) below. A shared access and maintenance agreement between all lots within a flag lot partition is required prior to the application for Final Plat.

C. **Through lots and parcels.** Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide and across, to which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

D. **Lot and parcel side lines.** The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets and cul-de-sacs they shall be radial to the curve.

E. **Flag Lots.**

1. A flag lot is allowed only when the following requirements are met:
  - a. A unit of land cannot otherwise be divided in accordance with the provisions of this

ordinance.

- b. Only one flag pole is proposed.
- c. Minimum lot size and maximum lot coverage requirements of the zone can be met.

2. Flag lot access pole. The pole portion of the lot must meet the following standards:
  - a. The pole providing access to:
    - i. A unit of land creating three (3) or less lots shall connect to a street and must be at least 20 feet wide for its entire length and have a paved surface of 12 feet, or 25 feet if the length from the centerline of the street right-of-way to the flag portion is more than 150 feet.
    - ii. A parent parcel with the potential area to create more than three (3) lots shall connect to a street and must be at least 25 feet wide for its entire length with a paved surface of at least 18 feet.
  - b. The access pole shall be shared by all lots, including existing dwellings, unless the City finds that shared access is impractical.
  - c. A shared access and maintenance agreement between all lots shall be in a form approved by the City Engineer and City Attorney and that protects interests of property owners and the city. The agreement shall be recorded prior to final plat.
3. Minimum lot dimensions. No dimension of a flag lot may be less than the requirements of the zone, excepting the pole portion. All other lot dimension standards shall be met.
4. Flag lot development standards. The following standards apply to development on flag lots:
  - a. Setbacks for panhandle lots shall be a minimum of 10 feet from all lot lines. Garages shall be set back a minimum of 20 feet from the front lot line abutting the pole.

**Exhibit B-60: Section 13.10(7)**

- 7) **Land for Public Purposes.** Land for parks and open space shall be dedicated for all land divisions according to Section 5.26 of this ordinance. If the City has an interest in acquiring a portion of a proposed land division in excess of that required for dedication by Section 5.26 of this ordinance for a public purpose, or if the City has been advised of such interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the City may require that those portions of the land division be reserved for public acquisition, for a period not to exceed one year, at a cost not to exceed the value of the land prior to subdivision.

**Exhibit B-61: Section 13.11(3)**

- 3) **Improvements in Subdivisions.** The following improvements shall be installed at the expense of the sub-divider at the time of subdivision or as agreed upon as provided in Section 13.11(5). All improvements shall comply with the construction permit requirements of Veneta Municipal Code Chapter [12.05](#).
  - A. Streets. Public Streets, including alleys, within the subdivisions and public streets adjacent but only partially within the subdivision shall be improved. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected as provided in [ORS Chapter 92](#). Traffic impacts to facilities as identified in the TIA and supported by the City's consulting engineer, shall be mitigated by the developer as part of the public improvements of the Site Plan, Subdivision or PUD.

- B. Surface drainage and storm sewer system. Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage ways or storm sewers outside the subdivision. Detention and treatment within the subdivision shall be designed and sized according to the adopted City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 and shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such area as per adopted Drainage Plan. This plan shall be approved by the City Engineer,
- C. Sanitary Sewers. Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains and shall take into account the capacity and grade to allow for desirable extension beyond the subdivision. In the event it is impractical to connect the subdivision to the City sewer system, the City may authorize the use of septic tanks if lot areas are adequate considering the physical characteristics of the area. If sewer facilities will, without further sewer construction, directly serve property outside the subdivision, and the area outside the subdivision to be directly served by the sewer line has reached a state of development to justify sewer installation at the time, the City Council may construct as an assessment project with such arrangements as are desirable with the sub divider to assure financing his share of the construction. If the City Council chooses not to construct the project as an assessment project the sub divider shall be solely responsible for the cost of improvements in accordance with City approved plans.
- D. Water system. Water lines and fire hydrants serving each building site in the subdivision and connecting the subdivision to existing mains shall be installed to the standards of the City, taking into account provisions for extension beyond the subdivision.
- E. Sidewalks. Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision at the time a building permit is issued, except that in the case of arterials, or special type industrial districts, the City may approve a subdivision without sidewalks if alternative pedestrian routes are available; and provided further, that in the case of streets serving residential areas having single family dwellings located on lots equivalent to two and one half or less dwellings per gross acres, the requirement of sidewalks shall not apply, provided there is no evidence of special pedestrian activity along the streets.
- F. Bicycle routes. If appropriate to the extension of a system of bicycle routes, existing or planned, the City may require the installation of separate bicycle lanes within streets or separate bicycle paths.
- G. Paths and Trails. If required by the Paths and Trails Master Plan or appropriate to the extension of the City's paths and trails network, the City may require one or more shared-use paths or trails. Shared-use paths or trails shall be a minimum of 10 feet wide or as otherwise approved by the City. Shared-use paths or trails shall be constructed of 5 in. of Portland Cement over approved base or as otherwise approved by the City.
- H. Street name signs. Street name signs shall be installed at all street intersections to approved City standards.
- I. Street lights. Street lights shall be installed in conformance with Veneta Municipal Code Chapter [15.15](#) and shall be served from an underground source of supply.
- J. Other. The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting

and cable television, shall be placed underground.

**Exhibit B-62: Section 13.11(4)**

4) **Improvements in Partitions.** The same improvements required to serve a subdivision shall be required to serve each building site of a partition. However, if the City finds that the nature of development in the vicinity of the partition makes installation of some improvements, such as street width expansions, sidewalks or storm drainage unreasonable, the City may except those improvements. Exceptions to these improvements may be made only if a street grade has not been established or if installing such improvements could make traveling or walking dangerous due to the intermittence of the improvements. A recorded irrevocable petition will be required for excepted improvements. In conjunction with the irrevocable petition, the developer may be required to deposit with the City a cash payment, surety bond, or letter of credit in an amount not to exceed the cost of improvement construction, as based upon an estimate approved by the City Engineer. The irrevocable petition shall reference the deposit and cover future improvement installation to the extent actual installation costs exceed the deposit amount. In lieu of excepting an improvement, the Building and Planning Official may recommend the installation of the improvements to the City Council under special assessment financing or other facility extension policies of the City.

**Exhibit B-63: Section 13.11(6)(A)**

A. If required by the City, the land divider shall provide one of the following to assure full and faithful performance of all required improvements:

1. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.
2. Cash.

**Exhibit B-64: Section 14.02**

As used in this ordinance the following words and phrases shall mean:

**Abut.** Contiguous to or immediately join. For example, two (2) lots with a common property line are considered to be abutting.

**Access.** The way or means by which pedestrians and vehicles enter and leave property.

**Accessory Structure.** A structure incidental, appropriate and subordinate to the main use of property and located on the same lot as the main use. Accessory structures are not permitted on vacant parcels of land. Accessory structures (including those originally designed for human habitation such as mobile homes) shall not be used for human habitation.

**Activity Center.** Uses or buildings that are open to the public, have a civic or community function, and/or attract visitors. Uses include public parks, public buildings (e.g., post office, library, city offices, schools), elder care facilities, and shopping centers.

**Alley.** A street that is more than ten (10) feet and less than sixteen (16) feet in width which affords primarily a secondary means of access to property.

**Alter.** Any change, addition or modification in construction or occupancy.

**Applicant.** The person making application to the City for any action as the owner or representative of the owner of the property that is subject of the action. The applicant shall provide proof of permission for the requested action from all owners or other persons having an interest in the property subject to the action.

**Barn.** A farm building for housing livestock or animals.

**Basement.** A story partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where more than one-half of its height is above the average level of the adjoining ground.

**Block.** An area bounded on 4 sides by streets not including cul-de-sacs. In residential zones, block lengths do not exceed 600 feet and block perimeters do not exceed 1800 feet except where topography, natural features, or existing development creates conditions requiring longer blocks.

**Building.** Any structure used or intended for supporting or sheltering any use or occupancy.

**Building Height.** The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. The average maximum vertical height of a building or structure measured at a minimum of three points from finished grade along each building elevation. Architectural elements that do not add floor area to a building or structure, such as chimneys, vents, antennae and towers are not considered part of the height of a building or structure.

**Building Inspector.** The Division Director of the Lane County Department of Environmental Management, Construction Permits Division, his authorized representative or any other authorized building inspector appointed by the Veneta City Council.

**Building Line.** A line on a plat or map indicating the limit beyond which buildings or structures may not be erected. Buildings shall not overhang over an easement or dedicated right-of-way.

**Building & Planning Official.** An employee of the City appointed by the City Council with duties and authority as designated by the Council, including the duties and authority as designated by the Council, including the enforcement of the provisions.

**Chicken Run.** An enclosed area in which chickens are allowed to walk and run about and that is attached to a chicken coop.

**City.** The City of Veneta, Oregon. The term 'City' may also refer to the officer or other designated authority charged with the administration and enforcement of the Veneta Zoning and Development Code, including, but not limited to, the Planning Commission or the Building and Planning Official.

**City Council.** The Council of the City of Veneta, Oregon, which is the governing body of said City.

**Co-Housing.** Private dwelling units with shared spaces such as community dining, cooking, and recreation rooms for adults and children. Individual units may be rented or owner-occupied. Due to the shared facilities, the lot configuration may deviate from standard requirements such as street frontage and parking spaces.

**Comprehensive Plan.** A city plan for the guidance of growth and improvement of the City, including modifications or refinements which may be made from time to time.

**Congregate Housing.** A structure containing two or more dwelling units or rooming units limited in occupancy to persons 55 years or older or handicapped persons, their spouses, except for rooms or units occupied by resident staff personnel, providing indoor, conveniently located, shared food preparation service, dining areas, and common recreation, social and service facilities for the exclusive use of all residents.

**Clinic.** Single or multiple offices for physicians, surgeons, dentists, chiropractors, osteopaths and other members of the healing arts, including a dispensary in each such building to handle only merchandise of a nature customarily prescribed by occupants in connection with their practices.

**Day Care Facility.** Any facility that provides child care to children that is not a Family Child Care Home, including a day nursery, nursery school, child care center or similar unit operating under any name.

**Day Care - Family Child Care Home.** A child care facility in a dwelling that is certified under ORS 329A.280 and serves sixteen (16) or fewer children or registered under ORS 329A.330 and serves

ten (10) or fewer children. This term does not include activities exempt from the definition of "child care" found in ORS 329A.250.

**Declarant.** A person who files a declaration under ORS 92.075.

**Declaration.** The instrument described in ORS 92.075 by which the subdivision or partition plat was created.

**Density, Gross.** The number of dwelling units per acre of land, including areas devoted to dedicated streets, sidewalks, other public rights-of-way, parks, and non-residential uses allowed in residential areas.

**Density, Net.** The number of dwelling units per acre of land in planned or actual use -- excluding from the acreage dedicated streets, sidewalks, other public rights-of-way, parks, and non-residential uses allowed in residential areas.

**Designated Arterials and Connectors.** Streets identified in the Veneta Comprehensive Plan Functional Class map as Principal or Minor Arterials or Major or Minor Collectors.

**Development.** A building or mining operation, making a material change in the use or appearance of a structure or land, dividing land into two or more parcels, including partitions and subdivisions as provided in ORS 92.010 to 92.285, and creating or terminating a right of access.

**Dog Kennel.** A place of business for the care of dogs, including but not limited to the boarding, grooming, breeding, training, or selling of dogs, but not including an animal hospital.

**Driveway.** An area on private property where automobiles and other vehicles are operated or allowed to stand.

**Driveway Approach.** An area within the Right-of-Way, between the roadway of a public street and private property line, intended to provide access for vehicles from the roadway to a definite area of the private property, such as a driveway or parking area intended and used for the ingress and egress of vehicles. The component parts of the driveway approach are termed the apron, the end slopes or curb return, and the sidewalk section.

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

**Dwelling, Accessory.** Accessory Dwelling Unit means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single family dwelling.

**Dwelling, Accessory.** A second subordinate dwelling unit on the same lot and under the same ownership as the primary residence, with independent cooking, living, sanitation, and sleeping facilities.

**Dwelling, Multi-family.** Attached housing where each dwelling unit is not located on a separate lot.

**Dwelling, single family attached.** A dwelling unit constructed in a row of two (2) or more attached units, where each dwelling unit is located on a separate lot.

**Dwelling, single family detached.** One dwelling unit on its own lot or parcel that does not share a wall with any other dwelling unit, other than an accessory dwelling unit.

**Dwelling Unit.** A single unit providing complete independent living facilities, designed for occupancy by one (1) family and including permanent provisions for living, sleeping, eating, cooking and sanitation.

**Eating and Drinking Establishment.** Preparing and serving food and drinks for public consumption, which may occur on the premise or as "take-out." Includes artisanal manufacturing of food, beverages and associated ingredients when a minimum of 25% of the square footage of the improved area is dedicated to retail sales and/or public consumption (bakery, brewpub, winery, distillery, etc.).

**Facilities.** For the purposes of this Code, facilities are water, sewer, stormwater, telephone, cable, natural gas, electric, telecommunication facilities and broadband fiber conduit.

**Family.** An individual or two (2) or more persons related by blood, marriage, legal adoption or legal

guardianship living together in one dwelling unit using one kitchen and providing meals or lodging to not more than two (2) additional persons excluding servants; or a group of not more than five (5) unrelated persons living together in one dwelling unit using one kitchen.

**Fence, sight-obscuring.** A continuous fence, wall, evergreen planting or combination thereof, constructed and/or planted so as to provide a specified percentage of view-obscuring screens.

**Final Action / Decision / Approval.** – Any legislative, administrative, or quasi-judicial action that establishes the final determination of the City on any land use action by reducing said decision in writing.

**Findings of fact.** The conclusions of a judge, jury, or administrative tribunal regarding the underlying facts of the case under consideration.

**Floor Area.** The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof, not provided with surrounding exterior walls, shall be the usable area under the vertical projection of the roof or floor above.

**General Office and Services.** A room, set of rooms, or building, used as a general place of business for commercial, professional, financial, research and development, technical, outpatient medical, administrative, professional/personal services or similar work conducted wholly within an enclosed facility.

**Grade (Ground) Level.** The average elevation of the finished ground level at the exterior of all walls of a building, except that if a wall is parallel to and within five (5) feet of a sidewalk, the sidewalk elevation nearest the wall shall constitute ground level.

**Hardscape.** Permanent improvements to a site other than a building, including but not limited to, plazas, concrete planters, decks, sitting areas and other similar architectural features that include small unit pavers or concrete.

**High Impact Recreation Facilities.** Facilities which have the potential for creating significant impacts through traffic generation, noise, dust, chemical use, lighting, or other nuisance characteristics. High impact recreation facilities include, but are not limited to, sport complexes, stadiums, equestrian arenas, golf course and driving ranges, and swimming pools.

**Home Occupation.** A lawful business carried on by a resident of a dwelling where the business is secondary to the residential use of the property. See Veneta Municipal Code 5.05 for definitions and licensing requirements for businesses.

**Horticulture.** The cultivation of crops, orchards, or gardens. Domestic horticulture involves plants grown for the people living on the property. Commercial horticulture involves plants that will be sold; either on-site or delivered to a buyer off-site. Farm stands and u-pick sales are temporary uses that may require a permit.

**Junkyard.** Any property used by a business that deals in buying, selling, trading, and storing, old motor vehicles, old motor vehicle parts, abandoned autos, or machinery or parts thereof, or appliances or parts thereof.

**Kennel.** Any lot or premises on which three (3) or more adult dogs are kept, whether by owners of the dogs or by persons providing facilities and care, whether or not for compensation. An adult dog is one that has reached the age of six (6) months.

**Legal Lot.** A lot or parcel created pursuant to ORS 92.010 to 92.190, a unit of land created in compliance with all applicable city land division regulations, or a unit of land created by deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinance or regulations in effect at the time of the deed or land sales contract.

**Limited Land Use Decision.** Means a final decision or determination made by the City of Veneta pertaining to a site within an urban growth boundary that concerns:

- A. The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040;
- B. The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.
- C. The approval or denial of an application for a replat.
- D. The approval or denial of an application for a property line adjustment.
- E. The approval or denial of an application for an extension, alteration, or expansion of a nonconforming use.

A Limited Land Use Decision does not mean a final decision made by the City of Veneta pertaining to a site within an urban growth boundary that concerns approval or denial of a final subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

**Loading Space.** An off-street space or berth on the same lot with a building for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

**Lot.** A single unit of land that is created by a subdivision of land.

**Lot Area.** The total land area, commonly measured in square feet, within the boundaries of a legal lot, exclusive of any street or alley rights-of-way.

**Lot, Corner.** A lot at least two adjacent sides of which abut streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed 135 degrees.

**Lot, Through.** A lot having frontage on two parallel or approximately parallel streets other than alleys.

**Line, Property.** The division line between two units of land.

**Lot Line, Front.** The lot line separating the lot from a street other than an alley and, in the case of a corner lot, the shortest lot line along a street other than an alley. For flag lots, the lot line abutting the pole portion of the lot. See also YARD, Front

**Lot Line, Rear.** The lot line which is opposite and most distant from the front lot line.

**Lot Line, Side.** Any lot line not a front or rear lot line. See also YARD, Side

**Lot, Flag.** A lot or parcel that has the bulk of its area set back some distance from a road or street and that is connected to the road or street via a thin strip of land (i.e., the flagpole).

**Lot Width.** The horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line. For irregular shaped lot, lot width shall be determined by measuring the maximum diameter of a circle that fits entirely within the property lines as shown below:



**Manufactured Dwelling.** Residential trailers constructed before January 1, 1962; mobile homes constructed between January 1, 1962 and June 15, 1976, which met Oregon construction standards then in effect; and manufactured homes constructed to federal standards. (Refer to definition of "dwelling, single-family" for siting and construction requirements.)

**Manufactured Dwelling Park.** Any place where two (2) or more manufactured dwellings are parked within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or

patronage of such person. A manufactured dwelling park has the same definition as a mobile home park. Manufactured dwelling parks within Veneta are required to register as a business each year.

**Manufacturing – Light.** Processing, fabricating, assembling, or disassembling of items that takes place wholly within an enclosed building and results in negligible offsite impacts, including noise, odor, vibration and/or environmental contamination. For the purposes of this ordinance, plant-based food processing (including brewing and distilling) is included but animal-based processing (slaughter houses) is not.

**Map.** A final diagram, drawing or other writing concerning a partition.

**Marijuana Retail.** The retail sale of marijuana items as defined in ORS 475C, operated by a marijuana retailer licensed in accordance with ORS 475C.

**Marijuana Facility.** The production, processing, or wholesaling of marijuana items as defined in ORS 475C, operated by a marijuana producer, processor, or wholesaler licensed in accordance with ORS 475C; or a laboratory that conducts testing of marijuana items or industrial hemp-derived vapor items accredited in accordance with Oregon Revised Statutes.

**Medical marijuana Facility.** A facility registered with the Oregon Health Authority under ORS 475.314 and OAR 333-008-1050 to:

1. Accept the transfer of usable marijuana and immature marijuana plants from a registry identification cardholder, the designated primary caregiver of a registry identification cardholder, or a person responsible for a marijuana grow site to the medical marijuana facility; or
2. Transfer usable marijuana and immature marijuana plants to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder.

**Mobile Vending Unit.** Any vehicle that is self-propelled, or can be pulled or pushed down a sidewalk, street, highway or waterway intended for retail, food, or drink sales.

**Mobile Vending Site.** One (1) site with multiple (three or more) mobile vendors.

**Nonconforming Structure, Lot or Use.** A lawful existing structure, lot or use at the time this ordinance or any amendment thereto becomes effective which does not conform to the dimensional or similar standards of the zone in which it is located.

**Open Space.** Land area to be used for scenic or open recreational purposes within the development. Open space does not include street right-of-way, driveways, parking areas, required setbacks or public service easements unless these areas have some special recreational design or purpose.

**Outdoor Storage Yard.** A primary use that occurs on property for the purpose of outdoor storage of vehicles, equipment, or materials, including, but not limited to, commercial storage lots and lumber, gardening, fuel and other similar building material yards.

**Outdoor Storage Area.** A secondary use that occurs on any property for the purpose of the outdoor storage of associated materials and equipment, other than wrecking yards.

**Owner.** An individual, association, partnership, or corporation having legal or equitable title to land, other than legal title held for purpose of security only.

**Parcel.** A unit of land that is created by a partitioning of land.

**Parking Space.** An off-street enclosed or unenclosed surfaced area with minimum dimensions of eighteen (18) feet by nine (9) feet, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile and connected with a street by a surfaced driveway which affords ingress and egress for automobiles.

**Partition.** Either an act of partitioning land or an area or tract of land partitioned as defined in this section.

**Partition Land.** To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition land" does not include divisions of land resulting from lien

foreclosures; divisions of land resulting from the creation of cemetery lots; and divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate or intestate succession; and "partition land" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot standards of the zoning ordinance.

**Person.** A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

**Planning Commission.** The Planning Commission of the City of Veneta, Oregon.

**Professional Office.** An office occupied by doctors, dentists, accountants, attorneys, optometrists, architects, professional engineers or surveyors or persons engaged in similar occupations.

**Property Line Adjustment.** The Property line adjustment is a relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel. An adjusted property line shall be surveyed and monumented in accordance with ORS 92.065(3); a survey, complying with ORS 209.250, shall be filed with the county surveyor; and the property line adjustment shall be recorded with the Lane County Department of Deeds and Records.

**Public and Semi-Public Building or Use.** A building or use owned or operated by a religious, charitable or other non-profit organization; a public utility or any social agency such as a church, school, auditorium, meeting hall, hospital, club, nursing or care home, stadium, library, art gallery, museum, fire station, utility substation, cemetery, park, playground, sports field, bicycle or pedestrian way or community center.

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

**Quasi-Judicial.** Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code. Quasi-judicial land use decisions involve a public hearing.

**Recreational Vehicle.** A vacation trailer or other unit, with or without motive power, which is designed for human occupancy and to be used temporarily for recreational or emergency purposes. It shall also include a camper placed on a pickup truck.

**Reduction.** A lessening in value, quantity, size, or the like.

**Remodel.** The addition to, removal of or from, or physical modification or repair of an exterior part or portion of a building.

**Replat.** The act of plating the lots, parcels and easements in a recorded subdivision or partition plat to achieve a re-configuration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

**Residential Facility.** Residential Facility with six (6) or more persons as defined by ORS 197.660.

**Residential Home.** A residential treatment or training or adult foster home that provides residential care alone or in conjunction with treatment or training or a combination thereof as defined by ORS 197.660 for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

**Right-of-Way (ROW).** The right of passage or of way, which is a servitude imposed by law or convention, and by virtue of which one has the right to pass over or through the property of another as is set forth by its terms.

**Secondary Use.** A use of land or a structure that is incidental and subordinate to the primary use, and located in the same building or in the same development area as the primary use. No secondary

use can occupy more than 50% of the gross floor area of a building or more than 50% of a development area occupied by the primary use. Secondary uses are not accessory uses. Secondary uses are not permitted in the absence of a primary use.

**Service Station, Automobile.** A place or station designed and used primarily for the supplying of motor fuel, oil, lubrication and accessories to motor vehicles but excluding major repair and overhauling.

**Shadow Plat.** A future subdivision or partition concept plan approved by the city in conjunction with a request for interim development (often a single-family residence or partition). The shadow plat is not binding on either the property owner or the city; that is, the property owner would have to apply for tentative plat approval for future development proposals. Shadow plats are designed to ensure that an urban level of development will be possible when urban services become available.

**Shared-Use Path or Trail.** A hard-surface (concrete, asphalt, gravel, etc.) or soft-surface (bark dust, dirt, etc.) facility intended to be used for transportation and/or recreation by pedestrians, skaters, and bicyclists. The shared-use path or trail is generally designed to accommodate two-way travel and minimize cross-flow by motor vehicles. The shared-use path or trail may be aligned with the public right-of-way or separated from the public right-of-way and located within an easement.

**Sign.** Any medium including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising purposes.

**Sight-Obscuring.** To impede the visibility of an area by more than 75 percent through the use of fences, vegetation or other means.

**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.

**Site.** Site means a property (or group of adjacent parcels or lots under the same ownership) that is subject to a permit application under this code.

**Street.** A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land and including the term, "road," "highway," "lane," "avenue," "alley" or similar designations.

(a) **Alley.** A narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

(b) **Arterial (Principal) Roadways** in urbanized areas which serve the major centers of activity, the highest traffic volume corridors, the longest trip desires, and a high proportion of the total urban area travel (even though it may only constitute a relatively small percentage of the total roadway network).

- Provides significant intra-area travel
- Because of the nature of the travel served by the major arterial system, almost all are fully and partially controlled access facilities.
- For major arterials, service to abutting land is subordinate to travel service to major traffic movements.

(c) **Arterial (Minor) Interconnects** with and augments the principal arterial system.

- Accommodates trips of moderate length at a somewhat lower level of travel mobility than major arterials.
- Distributes travel to geographic areas smaller than the higher system does and offers lower traffic mobility.
- May carry local bus routes and provide intracommunity continuity. Ideally, does not penetrate identifiable neighborhoods.

- (d) Collector provides both land access service and traffic circulation within residential neighborhoods and commercial and industrial areas.
  - Differs from Arterial system in that facilities on the collector system may penetrate residential neighborhoods, distributing trips from the arterials through the area to their ultimate destination.
  - Conversely, they collect traffic from the local streets in neighborhoods and channel it into the arterial system.
- (e) Cul-de-Sac (dead end Street). A local street, usually only a few hundred feet in length and closed at one end, designed to serve the interior of a subdivision or large tract of land.
- (f) Half Street. A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.
- (g) Limited Access Street. A minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.
- (h) Local Street Streets that serve primarily to provide direct access to abutting land and access to the higher order systems. It offers the lowest level of mobility and usually contains no bus routes.

**Structural Alteration.** Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders or structural change in the roof or in the exterior walls.

**Structure Use.** That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner. The purpose for which land or a structure is designed, arranged or intended or for which it is occupied and maintained.

**Subdivision.** Either an act of subdividing land or an area or tract of land subdivided as defined in this section.

**Subdivide Land.** To divide land to create four or more lots within a calendar year.

**Tentative Plan.** A tentative plan is the plan of a subdivision or partition submitted to the City for approval under the provision of ORS 92 and Section 13.08 and Section 13.09 of this ordinance.

**Transportation Facility, High Impact.** Transportation facility with significant external impacts, such as heliports, helistops, bus terminals, and train terminals.

**Transportation Facility, Minor.** Transportation facility with minor external impacts, such as a multi-use pathway.

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

**Veterinary Hospital.** A building, together with animal runs, in which veterinary services, clipping, bathing, boarding and other services are rendered to dogs, cats and other small animals and domestic pets.

**Wetland.** Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions.

**Yard, Back (Rear).** A yard adjacent to a property line. See also LOT LINE, REAR

**Yard, Front.** A yard adjacent to a street and to the front entrance of a building. See also LOT LINE, FRONT.

**Yard, Side.** A yard adjacent to a property line. For a corner lot, the Side Yard (located at the side of a residence or structure) can also be adjacent to a street. See also LOT LINE, SIDE.