

**Exhibit A**

**FINAL ORDER  
OF THE  
VENETA BUILDING AND PLANNING OFFICIAL**

**Joachim & Vallentyne Tentative Partition  
(File No. M-25-1)**

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

1. The Veneta Building and Planning Official has reviewed all material relevant to the request (File No. M-25-1) which has been submitted by the applicant and the general public regarding this matter.
2. The Veneta Building and Planning Official provided proper notice of the limited land use decision in accordance with Section 11.06(2) of the Veneta Zoning and Development Code.
3. The Veneta Building and Planning Official followed the required procedure and standards for approving the Tentative Partition request as required by Section 13.08 of the Veneta Zoning and Development Code.

**B. The Veneta Building and Planning Official APPROVES with conditions the Joachim & Vallentyne Tentative Partition Request (File No. M-25-1) The applicant shall comply with the following conditions of approval:**

**GENERAL CONDITIONS OF APPROVAL / INFORMATIONAL ITEMS:**

- 1) The tentative partition approval shall remain effective for three (3) years from the date of the decision. Within that three (3) year period, 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 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 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.
- 2) Compliance with the City's stormwater management regulations in VZDC Section 5.16 will be reviewed as necessary via the building permit process at the time of future development or redevelopment of the parcels.
- 3) Setbacks for Parcel 1 and Parcel 2 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.

**PRIOR TO FINAL PLAT**

- 4) Prior to final plat, the applicant shall connect Parcel 1 to the east-most water meter along the property's frontage in accordance with the approved tentative plan.
  - 5) Prior to final plat, the applicant shall construct a minimum 18-foot driveway in the portion of the flag pole servicing Parcel 2.
  - 6) The shared access and maintenance agreement between Parcels 1 & 2 shall be recorded along with the final plat.
  - 7) Prior to final plat, the applicant shall pay the \$1,554 fee in lieu of parkland dedication per Veneta Zoning and Development Code Section 5.26(5).
- C. **IT IS HEREBY ORDERED THAT the City of Veneta Building and Planning Official APPROVES WITH CONDITIONS the Tentative Partition request (File No. M-25-1) based on the information presented in the following findings of fact:**

Ordinance language is in *italics*. Staff findings are in plain text.

**Veneta Zoning and Development Code**

**Section 13.08 – Partitions**

**Section 13.08(2) – Tentative Plan Review and Action Procedures**

- E. *Failure to Complete Partition Requirements. Tentative plan approval shall remain effective for three (3) years from the date the Building and Planning Official or Planning Commission 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 either by the Building & Planning Official or the Veneta Planning Commission. 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*

**Findings:** The tentative plan approval shall remain effective for three (3) years from the date of the approval. The following condition of approval has been added to ensure the applicant is aware of the requirements of this section.

**Condition of Approval:** The tentative partition approval shall remain effective for three (3) years from the date of the decision. Within that three (3) year period, 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 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 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.

**Section 13.08(3) – Tentative Plan Review Criteria**

*A tentative plan partition application shall be approved, approved with conditions, or denied based on the standards found in the following sections of this ordinance and other sources specified in this Section:*

- A. *The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Section 13.10) and Improvement Requirements (Section 13.11) of this ordinance; the requirements of the zoning district; the Veneta Transportation System Plan; and the Paths and Trails Master Plan.*

**Findings:** Trinity Street is developed to full City standards, which provides pedestrian and bicycle access to each lot. Both parcels are proposed to take access off of Trinity Street via the existing driveway in accordance with the City's flag lot standards. See the findings under Section 13.10(3)(E) for further discussion and conditions relating to the City's flag lot standards. The Transportation System Plan does not show a public road continuing through the subject property. The Paths and Trails Master Plan does not show a path or trail continuing through the subject property. As conditioned, this criterion is met.

*Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Section 13.10) and Improvement Requirements (Section 13.11) of this ordinance; the requirements of the zoning district; and City utility plans.*

**Findings:** Parcel 2 is proposed to be connected to City utilities via an existing water meter and an existing sewer cleanout. This proposal is acceptable to the City. Parcel 1 is currently connected to City water, but not sewer. Resolution No. 815, *A Resolution Establishing Criteria for Determining Time Extensions for Connections to the Public Sewers from Existing Private Sewage Disposal Systems*, states that:

*When the property is at such an elevation as to make the ability of the connection unreasonable to overcome the lack of gravity flow...an exemption to the connection requirement may be granted as long as the validating condition continues to exist.*

The applicant has provided elevation data to show that the existing home lacks the required grade to connect to the public sewer system. Staff finds it acceptable to allow Parcel 1 to remain unserved by City sewer due to this lack of gravity flow.

Lane County Environmental Health did not have any objections to the proposal provided each lot has a secure path to proper disposal, whether that be sewer or septic.

For these reasons, this criterion is met.

- B. *The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Section 13.10) and Improvement Requirements (Section 13.11) of this ordinance; Stormwater Detention and Treatment (Section 5.16); and the requirements of the zoning district.*

**Findings:** The proposed partition does not include the construction of any new impervious surfaces, and therefore will not result in any new stormwater runoff or surface drainage impacts. According to the Regional Land Information Database, the existing dwelling on Parcel 1 was built in 1999, which was before the City adopted its current stormwater management regulations. Compliance with the City's stormwater management regulations will be reviewed as necessary via the building permit process at the time of future development or redevelopment of the parcels. For these reasons, this criterion is met.

**Condition of Approval:** Compliance with the City's stormwater management regulations will be reviewed as necessary via the building permit process at the time of future development or redevelopment of the parcels.

- C. Topography, floodplain, wetlands, and vegetation have been incorporated into the partition design in conformance with the applicable City requirements, including Design Standards (Section 13.10) and Improvement Requirements (Section 13.11) of this ordinance; and the requirements of the zoning district.*

**Findings:** There are no steep slopes as defined by VZDC Section 5.17. The property is not located within the floodplain. There is a small portion of Greenway that extends roughly 14 feet into the property at the north property line. The National Wetland Inventory identifies a small wetland feature also within this 14 feet. No development will occur within or near this area as part of this proposal, and Parcel 1 still retains above 40,000 square feet of buildable land not including these areas. The applicant has not proposed removing any trees as part of this request per Veneta Municipal Code Chapter 8.10. This criterion is met.

- D. Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.*

**Findings:** Parcel 2 will not be able to be further divided and exceeds the 6,000 square foot minimum for single-family homes in the Low-Density Residential zone, and all of Parcel 2 is buildable land, so further development can be accomplished in accordance with city requirements.

Parcel 1 will be 44,276 square feet and can be further divided. The applicant has submitted a shadow plat showing how Parcel 1 could be further divided in the future. Future land divisions will utilize the flag pole that will be created by this land division. Further land division and development of Parcel 1 can be accomplished in accordance with city requirements. This criterion is met.

- E. Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.*

**Findings:** To the immediate north is a city-owned tract of land that is a designated wetland and serves as stormwater detention and treatment infrastructure for the subdivision to the north. As such, no development can occur on adjoining land to the north. To the east are properties that

can be further divided, but can take access off of either Woodberry Lane or Trinity Street. To the west are properties that can be further divided, but have access off of Pine Street that can be utilized for future land divisions. Access is not required from this land division to allow adjoining land to develop in accordance with city requirements. This criterion is met.

- F. The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Section 13.10), Improvement Requirements (Section 13.11), and the requirements of the zoning district.*

**Findings:** In addition to 13.10 and 13.11, Sections 5.20 & 5.26 also applies since 5.26(2)(A)(1) states that parkland shall be dedicated as a condition of approval for a tentative plat for a subdivision or a partition, and this request is for a tentative partition. See the discussion under Section 13.10, Section 13.11, Section 4.02, and Sections 5.20 & 5.26 for more discussion. As conditioned, this criterion is met.

### **Section 13.10 – Design Standards**

#### *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 Planning Commission. 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.*

**Findings:** Both proposed parcels meet the required minimum lot width of 60 feet in the Low-Density Residential zone. Both proposed parcels meet the minimum lot depth as specified in this criterion. Both proposed parcels meet the minimum area of 6,000 square feet for single-family homes in the Low-Density Residential zone.

Parcel 1 will not be served by public sewer, so Section 13.10(6)(A)(4) is applicable. Lane County Environmental Health, which permits and regulates septic systems in the City, did not have any objections to the proposed land division and the parcel size for Parcel 1. This criterion is met.

- B. Access. *Each lot and parcel (except those in the 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.*

**Findings:** This criterion is met because the proposed parcels will take access off of a flag pole drive in accordance with Section 13.10(3)(E).

- 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.*

**Findings:** This criterion is met because the lines of the proposed parcels run at right angles to Trinity Street.

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.*

**Findings:** The subject property is 149.9 feet wide and over 400 feet deep with its only access being Trinity Street. Because of its depth, this property cannot otherwise be divided in accordance with the provisions of this ordinance. Only one flag pole is proposed and the minimum lot size and maximum lot coverage requirements of the Low-Density Residential zone are 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 shared access 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.*

**Findings:** The parent parcel has the potential area to create more than three lots. The proposed flag lot pole is 25 feet wide. Per VZDC 5.20, the City may allow unpaved driveways in situations where further land divisions or development are likely to occur. See the findings under Section 5.20 for further discussion. Staff is willing to accept an unpaved driveway, as the existing driveway apron is already paved and the potential for tracking gravel onto the street is low, and further division will necessitate a paved driveway. However, the driveway along Parcel 2's frontage will be required to be widened to 18 feet in accordance with this section.

The access pole is proposed to be shared by both parcels in the land division. The applicant has submitted a shared access and maintenance agreement between the two parcels, which staff finds acceptable. This shall be required to be recorded along with the final plat.

**Condition of Approval:** Prior to final plat, the applicant shall construct a minimum 18-foot driveway in the portion of the flag pole servicing Parcel 2.

**Condition of Approval:** The shared access and maintenance agreement between Parcels 1 & 2 shall be recorded along with the 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.

**Findings:** Both parcels are above the minimum lot size, excepting the pole portion for Parcel 1. All other lot dimension standards, as discussed in these findings, are met. This criterion is 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.

**Findings:** This will be noted as an informational condition of approval.

**Condition of Approval:** Setbacks for Parcel 1 and Parcel 2 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.

#### **Section 13.11 – Improvement Requirements**

- 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 Planning Commission or Building and Planning Official 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 Planning Commission or Building and Planning Official 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 Planning Commission may recommend the installation of the improvements to the City Council under special assessment financing or other facility extension policies of the City.*

- 5) *Agreement for Improvements.* *Before final approval of a subdivision plat or, unless excepted under Section 13.11(4), a partition map, the land divider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and file with the City an agreement between himself and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land divider. The agreement shall also provide for reimbursement of the City for the cost of inspection by the City in accordance with Section 13.11(6).*

**Findings:** Trinity Street has already been improved to full City standards. Utility stubs for Parcel 2 are already available. The applicant is proposing to change which water meter Parcel 1 is connected to, which is the only public improvement associated with this request. Per 13.10(5), this shall be required to be accomplished prior to final plat.

**Condition of Approval:** Prior to final plat, the applicant shall connect Parcel 1 to the east-most water meter along the property's frontage in accordance with the approved tentative plan.

#### **Section 4.02 – Low-Density Residential**

- 2) *Uses Permitted Outright.* *The following uses are permitted outright:*  
A. *All uses provided in Table 4.2 and similar uses as provided by Section 2.05*

**Findings:** This criterion is met because Parcel 1 contains an existing single-family dwelling and an existing shed, which are permitted uses in the Low-Density Residential zone, and Parcel 2 is vacant.

- 5) *Lot Size and Width.* *Except as provided in Articles 5, 6 and 8, the minimum lot size and width shall be as follows:*  
A. *The minimum lot area is 6,000 square feet for single-family detached homes and duplexes, 3,000 square feet for single-family attached homes, 10,000 square feet for triplexes, 12,000 square feet for quadplexes, and 18,000 square feet for multi-family. An additional 2,000 square feet is required for all proposed lots with an average pre-development slope of 15% or greater (See Section 5.25). Smaller lots may be*



- approved through a Specific Development Plan or Planned Unit Development.*
- B. The minimum lot width is sixty (60) feet. Lot widths may be reduced to thirty (30) feet for single-family attached homes, provided that not more than four (4) dwellings are consecutively attached.*
  - C. The Planning Commission 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.*
  - D. Smaller lots may be allowed if public space in addition to that required by section 5.26 Parkland Dedication Requirements, is dedicated or otherwise permanently preserved to protect natural resources or provide recreational opportunities. When the provisions of this section are utilized to develop smaller lots than would otherwise be allowed by the base zone, the following standards shall apply and shall supersede the standards for the base zone.*
    - 1. In no case shall the gross density of the development exceed the maximum gross density of the site if it were developed with standard minimum lot sizes for the base zone, irrespective of wetland or Greenway areas.*
    - 2. In no case will the minimum lot size be less than 70% of the minimum lot size for the base zone.*
    - 3. Developments seeking to qualify for such a density bonus may be required to relocate structures currently within the Greenway subzone to less sensitive areas.*
    - 4. Side yards shall be no less than 5 feet on a side.*
    - 5. Front yard setbacks shall be no less than ten (10) feet, except garage and carport openings shall be setback at least twenty (20) feet.*
    - 6. Exceptions to these setback requirements may be allowed when necessary to provide a larger buffer between waterways or other natural resources and development.*
  - E. When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities.*

**Findings:** Both parcels meet the 6,000 square feet minimum lot standard and the 60-foot minimum lot width.

Parcel 1 will be 44,276 square feet in size and Parcel 2 will be 8.140. The applicant has submitted a shadow plat for Parcel 1, as it is over twice the minimum lot size and has potential for future division.

- 6) Yards. Except as provided in Articles 5, 6 and 8, or as otherwise allowed under Section 4.02(5)(D), yards shall be as follows:*
  - A. See Table 4.1*
  - B. Back and side yards shall be a minimum of 5 feet when the building elevation closest to the property line is 22 feet or less in building height, and a minimum of 10 feet*

*when the building elevation closest to the property line is greater than 22 feet in building height.*

- C. Yards shall be landscaped as provided in Section 5.12.*
- D. See Section 5.09 for additional setbacks on designated streets, or construction of new streets. Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets, or construction of new streets.*
- E. See Veneta Tree Preservation and Protection Ordinance for possible setback exemptions for the preservation of heritage trees.*

**Findings:** This criterion is met because the primary structure and accessory structure on Parcel 1 exceed the minimum setbacks and Parcel 2 is vacant.

- 7) Lot Coverage. All buildings shall not occupy more than forty percent (40%) percent of the lot area. In the case that any portion of the primary dwelling is taller than twenty-two (22) feet, the maximum allowable lot coverage is thirty percent (30%). When lots smaller than 6,000 square feet are approved under subsection 4.02(5)(D), an additional ten percent (10%) of each such lot may be covered by buildings. See Table 4.1.*

**Findings:** This criterion is met because existing structures cover 0.05% of Parcel 1 and Parcel 2 is vacant.

- 8) Building Height. Except as provided in Articles 5, 6 and 8, or as otherwise required by Section 4.02, no building shall exceed the height limit in Table 4.1.*

**Findings:** This criterion is met because all structures are below 35 feet.

- 9) Residential Design Standards. All residential developments, including land divisions, individual dwelling units, and residential care homes, as applicable, and projects that are subject to Site Plan Review or Planned Unit Development review, shall conform to the design standards in Section 5.29*

**Findings:** Compliance with the residential design standards of Section 5.29 will be assessed during building permit review for Parcel 2.

#### **Section 5.20 – Off-Street Parking Requirements**

- 1) Design and improvement requirements for residential parking for single-family and multi-family dwellings.*
  - A. Except where the City Engineer has approved a porous paving system to manage stormwater runoff and water quality, all parking areas, driveways, and driveway approaches shall be surfaced with two (2) inches of asphaltic concrete or six (6) inches Portland Cement concrete over approved base or other materials approved by the City Engineer. Paved driveways are not required in situations approved by the Planning Commission or Building and Planning Official in which the driveway will be used temporarily until further land divisions or development occur.*

**Findings:** Staff finds that the unpaved driveway will be used temporarily until further land divisions occur. Paving the flagpole would require stormwater detention and treatment to manage the runoff from the new impervious surfaces. Any stormwater facility would need to be contained within an easement. Currently, the flag pole would only be 65.17 feet long, requiring only this portion to be paved. Future land divisions would extend this flag pole and require more paving. Requiring paving for this first section would necessitate multiple stormwater facilities, as future land divisions would require their own to capture the new paving. In the interest of orderly development, and retaining the potential for one shared stormwater facility capturing the runoff from the private drive, staff finds it acceptable to not require a paved driveway for this partition. Future land divisions will be required to address this standard.

#### **Section 5.26 – Parkland Dedication Requirements**

2) *MINIMUM PARKLAND DEDICATION REQUIREMENTS. New residential subdivisions, planned developments (including plans implementing the Specific Development Plan (SDP) subzone), multifamily or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments. Multifamily developments which provide some "congregate" services and/or facilities, such as group transportation, dining halls, emergency monitoring systems, etc., but which have individual dwelling units rather than sleeping quarters only, are considered to be multifamily developments for the purpose of parkland dedication. Licensed adult congregate living facilities, nursing homes, and all other similar facilities which provide their clients with individual beds and sleeping quarters, but in which all other care and services are communal and provided by facility employees, are specifically exempt from parkland dedication requirements.*

A. *The required parkland shall be dedicated as a condition of approval for the following:*

1. *Tentative plat for a subdivision or partition;*
2. *Planned developments including those in the Planned Development (PD) and Specific Development Plan (SDP) subzones. For Specific Development Plans that have dedicated park space equal to or in excess of that required by this ordinance, no additional dedication is required at the time of subdivision.*
3. *Site Plan Review for a multi-family development or manufactured home park; and*
4. *Replat or amendment of any site plan for multi-family development or manufactured home park where dedication has not previously been made or where the density of the development involved will be increased.*

**Findings:** The proposal is for approval of a tentative partition plat, thus, the requirements of this section apply.

B. **Calculation of Required Dedication.** *The required parkland acreage to be dedicated is based on a calculation of the following formula rounded to the nearest 1/100 (0.01) of an acre:*

*Required parkland dedication (acres) = (proposed units) x (persons/unit) x 0.00645 (per person park land dedication factor)*

1. *Population Formula: The following table shall be used to determine the number of persons per unit to be used in calculating required parkland dedication:*

<u>Type of Unit</u>	<u>Total Persons per Unit</u>
Single family residential	2.5
Standard multi-family unit	2.4
Manufactured dwelling park	2.06
Congregate multi-family unit	1.5

*Data source: US Census Bureau, 2015-2019 American Community Survey 5-Year Estimates, Tables B25024 and B25033 (residents per dwelling unit)*

2. *Persons per unit, age distribution, and local conditions change with time. The specific formula for the dedication of land will, therefore, be subject to periodic review and amendment.*
3. *Per Person Parkland Dedication Factor: The total parkland dedication requirement shall be 0.00645 based on the adopted standard of acres of land per thousand of ultimate population according to the Veneta Parks, Recreation, and Open-Space Master Plan. This standard represents the citywide land-to-population ratio for city parks, and may be adjusted periodically through amendments to the Parks Master Plan.*

**Findings:** The tentative partition would create 2 parcels. One of these parcels already has a single-family dwelling on it. No development is proposed on Parcel 2 as part of this request, but Parcel 2 contains enough buildable area for a new dwelling. For the purposes of this section, staff finds that 1 new single-family dwelling will result from the land division. Per VZDC 5.26(2)(B), the required parkland is as follows:

1 proposed single-family unit x 2.5 persons per unit x 0.00645 = 0.02 acres (rounded to the nearest hundredth)

- 1) *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 Planning Commission. 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:*
    1. *The topography, geology, access, parcel size, and location of land in the development available for dedication;*
    2. *Potential adverse/beneficial effects on environmentally sensitive areas;*
    3. *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;*
    4. *The City's current park and open-space needs*

5. *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.*

**Findings:** The Parks, Recreation, and Open Space Master Plan does identify a need for parkland on the east half of the City, where the subject property is located, but the required area of 0.02 acres (871 square feet) is too small a size to feasibly use as a park. Thus, the City shall require a fee in lieu of parkland dedication.

Resolution No. 937 established a fee in lieu of parkland dedication rate of \$77,700 per acre. Per this resolution, the following fee applies:

$$0.02 \text{ acres} \times \$77,700 = \$1,554$$

The fee in lieu of parkland dedication is \$1,554. This fee shall be required to be paid prior to final plat.

**Condition of Approval:** Prior to final plat, the applicant shall pay the \$1,554 fee in lieu of parkland dedication per Veneta Zoning and Development Code Section 5.26(5).

- D. **This approval shall become final on the date this decision and supporting findings of fact are signed by a representative of the City of Veneta, below. A decision of the Veneta Building and Planning Official or their designee may be appealed to the Planning Commission within 12 days after the final order has been signed and mailed.**

**Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.**

**Tentative plan approval is effective for three (3) years from the date of final action. 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 as described in Veneta Zoning and Development Code Section 13.08(2)(E) - Failure to Complete Partition Requirements.**

  
Daniel Findlay  
Associate Planner

9-12-2025  
Date

