



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550

Middle Housing Land Division – Tentative Plat Checklist and Review Criteria

INFORMATION AND INSTRUCTIONS:

- See fee schedule for filing fee (*subject to change every July 1*); Varies; staff will contact you for payment after submittal.

Middle Housing (MH) – Land Division that will result in a minimum of two parcels:

- Additional fee if traffic report required
- Additional fee if Natural Resource Impact Review is required
- All plans and drawings must be to scale, and review criteria responses should be provided as specified in this checklist.
- Email all materials to cd.customerservice@cityofalbany.net. Please call 541-917-7550 if you need assistance.
- Depending on the complexity of the project, paper copies of the application may be required.
- Before submitting your application, please check the following list to verify all applicable information is included. An incomplete application will delay the review process.

TENTATIVE PLAT SUBMITTAL CHECKLIST:

- PLANNING APPLICATION FORM WITH AUTHORIZING SIGNATURES.**
- GENERAL INFORMATION** about the site and development (see page 5).
- REVIEW CRITERIA RESPONSES.**

On a separate sheet of paper, prepare a detailed written response using factual statements (called findings of fact) to explain how the proposed Middle Housing Land Division complies with each of the following review criteria (ADC 11.610(1)). Each criterion must have at least one finding of fact and conclusion statement.

Criterion (a): *The middle housing development complies with the Oregon residential specialty code and the applicable ADC middle housing regulations, including but not limited to, the provisions in the base zone and in Sections 8.110-8.175.* To demonstrate compliance with this criterion, the applicant shall submit approved building permits demonstrating that existing or proposed structures comply with the Oregon Residential Specialty Code and ADC middle housing regulations.

Criterion (b): *Separate utility service connections for public water, sewer, and stormwater will be provided for each dwelling unit.*

Criterion (c): *Easements will be provided as necessary for each dwelling unit on the site for:*

- Locating, accessing, replacing, and servicing all utilities;
- Pedestrian access from each dwelling unit to a private or public road;
- Any common use areas or shared building elements;

- iv. Any dedicated driveways or parking; and
- v. Any dedicated common area.

Criterion (d): *Exactly one dwelling unit will be located on each resulting lot (referred to as middle housing child lots), except for lots or tracts used as common areas, on which no dwelling units will be permitted.*

Criterion (e): *Buildings or structures on a resulting child lot will comply with applicable building codes provisions relating to new property lines.*

Criterion (f): *Notwithstanding the creation of new child lots, structures or buildings located on the newly created lots will comply with the Oregon Residential Specialty Code.*

Criterion (g): *Where a resulting child lot abuts a street that does not meet City standards, street frontage improvements will be constructed and, if necessary, additional right-of-way will be dedicated, pursuant to ADC 12.140 and 12.200.*

The City may attach conditions of approval of the tentative plat to ensure that the proposal will conform to the applicable review criteria (ADC 11.610(3)).

TENTATIVE PLAT REQUIREMENTS (ADC 11.210)

All applications for tentative partition or subdivision approval must include a complete application form and copies of a plat showing the following details. The tentative plat need not be a finished drawing, but it should show all pertinent information to scale.

- When the land to be subdivided contains only part of the tract owned or controlled by the subdivider, a sketch is required of a tentative layout for streets and utilities in the undivided portion indicating connections to existing or future improvements.
- If the tentative plat does not show the following information, a vicinity map at a scale of 400 feet to the inch shall be prepared showing:
 - All existing subdivisions, streets and tract lines of acreage land parcels immediately adjoining the proposed subdivision and between it and the nearest existing arterial streets.
 - Name of the record owners of all contiguous land parcels.
 - How streets and alleys in the proposed subdivision may connect with existing or proposed streets and alleys in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire neighborhood area.
- The tentative plat shall be drawn to a standard engineer's scale where 1-inch equals 20 - 60 feet; or for areas over 100 acres, 1-inch equals 200 feet (1" = 200').
- The name, if any, of the land division; this name must not duplicate or resemble the name of another subdivision in the same county or in the same area within six miles of Albany and must be approved by the Director and the County Surveyor.
- Date, north point, and scale of drawing.
- Location of the land division by section, township and range, and a legal description sufficient to define the location and boundaries of the proposed tract or the tract designation or other description according to the real estate records of the County Assessor.
- Names and addresses of the property owner(s), subdivider, surveyor, and engineer, if applicable.
- The location, widths and names of all existing or platted streets or other public ways within or directly adjacent to the tract; and other important features, such as railroad rights-of-ways, and City boundary lines.

- The location on the site and in the adjoining streets or property of existing and proposed sanitary sewers, storm drain facilities, (including post-construction stormwater quality facilities, detention facilities and supporting calculations), and water mains and services, culverts, ditches and drainpipes, all other utilities such as electric, gas and telephone conduits with invert elevations of sanitary and storm sewers at points of proposed connections.
- Contour lines showing proposed excavations, fills and grading and having the following minimum intervals:
 - One-foot contour intervals for ground slopes less than 5 percent.
 - Two-foot contour intervals for ground slopes between 5 and 10 percent.
 - Five-foot contour intervals for ground slopes exceeding 10 percent.

The elevations of all control points which are used to determine the contours. Contours shall be related to City of Albany datum.

- Approximate location of areas subject to storm water inundation or overflow with approximate high-water elevation.
- Location, width, direction, and flow of all water courses.
- Location of properties within the 100-year floodplain and other areas subject to flooding or ponding (see the Floodplain standards in Article 6).
- Location of the following significant natural resources.
 - Significant wetlands identified on the City's Local Wetlands Inventory;
 - Significant riparian areas on the City's Riparian Corridor Inventory;
 - Significant wildlife habitat, if known;
 - Existing channels or drainage ways as shown in the most current version of the City of Albany Stormwater Master Plan; and
 - Slopes greater than 12 percent.
- Location of the following natural features.
 - Non-significant wetlands identified on the City's Local Wetlands Inventory, and other wetlands;
 - Trees over 25 inches in circumference (approximately 8 inches in diameter) measured 4½ feet above the mean ground level from the base of the trunk. (To obtain the circumference of a tree with multiple trunks, add the individual trunk circumferences, which are greater than 6 inches in circumference);
 - Springs; and
 - Trees proposed for protection and method of protection.
- Existing uses of the property and adjacent property within 100 feet, including the location of all existing structures and other impervious surfaces to remain on the property.
- Zoning of, and adjacent to, the tract.
- Any proposed streets: location, widths, names, approximate radii or curves. The relationship of all streets to any projected streets as shown on any development plan approved by the City.
- Existing and proposed easements on the site and any existing easements on adjoining properties, showing the width and purpose of all easements.
- Approximate dimensions of all lots, minimum lot size, proposed lot numbers, and block numbers [see Section 11.230 (11)].

- Sites, if any, allocated for multiple-dwelling units, shopping centers, churches, industry, parks, schools, playgrounds, or public or semi-public buildings.
- The following additional information must be submitted with the tentative plat:
 - The names and addresses of all owners within 300 feet of the proposed land division.
 - Total acreage in the subdivision and the percentage of land dedicated to the public, not including easements.
 - All public improvements proposed to be installed and the approximate time of installation including the method of financing.
 - Special improvements to be made by the developer and the approximate time such improvements are to be completed (examples include entrance signs or walks, berms, bus stands, etc.). Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with the objectives of these regulations, State laws and other applicable City ordinances. If, however, the nature of the improvement is such that it is impractical to prepare all necessary details prior to approval of the tentative plat, the additional details shall be submitted at least 30 days prior to approval of the final plat.
 - An urban conversion plan for large acreage subdivisions.

Additional Plat information.

- A description of the way the proposed division complies with each of the provisions of subsection (1) of this section, including copies of approved building permits and other evidence necessary to demonstrate:
 - How buildings or structures on a resulting child lot will comply with applicable building codes provisions related to new property lines; and
 - Notwithstanding the creation of new lots, how structures or buildings located on the newly created child lots will comply with the Oregon Residential Specialty Code.
- In addition to the items listed in ADC 11.210, copies of a plat showing the following details:
 - Separate utility connections for each dwelling unit, demonstrating compliance with approval criterion 11.610(1)(b).
 - Existing or proposed easements necessary for each dwelling unit on the plan, demonstrating compliance with the criterion 11.610(1)(c).
- Copies of all required easements in a form approved by the City Attorney.

VICINITY INFORMATION. Provide the following information on the Tentative Plat or a separate map:

- Current zoning, names of owners of record, uses, and location of structures on all properties within the plat area and contiguous to the plat.
- All existing subdivisions, streets, and tract lines of acreage parcels immediately adjoining the proposed subdivision and between it and the nearest existing arterial streets.
- How proposed streets and alleys in the proposed land division may connect with existing or proposed streets and alleys in adjacent properties for the most advantageous development of the neighborhood. If adjacent sites have future development potential, to support the design layout for your plat, show how public facilities may be extended onto and within the adjacent properties. Check the City Transportation Master Plan for future street patterns.
- PUBLIC UTILITY PLANS.** Submit a full-sized copy of preliminary water, sewer, and storm sewer plans and systems. These plans must provide enough information to enable the City Engineer to determine that the proposed development is feasible but are not required to be detailed construction level

documents. The City’s Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.

- Preliminary Water Plans
- Preliminary Sanitary Sewer Plans
- Preliminary Storm Sewer Plans

Include detention calculations demonstrating the proposed detention facility is correctly sized, and how the Storm Drain Control structure will function.

OTHER PERMITS, APPLICATIONS, PLANS, OR REPORTS THAT MAY BE REQUIRED:

- FLOODPLAIN DEVELOPMENT PERMIT.** If any of the property is within the Floodplain Development (/FP) overlay, refer to ADC Sections 6.070-6.125 to determine if the Floodplain Development standards apply and if a Floodplain Development Permit is required.
- NATURAL RESOURCE IMPACT REVIEW.** If any of the property is within one of Albany’s Significant Natural Resource Overlay Districts (/SW, /RC, /HA), refer to ADC Sections 6.260-6.470 to determine if a Natural Resource Impact Review may be required.
- HILLSIDE DEVELOPMENT GEOTECHNICAL REPORT.** If any of the property is within this Hillside Development (/HD) overlay, refer to ADC Sections 6.170-6.235 to determine if the /HD standards apply. If applicable, attach written findings of fact that demonstrate how this project meets these standards, and provide a geotechnical report or engineer’s certification on the site.
- MITIGATION PLAN.** If the project is proposed within any of Albany’s Significant Natural Resources overlay districts (/SW, /RC, /HA), a mitigation plan may be required. See ADC Sections 6.400 and 6.410 or Mitigation Supplement.

GENERAL INFORMATION ABOUT THE SITE AND DEVELOPMENT

- Submit answers to the following proposal questions (separately or on this sheet):
 - Current address(es) of the property(ies) to be divided: _____
 - Assessor’s Parcel Map No(s). _____ Tax Lot No(s). _____
 - Assessor’s Parcel Map No(s). _____ Tax Lot No(s). _____
 - Assessor’s Parcel Map No(s). _____ Tax Lot No(s). _____
 - Comprehensive Plan Map designation: _____ Zoning Map designation: _____
 - Current zoning and use(s) of the property: _____
 - Existing uses and zoning of properties adjacent to the site (including across the street, if applicable):

<u>Current Uses</u>	<u>Zoning</u>
North _____	_____
South _____	_____
East _____	_____
West _____	_____
 - Gross land area of the property(ies) to be divided: _____
 - Net land area (gross land minus land to be dedicated to the public): _____
 - Average Lot Size: _____ Percent of lots less than zone minimum lot size: _____

EXAMPLE OF FINDINGS OF FACT

Criteria for Findings of Fact:

A Land Division will be approved if the approval authority finds the application conforms with the criteria found in Section 11.180 of the ADC, and with applicable development standards. Before the reviewing authority can approve an application, the applicant must submit information that adequately supports the application. In its review, the City must consider both the positive and negative elements of the application. If the applicant submits insufficient or unclear information, the application will be denied or delayed.

Format for Findings of Fact:

Statements addressing individual criteria must be in a “finding of fact” format. A finding of fact consists of two parts:

1. Factual information, such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: on-site inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

Example:

Criterion: Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Fact: The proposed Land Division divides all land area within the subdivision boundary into 11 lots, so there is no remainder. None of the proposed lots is large enough to divide further at the current zoning category. The developer does not own any of the adjacent properties.

Conclusion: There is no remainder of land to consider with this application.