

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE PA 1131

( IN THE MATTER OF ADOPTING AMENDMENTS TO THE RURAL  
( COMPREHENSIVE PLAN AND THE VENETA COMPREHENSIVE  
( PLAN TO ENLARGE THE VENETA URBAN GROWTH BOUNDARY  
( AND REDESIGNATE AFFECTED LANDS FROM A RURAL  
( COMPREHENSIVE PLAN DESIGNATION TO A CITY PLAN  
( DESIGNATION AND REZONE THESE AFFECTED LANDS FROM A  
( LANE CODE CHAPTER 16 DISTRICT TO A LANE CODE CHAPTER  
( 10 DISTRICT, ADOPT TEXT CHANGES TO THE VENETA  
( COMPREHENSIVE PLAN DOCUMENT, AND ADOPT AN  
( EXCEPTION TO STATEWIDE PLANNING GOAL 14; AND  
( ADOPTING SAVINGS AND SEVERABILITY CLAUSES  
( (file PA 99-5306; City of Veneta)

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance PA 884, has adopted Land Use Designations and Zoning for lands within the planning jurisdiction of the Lane County Rural Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance 881, has adopted policies and provisions of the Veneta Comprehensive Plan; and

WHEREAS, lands within the Urban Growth Boundary of the Veneta Comprehensive Plan but outside of the City limits are within the political jurisdiction of Lane County, and are subject to County-adopted application of City Plan designations and County zoning provisions as set forth in Chapter 10, Lane Code; and

WHEREAS, in April 1999, the City of Veneta adopted amendments to the City Comprehensive Plan, including the addition of land to the City Urban Growth Boundary and changes to the Plan text; and

WHEREAS, the City of Veneta has requested Lane County action in co-adopting these amendments to achieve city-county coordination of land use planning within the City Urban Growth Boundary, in the form of Lane County's removal of land from the planning jurisdiction of the Rural Comprehensive Plan and placement of it within the Veneta Urban Growth Boundary, adoption of an exception to statewide planning goal 14, application of a City Plan land use designation and the zoning provisions of Lane Code Chapter 10 to land added to the Urban Growth Boundary, and adoption of changes to the Plan text; and

WHEREAS, the Lane County Planning Commission reviewed the proposal in public hearing on May 4, 1999, and recommended approval of the proposed amendments; and

WHEREAS, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapters 10, 12 and 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted public hearings and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County Ordains as follows:

Section 1. The Lane County Rural Comprehensive Plan is amended by removal of territory from its planning jurisdiction, such territory being further identified on Plan Plot 177, identified as Exhibit "A"

IN THE MATTER OF ADOPTING AMENDMENTS TO THE RURAL COMPREHENSIVE PLAN AND THE VENETA COMPREHENSIVE PLAN TO ENLARGE THE VENETA URBAN GROWTH BOUNDARY AND REDESIGNATE AFFECTED LANDS FROM A RURAL COMPREHENSIVE PLAN DESIGNATION TO A CITY PLAN DESIGNATION AND REZONE THESE AFFECTED LANDS FROM A LANE CODE CHAPTER 16 DISTRICT TO A LANE CODE CHAPTER 10 DISTRICT, ADOPT TEXT CHANGES TO THE VENETA COMPREHENSIVE PLAN DOCUMENT, AND ADOPT AN EXCEPTION TO STATEWIDE PLANNING GOAL 14; AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES (file PA 99-5306; City of Veneta)

attached and incorporated herein, and Zoning Plot 177, identified as Exhibit "B" attached and incorporated herein.

Section 2. The Veneta Comprehensive Plan, as amended, is further amended by the addition of territory removed from the Rural Comprehensive Plan, placed within the Urban Growth Boundary of the City Plan, and redesignated with a City Plan designation of "Public" and rezoned with a Lane County Code Chapter 10 zoning designation of "F-2/Forest Land" (LC 10.104), as identified on attached Exhibit "C" attached and incorporated herein.

Section 3. The text of the Veneta Comprehensive Plan is amended to add and delete material as cited on Exhibit "D" attached and incorporated herein.

Section 4. An Exception to LCDC Statewide Planning Goal 14 for the property described in section 1 of this Ordinance, taken in accordance with the requirements of LCDC Statewide Planning Goal and Oregon Administrative Rule requirements and set forth in the form of findings of fact and conclusions of law in pages 3-6 of Exhibit "E" attached to this Ordinance, is adopted.

The prior designation and zone repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity to the remaining portions hereof.

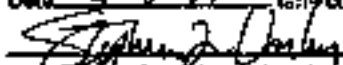
FURTHER, although not a part of this Ordinance except as described above, the Board of County Commissioners adopts Findings as set forth in Exhibit "E" attached, in support of this action.

ENACTED this 30<sup>th</sup> day of June, 1999.

  
\_\_\_\_\_  
Chair, Lane County Board of County Commissioners

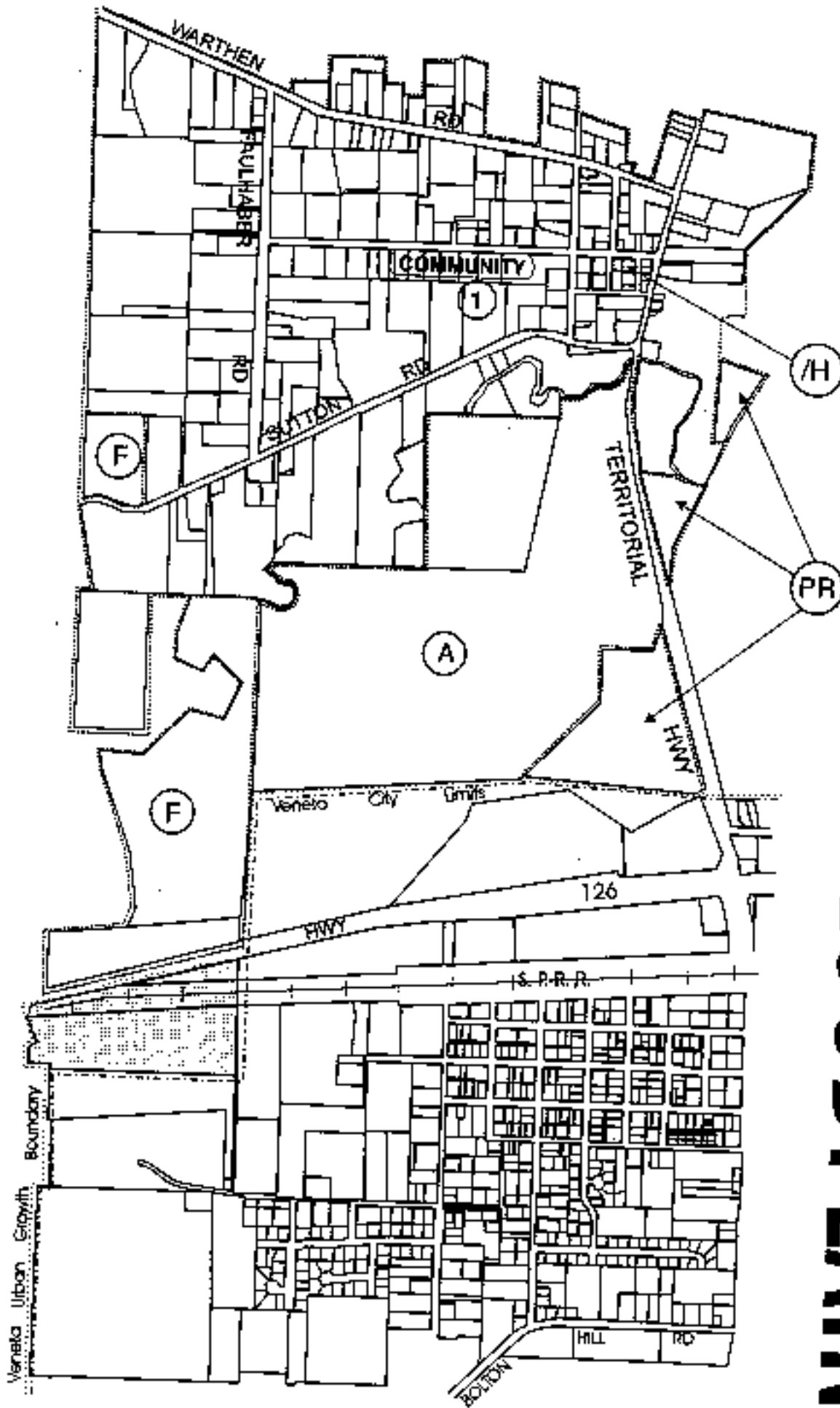
  
\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 6-8-99 lane county  
  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

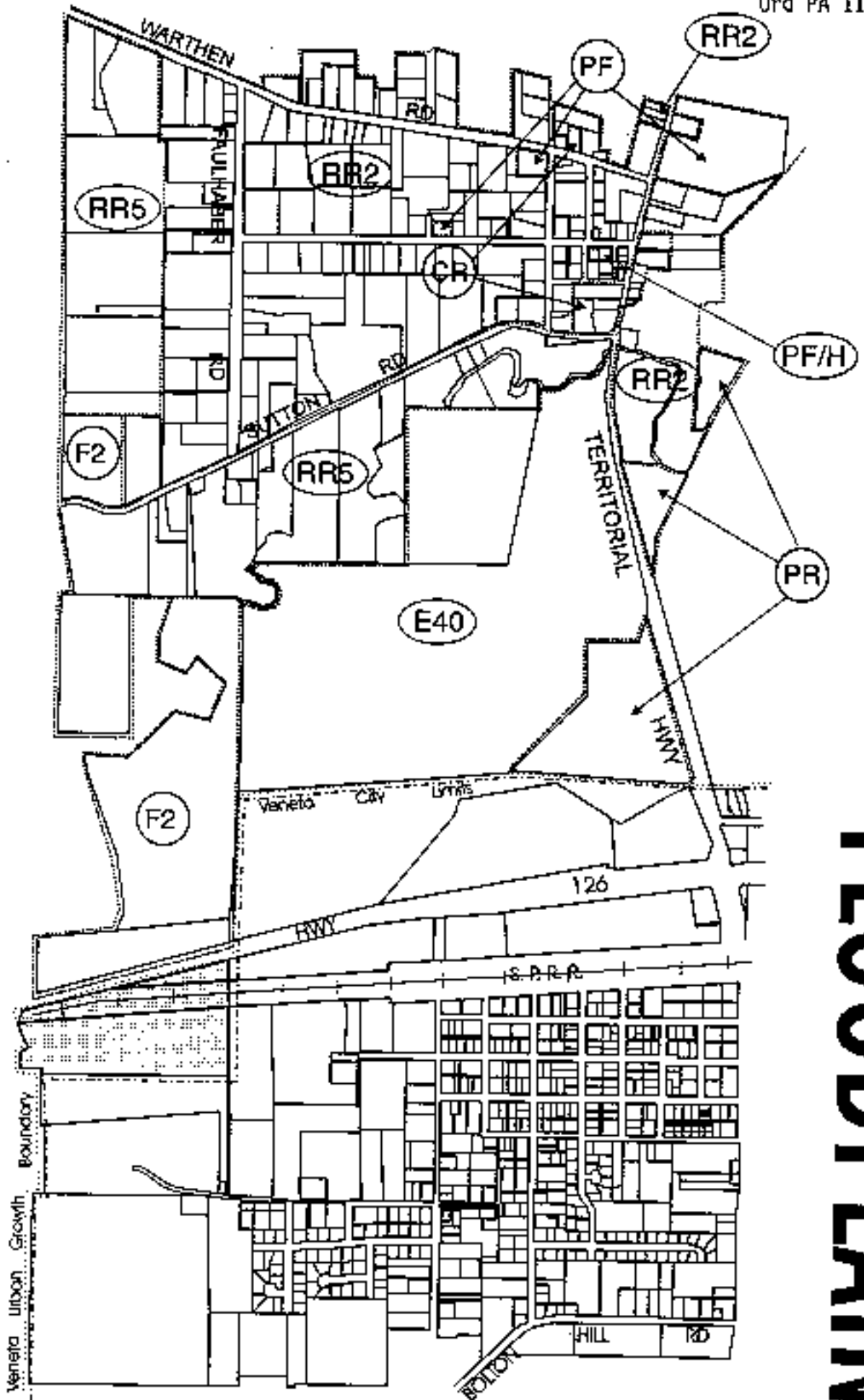
IN THE MATTER OF ADOPTING AMENDMENTS TO THE RURAL COMPREHENSIVE PLAN AND THE VENETA COMPREHENSIVE PLAN TO ENLARGE THE VENETA URBAN GROWTH BOUNDARY AND REDESIGNATE AFFECTED LANDS FROM A RURAL COMPREHENSIVE PLAN DESIGNATION TO A CITY PLAN DESIGNATION AND REZONE THESE AFFECTED LANDS FROM A LANE CODE CHAPTER 16 DISTRICT TO A LANE CODE CHAPTER 10 DISTRICT, ADOPT TEXT CHANGES TO THE VENETA COMPREHENSIVE PLAN DOCUMENT, AND ADOPT AN EXCEPTION TO STATEWIDE PLANNING GOAL 14; AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES (file PA 99-5306; City of Veneta)

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# FLOODPLAIN



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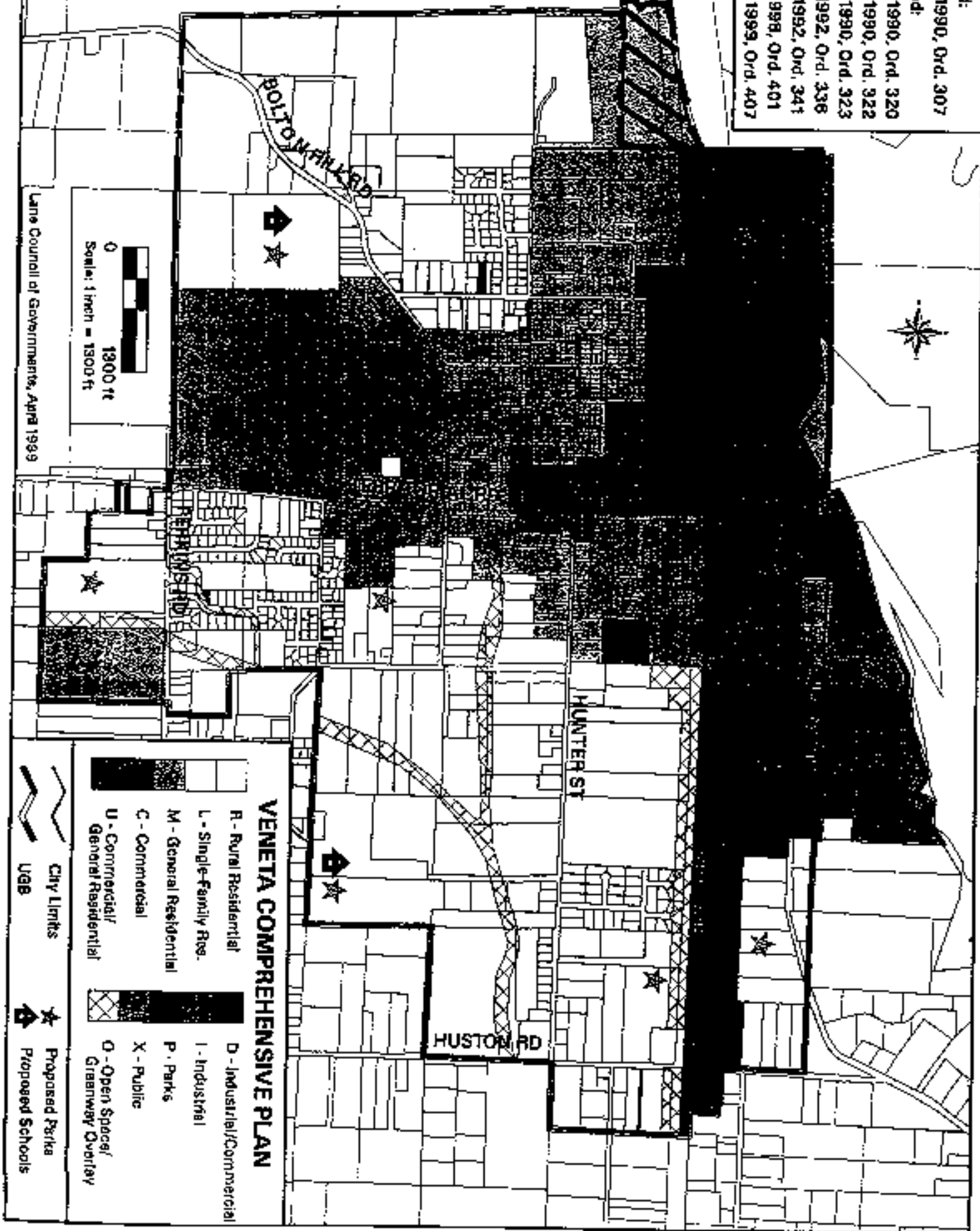
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# FLOODPLAIN

Adopted:  
 August 1990, Ord. 307  
 Amended:  
 Aug. 13 1990, Ord. 320  
 Nov. 28 1990, Ord. 322  
 Nov. 28 1990, Ord. 323  
 May 11 1992, Ord. 336  
 July 27 1992, Ord. 341  
 Nov. 9 1998, Ord. 401  
 May 10 1999, Ord. 407

City Plan designation "Public"  
 Lane County zoning: "F-2/  
 Forest Land" (Lane Code 10.104)

Exhibit "C"  
 Ord PA 1131



1300 ft  
 Scale: 1 inch = 1300 ft

Lane Council of Governments, April 1989

**VENETA COMPREHENSIVE PLAN**

- |   |  |   |                                     |
|---|--|---|-------------------------------------|
|  | R - Rural Residential                  |  | D - Industrial/Commercial           |
|  | L - Single-Family Res.                 |  | I - Industrial                      |
|  | M - General Residential                |  | P - Parks                           |
|  | C - Commercial                         |  | X - Public                          |
|  | U - Commercial/<br>General Residential |  | O - Open Space/<br>Greenway Overlay |

-  City Limits  
 UGB  
 Proposed Parks  
 Proposed Schools

## VENETA COMPREHENSIVE PLAN TEXT AMENDMENTS

Portions deleted are shown in ~~strike-out~~ format. New text added is shown in boldface underline. Explanatory comments are shown in *italics*.

1. *Amendment to section entitled, ANALYSIS OF COMMUNITY NEEDS AND DEVELOPMENT OPTIONS, page 9 of Plan document:*

D. EVALUATION OF DEVELOPMENT OPTIONS

~~1. POPULATION HOLDING CAPACITY~~

~~The city limits of Veneta is the urban growth boundary (UGB) for the City.~~

~~2. DEVELOPMENT CONSTRAINTS~~

2. *Amendments to section entitled, COMPREHENSIVE PLAN ELEMENTS, pages 19 and 24 of Plan document, a. and b. respectively below:*

- a. Urban Services Boundary: The concept of an urban service boundary is important to understand as it relates to urban development. ~~The City's "urban growth boundary" is the city limits.~~ Usually, an urban growth boundary and an urban service boundary are synonymous. In the case of Veneta, there is a difference.

The Veneta UGB includes 1,577 acres of land. Of this amount 558 acres are currently developed and 93 acres are unsuitable for development because of steep slopes or location in the Long Tom River floodplain. Consequently, 926.5 acres of land are available for development but only 40 additional acres need to be developed to meet projected needs of a population of 5,977 people.

*Insert footnote after first sentence in this paragraph stating, Veneta's UGB expansion will bring 22 acres into the UGB so the total UGB acres will be 1,599. The buildable lands inventory has not been updated as part of the UGB expansion.*

- b. Annexation: Annexation of two city-owned parcels is strongly encouraged.

(1) Existing Sewer Lagoon: This site is divided in two sections by the ~~Urban Growth Boundary~~ city limits.

### FINDINGS IN SUPPORT OF ADOPTION OF THE ORDINANCE

The Board of County Commissioners makes the following findings and conclusions of law in support of this Ordinance adopting an expansion to the Veneta Urban Growth Boundary.

#### General Findings

- Finding 1 - The city is currently in periodic review and undertaking major revisions and updates to the Comprehensive Plan.
- Finding 2 - The City directed Lane Council of Governments to undertake the work to study the existing situation and determine appropriate revisions to the Comprehensive Plan needed to carry out the directives of the Comprehensive Plan and the requirements of the Wastewater Facilities Plan.
- Finding 3 - In 1997, the city adopted a Wastewater Facilities Plan to serve a projected population of 5,471 by the year 2020. This Facilities Plan calls for expansion of the wastewater treatment plant capacity. The city owns the property where the sewer lagoons are located.
- Finding 4 - Currently, the city limits are the same as the UGB. The city limits divide the sewer lagoons in two sections (refer to Exhibit E). Additional work on the city sewer lagoons will be required.
- Finding 5 - There is an "established need" for the plan change as evidenced by Comprehensive Plan Policy III.B.4 on page 18. This policy states that "Veneta shall proceed with plans to annex the existing city lagoon, state highway and 78 acre site proposed for expansion of city sewer treatment facilities." There is additional language on page 23 of the Comprehensive Plan which states, "Annexation: Annexation of two city-owned parcels is strongly encouraged. (1) Existing Sewer Lagoon: This site is divided in two sections by the Urban Growth Boundary." In order to annex the lagoons, the property must first be included within Veneta's urban growth boundary in order to comply with the administrative rules of the Lane County Local Government Boundary Commission.
- Finding 6 - The proposed expansion includes the railroad right-of-way and city-owned tax lot 300 in order to allow the city to complete any work necessary that is associated with the sewer lagoons and lift station. However, the proposed expansion does not include the state highway right-of-way at the suggestion of the Oregon Department of Transportation. It also does not include the 78 acre site north of Highway 126 since use of this site is proposed for effluent application rather than sewer lagoons. Effluent application, while important to the city's wastewater treatment system, still allows for rural use of the land since this land can continue to be used for rural agricultural uses. Therefore, it will not be brought into the UGB at this time.
- Finding 7 - The portion of the sewer lagoons that are already within Veneta's UGB are designated Public (X). The Goal of the Public Plan Designation is to "Provide sufficient land area for the expansion of existing public facilities and construction of new facilities as the

community grows." Designating the area within the proposed UGB expansion is consistent with this goal and existing application of the designation.

- Finding 8 - The city will follow the process outlined on page 86 of the Comprehensive Plan. The Planning Commission held a public hearing on March 1, 1999, and made a recommendation to the City Council. The City Council held a final public hearing on April 12, 1999. If the amendment is approved, the City will instruct the city attorney to finalize an ordinance to that effect and the ordinance will be adopted at the next regularly scheduled Council meeting.

#### Findings Relating to Applicable Statewide Planning Goals

Amendments to the Veneta Comprehensive Plan must be consistent with statewide planning goals and be based on a documented need for the Comprehensive Plan change. The statewide planning goals applicable to this proposed amendment are Goals 1 (Citizen Involvement), 2 (Land Use Planning), 4 (Forest Lands), 11 (Public Facilities and Services), and 14 (Urbanization). Approval of this amendment requires taking an exception to Goals 4 and 14 following the procedures and requirements set forth in Goal 2, Part II, Exceptions. Findings supporting these exceptions are listed below under Goals 4 and 14, respectively.

*Goal 1: Citizen Involvement - To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

- Finding 9 - Veneta's Comprehensive Plan makes the City Council solely responsible for adopting amendments to the Comprehensive Plan (see page 86).
- Finding 10 - The City Council also serves as Veneta's Committee for Citizen Involvement.
- Finding 11 - Notice of the public hearings before the Planning Commission and City Council was published, posted, and mailed to property owners as required by Section 2.110 of Veneta's Land Development Ordinance 375.
- Finding 12 - Notice was also mailed to everyone on Veneta's periodic review mailing list as required by Task 1 - Citizen Involvement in the Periodic Review Work Plan.

*Goal 2: Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.*

- Finding 13 - Goal 2 requires cities and counties to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. City and county actions related to land use are supposed to comply with acknowledged comprehensive plans. This proposed amendment is consistent with the Veneta Comprehensive Plan and is therefore consistent with Goal 2.

*Goal 4: Forest Lands - To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use of forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

- Finding 14 - The subject property is physically developed with sewage lagoons which are a key facility in providing urban level sanitary sewer service to Veneta. There is a demonstrated need for this key urban facility to be located within the urban growth boundary as demonstrated by Goal 11, below.

- Finding 15 - Expansion of the sewer lagoons on the same site is planned as part of Veneta's 1997 Wastewater Facilities Plan in order to provide adequate service to the 20-year population projection. The railroad right-of-way and adjacent city property will allow for location of lines and other facilities related to the expansion of the sewer treatment facility.
- Finding 16 - Expansion of the sewer lagoons reasonably requires a location near the existing sewer lagoons. Locating sewer lagoons at another site that would not require a new exception would not be economically viable due to the location of the established infrastructure, including both the existing conveyance and treatment system.
- Finding 17 - The long-term environmental, economic, social and energy consequences resulting from the use of the proposed site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site since the current sewer lagoons are located on the site and the established conveyance system is designed to deliver the city's wastewater to this site for treatment.
- Finding 18 - Just north of the proposed expansion area is Highway 126. Most of the property adjacent to the proposed UGB expansion area is undeveloped. There is one home on tax lot 800, just north of Sertic, but most of the property is vacant. This property is designated and zoned Single-Family Residential. On tax lot 700 of assessor's map 17-06-36-24, there is a small mobile home park close to Sertic Road. The portion of that tax lot adjacent to the UGB expansion area is vacant. This property is designated and zoned General Residential. The surrounding property outside the city, including the property to the north of Highway 126, is zoned Impacted Forest Land. The proposed use as sewer lagoons (continuation of an existing use) and associated treatment facilities are compatible with these adjacent uses.
- Finding 19 - Findings 14 through 18 demonstrate that the standards for an exception to Goal 4 have been met.

*Goal 11: Public Facilities and Services - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

- Finding 20 - Veneta's existing sewer lagoons provide sanitary sewer service to the urban population within the city limits. Improvements to the sewer lagoons called for in the City of Veneta Wastewater Facilities Plan (1997) will help meet the projected 20-year urban population of Veneta.
- Finding 21 - Sewage lagoons are considered an urban use in that they are a key facility in providing sanitary sewer service to the City of Veneta at a level appropriate for urban development. It is appropriate to locate key urban facilities within an urban growth boundary in order to encourage the timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.
- Finding 22 - Having the sewer lagoons straddling the city limits and UGB, giving land use authority to two different jurisdictions, one urban (City of Veneta) and one rural (Lane County), has the potential to generate inefficiency that could impede the timely, orderly and efficient arrangement of public facilities and services required by Goal 11.

*Goal 14: Urbanization - To provide for an orderly and efficient transition from rural to urban land use.*

Statewide Planning Goal 14 is to provide for an orderly and efficient transition from rural to urban land use. Expanding the UGB requires taking an exception to Goal 14 using the requirements and procedures of Goal 2, Part II, Exceptions. Oregon Administrative Rules (OAR) 660-004-0010 (1)(c)(B) sets forth requirements for taking an exception to Goal 14. These requirements are addressed following the findings

addressing the seven factors of Goal 14 to be considered in establishing urban growth boundaries. This proposed UGB amendment is consistent with these seven factors as described below.

1. *Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.*

Finding 23 - The land on which the sewer lagoons is situated is needed to accommodate existing population needs as well as long-range urban population growth as planned for in Veneta's Wastewater Facilities Plan, November 1997. The Wastewater Facilities Plan was developed to address current capacity limitations that have resulted in a moratorium on sewer connections and to provide adequate service for a projected population of 5,471 by the year 2020. The Wastewater Facilities Plan explored different alternatives to providing this key urban service and determined that upgrading and expanding the existing treatment facilities on the same site was the most economically viable option to accommodate long-range urban population growth requirements consistent with LCDC goals.

2. *Need for housing, employment opportunities, and livability.*

Finding 24 - An urban level sanitary sewer service is needed to provide for projected housing, employment opportunities, and livability. Current capacity limitations have forced the City of Veneta to declare a moratorium on sewer connections. An inadequate level of sanitary sewer service precludes construction of needed housing and depresses the development of employment opportunities. An urban level of sanitary sewer service is essential to livability at urban densities for reasons of health. An adequate level of sanitary sewer service is also necessary for preserving water quality, which is effects livability of an area.

3. *Orderly and economic provision for public facilities and services.*

Finding 25 - Having city jurisdiction over key urban sanitary sewer facilities is important to the orderly and economic provision for public facilities and services. Having the sewer lagoons straddling the city limits and UGB, giving land use authority to two different jurisdictions, one urban (City of Veneta) and one rural (Lane County), has the potential to generate inefficiency that could impede the timely, orderly and efficient arrangement of public facilities and services.

4. *Maximum efficiency of land uses within and on the fringe of the existing urban area.*

Finding 26 - Having an adequate level of urban sanitary sewer service maximizes efficiency of land uses within the existing urban area since it allows development at densities greater than would be possible with on-site septic systems.

Finding 27 - There is no proposal to change the land uses of the property proposed for inclusion in the UGB.

5. *Environmental, energy, economic and social consequences.*

Finding 28 - Inclusion of this land in Veneta's UGB will facilitate improvements to the city's wastewater treatment facilities. These improvements will benefit the environment by achieving state and federal wastewater discharge requirements. The improvements to the treatment facilities will have a social impact by allowing development to proceed without the impediment of a sewer moratorium. There are no anticipated energy consequences associated with the amendment since no changes to land use are being proposed. The only economic consequence of proposed change is that it will streamline the permitting

process for any improvements to the city's sewer lagoons, thereby reducing economic costs and improving efficiency in the provision of services.

6. *Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI being the lowest priority.*

Finding 29 - The subject property is currently designated for forest uses and has soils that are considered Classes III and IV.

Finding 30 - The subject property is not available for agricultural or forest uses due to the existence of the sewer lagoons, the railroad tracks, and wetlands.

Finding 31 - No other property that would not require an exception is practical for the location of the sewer lagoons given the current location of the sewer lagoons.

7. *Compatibility of the proposed urban uses with nearby agricultural activities.*

Finding 32 - The use of the subject property will continue to be for sanitary sewer lagoons and the railroad. There is no evidence that existing sewer lagoons or the railroad are incompatible with nearby agricultural uses. Effluent from the sanitary sewer lagoons is currently sprayed on nearby agricultural lands.

*OAR 660-004-0010 (1)(c)(B): When a local government changes an established urban growth boundary it shall follow the procedures and requirements set forth in Goal 2 "Land Use Planning", Part II, Exceptions. An established urban growth boundary is one which has been acknowledged by the Commission under ORS 197.251. Revised findings and reasons in support of an amendment to an established urban growth boundary shall demonstrate compliance with the seven factors of Goal 14 and demonstrate that the following standards are met:*

[Note: The following standards contained in OAR 660-004-0010(1)(c)(B) are the same standards listed in Goal 2, Part II, Exceptions, (c).]

(i) *Reasons justify why the state policy embodied in the applicable goals should not apply (This factor can be satisfied by compliance with the seven factors of Goal 14);*

Finding 33 - The proposed UGB expansion complies with the seven factors of Goal 14 as demonstrated in findings 23 through 32, above, and therefore satisfies this standard. [Note: This finding reflects the change made by the Veneta City Council on April 12, 1999.]

(ii) *Areas which do not require a new exception cannot reasonably accommodate the use;*

Finding 34 - There are no exception areas that could reasonably accommodate the use as there are no exception areas on which sewer lagoons are currently located.

(iii) *The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site; and*

Finding 35 - The long-term environmental, economic, social and energy consequences resulting from the use of the proposed site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site since the current sewer lagoons are located on the site and the established conveyance system is designed to deliver the city's wastewater to this site for treatment.

(iv) *The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.*

Finding 36 - Just north of the proposed expansion area is Highway 126. Most of the property adjacent to the proposed UGB expansion area is undeveloped. There is one home on tax lot 800, just north of Sertic, but most of the property is vacant. This property is designated and zoned Single-Family Residential. On tax lot 700 of assessor's map 17-06-36-24, there is a small mobile home park close to Sertic Road. The portion of that tax lot adjacent to the UGB expansion area is vacant. This property is designated and zoned General Residential. The surrounding property outside the city, including the property to the north of Highway 126, is zoned Impacted Forest Land. The proposed use as sewer lagoons (continuation of an existing use) and associated treatment facilities are compatible with these adjacent uses.

Finding 37 - Findings 23 through 36 demonstrate that the standards for an exception to Goal 14 have been met.

ORS 197.296 and 197.298

Expansion of the UGB must also comply with ORS 197.296 (Amendment of comprehensive plan to include sufficient buildable lands within urban growth boundary; analysis and determination of residential housing patterns) and 197.298 (Priority of land to be included in urban growth boundary).

*ORS 197.296(2) At periodic review or any other legislative review of the urban growth boundary, comprehensive plans or functional plans shall provide sufficient buildable lands within urban growth boundaries established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years.*

Finding 38 - Veneta is required to comply with the provisions of ORS 197.296 as part of Periodic Review of its comprehensive plan. Veneta completed a housing needs analysis in October of 1998, the results of which are included in a report called, *Veneta's Projected Housing Needs*. The housing needs analysis concluded that Veneta has enough buildable land to accommodate the 20-year housing need inside the UGB. This analysis will be submitted as part of completion of the state-approved Periodic Review Work Task 8, shown on Veneta's work program as task 7.

Finding 39 - The proposed UGB expansion does not effect the determination of a sufficient supply of building land to accommodate the 20-year housing need inside the UGB as this land will be dedicated to wastewater treatment facilities and railroad tracks and therefore will not impact the supply of residential lands.

*ORS 197.298 - Priority of land to be included in urban growth boundary:*

*(1) In addition to any requirements established by rule addressing urbanization, land may not be included within an urban growth boundary except under the following priorities:*

*(a) First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.*

Finding 40 - Veneta does not have any land designated urban reserve land, therefore there is no urban reserve land that meets the need of locating sewer lagoons.

*(b) If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land. Second priority may*

*include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710.*

Finding 41 – There are no exception areas that meet the need for expanding the sewer lagoons since there are no exception areas adjacent to Veneta's UGB on which sewer lagoons are located.

*(c) If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).*

Finding 42 – There are no acknowledged marginal lands that are adequate to meet the needs for expanding the sewer lagoons since there are no acknowledged marginal lands on which sewer lagoons are located.

*(d) If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both.*

Finding 43 – Since land under ORS 197.298(1)(a) to (c) is inadequate to accommodate the amount and type of land needed, the land proposed to be included in the UGB so that the entire city sewer lagoons are located within the UGB is land currently designated in the Lane County Rural Comprehensive Plan as forest lands.

*(2) Higher priority shall be given to land of lower capability as measured by the capability classification system or by cubic foot site class, whichever is appropriate for the current use.*

Finding 44 - Soil map units on the subject property include Linslaw loam (73), McBee silty clay loam (79), and Noti loam (98). No site index has been collected by the Natural Resource Conservation Service for these soil map units due to lack of suitable sites or lack of time and/or funds.

Finding 45 - Although cubic foot site class information is not available for these soil map units, there are no areas with lower capability as measured by cubic foot site class that are adequate to meet the proposed need since there are no city sewer lagoons located on land with lower capability.

#### Findings related to Lane Code requirements

Lane Code 12.050 sets forth criteria for amending elements of the Comprehensive Plan for Lane County, of which the Veneta Comprehensive Plan is an element. The Board finds that the amendment set forth herein is appropriate in that it represents a *change in public need based on a reevaluation of factors affecting the plan* (LC 12.050(2)(d)), such factors being the demonstrated need for the city to have within its UGB and eventually annex territory containing a key component of its sewage treatment system.

The Board further finds that the requirements of Lane Code 16.252 and 10.315, both having to do with the zoning and rezoning of property, are satisfied in that the F-2 zone being applied to the subject property is not contrary to the public interest in that it will serve as an adequate holding zone until the property is annexed by Veneta and it is similar in character to the prior County zone on the property. The Board also finds that the proposed zone is consistent with the purposes of the F-2/Forest Land zone, consistent with the provisions of the Veneta Comprehensive Plan as amended, and consistent with applicable provisions of the statewide planning goals.