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**PROPOSED FINAL ORDER OF THE  
VENETA BUILDING & PLANNING OFFICIAL**

**BOWTECH (STRYKER FACILITY)  
SITE PLAN REVIEW (SR-1-09)**

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

1. The applicant has submitted information required by Section 6.03 of Veneta's Land Development Ordinance No. 461.
2. The Veneta Building & Planning Official provided proper notice of Limited Land Use Action according to Section 2.13 of the Veneta Land Development Ordinance No. 461.
3. The Veneta Building & Planning Official followed the required procedure and standards for approving a site plan amendment as required by Section 2.06 and 6.06 of Veneta's Land Development Ordinance No. 461.

**B. The Veneta Building & Planning Official approves the Site Plan Amendment for Bowtech (Stryker Facility) (SR-1-09) with the following conditions of approval:**

**WITHIN 30 DAYS OF FINAL APPROVAL**

- (1) **Any garbage collection areas, service facilities and air conditioning facilities located outside of the building shall be identified on a final site plan map and shall have sight-obscuring screening.**
- (2) **At least seven bicycle parking spaces shall be provided. One space shall be sheltered.**
- (3) **The applicant shall add two additional paved spaces to bring the total space count to 53 as required by Section 5.20(2)a.**
- (4) **The applicant shall provide a grading and drainage plan approved by the City Engineer to accommodate stormwater runoff for the proposed new impervious surface.**
- (5) **The applicant shall sign and record a development agreement approved by the City Attorney stating that:**

- (a) All landscaping and screening areas shall be maintained in a clean, weed free manner.
- (b) All landscaped areas 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 or shall be covered with non-plant ground covers in accordance with Section 5.12(6)g of the Veneta Land Development Ordinance.

C. **IT IS HEREBY ORDERED THAT the Veneta Building & Planning Official approves with conditions the Site Plan Amendment (SR-1-09) based on the information presented in the following findings of fact:**

**Site Plan Amendment applicable criterion.** Ordinance language is shown in *italics* and findings in **bold**.

The Veneta Land Development Ordinance No. 461

Article 4 USE ZONES

Section 4.09 MEDIUM INDUSTRIAL (MI)

(2) *Permitted Uses:* In an MI zone, the following uses and accessory uses are permitted. All uses must meet and continually comply with the Performance Standards listed for the LI zone. Any uses specifically listed as only allowed in an MI zone (except item (a)) are not allowed in a LI zone. All permitted uses are subject to Site Plan Review provisions of Article 6.

(a) All uses permitted in the LI zone.

Section 4.08 LIGHT INDUSTRIAL (LI)

(2)(h) *Offices for business, labor, scientific, and professional organizations.*

**The proposal is consistent with the provisions of this section. As part of this application Bowtech submitted a Site Plan Amendment in accordance with Article 6 of the Veneta Land Development Ordinance for an office for professional organizations. All criterion required as part of this section are addressed below in Article 6.**

(5) *Yards.* In an MI zone, yards shall be as follows:

(a) Front yards shall be a minimum of twenty (20) feet.

- (b) *Back and side yards shall be a minimum of ten (10) feet from property line, except when a lot abuts a residential zone the minimum setback shall be twenty (20) feet.*
- (c) *Side yard requirements may be waived on common lot lines when adjoining lot owners enter into a joint development agreement for coordinated vehicular access and parking development and party wall or adjoining building walls meeting required fire separation requirements of the State Structural Specialty Code and Fire and Life Safety Code.*
- (d) *Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets.*
- (e) *See Veneta Tree Felling Ordinance for possible setback exemptions for the preservation of heritage trees.*

**The proposal is consistent with the provisions of this section. The existing building currently meets all required yard setbacks. No trees are proposed to be removed as part of this application for site plan amendment.**

- (6) *Lot Coverage. One hundred percent lot coverage will be allowed when minimum parking standards, loading space and required yards are provided, and all performance standards are met.*

**The proposal is consistent with the provisions of this section. No new buildings are being proposed.**

- (7) *Off-Street Parking and Loading. Off-street parking shall be provided as specified in Section 5.20 of this ordinance.*

**The existing manufacturing building is 30,168 square feet. Section 5.20(11) of the Veneta Land Development Ordinance requires 53 vehicle parking spaces (1 space/600 square feet of gross floor area). The existing site contains 19 spaces on the south side of the parcel. The applicant has proposed adding 15 additional parking spaces and to share 17 unused parking spaces on lot 12 of the Veneta Business Park to meet the required parking. The total existing and proposed parking is 51 vehicle spaces.**

**The proposal is consistent with the provisions of this section with the condition of approval that the applicant add two additional paved spaces to bring the total space count to 53 as required by Section 5.20(2)a. The applicant shall also sign and record a shared parking agreement between**

**lot 12 and 13 to account for the 17 additional required parking spaces.**

Section 4.14 SPECIFIC DEVELOPMENT PLAN SUBZONE (SDP)

- (1) *Purpose. The purpose of the “/SDP” subzone is to allow the development and approval of specific development plans in the City of Veneta. A specific development plan is a master plan applied to one or more parcels to coordinate and direct development in terms of transportation, utilities, open space, and land use. The purpose is also to streamline the land use review process and encourage development that is consistent with the specific development plan. Specific development plans are intended to promote coordinated planning and pedestrian-oriented mixed-use development.*

**The proposed development is consistent with the development requirements of the Northeast Employment Center.**

- (7) *Specific Development Plan Standards. Standards for specific development plans are listed below. The standards shall be utilized in conjunction with the specific development plan adopted as an exhibit to the “/SDP” subzone. This section will be amended as new specific development plans are adopted.*

(a) *Northeast Employment Center*

1. *Report Adopted. The Northeast Employment Center Specific Development Plan Final Report, dated June 1999, and Thomas Alternative Veneta Mixed use Employment Center map dated March 2000, is hereby adopted by reference.*
2. *Permitted Uses and Conditional Uses. All uses permitted under the base zoning districts are also permitted in the “/SDP” subzone.*

**The proposal is consistent with the provisions of this section. The proposed use is allowed within the Medium Industrial Zoning District.**

3. *Streets and Pedestrian Path Standards. Streets and paths shall be designed in compliance with the Circulation Plan and street sections.*

**The proposal is consistent with the provisions of this section. All required streets and pedestrian paths were designed in compliance with the circulation plan as part of the Veneta Business Park subdivision.**

5. *Signage.* Monument signs for Employment Center at the intersection of Hope Lane and Highway 126 allowed in addition to other signage allowed in the Highway 126 Corridor District. Monument signs for Employment Center at intersections of Jeans Road and Hope Lane allowed in addition to other signage allowed in the Business District.

**The proposal is consistent with the provisions of this section. No new signage is being proposed.**

6. *Street Trees.* Deciduous street trees (minimum two (2) inch diameter at time of installation) shall be planted every 40 foot (or the equivalent number for each property) with ground cover or unobstructing vegetation as under story.

**The proposal is consistent with the provisions of this section. Street tree requirements are outlined in an irrevocable development agreement for the Veneta Business Park subdivision.**

7. *Design Theme for Improvements.* As part of site review, Building and Planning Official or Planning Commission must approve plan for public improvements and site amenities to ensure they establish or support a design theme throughout the area. Relevant public improvements and amenities include signage, pedestrian crosswalks, lighting, transit stops, landscaping in public right-of-way, and on-street parking.

**The proposal is consistent with the provisions of this section. All required streets and pedestrian paths were designed in compliance with the circulation plan as part of the Veneta Business Park subdivision.**

8. *Parking Area Landscaping.* 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. Section 5.20 requires 53 parking spaces; therefore the parcel shall have at least two (2) shade trees. The existing planter islands and landscape strips provide the required shade trees.**

9. Building Facades. The following design standards shall apply:

(i) Commercial and industrial front building facades must not extend for more than 300 feet without a pedestrian connection between or through the building.

**The existing building façade does not extend more than 300 feet; therefore the provisions of this section are not applicable.**

(ii) Commercial and industrial buildings facing a public street shall have no more than 100 feet without providing variation in building material or articulation.

**The building identified on the site plan is existing; therefore the provisions of this section are not applicable.**

10. Cross Connections. Development sites shall be designed to allow for internal connections between parking lot drive aisles and between abutting developments without requiring access to a public street.

**The proposal is consistent with the provisions of this section. A 30-foot wide emergency vehicle access easement that crosses lots 13 of the Veneta Business Park subdivision is indicated on the recorded plat.**

11. Exterior lighting. All exterior lighting shall be shielded and reflected downward to minimize glare on adjacent parcels, other land uses, and street rights-of-way.

**Exterior lighting exists on the side of the building. No new lighting is proposed at this time; therefore the provisions of this section are not applicable.**

12. Transportation Impacts. Prior to the City granting site plan approval or any other type of construction approval within the Northeast Employment Center, a Transportation Impact Study shall be conducted, if deemed necessary by the City's Building and Planning Official. The study shall identify

*traffic impact and needed mitigation measures to the impacted street intersections, and shall describe the location, type and thresholds (vehicle trips) for street improvements necessary to mitigate identified traffic impacts. The study assumptions, which shall be established on a case-by-case basis upon submittal of the application, shall meet all requirements of the City and ODOT. The study shall include a funding mechanism, approved by the City, to assure that adequate funding is available to pay the developer's proportional share of the state, county and city street improvements, as identified in the traffic impact study. Possible mechanisms may include:*

*City adoption of transportation impact fees;*

*A development agreement encompassing the funding mechanism set forth in the applicant's Transportation Impact Study must be entered into between the City and the developer that will run with the land;*

*Formation of a local improvement district; or  
Some combination of the above.*

**The proposal is consistent with the provisions of this section. The proposed site plan amendment does not include any new construction or more intensive uses. No impacts to the overall traffic in the area are expected due to the amendment of the existing site plan.**

*Article 5*                      SUPPLEMENTARY PROVISIONS

*Section 5.11*                    PROJECTIONS FROM BUILDINGS

*Architectural features such as cornices, canopies, sunshades, gutters, chimneys and flues may not project into required yards or public easements. Eaves may extend up to two (2) feet into a required side and/or rear yard and up to six (6) feet into a required front yard. The building setback shall be measured from the foundation of the structure, including covered porches.*

**No architectural modifications are being proposed; therefore the provisions of this section are not applicable.**

*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 the applicant shall sign and record a development agreement approved by the City Attorney within 15 days of final approval of this amendment stating that:**

- (a) **All landscaping and screening 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 require improvements which shall be completed before issuance of a Certificate of Occupancy.*

**The proposal is consistent with the provisions of this section. The applicant has submitted a parking plan identifying the proposed landscape areas.**

- (3) *Minimum Landscaped Area. The minimum percentage of required landscaping is as follows:*

- (a) *Industrial Zones (IC, LI, MI). 5 percent of the site.*

**The proposal is consistent with the provisions of this section. The lot size is 123,164 square feet and requires that 6,158 square feet of the site be landscaped. The site is currently landscaped with several trees and shrubs and is consistent with Section 5.12(4) of the Veneta Land Development Ordinance.**

- (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. The lot size is 123,164 square feet and requires that 6,158 square feet of the site be landscaped. The site is currently landscaped with several trees and shrubs and is consistent with Section 5.12(4) of the Veneta Land Development Ordinance.**

- (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 (4)(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 with the condition of approval that the applicant shall sign and record a development agreement approved by the City Attorney within 15 days of final approval of this amendment stating that:**

- (a) **All landscaped areas, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material shall have ground cover plants that are sized and spaced to achieve 75 percent coverage or shall be covered with non-plant materials in accordance with Section 5.12(6)g of the Veneta Land Development Ordinance.**
- (8) *Garbage collection areas, service facilities and air conditioning facilities located outside the building shall have sight-obscuring screening. Mechanical equipment, lights, emissions, shipping/receiving areas, and garbage collection areas for industrial, commercial, and public facility uses shall be located away from residential areas, schools, and parks.*

**The proposal is consistent with the provisions of this section with the condition of approval that within 30 days from the date of this final approval, any garbage collection areas, service facilities and air conditioning facilities located outside of the building shall have be identified on a final site plan map and shall have sight-obscuring screening.**

*Section 5.15*

*SIGNS*

- (1) *Purpose.*

- (c) *The purpose of this section is to safeguard, preserve, and enhance economic, recreational, and aesthetic values through regulation of the size, number, location, illumination, construction and maintenance of signs; and thereby protect public health, safety and general welfare.*

**The proposal is consistent with the provisions of this section.**

Section 5.20

*OFF-STREET PARKING REQUIREMENTS*

(2) *Design and improvement requirements for parking lots (not including single-family two-family dwellings.*

(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. All off-street parking along the outer boundaries of the parking area is contained or is proposed to be contained by a curb or bumpers 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 existing parking lot and emergency vehicle access easement was constructed to facilitate the flow of traffic.**

(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.*

**The existing site is not within or abutting a residential district or use therefore; 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 within 30 days of the final approval of this amendment, the applicant provide a grading and drainage plan approved by the City Engineer to accommodate stormwater runoff for the proposed new impervious surface.**

- (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. At least one shade tree is provided for each 16 parking spaces on the site.**

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

**The proposal is consistent with the provisions of this section. No new lighting is being proposed.**

(3) Location standards for parking lots

- (a) *Off-street parking shall be provided on the development site for all zones, except for the Commercial, Residential-Commercial, Public Facilities & Park zone, and Industrial zones which may be located no farther than 400 feet from the building or use they are required to serve. Owners of two (2) or more uses, structures, or parcels of land may agree to use the same parking spaces jointly when peak demands do not occur at the same time periods, provided substantial proof is presented to the Building and Planning Official or Planning Commission pertaining to the cooperative use of the parking facilities.*

**The existing manufacturing building is 30,168 square feet. Section 5.20(11) of the Veneta Land Development Ordinance requires 53 vehicle parking spaces (1 space/600 square feet of gross floor area). The existing site contains 19 spaces on the south side of the parcel. The applicant has proposed adding 15 additional parking spaces and to share the 17 unused parking spaces on lot 12 of the Veneta Business Park to meet the required parking. The total existing and proposed parking is 51 vehicle spaces.**

**The proposal is consistent with the provisions of this section with the condition of approval that within 30 days from the date of the final approval of this amendment, the applicant add two**

**additional paved spaces to bring the total space count to 53 as required by Section 5.20(2)a. The applicant shall also sign and record a shared parking agreement between lot 12 and 13 to account for the 17 additional required parking spaces.**

(b) *Off-street parking areas shall not be located in a required front yard.*

**The proposal is consistent with the provisions of this section. No existing parking is located within a front yard setback.**

(12) *Accessible Parking Spaces. Parking shall be provided for disabled persons, in accordance with the Americans with Disabilities Act.*

**The proposal is consistent with the provisions of this section. The proposed site plan amendment provides two (3) accessible parking spaces.**

*Section 5.21*                      *BICYCLE PARKING*

*Bicycle parking requirements shall apply to all developments that require a site plan or amended site plan for new development, changes of use, and building expansions and remodels. Bicycle parking spaces provide a convenient place to lock a bicycle and shall be at least six (6) feet long, two (2) feet wide, and seven feet high. Bicycle parking shall not interfere with pedestrian circulation.*

(2) *Non-Residential Parking. There shall be a minimum of one bicycle space for every seven motor vehicle spaces. At least ten percent of all bicycle parking spaces shall be sheltered. Bicycle parking provided in outdoor areas shall be located near the building entrance, similar to vehicle parking spaces, unless existing development on site precludes that option. Fractions shall be rounded to the nearest whole number.*

**The proposal is consistent with the provisions of this section with the condition of approval that within 30 days of the date of the final approval at least seven bicycle parking spaces are provided. One space shall be sheltered.**

*Section 5.22*                      *PEDISTRIAN 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. All required streets and pedestrian paths were designed in compliance with the circulation plan as part of the Veneta Business Park subdivision.**

Article 6                      *SITE PLAN REVIEW*

Section 6.04                  *REQUIRED FINDINGS*

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

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

**The proposal is consistent or can be made consistent with appropriate COA with all applicable provisions of the City of Veneta Land Development Ordinance No. 461 based on the findings in this order.**

- (2)      *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. The existing facility has not caused traffic congestion or pedestrian, bicycle or vehicular safety issues. The right-of-way has already been established; therefore no future right-of-way is necessary.**

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

**There are no new signs or lighting proposed as part of the site plan amendment at this time, therefore the provisions of this section are not applicable.**

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

**There are no proposed changes in water, sewer or utilities as part of the site plan; therefore the provisions of this section are not applicable.**

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

**The proposal is consistent with the provisions of this section with the condition of approval that within 30 days of the final approval of this amendment, the applicant provide a grading and drainage plan approved by the City Engineer to accommodate stormwater runoff for the proposed new impervious surface.**

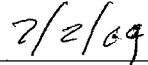
- (6) *That the extent of emissions and potential nuisance characteristics are reasonably compatible with the land use district, adjacent land uses and standards of all applicable regulatory agencies having jurisdiction.*

**The proposal is consistent with the provisions of this section. The site is located in the Medium Industrial zoning district and will not interfere with adjacent land uses. The extent of traffic, emissions, and potential nuisance characteristics are compatible with the zoning district per Section 4.09 of the Veneta Land Development Ordinance No. 461.**

- D. This decision shall become final on the date this decision and supporting findings of fact are signed by the Veneta Building & Planning Official, below. A Building & Planning Official's decision may be appealed to the Planning Commission within 15 days from the date the final order is signed and mailed.**

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

  
\_\_\_\_\_  
Brian Issa  
Community Services Director

  
\_\_\_\_\_  
Date