

**CITY OF VENETA**  
**NOTICE OF DECISION BY THE PLANNING OFFICIAL**

DATE MAILED: November 30, 2023

IN THE MATTER OF: File No. TUP-13-23  
Request for a Temporary Use Permit for Outdoor Storage  
(Not Involving Sales)

ADDRESS: 25395 Loten Way

ASSESSOR'S MAP/TAX LOT: 17-05-31-10-03000

APPLICANT: Harvey and Cynthia Rexius

OWNER: Harvey and Cynthia Rexius

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On November 30, 2023, the Veneta Planning Official **approved, with conditions**, the application for a Type II Temporary Use Permit for Outdoor Storage (not involving sales) pursuant to the Veneta Land Development Ordinance No. 493 (VLDO 594). The Planning Official found that the proposed development does meet the criteria listed in Section 7.03 of VLDO 493.

Materials concerning this decision, including the staff report and final order dated November 30, 2023 and a list of persons receiving notice, are available for review during regular office hours of 9:00 a.m. to 5:00 p.m. Monday through Friday at Veneta City Hall, located at 88184 8<sup>th</sup> Street; Veneta, OR. Copies can be purchased for the price of copying at Veneta City Hall. For additional information, contact Daniel Findlay, Associate Planner, at (541)-935-2191 or [dfindlay@ci.veneta.or.us](mailto:dfindlay@ci.veneta.or.us).

A decision of the Veneta Planning Official may be appealed to the Veneta Planning Commission within 12 days of this notice. Reference Section 11.06(5) of VLDO 493 in the appeal. If no appeal is received during the appeal period, the decision will become final on **December 12, 2023**.

**CONDITIONS OF APPROVAL**

1. The temporary use permit shall expire in 180 days from the date of approval and shall be eligible for one (1) renewal for another 180 days. At the conclusion of the second 180-day period, the applicant shall convert the land use to a permanent use through Conditional Use Permit review in compliance with the standards of Article 8, or be discontinued in accordance with Veneta Land Development Ordinance No. 493, Section 7.04(F) – Outdoor Storage (not involving sales).
2. Any driveway or vehicular maneuvering area outside of the fenced storage area shall be concrete or paved with asphalt.

*The City of Veneta is an equal opportunity employer and provider*

88184 8<sup>th</sup> St \* PO Box 458 \* Veneta, Oregon 97487 \* Phone 541-935-2191 \* Fax 541-935-1838

[www.venetaoregon.gov](http://www.venetaoregon.gov)

3. Storage shall be set back 5 feet from the rear and side property lines and 10 feet from the front property line.
4. The fenced storage area shall not extend into the 10-foot front yard setback.
5. Prior to use of the site for outdoor storage, the entirety of the fenced storage area shall be graveled, with the exception of the 5 feet from the west, east, and north property lines to ensure that the storage does not encroach on any required setback.
6. If any mud or gravel is tracked out onto the street, the applicant shall immediately clean it up.
7. Prior to the use of the site for outdoor storage, the applicant shall install slats in the portion of the chain link fence facing Loten Way pursuant to Veneta Land Development Ordinance No. 493, Section 7.04(4)(D).
8. Prior to the use of the site for outdoor storage, the applicant shall landscape the 10-foot front yard setback in accordance with Veneta Land Development Ordinance No. 493, Section 5.12 – Landscaping. 1 tree, 2-inch caliper at the time of planting, and 4 five-gallon shrubs are required for every 1,000 square feet of landscaping.
9. Prior to the use of the site for outdoor storage, the applicant shall submit and receive approval of a scaled and dimensioned Final Site Plan showing the landscaping of the front yard setback.
10. The applicant shall submit a scaled and dimensioned Final Site Plan showing the installation of sidewalk along the street frontage and the planting of a minimum of six (6) street trees in the planter strip along the street frontage in accordance with Veneta Land Development Ordinance No. 493, Section 5.28 – Street Trees.

**VENETA PLANNING  
STAFF REPORT & FINAL ORDER**

**File No. TUP-13-23  
Temporary Use Permit for  
Outdoor Storage**

Application Received Date:	November 6, 2023
Complete Determination:	November 8, 2023
Notice Mailed/Posted:	November 8, 2023
Public Comment Period Closes:	November 26, 2023
Staff Report Date:	November 30, 2023
Property Owner:	Harvey and Cynthia Rexus Trust
Applicant:	Harvey and Cynthia Rexus
Assessors Map/Tax lot No.:	Map: 17-05-31-10 / Tax Lot: 3000
Site Address:	25395 Loten Way
Area:	0.93 acres
Plan Designation:	( IC ) – Industrial Commercial
Zoning Designation:	( IC ) – Industrial Commercial

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**REQUEST**

The request before the Planning Official is for approval of a temporary use permit for outdoor storage per Veneta Land Development Ordinance No. 493, Section 7.04(4) – Outdoor Storage (Not Involving Sales)

**BACKGROUND**

The subject property is a vacant site, platted as Lot 2 of the Veneta Business Park Subdivision in 2007, and has never been developed on. It has around 200 feet of frontage along Loten Way. According to the City's Transportation System Plan, Loten Way is classified as a local street. Surrounding land uses include industrial uses to the west, north, and east, a commercial use (a dollar store) to the south, and vacant properties to the south and southeast. At the northeast corner the property borders the southwest corner of a residential lot for approximately 7.5 feet. Adjacent zones include Industrial-Commercial to the west and east, Highway Commercial to the south, and Medium Industrial and Rural Residential to the north.

**PUBLIC COMMENT**

None received as of the date of this staff report.

**APPROVAL CRITERIA**

Article 7 of Veneta Land Development Ordinance 493 regulates temporary uses. Veneta Land Development Ordinance No. 493, Section 7.03 describes the general approval criteria for temporary uses. Veneta Land Development Ordinance No. 493, Section 7.04(4) states the specific criteria that outdoor storage sites must meet. These criteria are listed below in bolded italics. Findings showing compliance with these criteria follow in regular type.

***VENETA LAND DEVELOPMENT ORDINANCE NO. 493***  
***SECTION 7.03 APPROVAL CRITERIA***

***(1) The temporary use is not inconsistent with the purpose of the zoning district in which it is placed.***

**Findings:** Section 4.08(1) of the Veneta Land Development Ordinance No. 493 states that the purpose of the Industrial-Commercial (IC) zone is to “provide areas suitable for limited manufacturing, warehousing, and commercial activities which have minimal emissions or nuisance characteristics.” The applicant states that the lot will be used for the storage of the applicant’s “Dump Truck, Equipment Trailer, Excavator, Etc.” The use of the lot for the outdoor storage of such materials would have minimal emissions and nuisance characteristics and thus is consistent with the purpose of the IC zone.

***(2) The temporary use will not have a significant adverse impact on the surrounding uses.***

**Findings:** The temporary use will not have a significant adverse on the surrounding uses because the surrounding land uses include vacant lots to the south and southeast, a dollar store to the southwest, a self-storage facility to the east, and industrial uses to the north and west. The property does border a residential use for approximately 8 feet, but the residential lot is large (2.53 acres) and the residence is located at the north end of the lot, so the use of the site for outdoor storage would not create any nuisance or adverse impact on the adjacent residential use. The site is located along Loten Way, which ends in a cul-de-sac and thus does not experience any through-traffic. The outdoor storage of construction equipment would thus not have a significant adverse impact on any circulation or traffic. The applicant is proposing to install a fenced gravel lot for the outdoor storage. In order to ensure that no gravel will escape the site and adversely impact the surrounding uses, the following condition of approval has been added.

**Condition of Approval:** Any driveway or vehicular maneuvering area outside of the fenced storage area shall be concrete or paved with asphalt.

***(3) The temporary use shall comply with the applicable criteria listed in Section 7.04.***

***SECTION 7.04 ALLOWABLE TEMPORARY USES***

***(4) Outdoor Storage (not involving sales). Temporary outdoor storage not exceeding 180 days may be permitted in all industrial and commercial zones. All outdoor storage areas must meet the following criteria:***

***A. The storage does not encroach on the required setbacks of the lot.***

**Findings:** According to VLDO 493 Section 4.01, Table 4.3, the front setback in the IC zone is 10 feet, while the side and rear setbacks are 5 feet. The applicant’s site plan shows the fenced storage area

set back 10 feet from the front property line. Conditions of approval will be required to ensure that the storage does not encroach on the required setbacks of the lot.

**Condition of Approval:** Storage shall be set back 5 feet from the rear and side property lines and 10 feet from the front property line.

**Condition of Approval:** The fenced storage area shall not extend into the 10-foot front yard setback.

***B. Adequate parking facilities are available. The temporary outdoor storage does not eliminate parking spaces required by Section 5.20 of this ordinance.***

**Findings:** The site is undeveloped and lacks off-street parking. However, the use of the lot for outdoor storage is not expected to require off-street parking, as there is on-street parking available along the site frontage. This criterion is met.

***C. The materials being stored will not cause any contamination of stormwater runoff.***

**Findings:** There is a risk of contamination of stormwater runoff because the proposed use is the outdoor storage of construction equipment and the site is currently unpaved and undeveloped, meaning that such equipment could potentially track mud or dirt into the street, which would end up in the City's stormwater system. The applicant's site plan states that approximately half of the lot will be graveled. Staff finds it necessary that the entirety of the fenced storage area be graveled in order to avoid contamination of stormwater runoff. If gravel and/or mud are tracked onto the street, the applicant will be required to immediately clean it up. This criterion will be met with the following conditions of approval.

**Condition of Approval:** Prior to use of the site for outdoor storage, the entirety of the fenced storage area shall be graveled, with the exception of the 5 feet from the west, east, and north property lines to ensure that the storage does not encroach on any required setback.

**Conditions of Approval:** If any mud or gravel is tracked out onto the street, the applicant shall immediately clean it up.

***D. The materials being stored shall be screened from view with sight-obscuring fence or landscaping in compliance with Section 5.12(9) of the Veneta Land Development Ordinance.***

**Findings:** The applicant is proposing to install chain link fence to create a fenced storage area on the site. The applicant states that "we will install slats in the chain link fence." Staff finds it necessary to require slats in the chain link fence as a condition of approval. Staff also finds it necessary to require that the 10-foot front yard setback be landscaped in order to further screen the outdoor storage yard.

**Condition of Approval:** Prior to the use of the site for outdoor storage, the applicant shall install slats in the portion of the chain link fence facing Loten Way pursuant to Veneta Land Development Ordinance No. 493, Section 7.04(4)(D).

**Condition of Approval:** Prior to the use of the site for outdoor storage, the applicant shall landscape the 10-foot front yard setback in accordance with Veneta Land Development Ordinance No. 493, Section 5.12 – Landscaping. 1 tree, 2-inch caliper at the time of planting, and 4 five-gallon shrubs are required for every 1,000 square feet of landscaping.

**Condition of Approval:** Prior to the use of the site for outdoor storage, the applicant shall submit and receive approval of a Final Site Plan showing the landscaping of the front yard setback.

**E. *The materials do not create an attractive nuisance as defined in the Veneta Municipal Code.***

**Findings:** The materials being stored shall be inside a fenced area which will have slats installed, thus making the stored materials less visible from the street and not attractive or accessible to children. This criterion is met.

**F. *After one (1) year, the temporary use permit period expires. The use shall then either be converted to a permanent use through Conditional Use Permit review in compliance with the standards of Article 8, or be discontinued.***

**Findings:** The temporary use permit will be valid for 180 days and subject to one renewal extension of 180 days. The applicant has the option to make the use permanent through a Conditional Use Permit review process.

**Conditions of Approval:** The temporary use permit shall expire in 180 days from the date of approval and shall be eligible for one (1) renewal for another 180 days. At the conclusion of the second 180-day period, the applicant shall convert the land use to a permanent use through Conditional Use Permit review in compliance with the standards of Article 8, or be discontinued in accordance with Veneta Land Development Ordinance No. 493, Section 7.04(F) – Outdoor Storage (not involving sales).

## **7.05 PROCEDURE FOR REVIEWING TEMPORARY USE PERMITS**

**3) The Building and Planning Official or the Planning Commission may attach appropriate and reasonable conditions to the permit that are necessary to secure the public health, safety, and welfare and to maintain compliance with city codes and ordinances. Such clear and objective standards may include but are not limited to:**

- A. Setback requirements**
- B. Screening**
- C. Control of points of ingress and egress**
- D. Special provisions for signs**
- E. Landscaping and maintenance of landscaping**
- F. Maintenance of grounds**
- G. Control of noise, vibration, and odors**
- H. Limitation of hours for certain activities**
- I. Limitation of duration of temporary use**
- J. Once approved, the site plan for the temporary use as modified with conditions shall become the official plan.**

*K. If written Notice of Appeal is not filed within fifteen (15) days of the date the Final Order is signed and mailed, the decision becomes final.*

*L. Compliance with conditions imposed in the temporary use permit and adherence to the approved plans is required. The Building and Planning Official may revoke the temporary use permit with any departure from the approved plans or conditions or approval.*

*M. All temporary uses involving a business must comply with Veneta Municipal Code Chapter 5.05, Business Registration.*

**Finding:** Staff finds it necessary to add conditions of approval requiring sidewalk along the street frontage and the planting of street trees in the planter strip along the street frontage because the site is currently undeveloped these public improvements are needed to bring the site into conformity with the surrounding uses. The site has approximately 220 feet of frontage along Loten Way. Veneta Land Development Ordinance No. 493, Section 5.28 states that "In general, trees shall be spaced at 30-40 foot intervals, except where planting a tree would conflict with existing trees, retaining walls, utilities, and similar physical barriers." Accounting for the street frontage and the length of the proposed driveway (approximately 20-30 feet), the applicant will need to plant a minimum of six (6) street trees to meet this requirement. With imposition of conditions, the proposal satisfies the requirements of Veneta Land Development Ordinance No. 493, Section 7.05(3) - Procedure for Reviewing Temporary Use Permits.

**Condition of Approval:** The applicant shall submit a Final Site Plan showing the installation of sidewalk along the street frontage and the planting of a minimum of six (6) street trees in the planter strip along the street frontage in accordance with Veneta Land Development Ordinance No. 493, Section 5.28 – Street Trees.

#### **ADDITIONAL STAFF FINDINGS**

The Veneta Planning Official finds the following:

1. Required notice was provided in accordance with Section 11.05 of Veneta Land Development Ordinance 493.
2. The Veneta Planning Official reviewed all material relevant to the temporary use which has been submitted by the applicant, staff, and general public regarding this matter.
3. The Planning Official followed the required procedures and standards for taking action on a temporary use permit.

#### **STAFF DECISION**

The Veneta Planning Official **APPROVES** this request for a Temporary Use Permit for a Mobile Vending Site with the following conditions:

#### **CONDITIONS OF APPROVAL**

1. The temporary use permit shall expire in 180 days from the date of approval and shall be eligible for one (1) renewal for another 180 days. At the conclusion of the second 180-day period, the applicant shall convert the land use to a permanent use through Conditional Use Permit review in compliance with the standards of Article 8, or be discontinued in accordance with Veneta Land Development Ordinance No. 493, Section 7.04(F) – Outdoor Storage (not involving sales).

2. Any driveway or vehicular maneuvering area outside of the fenced storage area shall be concrete or paved with asphalt.
3. Storage shall be set back 5 feet from the rear and side property lines and 10 feet from the front property line.
4. The fenced storage area shall not extend into the 10-foot front yard setback.
5. Prior to use of the site for outdoor storage, the entirety of the fenced storage area shall be graveled, with the exception of the 5 feet from the west, east, and north property lines to ensure that the storage does not encroach on any required setback.
6. If any mud or gravel is tracked out onto the street, the applicant shall immediately clean it up.
7. Prior to the use of the site for outdoor storage, the applicant shall install slats in the portion of the chain link fence facing Loten Way pursuant to Veneta Land Development Ordinance No. 493, Section 7.04(4)(D).
8. Prior to the use of the site for outdoor storage, the applicant shall landscape the 10-foot front yard setback in accordance with Veneta Land Development Ordinance No. 493, Section 5.12 – Landscaping. 1 tree, 2-inch caliper at the time of planting, and 4 five-gallon shrubs are required for every 1,000 square feet of landscaping.
9. Prior to the use of the site for outdoor storage, the applicant shall submit and receive approval of a scaled and dimensioned Final Site Plan showing the landscaping of the front yard setback.
10. The applicant shall submit a scaled and dimensioned Final Site Plan showing the installation of sidewalk along the street frontage and the planting of a minimum of six (6) street trees in the planter strip along the street frontage in accordance with Veneta Land Development Ordinance No. 493, Section 5.28 – Street Trees.

#### **CONCLUSION**

Based on the findings and conditions of approval, the Veneta Planning Official grants **conditional approval** of the temporary use application (City File No. TUP-13-23). Unless the conditions of approval specify otherwise or the decision of the Veneta Planning Official is appealed, this decision shall become final 12 days after the date the notice of decision is mailed.



Daniel Findlay  
Daniel Findlay  
Associate Planner

11-30-2023  
Date

#### **EXHIBITS**

- A. Applicant's Submittal



## Temporary Use Application

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

Planning Authorization:

Renewal (if applicable): \_\_\_\_\_

Submission Date:

Previous File #: \_\_\_\_\_

Planning File #: TP-13-23 NOV - 6 2023

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: HARVEY AND Cynthia REXIUS

Mailing Address: 88428 JAMESON WAY

City/State/Zip: VENETA, OREGON 97487

Applicant Phone: 916 417 6898 Applicant Email: harveyrexius@gmail.com

Property Owner Name: HARVEY AND Cynthia REXIUS

Mailing Address: 88428 JAMESON WAY

City/State/Zip: VENETA, OREGON 97487

Property Owner Phone: 916 417 6898 Property Owner Email: harveyrexius@gmail.com

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lots(s)	Site Address	Zone
<u>TAX LOT 17-05-31-10 - 03000</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, Land Development Ordinance, and Land Division Ordinance. Ordinances are available on the City website, [www.venetaoregon.gov](http://www.venetaoregon.gov)

Approval will be based on the general criteria listed in the Veneta Land Development Ordinance, 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 Land Development Ordinance, 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) PARK DUMPTRUCK, TRAILER, EXCAVATOR, ETC.

**Required Submittals:**

**(Veneta Land Development Ordinance, 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 Land development Ordinance, Article 4 & 5 for zoning information, including but not limited to required setbacks, parking, signs traffic flow and special setbacks.

**Approval Criteria:**

**(Veneta Land Development Ordinance, 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 Land Development Ordinance No. 493, 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: Harvey Rexius Cynthia Rexius

Property Owner's Signature: Harvey Rexius Cynthia Rexius

#### **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 liening Property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; 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: \_\_\_\_\_

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 Land Development Ordinance, 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:

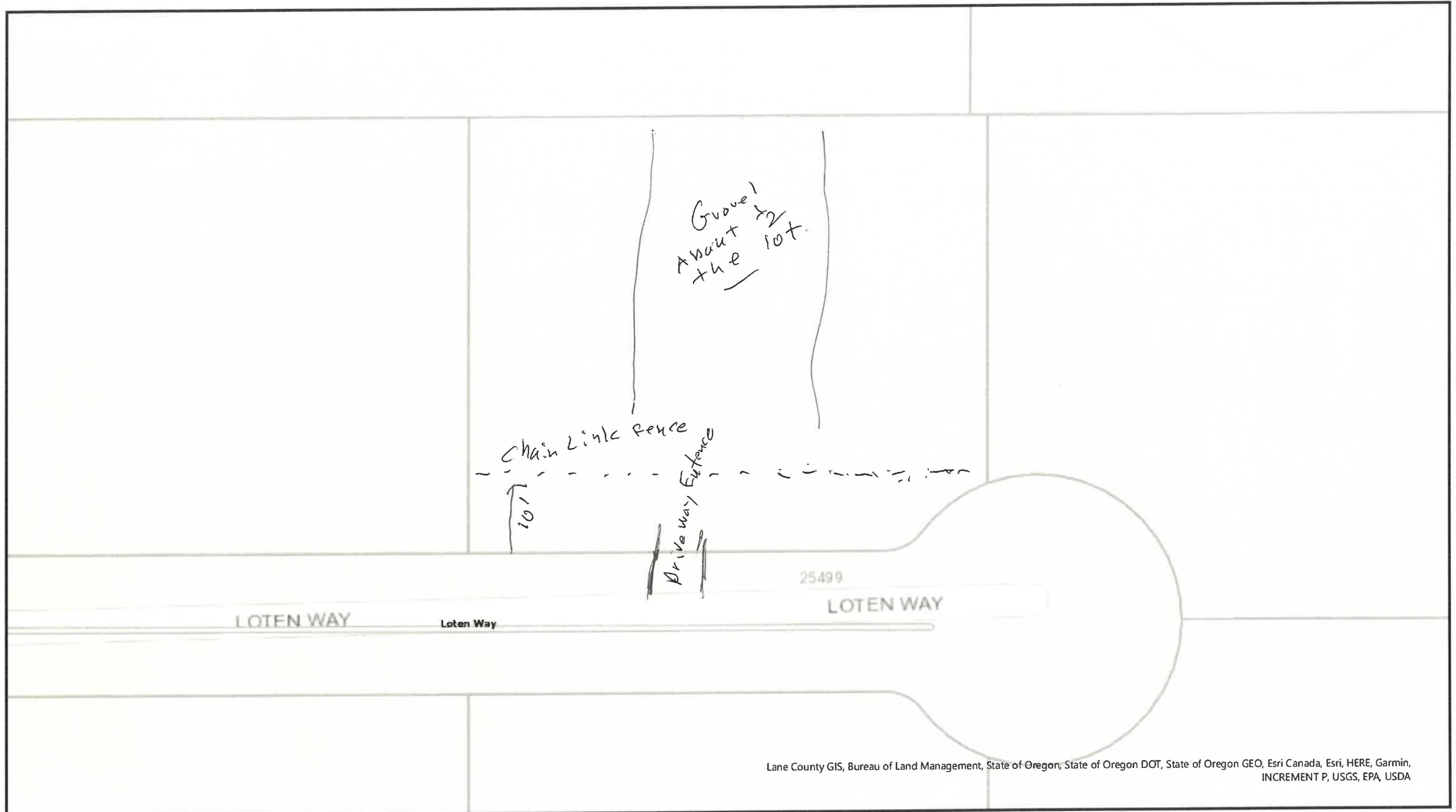
- All conditions of approval listed in the attached staff report shall be applied to the land use application submitted for approval.
- There are no conditions of approval for this application.
- Previous conditions of approval are attached and shall be added to the conditions of approval listed in the 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

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Veneta Building & Planning Official

Date



Lane County GIS, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



**Site Plan**

Lane County, Oregon

## Daniel Findlay

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**From:** Harvey Rexius <harveyrexius@gmail.com>  
**Sent:** Wednesday, November 8, 2023 9:36 AM  
**To:** Daniel Findlay  
**Subject:** Re: Temporary Use Permit Written Statement

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from outside the organization. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Daniel

Can you please attach this letter to my Application.

I plan on parking my Dump Truck, EquipmentTrailer, Excavator, Etc. on the lot when I am doing jobs in Veneta, OR.

Right now I keep it at the Ranch in Westfir, OR The drive is 60 miles 1 way. This is why we purchased the lot so we would be closer to our home in Veneta.

I plan on putting in a concrete Driveway entrance. Place 3/4 Minus on 1/2 the lot. I am compacting the Rock so it does not run into the street.

We also plan on building a chain link fence with slats. We will abide by 7.03 and 7.04(4).

### 7.03 - Approval Criteria

1. The temporary use is not inconsistent with the purpose of the zoning district in which it is placed.
2. True
3. The temporary use will not have a significant adverse impact on the surrounding uses.
4. True
5. The temporary use shall comply with the applicable criteria listed in Section 7.04.
6. True

### 7.04(4) - Outdoor Storage (not involving sales).

1. The storage does not encroach on the required setbacks of the lot.
2. We will build the fence 10 ft back from the curb to meet the required setbacks.
3. Adequate parking facilities are available. The temporary outdoor storage does not eliminate parking spaces required by Section 5.20 of this ordinance.
4. No Parking required.
5. The materials being stored will not cause any contamination of stormwater runoff.
6. Our Equipment will not cause contamination of stormwater runoff.
7. The materials being stored shall be screened from view with sight-obscuring fence or landscaping in compliance with Section 5.12(9) of the Veneta Land Development Ordinance.
8. We will install slats in the chain link fence.

9. The materials do not create an attractive nuisance as defined in the Veneta Municipal Code.
10. They will not create an attractive nuisance as they will be parked behind the slated fence and all our equipment is fairly new.
11. After one (1) year, the temporary use permit period expires. The use shall then either be converted to a permanent use through Conditional Use Permit review in compliance with the standards of Article 8, or be discontinued.
12. Over the next year we plan on getting the paperwork in for a Permanent use.

Thank You,

Harvey & Cindy Rexitus  
916-417-6898

On Mon, Nov 6, 2023 at 5:01 PM Daniel Findlay <[dfindlay@ci.veneta.or.us](mailto:dfindlay@ci.veneta.or.us)> wrote:

Hi Harvey,

There's one thing I missed when you brought your application in - we will actually need a written statement. There are certain criteria which the City bases their decision on, and we do require that applicants submit a response to each of those criteria. In order to be approved for the Temporary Use Permit, you will have to meet all of the following criteria. I've included them below. The first three are found in Section 7.03 of the [Veneta Land Development Ordinance No. 493](#), and the rest are found in section 7.04(4) of VLDO 493.

Please provide a response to the following criteria:

#### 7.03 - Approval Criteria

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

#### 7.04(4) - Outdoor Storage (not involving sales).

1. The storage does not encroach on the required setbacks of the lot.
2. Adequate parking facilities are available. The temporary outdoor storage does not eliminate parking spaces required by Section 5.20 of this ordinance.
3. The materials being stored will not cause any contamination of stormwater runoff.
4. The materials being stored shall be screened from view with sight-obscuring fence or landscaping in compliance with Section 5.12(9) of the Veneta Land Development Ordinance.
5. The materials do not create an attractive nuisance as defined in the Veneta Municipal Code.
6. After one (1) year, the temporary use permit period expires. The use shall then either be converted to a permanent use through Conditional Use Permit review in compliance with the standards of Article 8, or be discontinued.

Apologies for missing this earlier - feel free to reach out if you have any questions. I'd be happy to help explain any of these.

Best,

**Daniel Findlay**

Associate Planner

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