

**FINAL ORDER & FINDINGS OF FACT
OF THE VENETA PLANNING OFFICIAL**

A. The Veneta Planning Official approves with conditions the request for a Type I Time Extension (S-1-22(TE)) for the Applegate Landing Phase IV & V, Tentative Subdivision and Type C Tree Removal (S-1-22) with the following conditions of approval:

- 1) The Applegate Landing Phase IV & V Tentative Subdivision and Type C Tree Removal (S-1-22) will expire on August 17, 2026 unless one of the circumstances listed in VZDC 11.17(1) has occurred.

B. IT IS HEREBY ORDERED THAT the Veneta Planning Official approves with conditions the request for a Type I Time Extension (S-1-22(TE)) for the Applegate Landing Phase IV & V Tentative Subdivision and Type C Tree Removal Permit based on the information in the following findings of fact:

Veneta Zoning and Development Code, Section 11.17 – Expiration of Decision

- 1) *Unless a different period of time is established within a decision issued pursuant to this ordinance, decisions issued pursuant to a Type I-IV process shall expire and become void automatically after the number of years specified in Table 11.16 unless one of the following circumstances has occurred:*
 - A. *Actual construction or alteration has begun under a required permit, or in the case of a permit not involving construction or alteration, actual commencement of the authorized activity has begun;*
 - B. *The approved land use has begun and is continuing operation in compliance with any applicable conditions of approval; or*
 - C. *An extension has been granted pursuant to Section 11.17.*

Findings: Table 11.17 states that Type III decisions expire after 3 years. None of the circumstances in subsections A, B, or C have occurred. The applicant has not received a Notice to Proceed for public improvement work, so construction has not begun under the required permit. The tentative approval was given on August 2, 2022 with an appeal period of 15 days, which makes the expiration date August 17, 2025.

Veneta Zoning and Development Code, Section 11.18 – Extension of Decision

- 1) *Written request for Extension Required. A written request to extend the expiration date of a decision made pursuant to this ordinance must be filed with the Director by the applicant before the decision expires.*

Findings: The applicant submitted a written request to extend the expiration date of the decision on July 31, 2025. The tentative approval was given on August 2, 2022 with an appeal

period of 15 days, making the approval's expiration date August 17, 2025. This criterion is met.

2) *No modifications. The previous land use decision will not be modified in any way.*

Findings: This criterion is met because the previous land use decision will not be modified in any way.

3) *First Extension. A first extension may be granted for the applicable period of time as specified in Table 11.17 pursuant to subsection A above. A first extension shall be approved through a Type I permit.*

Findings: Table 11.17 allows a 1-year extension for a first extension of a Type III decision. This extension will make the new expiration date August 17, 2026.


Daniel Findlay
Associate Planner

8-1-2025
Date