

VENETA ORDINANCE 487 – ATTACHMENT “A”
FINDINGS OF FACT

**VENETA CITY COUNCIL
FINDINGS OF FACT
(A-1-08)**

**Minor Amendments to the Land Development Ordinance No. 461
And Land Division Ordinance No. 462**

A. The Veneta City Council finds the following:

1. A public hearing was held on November 10, 2008 on the proposed amendments after providing the required notice as per Section 2.11 of Veneta’s Land Development Ordinance No. 461 and Land Division Ordinance No. 462. The public hearing was closed and the proposed changes forwarded to the City Council for adoption.
2. The Veneta City Council recommended some changes at the November 10, 2008 meeting.
3. The proposed amendments to the Veneta Land Development Ordinance and Land Division Ordinance are consistent with the goals and policies of the Veneta Comprehensive Plan Ordinance No. 416, and therefore comply with all applicable statewide planning goals.
4. The proposed amendments comply with the goals and policies of the Veneta Comprehensive Plan. These amendments do not alter the intent or purpose of any portion of the land development or land division ordinances. The intent of these amendments is to provide clarity, consistency, and to more fully implement the goals and policies of the Veneta Comprehensive Plan.

LAND DEVELOPMENT ORDINANCE NO. 461

Applicable ordinance and Comprehensive Plan provisions are set forth in *italics*, below. Findings showing compliance with the applicable criteria and standards are in **bold**.

SECTION 1.02 PURPOSE

The purpose of this ordinance is to establish standards and procedures for the orderly development of land within the City of Veneta; to assist in implementing the Veneta Comprehensive Plan and to promote the public health, safety and general welfare.

The following amendments to the Land Development Ordinance No. 461 clarify existing regulations:

1. Section 2.04(1)(a) Adds residential buildings and refers requirements to VMC.
2. Section 2.10(1) Adds provisions which identify who the responsible party is in matters of enforcement, violations and penalties.
3. Section 2.10(2) Adds provisions that detail inspection and right of entry.
4. Section 2.10(3)(d) Revises the procedure requirements where violations have not be rectified. Adds provisions that give discretion of referring the matter(s) to the City Attorney or instituting any necessary legal proceedings.
5. Section 2.10(4) This section was moved from Section 2.10(1) and increases the minimum fines.

VENETA COMPREHENSIVE PLAN NO. 416

II. PLANNING FRAMEWORK

A. COMMUNITY VISION

In order to help Veneta continue to evolve in a promising direction, citizens joined together with public officials to develop goal statements for the Comprehensive Plan. As goals, they provide a general vision and framework for planning in the City. They are broad statements that embody the community's hope for its future. By supporting and following the Comprehensive Plan, the community continuously strives towards these goals.

2. *Maintain Veneta as an attractive residential community while improving the service and retail sector and developing a commercial and light industrial employment base for the entire Fern Ridge area.*

III. PLAN ELEMENTS AND POLICIES

B. COMMUNITY, BUILDING, AND SITE DESIGN ELEMENTS

POLICIES:

12. *Actively enforce nuisance and development ordinances to maintain an attractive and safe environment.*

The City finds that the manner in which nuisance and development ordinances are enforced has a substantial impact on maintaining an attractive and safe environment

for residents of the city. The proposed amendments are intended to ensure;

1. That in any enforcement action, the person responsible for the nuisance is clearly identified.
2. That any enforcement action where the violation is committed in a commercial or industrial zone shall more clearly define the responsible party.
3. That when necessary to investigate a suspected violation, the City Administrator and/or his designee may enter any site with reasonable notice or opportunity to comply.
4. Violations of a City ordinance on a lot or parcel requesting development permits are addressed prior to further land development or building permits being issued.

To meet these ends, the City has worked with the City Attorney to create a set of standards clearly identifying those responsible for nuisance and development ordinance violations. These standards will provide more flexibility for City staff to efficiently process violations and collect the required evidence to support the violation.

13. *Establish and enforce development and performance standards for landscaping, buildings, open space, architecture, and tree canopy.*

The proposed addition of the term “Residential” to Section 2.04(1)(a) of the Land Development Ordinance is consistent with this policy. Residential buildings and new residential construction are very prominent in Veneta. As development continues, it is important that the all development standards including those for residential are enforced including standards for landscaping, buildings, open space, architecture and tree canopy.

C. RESIDENTIAL LAND AND HOUSING ELEMENT

POLICIES:

19. *Enforce land development and nuisance ordinances and building codes to help maintain the appearance and safety of the existing housing stock.*

The amended standards will provide more flexibility for City staff to efficiently process violations and collect the required evidence to support the violation. More flexibility in efficiently processing violations will help to maintain the appearance and safety of the existing homes and businesses.

D. ECONOMIC DEVELOPMENT ELEMENT

POLICIES:

5. *Establish and actively enforce nuisance and property maintenance regulations to create attractive, well-maintained industrial and commercial areas.*

The amended standards will provide more flexibility for City staff to efficiently process violations and collect the required evidence to support violations in industrial and commercial areas.

LAND DIVISION ORDINANCE NO. 462

Applicable ordinance and Comprehensive Plan provisions are set forth in *italics*, below. Findings showing compliance with the applicable criteria and standards are in **bold**.

SECTION 1.02 PURPOSE

The purpose of this ordinance is to establish standards and procedures for the division of land within the jurisdiction of the City of Veneta. These regulations are necessary in order to provide uniform procedures and standards for the division of land; to provide for the proper width and arrangement of streets; to coordinate proposed development with any overall plan; to provide for utilities and other public facilities; to avoid undue congestion of population; to assure adequate sanitation and water supply; to provide for the protection, conservation and proper use of land; and in general to protect the public health, safety and welfare.

VENETA COMPREHENSIVE PLAN NO 416

III. PLAN ELEMENTS AND POLICIES

B. COMMUNITY, BUILDING, AND SITE DESIGN ELEMENT

GOAL:

Create a city with efficient and ecologically sensitive infrastructure; an environment that aesthetically stimulates us; and buildings, sidewalks, trails, and other public facilities that are accessible to everyone.

C. RESIDENTIAL LAND AND HOUSING ELEMENT

GOALS:

- 1. Encourage efficient land development patterns that minimize service and infrastructure costs and provide viable, livable neighborhood centers with nodal development, mixed land uses, housing types and alternative or non-conventional building practices.*

D. ECONOMIC DEVELOPMENT ELEMENT

GOAL:

Pursue the economic interest of the City of Veneta by constructing and implementing policies and programs, including but not limited to the following functions:

- a) Guide the responsible expansion and growth of business and industry in Veneta and the Fern Ridge area.*
- b) Develop a working relationship with economic development-related public and private agencies, community groups, and business organizations.*
- c) Engage in dialogue with interested parties about the development of Veneta's industrially and commercially zoned properties, and other development and interests related to Comprehensive Plan Goals.*

E. UTILITIES

GOAL:

Upgrade and develop adequate water, sewer, storm drainage and other appropriate utilities to serve the planning population. (Other utilities could potentially include telecommunications, electric, cable, solid waste, etc.).

F. COMMUNITY FACILITIES AND SERVICES

GOAL:

Upgrade and develop adequate community facilities and services to serve the planning population. The community facilities element of the Comprehensive Plan includes those public and semipublic activities in the community, with the exception of utilities and parks and open space. Each of these are considered as separate elements.

G. TRANSPORTATION

MISSION:

To enhance the quality of life in the City of Veneta through a balanced transportation system that meets the travel needs of the community.

H. PARKS AND OPEN SPACE

GOAL:

Develop a variety of neighborhood parks, open space areas, and recreational facilities for use by the residents of Veneta.

I. NATURAL RESOURCES

GOALS:

- 1. Conserve open space and protect natural and scenic resources, including wildlife corridors.*
- 2. Conserve and protect Veneta's significant wetland resources.*

K. AREAS SUBJECT TO DEVELOPMENT CONSTRAINTS

GOAL:

Protect life and property from natural hazards and disasters.

The proposed amendments to the Land Division Ordinance continue to maintain the goals of the Comprehensive Plan and the purpose of the Land Division Ordinance. The proposed changes clarify previously established standards and procedures for the division of land within the City of Veneta. The clarified amendments include requirements for more specific maps identifying existing conditions, proposed tentative plans, utility plans, and significant natural features, as well as some minor reorganizing of both Article 4 and Article 5 that help further the goals and policies of the Comprehensive Plan. All of the proposed changes are consistent with the plan elements above and help further implement the Comprehensive Plan.