

**VENETA BUILDING & PLANNING OFFICIAL  
STAFF REPORT**

**Farmers' Market Temporary Use (TEMP-2-10)**

Application Date: May 5, 2010  
Notice Posted: May 7, 2010  
Notice Mailed: May 7, 2010

Referrals Sent: N/A

**BASIC DATA:**

Property Owner: Fern Ridge School District  
88834 Territorial Road  
Elmira, Oregon 97437

Applicant: City of Veneta  
88184 8<sup>th</sup> Street  
Veneta, Oregon 97487

Property Location: 88131 Territorial Hwy  
Veneta, Oregon 97487

Assessors map & lot: 17-05-31-23, Tax Lot 1100 & 2800

Plan Designation: Public (X)

Zoning: Public Facilities & Parks (PFP)

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**REQUEST:**

The request before the Veneta Building & Planning Official is for approval of a temporary use permit to allow the Veneta Downtown Farmer's Market to operate every Friday, 2pm to 6pm during the months of June through September.

**BACKGROUND & PROPERTY CHARACTERISTICS:**

The property is located near the intersection of McCutcheon and Territorial Roads. The property currently serves as the home to Veneta Elementary and the Garcia Center. The

area of subject property to be used is surrounded by Community Commercial zoned properties and will be used while school is not in session. The site is periodically used for plant and bake sales as well as other temporary events. The use as a Farmers' Market will be consistent with other past uses.

### **CONDITIONS OF APPROVAL:**

1. All garbage/trash shall be removed at the end of every market.
2. Obtain any necessary sign permits prior to erecting or placing any signs upon the property that does not already have a valid permit. No signs shall be placed within the rights-of-way.
3. The site shall be maintained in a clean manner free of trash and debris.
4. The applicant shall renew this temporary use permit on a regular basis.
5. Provide a minimum of one currently serviced 5-pound dry chemical fire extinguisher rated 2A:10BC.
6. Portable toilet shall be located away from buildings or flammable materials and shall be securely locked when the market is not in operation.

### **APPROVAL CRITERIA**

Article 7 of the Veneta Land Development Ordinance 493 regulates temporary uses. The purpose of a temporary use is *to 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 a privilege not shared by other property in the same zone.*

SECTION 7.03 of the Land Development Ordinance 493 lists the general approval criteria for temporary uses. Criteria applicable specifically to temporary displays, sales, and/or events are listed as item (1) in Section 7.04. These criteria are listed below in italics. Findings showing compliance with these criteria follow in regular type.

#### *Section 7.03*

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

**The purpose of that zoning district is to provide for public facilities and parks, and allow for construction of new facilities as the community grows. The proposed use is similar to the permitted uses, including (i) commercial**

**horticulture. The temporary activity of selling local produce is an allowed use that provides a useful service for area residents.**

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

**The proposed use is consistent with the surrounding commercial designation. The City has received positive comments from neighboring property owners with regard to the request for the proposed use. Adequate parking is provided and no adverse impacts are anticipated.**

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

**The temporary use must meet the criteria listed for temporary displays, sales, and/or events which are listed in Section 7.04, Subsection (1) as follows:**

**SECTION 7.04 ALLOWABLE TEMPORARY USES**

- (1) *Temporary displays, sales, and events. Temporary displays, sales and events may be permitted in all commercial and public facilities and parks zones. They are also allowed in the rural residential zone for horticultural-related activities. All activities must meet the following criteria:*

- (b) *The proposed temporary activity does not result in vehicular traffic congestion and adequate pedestrian and bicycle access is provided.*

**The applicant has provided adequate parking and traffic congestion is not likely to occur. On street parking is encouraged in the downtown area to create a lively pedestrian environment suited to the small scale commercial development envisioned for this area. Adequate pedestrian and bicycle access is provided via the sidewalks and bike lanes on Territorial.**

- (c) *Adequate parking facilities are available. The temporary activity does not eliminate parking spaces required by the applicable city ordinance unless the business or businesses using such required spaces are closed for business on the day(s) of the temporary activity.*

**The proposed use on the site requires 6 parking spaces for 2,160 square feet of retail according to Veneta Land Development Ordinance 5.20. The applicant has provided adequate parking providing 31 parking spots for the 6 required.**

(d) *The temporary activity does not encroach on the required setbacks of the lot.*

**The proposal is consistent with the provisions of this section. No required yard setbacks on the property are being impacted.**

(e) *The temporary activity meets all state and county health rules and regulations and all necessary permits have been obtained from other agencies.*

**The proposal is consistent with this requirement with the condition that the applicant obtain a Business registration from the City of Veneta.**

**EXHIBITS**

A. Applicants Submittals

**STAFF DECISION**

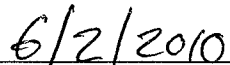
The Veneta Building & Planning Official finds the following:

1. Required notice was provided in accordance with Section 2.13 of the 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.

Based on the findings and conditions of approval, the Veneta Building & Planning Official grants conditional approval of the temporary use application (TEMP-2-10). This conditional approval of the plans shall become final on the date this decision is signed, below. A Building & Planning Official's decision may be appealed to the Planning Commission within 15 days after the staff report has been signed and mailed.

  
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Brian Issa,  
Community Services Director

  
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Date