

**FINAL ORDER
OREGON DEPARTMENT OF FORESTRY
SITE PLAN REVIEW (SR-3-11)**

A. The City of Veneta Planning Commission finds the following:

1. The applicant has submitted information required by Section 6.03 of the Veneta Land Development Ordinance No. 493.
2. The Veneta Planning Commission provided proper notice of limited land use action according to Section 2.13 of the Veneta Land Development Ordinance No. 493.
3. The Veneta Planning Commission followed the required procedure and standards for approving site plans as required by Section 2.06 of the Veneta Land Development Ordinance No. 493.

B. The Veneta Planning Commission approves the Site Plan Review for the Oregon Department of Forestry (SR-3-11) with the following conditions of approval:

GENERAL CONDITIONS

- 1) No plantings, driveways, fences, walls, structures or temporary or permanent obstructions exceeding 2/ ½ feet are installed within the clear vision area.

PRIOR TO ISSUANCE OF BUILDING PERMITS FOR EACH PHASE

- 2) All landscaped areas (new or existing) shall be identified on a plot plan providing one tree, minimum 2" caliper and four 5-gallon shrubs or accent plants per 1,000 square feet of landscaped area.

PRIOR TO ISSUANCE OF BUILDING PERMITS FOR PHASE 1

- 3) The applicant shall sign a development agreement stating:

Landscaping and maintenance are a continuing obligation of the property owner and all landscaped areas shall be maintained in a clean, weed free manner.

- 4) The applicant shall submit a revised stormwater management plan approved by the City Engineer consistent with the presumptive or performance approach as required in the Portland Stormwater Management Manual.

PRIOR TO FINAL INSPECTION OF EACH PHASE

- 5) All required yards for each phase shall be landscaped in accordance with Section 5.12 of the Veneta Land Development Ordinance and the approved landscaping plan.
- 6) The applicant shall install the required detention facilities consistent with the approved stormwater management plan.
- 7) All parking lots, driveways and driveway approaches within the identified phase shall be surfaced according to the approved plan.
- 8) The applicant shall install and clearly and permanently mark all required parking spaces.
- 9) All parking spaces along the outer boundaries of the parking area shall be contained by a curb or bumper to prevent motor vehicles from extending over the property lines.
- 10) All new parking areas shall have a minimum of one shade tree per sixteen (16) parking spaces provided in a planter island.

PRIOR TO FINAL INSPECTION OF THE LAST PHASE

- 11) The applicant shall install the pedestrian access to Territorial Hwy as identified on the proposed site plan providing access to transit facilities located approximately ¼ south of the site.

C. IT IS HEREBY ORDERED THAT the Veneta Planning Commission approves with conditions the Site Plan Review for the Oregon Department of Forestry (SR-3-11) based on the information presented in the following findings of fact:

Site Plan Review, applicable criteria. Ordinance language is in italics. Findings are in bold.

Veneta Land Development Ordinance No. 493

Article 6 SITE PLAN REVIEW

Section 6.05 APPROVAL CRITERIA

- (1) *After examination of the site and prior to approval of plans, the Commission or Building and Planning Official must make the following findings:*

- (a) *That all provisions of city ordinances are complied with.*

The proposal is consistent with all applicable provisions of the City of Veneta Land Development Ordinance No. 493 and Land Division Ordinance No. 494 based on the findings addressed below.

- (b) *That traffic congestion is avoided; pedestrian, bicycle and vehicular safety and protected; and future street right-of-way are protected.*

The proposal is consistent with the provisions of this section based on the findings and conditions of approval addressed below.

- (c) *That the proposed signs or lighting will not, by size, location or color, interfere with traffic or limit visibility.*

The proposal is consistent with the provisions of this section. There are no new proposed signs on the site and all new outside wall lighting is sized to not interfere with traffic or limit visibility.

- (d) *That adequate water, sewer and utilities for the proposed use are available.*

The proposal is consistent with the provisions of this section. The site currently has water, sewer and other utilities available.

- (e) *The drainageways are protected and drainage facilities provided.*

The proposal is consistent with the provisions of this section based on the provisions of Section 5.16 and conditions of approval addressed below.

- (f) *That the extent of emissions and potential nuisance characteristics are reasonably compatible with the land use district, adjacent land uses and standards of all applicable regulatory agencies having jurisdiction.*

The proposal is consistent with the provisions of this section. The extent of traffic, emissions, and potential nuisance characteristics are compatible with the zoning district per Section 4.11 of the Veneta Land Development Ordinance No. 493.

- (g) *Where the applicant has requested an adjustment to Site Plan Review criteria (Track 2 Site Plan Review) pursuant to the Veneta Land Development Ordinance, the applicant shall identify all applicable criteria in this ordinance and specifically address each adjustment.*

The proposal is consistent with the provisions outlined for a Site Plan Review. No Track 2 Site Plan Review is required.

Article 4 ZONING DISTRICT

Section 4.11 PUBLIC FACILITIES AND PARKS (PFP)

In a PFP zone, the following regulations shall apply:

- (2) *Uses Permitted Subject to Site Plan Review. In a PFP zone, the following uses and their accessory uses are permitted subject to the site plan review provisions of Article 6:*
- (b) *Government buildings.*

The proposal is consistent with the provisions of this section. The proposed use is a government building that houses the Oregon Department of Forestry.

- (5) *Yards. Except as provided in Articles 5, 6, and 8, in a PFP zone, yards shall be as follows:*
- (a) *Front yards abutting a residential zone shall be a minimum of twenty (20) feet.*
- (b) *Back and side yards abutting a residential zone shall be a minimum of five (5) feet.*
- (c) *Yards shall be landscaped as provided in Section 5.12.*
- (d) *See Section 5.09 for additional setbacks on designated streets.*
- (e) *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.*
- (f) *See Veneta Tree Preservation and Protection Ordinance for possible setback exemptions for the preservation of heritage trees.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to final inspection of each phase, all required yards for each phase shall be landscaped in accordance with Section 5.12 of the Veneta Land Development Ordinance and the approved landscaping plan.

- (6) *Pedestrian Access. A sidewalk shall provide safe, convenient pedestrian access from the street to the building entrance. If the sidewalk crosses the driveway, it shall be paved, raised and/or marked in a manner that calls attention to the sidewalk.*

The proposal is consistent with the provisions of this section. The service driveways to the public parking area are accessed from Territorial Hwy and allow the necessary flow of traffic and provide maximum safety for pedestrians. The access from Bolton Hill Road is not intended to serve public traffic but is sufficient to serve the proposed warehouses, storage and maintenance shops.

Article 5 SUPPLEMENTARY PROVISIONS

Section 5.03 CLEAR VISION AREAS

In all zones except the BC zone a clear vision area shall be maintained on the corners of all property at the intersections of two (2) streets, a street-alley or street-railroad.

- (2) *A clear vision area shall contain no plantings, driveways, fences, walls, structures or temporary or permanent obstruction exceeding 2 ½ feet in height, measured from the top of the curb or where no curb exists, from the established street center line grade. Trees exceeding this height may be located in this area, provided all branches or foliage are removed to a height of eight (8) feet above grade. See Figure 5.03(b).*

The proposal is consistent with the provisions of this section with the condition of approval that no plantings, driveways, fences, walls, structures or temporary or permanent obstructions exceeding 2/ ½ feet are installed within the clear vision area.

Section 5.09 EXCEPTIONS TO YARD REQUIREMENTS

- (3) *In order to permit the eventual widening of streets, every lot abutting a portion of a street hereinafter named shall have an additional setback over the required yard dimension specified in the zone so that the minimum distance from the center line of the street right-of-way to the front setback line shall be listed as below:*

<u>Street Name</u>	<u>Setback from Center Line of Right-of-Way</u>
Highway 126	50 feet
Territorial Highway	40 feet - West side only
Bolton Hill Road	35 feet
Hunter Road	30 feet

The required front yards specified for each zone shall be in addition to the setbacks specified above.

The proposal is consistent with the provisions of this section. There are no structures proposed within 35 feet of the center line of the right-of-way for Bolton Hill Road or within 40 of the west side of Territorial Hwy.

Section 5.12 LANDSCAPING

All yards and parking areas shall be landscaped in accordance with the following requirements:

- (1) *Provisions for landscaping, screening and maintenance are a continuing obligation of the property owner and such areas shall be maintained in a clean, weed free manner.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to the issuance of building permits for phase 1 the applicant shall sign a development agreement stating:

Landscaping and maintenance are a continuing obligation of the property owner and all landscaped areas shall be maintained in a clean, weed free manner.

- (2) *Site plans indicating landscape improvements shall be included with the plans submitted to the building and Planning Official or Planning Commission for approval. Issuance of a Building permit includes these required improvements which shall be completed before issuance of a Certificate of Occupancy.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to final inspection of each phase, all required yards for each phase shall be landscaped in accordance with Section 5.12 of the Veneta Land Development Ordinance and the approved landscaping plan.

- (4) *Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:*
- (a) *One tree, minimum 2" caliper.*
- (b) *Four 5-gallon shrubs or accent plants.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to issuance of building permits for each phase, all landscaped areas (new or existing) shall be identified on a plot plan providing one tree, minimum 2" caliper and four 5-gallon shrubs or accent plants per 1,000 square feet of landscaped area.

- (5) *Minimum percentage Ground Cover. All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material (subsections (6)(f) & (g), below), shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the area not covered by shrubs and tree canopy.*

The proposal is consistent with the provisions of this section. The parcel is 7.2 acres and landscaped with field grass, trees and shrubs. Areas not being redeveloped are not required to be landscaped.

Section 5.16 STORMWATER DETENTION AND TREATMENT

- (1) *For all projects that create greater than or equal to 1000 square feet of new impervious surface, stormwater detention and treatment facilities shall be provided. Detention and treatment facilities shall be designed and sized according to the City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 which is adopted as the City's Stormwater Management Manual. Where the manual and this section conflict, this section shall prevail.*

The proposal is consistent with the provisions of this section with the following conditions of approval:

Prior to the issuance of building permits for phase 1 the applicant shall submit a revised stormwater management plan approved by the City Engineer consistent with the presumptive or performance approach as required in the Portland Stormwater Management Manual.

Prior to final inspection of each phase the applicant shall install the required detention facilities consistent with the approved stormwater management plan.

Section 5.20 OFF-STREET PARKING REQUIREMENTS

- (2) *Design and improvement requirements for parking lots (not including single-family two-family dwellings).*
- (a) *All parking lots, driveways, and driveway approaches shall be surfaced with two (2) inches of asphaltic concrete, six (6) inches Portland Cement concrete over approved base, or other materials approved by the City Engineer which are designed to reduce or slow rates of stormwater runoff. All parking lots shall be graded so as not to drain storm water over the sidewalk or onto any abutting property.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to final inspection of each phase all parking lots, driveways and driveway approaches within the identified phase shall be surfaced according to the approved plan.

- (b) *Service drives and parking spaces on surfaced parking lots shall be clearly and permanently marked. Parking spaces, except for handicap spaces, shall have a minimum dimension of eighteen (18)' X nine (9)' exclusive of maneuvering and access area. The dimension includes the area in front of the curb stop over which the front of a vehicle would extend. Handicap spaces shall be provided as required by the Oregon State Structural Specialty Code.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to final inspection of each phase, the applicant shall install and clearly and permanently mark all required parking spaces.

- (c) *Parking lots shall be served by a service driveway so that no backing movements or other maneuvering within a street other than an alley shall be required. Design for parking arrangements and turning movements shall be approved by the Building and Planning Official. Two-way driveways shall have a minimum width of twenty (20) feet and a maximum width of 30 feet. One-way driveways shall have a minimum width of twelve (12) feet and a maximum width of sixteen (16) feet.*

The proposal is consistent with the provisions of this section. The proposed parking lot is served by three (3) driveways equal to or greater than twenty (20) feet in width. One driveway provides ingress and egress to Bolton Hill Road for ODF staff while the other two driveways provide ingress and egress to Territorial Hwy for the general public.

- (d) *Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper so placed to prevent a motor vehicle from extending over the property line.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to final inspection of each phase, all parking spaces along the outer boundaries of the parking area shall be contained by a curb or bumper to prevent motor vehicles from extending over the property lines.

- (e) *Service driveways to off-street parking lots shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site. The number of service driveways shall be limited to the minimum that will allow the property to accommodate and service the traffic anticipated.*

The proposal is consistent with the provisions of this section. The service driveways to the public parking area is accessed from Territorial Hwy and allows the necessary flow of traffic and provides maximum safety for pedestrians. The access from Bolton Hill Road is not intended to serve public traffic and is sufficient to serve the proposed warehouses, storage and maintenance shops.

- (f) *All off-street parking lots within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the Building and Planning Official to minimize disturbances to adjacent residents.*

No parking lots about a residential district. The provisions of this section are not applicable.

- (g) *A grading structure and drainage plan shall be submitted to the City Building and Planning Official and approved by the City Engineer.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to issuance of building permits for phase 1 the applicant shall submit a revised stormwater management plan approved by the City Engineer consistent with the presumptive or performance approach as required in the Portland Stormwater Management Manual.

- (h) *Parking lots shall be provided with landscaping as provided in Section 5.12 and other suitable devices in order to divide the parking lot into sub-units to provide for pedestrian safety, traffic control and to improve the appearance of the parking lot. A minimum of one shade tree per sixteen (16) parking spaces shall be provided in planter islands distributed throughout the lot. A maximum of twenty (20) spaces shall be allowed between planter islands.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to final inspection of each phase all new parking areas shall have a minimum of one shade tree per sixteen (16) parking spaces provided in a planter island.

- (i) *Parking lot lighting must comply with Veneta Municipal Code Chapter 15.15.*

The proposal does not include parking lot lighting. The provisions of this section are not applicable.

- (11) *Space requirements for off-street parking shall be consistent with Table 5.20(a) below. Fractional space requirements shall be counted as a whole space. When square feet are specified, the area measured shall be the gross floor area of all buildings but shall exclude any space within a building used for off-street parking, loading or service functions not primary to the use. When the requirements are based on the number of employees, the number counted shall be those working on the premises during the largest shift at peak season. A reduction in the number of required spaces not to exceed (fifty) 50% of the required spaces may be permitted by the Planning Commission. A reduction in excess of 50% may be permitted through a Track 2 Site Plan Review, pursuant to Article 6, if evidence is provided to show that a reduced amount of parking is sufficient and will not cause any detrimental impacts to on-street parking or other parking areas. For example, an employer working with Lane Transit District to provide bus passes to employees or who offers van pools or other transportation demand management measures may need fewer parking spaces for employees.*

Table 5.20(a)			
Use Categories	Vehicle Parking Requirement	Bicycle Parking Requirement	Type and % of Bicycle Parking
Bank, office (except medical and dental)	One (1) space per 330 square feet of floor area	1 per 3,000 square feet of floor area	25% Long Term 75% Short term
Industrial uses which are primarily warehousing and distribution	One (1) space per 800 square feet of gross floor area	1 per 5,000 square feet of floor area	25% Long Term 75% Short term
Industrial uses which entail manufacturing, research, processing or assembling	One (1) space per 600 square feet of gross floor area	1 per 5,000 square feet of floor area	25% Long Term 75% Short term
Service or repair shop, retail store handling bulky merchandise such as automobiles and furniture	One (1) space per 660 square feet of floor area designated for retail	1 per 5,000 square feet of floor area	25% Long Term 75% Short term

The proposal is consistent with the provisions of this section. The parking and bicycle requirements are as follows:

Administrative Office – 7,430 square feet – 1:330 square feet =	22 Vehicles
Warehouse – 3,468 square feet – 1:800 square feet =	5 Vehicles
Wood Shop – 1,530 square feet – 1:800 square feet =	2 Vehicles
Day Room/Locker – 3,460 square feet – 1:600 square feet =	6 Vehicles
Sleeping Area – 2,060 square feet – 1:660 square feet =	3 Vehicles
Vehicle Shop – 3,500 square feet – 1:660 square feet =	6 Vehicles

Total **44 Vehicle Spaces**

Administrative Office – 7,430 square feet – 1:3000 square feet =	3 Bicycles
Warehouse – 3,468 square feet – 1:5000 square feet =	1 Bicycle
Wood Shop – 1,530 square feet – 1:5000 square feet =	1 Bicycle
Day Room/Locker – 3,460 square feet – 1:5000 square feet =	1 Bicycle
Sleeping Area – 2,060 square feet – 1:10 guest rooms =	1 Bicycle
Vehicle Shop – 3,500 square feet – 1:5000 square feet =	1 Bicycle

Total **8 Bicycle (2 short-term, 6 long-term)**

The proposed site plan provides a total of 57 vehicle parking spaces and 8 bicycle spaces.

- (17) *Bicycle Parking.* Shall apply to all developments that require a Site Plan Review or Site Plan Amendment for new development, changes of use, and building expansions or remodels. Bicycle parking spaces are intended to provide a safe, convenient and attractive place for the circulation and parking of bicycles as well as encouraging the use of alternative modes of transportation. Long term bicycle parking requirements are

intended to accommodate employees, students, residents, commuters and other persons who expect to leave their bicycles parked for more than 2 hours. Short term bicycle parking spaces accommodate visitors, customers, messengers, and other persons expected to depart within two (2) hours.

(a) Bicycle Parking Space Requirements.

2. *Non-Residential Parking.* Required bicycle parking shall be provided by either short or long term parking, or both as outlined in Table 5.20(a) above for all commercial, mixed-use, and industrial zoned parcels. Short or long term parking requirements are as follows:

a. *All required long term bicycle parking spaces shall be provided in a well-lit location within a convenient distance of a main entrance and shall be sheltered from weather elements such as rain and wind either within a building or bicycle locker, or under an eave, overhang, or similar structure. The minimum required width of long term bicycle parking may be reduced to 18" to accommodate parking in a more compact area.*

The proposal is consistent with the provisions of this section. All required long-term bicycle parking spaces are located near the appropriate building and are sheltered from weather elements.

b. *All required short term bicycle parking shall consist of a securely fixed structure that supports the bicycle frame in a stable position without damage to wheels that may be locked to the rack by the bicyclist's own locking device. Bicycle parking shall not be farther than the closest automobile parking space (except disabled parking).*

The proposal is consistent with the provisions of this section. All required short-term bicycle parking spaces are located between the front entrance of the administrative building and the public parking area.

c. *Direct access from the bicycle parking area to the public right-of-way shall be provided with access ramps when the elevations in access change (e.g. elevation change between a sidewalk and driveway).*

The proposal is consistent with the provisions of this section. All required short and long-term bicycle parking spaces have direct access from the public right-of-way.

Section 5.22 PEDESTRIAN ACCESS AND CIRCULATION

- (2) *Pedestrian access to transit facilities shall be provided from new commercial, employment, and multi-family residential developments and new activity centers shall be provided while existing developments shall provide safe and accessible pedestrian access to transit facilities when a site changes uses or is retrofitted.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to final inspection of phase 4 the applicant shall install the pedestrian access to Territorial Hwy as identified on the proposed site plan providing access to transit facilities located approximately ¼ south of the site.

SECTION 5.23 TRANSIT FACILITIES

Table 5.23(a) below shows the transit amenities that may be required. Determination of specific requirements will be made on a case by case basis for each development by weighing the following factors in consultation with the Lane Transit District:

- *Expected transit ridership generated by development*
- *Level of existing or planned service adjacent to development (Planned service is defined as service which will be established within five years after the completion of the development.)*
- *Location of existing transit facilities*
- *Proximity to other transit ridership generators*

The proposal is consistent with the provisions of this section. No change of use is being requested and the only increase in building size is generated from the expansion of the on-site vehicle storage area, therefore the peak hour trips are not expected to change and transit facilities are not required. Transit facilities are located approximately ¼ south of the site.

Section 5.27 TRAFFIC IMPACT ANALYSIS AND MITIGATION

- (1) *A Traffic Impact Analysis (TIA) and review is required when one of the following conditions exist:*
- (a) *The development will generate more than 100 vehicle trips during the a.m. or p.m. peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip Generation Manual. In developments involving a land division, the peak hour trips shall be calculated based on the likely development that will occur on all lots resulting from the land division.*

The proposal is consistent with the provisions of this section. No change of use is being requested and therefore the peak hour trips are not expected to change.

SECTION 5.28 STREET TREES

When street trees are proposed, their selection and installation shall be according to the following requirements. Planting of street trees shall generally follow construction of curbs and sidewalks, however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction.

No street trees are identified on the proposed site plan. The provisions of this section are not applicable.

- D. This approval shall become final on the date this decision and supporting findings of fact are signed by the Veneta Planning Commission, below. A Planning Commission's decision may be appealed to the City Council within 15 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.



**James Eagle Eye
Planning Commission Chair**



Date

