

# Minutes of the Veneta Planning Commission

## September 8, 2009

Present: Len Goodwin, Jim Bruvold, and Estelle Sweet

Absent: James Eagle Eye and Lily Rees

Others: Brian Issa, Community Services Director; Zac Moody, Assistant City Planner; Sheryl Hackett, City Recorder; and Darci Henneman, Assistant City Recorder

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### **I. REVIEW AGENDA**

Vice-Chairman Len Goodwin called the Veneta Planning Commission to order at 7:05 p.m. and reviewed the agenda.

### **II. PUBLIC COMMENT**

None

### **III. APPROVAL OF MINUTES**

**MOTION: Estelle Sweet made a motion to approve the minutes of August 3, 2009. Len Goodwin seconded the motion which passed with a vote of 3-0.**

### **IV. DELIBERATION & DECISION:**

Comprehensive Plan Ordinance No. 416, Comprehensive Plan Map, and Zoning Map Amendments (A-1-09)

#### **A. Staff Report**

Zac said no public comments were received after the August 3, 2009 meeting. A small change was made to the plan designation in the Broadway/Commercial zone that would permit residential lots to have living quarters in back or above the building.

Staff requested the Planning Commission recommend adoption of the proposed amendments to the City Council at their October 12, 2009 meeting. The amendments are categorized as follows:

#### **1. – Amendments to Comprehensive Plan**

##### **Plan Elements and Policies**

- Community, Building and Site Design Elements
- Residential Land and Housing Element
- Economic Development Element

#### **2. Amendments to Comprehensive Plan Map and Zoning Map**

- Comprehensive Plan Map – 4.1 Acres of Commercial/General Residential designated property to Commercial.
- City of Veneta Zoning Map – 4.1 Acres of Residential Commercial zoned property to Broadway Commercial.
- City of Veneta Zoning Map – 24.19 Acres of Community Commercial zoned property to Broadway Commercial

The Planning Commission agreed with the proposed amendments to the Comprehensive Plan.

**MOTION:** Jim Bruvold made a motion to recommend the Comprehensive Plan, Comprehensive Plan Map and Zoning Map Amendments to the Veneta City Council for approval. Estelle Sweet seconded the motion which passed with a vote of 3-0.

**V. PUBLIC HEARING: (Continued from August 3, 2009)**

Land Development Ordinance and Land Division Ordinance (A-2-09, previously A-1-09)

1. Vice-Chair Len Goodwin opened the Public Hearing at 7:15 p.m.
2. Declaration of Conflict of Interest or Ex-Parte Contacts  
None
3. Staff Report  
Zac said the new amendments are referred to as A-2-09. Zac reviewed the public comment made at the August 3, 2009 meeting. He said no other comments were received in time to include in the packet. Staff is requesting the Planning Commission to recommend the proposed amendments to the City Council for approval. Zac reviewed the following amendment with the Planning Commission:

1. Additions and Amendments to the Land Development Ordinance 461
  - a. **Article 3** – Establishment of Zones
  - b. **Article 4** – Use Zones
    - Section 4.03 – General Residential
    - Section 4.05 - Broadway Commercial Zone
    - Section 4.06 & 4.07 – Community & Highway Commercial
  - c. **Article 5**- Supplementary Provisions
    - Section 5.13 - Commercial and Mixed Use Design Standards
    - Section 5.16 – Stormwater Detention and Treatment
    - Section 5.20 – Off-Street Parking Requirements
      - Bicycle Parking Standards
    - Section 5.29 – Residential Design Standards
  - d. **Article 6** – Site Plan Review
    - Section 6.04 – Improvement Requirements
    - Section 6.06 – Procedures for Approving Site Plans
    - Section 6.09 – Time Limit on Approved Site Plans
  - e. **Article 7** – Temporary Use Permit Regulations
    - Section 7.04 – Allowable Temporary Uses
  - f. **Article 8** – Conditional Uses
    - Section 8.05 – Time Limit on Approved Conditional Uses
    - Section 8.20 – Special Standards Governing Conditional Uses
  - g. **Article 10** – Variances
    - Section 10.06 – Time Limit on an Approved Variance Application
  - h. **Article 13** - Definitions
2. Amendments to Land Division Ordinance 462
  - a. **Article 3** – Property Line Adjustments and Replats
  - b. **Article 6** – Design Standards
    - Section 6.04 – Building Sites (Flag Lot Criteria)
    - Section 6.09 – Stormwater Facilities
  - c. **Article 7** – Improvement Requirement
    - Section 7.03 – Improvements in Subdivisions
  - d. **Article 8** - Definitions

In response to a question from Jim Bruvold, Zac said he would look into whether or not the code revision would effect all residential daycares or just new ones. The state makes a clear distinction of the definition of residential day care uses.

Brian said the proposed definition of residential day care facilities in the allowed uses will be more permissive than the current code. The definition change allows for more children to be cared for in a residential day care facility. Staff will have this reviewed by legal counsel.

In response to a question from Len Goodwin, Zac said the difference between short term bicycle parking and long term would be riding your bicycle to one specific store verses riding your bicycle and leaving it at a Park N Ride or a large shopping center to make more than one stop. Long term bicycle parking would require a bike shelter.

In response to a question from Jim Bruvold, Sheryl said she would look into the laundromat on Dunham Street having garage sales every weekend.

Brian said currently the City allows a one year extension on site plan reivews, subdivisions, etc. if the applicant applied within one year from the date of the application. Staff is looking at doing away with the annual extensions and giving the developer three years from the application date to submit completed plans. This would cut down on staff time and avoid applications needing to be renewed and reviewed by staff. Brian said large developments have a difficult time getting their financing and final plans completed within a one year period.

In response to a question from Len Goodwin, Brian said if there are changes to a Master Plan, whatever Master Plan was in effect when the subdivision was approved would apply to that development.

Brian said many subdivisions have been approved but not completed. It would be possible to create separate ordinances for all outstanding applications and start the three years extension from the date the ordinance is approved, not three years from the approval date.

Sheryl said that language could be included in the ordinance amending the code rather than by separate ordinance.

In response to a question from Len Goodwin, Brian said the three year timeline could be from the date the appliclation was approved or three years from the date the ordinance is amended whichever the Planning Commission decided on.

Len Goodwin said some developers may get up to five years to complete a project depending on how many extensions they've already received.

After a lengthy discussion it was the consensus of the Planning Commission to replace the annual extensions with a flat three year approval and extend existing approved applications three years form the date of the approval or last extension.

Brian said the majority of the public comments received related to the extensions expiring for site plan reviews and subdivisions and staff's suggestion to remove storage facilities from the Highway Commercial zone. Staff decided to continue to allow storage facilities in that zone but suggested storage facilities require a Conditonal Use Permit with aesthetic requiriements.

4. Public Testimony

**Greg Demers, 24244 Sertic Rd., Veneta, OR**

Mr. Demers said the Planning Commission has many decisions to make and asked that they keep the following questions in mind: Does this remedy anything in the current plan or code and are the changes necessary? He asked if the changes will encourage or discourage economic growth. Many changes the City is proposing are copied from larger cities than Veneta. He asked if the changes really fit with what we want the City to be like in the future.

**Bill Kloos, 375 West 4th, Eugene, OR**

Mr. Kloos represents Bolton Hill Development. He agreed with the recommended change to the extension timeline on site plan reviews and subdivisions. He said a longer time period is more realistic for a developer who must get engineering plans done – state and federal permits, financing and work with weather conditions. He asked what was more valuable; a longer period of time for approval or the opportunity to get an extension.

**Teresa Bishow, Arlie & Company, 2911 Tennyson Ave., Suite 400, Eugene, Oregon**

Ms. Bishow said the code change amendments may effect the cost of housing in Veneta. She made suggestions on the following proposed code revisions, Section 4.07 Highway Commercial Zone - amend off-street parking requirement and Subsection (2)(o); Section 5.06 Residential Uses in Commercial Zones, Subsection (2); Section 5.13 Commercial and Mixed-Use Design Standards; Section 5.16 Stormwater Detention and Treatment, Subsection (1); Section 5.20 Off-Street Parking Requirements, Subsections (2), (6), (17) and (17b); Section 6.01 Site Plan Review, Subsection (2); Section 6.04 Improvement Requirements, Subsection (2); Section 6.05 Approval Criteria, Subsection (8); Section 6.06 Amendments. Ms. Bishow's written comments have been entered into the record.

**Herb Vloedman, 25115 Luther Ln, Veneta, OR**

Mr. Vloedman thanked Ms. Bishow for her comments and thanked the Planning Commission for volunteering their time. He agreed changing the extension time period for site plan reviews, subdivisions, etc. was a good idea. One year is not a lot of time to get everything completed for development. He said developments depend on financing. If getting an extension is, the bank may turn down financing on the project. He said substantial changes to the code will change the environment in Veneta and asked the Planning Commission to please take that into consideration. Some of the changes proposed will effect him significantly. He bought property based on recommendations of the City, if the zoning is changed after he purchased the property it may prohibit him from further development. The majority of Highway 126 is zoned commercial. He is concerned about architectural standards making businesses hard to identify. He would also like to see the speed limit on Highway 126 lowered.

5. Questions from the Planning Commission

There were no further questions from the Planning Commission

6. Vice Chair Len Goodwin closed the Public Hearing at 8:40 p.m.

7. Deliberation and Decision

Len Goodwin said he is not comfortable with the commercial design standards and trying to create a downtown in Veneta.

Zac thanked everyone for their comments. He reviewed and addressed the suggestions made during the public comment session, specifically Ms. Bishow's. He agreed the design standards should not apply to the commercial highway area along Highway 126 but to more pedestrian oriented areas. He said staff addressed the concern of removing storage facilities from the Highway/Commercial zones by leaving them in but moving them from a permitted use to a conditional use.

Brian also addressed comments made by Ms. Bishow. He said the design standards provide for a two tract process. If your design does not meet the standards you have the opportunity to bring your design to the Planning Commission. They could determine your design may not meet the design standards but it meets the intent. He also agreed that stormwater wording can be clarified.

Len Goodwin said a professional business may not want 60% of an office to be windows because it would not preserve a client's confidentiality. He said a developer could probably go through the process of having his design approved by the Planning Commission but why is it up to the Planning Commission to make that decision? He felt there should be more flexibility with the design standards. Enforcing good design standards is critical and logical. Restrictive standards won't work and it will take a long time for the market to be willing to accept individual developers to build one or two lots at a time.

Brian said the commercial mixed use design standards are meant to implement the Downtown Master Plan. He agreed that they may need to be amended for the Highway/Commercial zone. They are not as rigid as they may sound. Newly designed Hayden Homes in Applegate Landing met the proposed design standards without having to make any changes to their plans.

The Planning Commission reach consensus on the following proposed code changes; design standards should be kept in the Broadway and Community/Commercial zones but removed from the Highway/Commercial zone; give a three year extension from the date of the last extension on existing approvals and a three year time limit for future applications; and storage facilities be left in the Highway/Commercial zone but moved from an outright permitted use to a conditional use.

**MOTION: Jim Bruvold made a motion to recommend the Land Development Ordinance 461 be presented to the Veneta City Council for approval as amended by consensus. Estelle Sweet seconded the motion which passed with a vote of 3-0.**

## **VI. OTHER**

Zac said an application for a partition on Perkins Road will be on the October 5, 2009 meeting agenda. Len Goodwin said the Oregon Planning Institute (OPI) Conference begins on September 16, 2009.

**VII. ADJOURN**

Vice Chair Len Goodwin adjourned the Veneta Planning Commission at 9:30 p.m.

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James Eagle Eye, Chairman

ATTEST:

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Darci Henneman, Assistant City Recorder