



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

October 1, 2007

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Veneta Plan Amendment
DLCD File Number 003-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 16, 2007

This amendment was submitted to DLCD for review with less than the required 45-day notice because the jurisdiction determined that emergency circumstances required expedited review. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

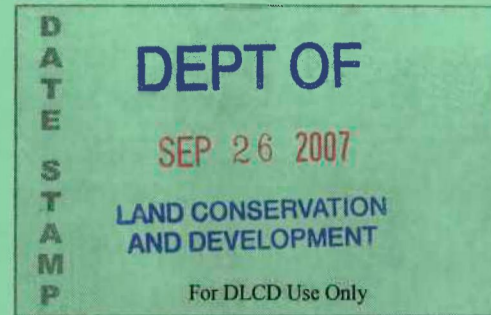
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Brian Issa, City of Veneta

<paa> ya/

PROF 2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Veneta Local file number: ~~GP/ZG-1-07~~ A-2-07
Date of Adoption: 9/24/2007 Date Mailed: 9/25/2007
Date original Notice of Proposed Amendment was mailed to DLCD: 7/24/2007

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The City recently declared an undeveloped parcel zoned for parkland as surplus and traded it for a residentially zoned parcel adjacent to a City park. The City seeks to change the Comp Plan and Zoning designations for these two parcels to reflect their intended usage. Taxlot 1900(.5acres) comp/rezone from SFR8000 to Parks. Taxlot 1212(1.1 acres) comp/rezone from Parks to SFR8000.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

SAME

Plan Map Changed from: See Above to: _____

Zone Map Changed from: See above to: _____

Location: See attached map Acres Involved: _____

Specify Density: Previous: Approx 2 units total New: Approx 5 units total

Applicable Statewide Planning Goals: 2,8

Was an Exception Adopted? YES NO

DLCD File No.: 003-07 (16257)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: _____ Phone: (____) _____ - _____ Extension: _____

Address: _____ City: _____

Zip Code + 4: _____ - _____ Email Address: _____

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO (2) Copies** of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to **8-1/2x11 green paper only**; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 473

AN ORDINANCE AMENDING THE VENETA COMPREHENSIVE PLAN MAP AS ADOPTED BY ORDINANCE 416, SECTION 2 AND THE VENETA ZONING MAP AS ADOPTED BY THE VENETA LAND DEVELOPMENT ORDINANCE 461, ARTICLE 3, SECTION 3.04; AND DECLARING AN EMERGENCY

WHEREAS, the owners have proposed to change the comprehensive plan map and zoning map designations for Assessors Map 17-06-36-43 tax lot 1212 and Assessors Map 17-06-36-42, tax lot 1900; and

WHEREAS, the Veneta Planning Commission conducted a properly advertised public hearing on the proposed amendments to the Veneta Comprehensive Plan map and Veneta Zoning map on September 4, 2007 and recommended that the City Council adopt the proposed amendments; and

WHEREAS, the Veneta City Council conducted a properly advertised public hearing on the proposed amendments to the Veneta Comprehensive Plan map and the Veneta Zoning map on September 24, 2007; and

WHEREAS based upon all materials relevant to the proposal, staff reports, findings made by the Veneta Planning Commission, and testimony and comments submitted at both public hearings and/or in writing, the Veneta City Council has made the following findings of fact:

FINDINGS OF FACT:

Text from City Ordinances and Adopted Plans are in italics.

VENETA COMPREHENSIVE PLAN, ORDINANCE 416 - Updating the Plan:

For a plan amendment to be legally adopted, there must be documentation of an "established need" for the plan change. The establishment of this need rests ultimately with the City Council.

The need for this plan amendment is largely established by the City's Parks, Recreation, and Open Space Master Plan adopted in 1998 which states that,

Four of Veneta's five existing parks—Ralph Johnson, Oak Island, Fern Park, and 5th Street—are smaller than the optimal minimum size for a neighborhood park as shown

above. However, because these parks are in close proximity to central residential areas of the city and serve certain functions of neighborhood parks, they are classified as such. It should be noted that the utility of each small park is greatly limited by its size. Areas shown as served by one of these parks on the site analysis map (Sheet L2) are actually underserved, due to the lack of space and facilities located at these parks. However, they do contribute to the system of parks and open spaces in Veneta and their value should not be underestimated.

Like 5th Street Park, Fern Park can continue to serve as a play area but should be augmented by a larger facility with more active play space in the neighborhood. Selective tree removal and installation of a light within the park has helped improve park safety and visibility. However, concerns regarding vandalism and after hours use persist and are compounded by the park's configuration, depth, and lack of street frontage and access.

These conclusions point to the need to expand Fern Park particularly to increase access and street frontage. Tax lot 1900 is approximately .5 acres and will double the frontage of the park to a total of 134 ft and add considerable amount of open area once the house is removed. The addition of tax lot 1900 and its rezoning and designation change for use as a public park helps meet the needs identified above.

Tax lot 1212 on Bolton Hill is not currently developed or utilized as park space and is referred to in the parks plan as follows:

The Bolton Hill site is 1.47 acres in size and sloped, with scattered trees and other vegetation. Although long and thin in shape, the parcel has frontage on Bolton Hill Road, a rural collector. It has the potential to be developed into a neighborhood park, especially if adjacent property to the south can be acquired for expansion to improve park functions, visibility and its accessibility from existing and future residences. The site's current relationship to the adjacent Bowling Green subdivision does not capitalize on the site's proximity to residential lots.

The adjacent property to the south referred to here was determined to be wetlands during amendment of the Southwest Area Plan (SWAP) and is not available for

development as park area. The SWAP update also resulted in over 30 acres of open space including a 7+ acre park directly south of Bowling Green subdivision which will be within a quarter mile distance of the existing vacant property and will have a larger service area due to its size, access, and amenities. The City also working to secure ownership of the TSP fields which are adjacent to Bowling Green. When the SWAP is built out, this area will be the best served in the City even without the parcel on Bolton Hill.

VENETA LAND DEVELOPMENT ORDINANCE 461, ARTICLE 11 - AMENDMENTS.

An amendment to the zoning map may be initiated by the City Council, the City Planning Commission or by application of a property owner. The request by an application for an amendment shall be accomplished by filing an application with the Building and Planning Official using forms prescribed pursuant to Section 2.06. A filing fee in accordance with the provisions of Section 2.08 and a narrative statement explaining the reasons for the amendment shall accompany an application by a property owner.

The property owners submitted an application and narrative statement requesting the amendment to the zoning map to re-zone their properties.

THE CITY OF VENETA ORDAINS AS FOLLOWS:

SECTION 1. The City Council adopts the above findings of fact as its basis for the following amendments.

SECTION 2. The plan designations for the Veneta Comprehensive Plan map are hereby changed for Assessors Map 17-06-36-43 tax lot 1212 from Parks to Low Density Residential (L) and for Assessors Map 17-06-36-42 tax lot 1900 from Low Density Residential (L) to Parks, as shown on Exhibit 1, attached hereto and incorporated herein by this reference.

SECTION 3. The zone designations for the Veneta Zoning map are hereby changed for Assessors map 17-06-36-43 tax lot 1212 from Public Facilities and Parks (PFP) to Single Family Residential 8000 sq. ft. minimum (SFR8000) and for Assessors Map 17-06-36-42 tax lot 1900 from Single Family Residential 8000 sq. ft. minimum (SFR8000) to Public Facilities & Parks

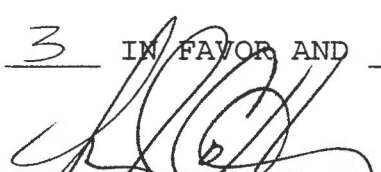
(PFP) as shown on Exhibit 2, attached hereto and incorporated herein by this reference, .

SECTION 4. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Veneta, and an emergency is hereby declared to exist and this ordinance shall take effect in full force and effect when signed by the Mayor.

READ FOR A FIRST TIME, BY TITLE ONLY, this 24th day of September 2007, no Council person in attendance having requested that it be read in full.


READ FOR A SECOND TIME, BY TITLE ONLY, AND FOR FINAL ADOPTION, this 24th day of September 2007, no Council person in attendance having requested that it be read in full.

ADOPTED BY A VOTE OF 3 IN FAVOR AND 0 AGAINST.



Thomas Cotter, Council President
Acting Mayor
Executed on 9/24/07

ATTEST:



Darci Henneman,
Assistant City Recorder
Executed on 9/24/07

FILE COPY

