

June 24, 2025

Fundz 4 Kidz
PO Box 72345
Springfield, OR 97475

Re: Fundz 4 Kidz Fireworks – Temporary Use Permit Renewal
Assessor's Map No: 17-06-36-11
Tax Lots 00400 & 00500
File No. TUP-25-5(R)

To whom it may concern:

Enclosed, please find the approved temporary use permit renewal, File No. TUP-25-5(R). This approval is subject to the conditions of approval contained in the original site plan and staff report, File No. TUP-6-23.

Prior to beginning operations, you must obtain an inspection from the Lane Fire Authority. The Fire Inspector is Brian Sayles and can be reached at (541) 935-2226. Additionally, you must mow all vegetation within 30 feet of the structure and fully mow any walkways to parking areas prior to beginning operations.

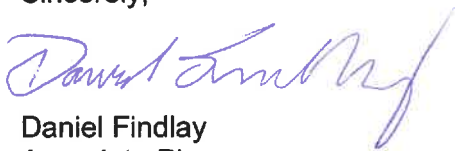
The abovementioned conditions of approval are listed below.

1. The fireworks tent shall be placed at least 20 feet away from combustibles including vegetation.
2. 'No Smoking' signs shall be displayed in prominent locations both inside and outside of the sales area.
3. No parking of vehicles will be allowed within 20 feet of the structure. This area shall be marked in a clear manner.
4. No parking of vehicles shall be allowed on grass or any other vegetation.
5. No access of parking shall be allowed off of Territorial Highway.
6. Fire extinguishers shall be displayed in visible locations inside the booth.
7. Removal of all garbage at the end of every day shall be required to ensure that there is no storage of combustibles outside of the stand.
8. Any generator on site shall be placed a minimum of 20 feet from the structure and have a 40BC extinguisher on site.
9. Any generator fuel is stored in a U.L. listed fuel container and stored at least 20 feet of the stand.
10. All exits shall be clearly marked and unobstructed.
11. Any other site requirements as required by Lane County Fire District #1.
12. Post a copy of Oregon laws regarding firework use in a location visible to patrons. Specific laws include ORS 480.110 – Definitions for Oregon fireworks laws, 480.120 – Prohibited uses for fireworks, 480.158 – Liability of parents for the costs incurred in suppressing fires caused by use of fireworks by minors, and 480.165 – Civil penalty for fireworks law violations.
13. A certificate of flame resistance shall be on site for the tent in use. The certificate shall

- show a current application. A copy of the manufacturer's instructions for allocation shall be on site for comparison.
14. Temporary signs shall follow the standards laid out in Section 5.15 of the Veneta Land Development Ordinance No. 493. Portable and temporary signs are not permitted within the public right-of-way.
 15. Prior to conducting business, contact the Lane County Fire District #1 at 541-935-2226 for site inspections.
 16. When the temporary use ceases, all materials shall be removed and the site cleaned.

If you have any questions or concerns, you can contact me at (541) 935-2191 or dfindlay@venetaoregon.gov.

Sincerely,



Daniel Findlay
Associate Planner
City of Veneta

Enclosure:

CC: Property Owner: Polen Futures LLC
Planning File

VENETA

oregon

inc. 1962

Temporary Use Application

PO Box 458 * Veneta, OR 97487 * 541-935-2191 * Fax 541-935-1838 * www.venetaoregon.gov

Planning Authorization: DFRenewal (if applicable): ✓Submission Date: 5-29-2025Previous File #: TUP-24-4(R), TUP-6-23Planning File #: TUP-25-5(R)

Temporary Use Permits allow the establishment of specified uses on a short-term basis in certain, specified land use zoning districts. No temporary use permit can be granted which would have the effect of permanently rezoning or granting privilege not shared by other property in the same zone. RETAIL SALES are permitted only in Commercial or Industrial/Commercial zones.

Garage Sales are permitted only in residential zones in accordance with Veneta Municipal Code Chapter 5.15 and do not need a permit.

Temporary Use Renewal Permits shall be subject to review by the Building & Planning Official one (1) year from the date of approval. Public notice requirements may be waived for renewal of Temporary Use Permits at the discretion of the Building & Planning Official provided that no formal complaints have been filed regarding the temporary use or there have been no changes made to the site plan or activities from the time of initial approval.

_____ Application.....\$350 (non-refundable)

_____ Technical Review/Public Notice.....\$350 (deposit)

Renewal

✓ Application Fee (Renewal only).....\$200 annually (non-refundable)

Applicant Name: Fundz 4 KidzMailing Address: PO Box 72345City/State/Zip: Springfield OR 97475Applicant Phone: 541-870-7210 Applicant Email: bookkeeping@Fundz4Kidz.comProperty Owner Name: Polen DevelopmentMailing Address: PO Box 71751City/State/Zip: Springfield OR 97475Property Owner Phone: 541-554-2285 Property Owner Email: polendevelopment@hotmail.com

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lots(s)	Site Address	Zone
<u>17-06-36-11</u>	<u>400, 500</u>		<u>IC</u>

PRIOR TO PREPARING AN APPLICATION, applicants should check with City Staff to make sure they have the most updated versions of the Veneta Comprehensive Plan and the Veneta Zoning and Development Code. Ordinances are available on the City website, www.venetaoregon.gov

Approval will be based on the general criteria listed in the Veneta Zoning and Development Code, Article 7, Section 7.03 (1) through (3) as well as specific criteria, depending upon the type of use, listed in Section 7.04. (Check the type of use and submit a written statement and plans supporting the criteria listed in the applicable subsections of the Veneta Zoning and Development Code, Section 7.03 & 7.04)

- ☒ Temporary displays, sales, and/or event [Section 7.04, subsection (1)]
- ☐ Mobile food and flower vendor or other kiosks [Section 7.04, subsection (2)]
- ☐ Second dwelling on property during construction or demolition of dwelling [Section 7.04, subsection (3)]
- ☐ Outdoor Storage (not involving sales) [Section 7.04, subsection (4)]
- ☐ Manufactured dwelling as a temporary office in the commercial or industrial zone during construction of a permanent structure.
- ☐ Other (explain) _____

Required Submittals:

(Veneta Zoning and Development Code, Article 7, Section 7.02)

- ☒ A completed application Form (signed by the applicant and property owner).
- ☒ A Statement explaining the request.
- ☒ Site plan showing location of any proposed structures, activity area, and parking with respect to property lines and existing buildings, parking areas and landscaping.
- ☒ Drawings or photos showing proposed structures.
- ☒ Any other information needed to describe the proposed use in sufficient detail for the Building and Planning Official to determine how the proposed use meets the approval criteria.
- ☒ Veneta Zoning and Development Code, Article 4 & 5 for zoning information, including but not limited to required setbacks, parking, signs traffic flow and special setbacks.

Approval Criteria:

(Veneta Zoning and Development Code, Article 7)

- ☒ The temporary use is not inconsistent with the purpose of the zoning district in which it is placed.
- ☒ The temporary use will not have a significant adverse impact on the surrounding uses.
- ☒ The temporary use shall comply with the applicable criteria listed in Section 7.04.

Note: Temporary Use Renewals are subject to review and approval by the Building and Planning Official on an annual basis per Veneta Zoning and Development Code, Section 7.06. Public Notice requirements may be waived for a renewal of Temporary Use Permits at the discretion of the Building and Planning Official provided that:

(a) No formal complaints have been filed regarding the temporary use.

(b) There have been no changes made to the site plan or activities from the time of initial approval as verified by the Building and Planning Official

I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE PLANS AND DOCUMENTS SUBMITTED HERewith ARE TRUE, COMPLETE, CORRECT, AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant's Signature: _____

Property Owner's Signature: _____

APPLICATION FEES & DEPOSITS

Fees and deposits are intended to cover the full cost for processing applications. They are not intended to cover the cost for interpretation of ordinances or for long-range planning. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits. Applicant acknowledges and agrees that Applicant's failure to pay City costs over the base fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to lienning Property in the amount owed; prosecution for violation of the City's current fee resolution and the Veneta Zoning and Development Code; issuance of a stop work order, non-issuance of building permits for Property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. City staff time shall be monitored for applications which require a deposit in lieu of a non-refundable fee. Any unused portion of the deposit shall be returned to Applicant upon completion of the application process, conditions of approval, and any ensuing appeals. Any additional costs incurred beyond the deposit amount shall be charged to and paid by Applicant on a monthly basis. Applicant agrees that Applicant's failure to pay these amounts triggers City's option to pursue any or all remedies, as listed above.

Application Fees: Fixed fees are non-refundable and are based on average application processing costs rounded to the nearest \$25.

Technical Review/Publication Deposit: The actual costs charged to the City for technical review of land use applications, including but are not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing Application, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to Applicant. Such costs shall be adjusted as soon as the specific amounts are known. Applicant agrees that any deficiencies shall be collected from Applicant, and that Applicant's failure to pay these amounts triggers City's option to pursue any or all remedies, as listed above.

Renewal Report

PLANNING DEPARTMENT USE

Application Information:

Previous Staff Report Date: 6-21-2023

Complaints Received: Yes ☐ No ☒

Changes to Previous Permit: Yes ☐ No ☒

If yes to either, send notice and referral.

Notice Posted: _____

Notice Mailed: _____

Referrals Sent: _____

Referrals & Public Comments:

The Veneta Building & Planning Official has received comments from referral agencies and/or the public regarding this temporary application.

☐ Yes

☒ No

Approval Criteria:

(Veneta Zoning and Development Code, Article 7, Section 7.03) – Check All That Apply

- ☒ The applicant has proposed no changes and all findings of fact in the attached report are consistent with the proposed land use.
- ☒ There have been no new criteria adopted by the City or other regulatory agencies that require new findings of fact.
- ☐ Other regulatory agencies have required the applicant to provide additional information which has required staff to amend the findings of fact in the attached staff report. Amended findings are listed below.
- ☐ The applicant has proposed changes to the temporary use which require amendment to the findings found in the previous report.

Conditions of Approval:

The Veneta Building & Planning Official has reviewed the conditions of approval in the attached staff report and has found:

- ☒ All conditions of approval listed in the attached staff report shall be applied to the land use application submitted for approval.
- ☐ There are no conditions of approval for this application.
- ☐ Previous conditions of approval are attached and shall be added to the conditions of approval listed in the attached staff report. All previous conditions of approval still apply.
- ☐ The conditions of approval attached shall substitute the conditions previously listed in the attached staff report. All previous conditions are void for the current Temporary Use Permit.

All material relevant to the temporary use renewal, which has been submitted by the applicant, staff, and general public regarding this matter, has been reviewed and the required procedures and standards for taking action on a temporary use permit renewal have been followed. Based on the findings and conditions of approval, the Veneta Building & Planning Official grants conditional approval of the temporary use renewal. This conditional approval of the plans shall become final on the date this decision is signed below. An appeal of this decision to the Veneta Planning Commission must be filed in writing within fifteen (15) days of the date below


Veneta Building & Planning Official

6-24-2025
Date

Grantor: Polen Development, LLC
Grantee: Fundz 4 Kidz, Inc.
Project: Fireworks Sales
Parcel: 88330 Territorial Hwy, Veneta, OR 97487

Lease Agreement

This Agreement is entered into by and between Polen Development, LLC, herein after referred to as "Grantor", and Fundz 4 Kidz, Inc., hereinafter referred to as "Grantee".

Whereas, Grantor desires to grant unto Grantee, its agents and assigns, the exclusive right to use the land it owns at the location referenced above in Eugene, Oregon (the "property"), for the purpose of fireworks sales and staging and for no other purpose whatsoever; and

Whereas, Grantee desires to use the Property for such purposes;

In consideration of the mutual covenants contained herein, the parties agree as follows:

Premises: Vacant lot located on the west side of the grocery outlet building at 88315 Territorial Rd, Veneta, OR 97487

Term and Termination: This Lease Agreement is valid from June 1, 2025, to, and including, July 15, 2025. Grantor may terminate this Lease Agreement upon written notice of material violation of the terms contained herein. Grantee may terminate this Lease Agreement in the event of government orders that prevent the continuation of fireworks sales or public gatherings.

Usage Fee: The fee for this Lease Agreement is [REDACTED] payable on July 15, 2025.

Insurance: Grantee shall procure and maintain, at Grantee's sole expense during the term of this Lease, a policy or policies of comprehensive public liability insurance, insuring against liability for damages to persons or property resulting directly or indirectly from a condition created by Grantee thereon or from use thereof by Grantee and its agents, employees, contractors and invitees. The amount of insurance shall not be less than [REDACTED] per claim, and not less than [REDACTED] in the aggregate. All insurance required to be maintained by Grantee shall be effected by valid and enforceable policies issued by insurance companies authorized to do business in the State of Oregon, shall name Grantor as Additional Insured. Grantee shall provide Grantor with certificates evidencing such insurance policies upon execution of this Agreement.

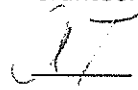
Indemnification: Grantee agrees to indemnify and hold Grantor harmless for claims or demands for loss or damage arising out of or in connection with the Grantee's use and occupancy of the Property as stated herein, to the extent permitted by law.

Power/Electricity/Generator: Grantor agrees to allow Grantee to run power to the fireworks tent in accordance with State Fire Marshall requirements. All power run is subject to State Fire Marshall inspection and approval.

Grantor:



Grantee:



Use: It is understood by both parties that the scope of use is not to exceed the Property limits. The Property shall be used by Grantee in such a manner that will minimize the impact of use. Grantee shall conform to all applicable laws and regulations of any public authority now in force, or which may hereafter be in force, affecting the Property and the use, and correct at Grantee's own expense any failure of compliance created through Grantee's fault or by reason of Grantee's use.

Note: Grantee agrees to fill with compacted sand and rubber and seal with asphalt topping any holes created in asphalt by the driving of tent stakes by July 30, 2025.

Signature Authority: The individuals executing this Lease represent and warrant that they are competent and capable of entering into a binding contract, and that they are authorized to execute this Lease on behalf of the parties hereto.

The parties hereto have executed this Lease in duplicate original on this 27 day of March, 2025.

GRANTOR:

Polen Development, LLC
PO Box 71751
Springfield, OR 97478

By: [Signature]
Title: Member
Date: 3/27/25

GRANTEE:

Fundz 4 Kidz, Inc.
PO Box 72345
Springfield, OR 97475

By: [Signature]
Title: Corp President
Date: 5/29/25

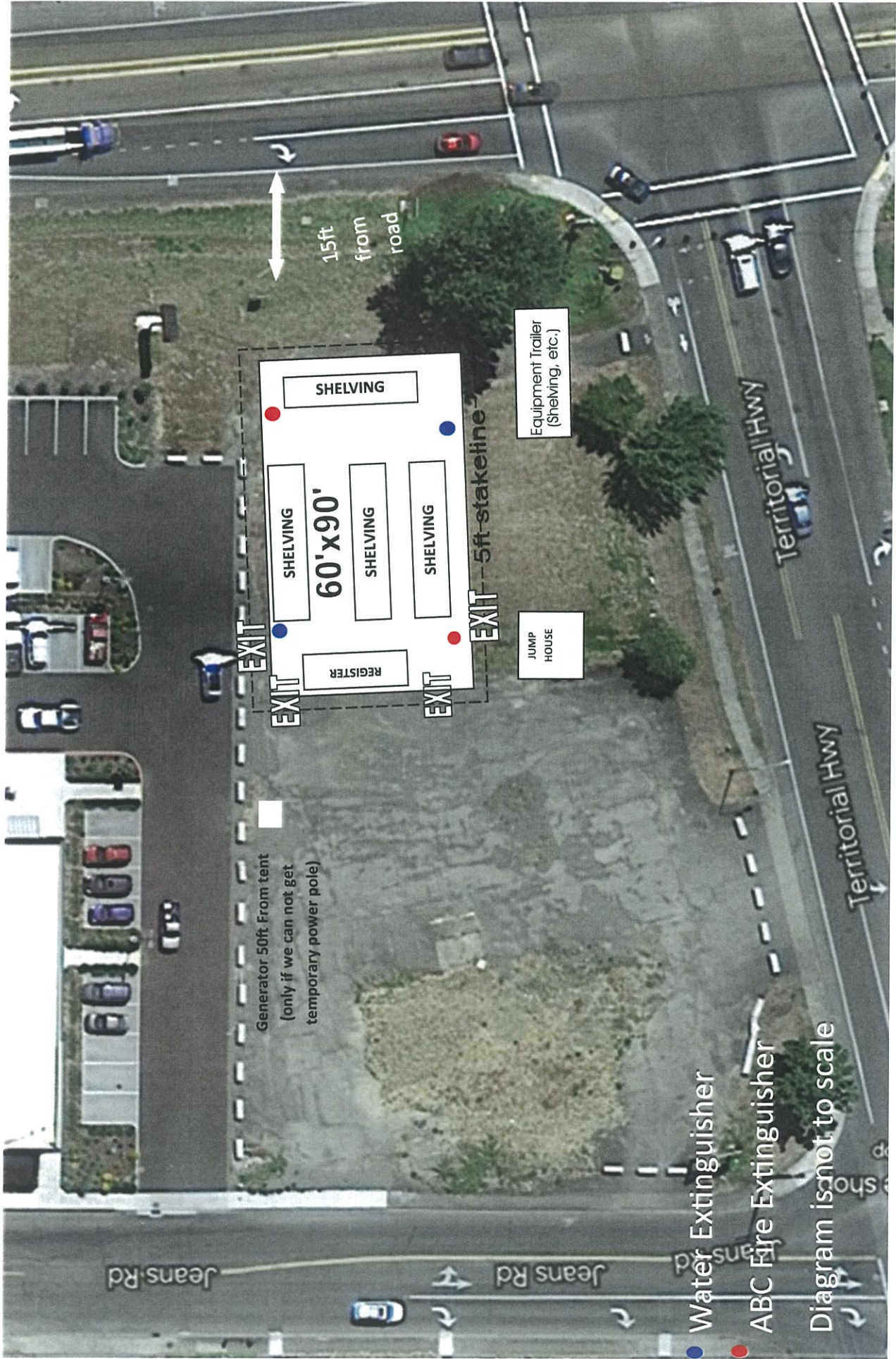
Grantor Contact Information:

Susie Polen: 541-554-2285
Polendevelopment@hotmail.com

Grantee Contact Information:

Aaron Taylor: 541-870-7201 or 541-525-0238

88315 Territorial Rd, Veneta, OR 97487



Water Extinguisher

ABC Fire Extinguisher

Diagram is not to scale