



COMMUNITY DEVELOPMENT

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

Notice of Tentative Decision

Floodplain Development Review

FP-09-23

December 6, 2023

Application Information

Proposal:	Floodplain Development Review to repair and improve an existing spillway within Cox Creek channel, associated flood fringe, and floodway.
Review Body:	Staff (Type II review)
Property Owner/Applicant:	City of Albany; 333 Broadalbin Street SW, Albany, OR 97321
Address/Location:	Unassigned; Salem Avenue SE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-04BC; Tax Lot 3800
Zoning:	Residential Single Dwelling (RS-6.5), Floodplain (/FP), Riparian Corridor Overlay (/RC), and Hillside Overlay (/HD)

On December 6, 2023, the City of Albany Community Development Director granted **TENTATIVE APPROVAL WITH CONDITIONS** of the application referenced above.

The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. Conditions of Approval are attached to this notice. For more information, please contact **Jennifer Cepello, project planner**, at 541-917-7561 or by email at jennifer.cepello@cityofalbany.gov or Current Planning Supervisor David Martineau at 541-917-7555.

This notice of the tentative decision is mailed to the applicant and any party who provided written comments on the proposal. A public hearing may be requested in writing 14 days from notification if a person with standing believes that the conditions of approval do not adequately address the established approval criteria or alleviate adverse impacts on the neighborhood. If no one requests a public hearing within the 14-day response period (by 5:00 p.m. on December 14, 2023), the tentative decision automatically becomes final without further notice [ADC 1.230(5)]. The applicants may proceed, at their own risk, prior to the end of the appeal period, provided they sign a Release and Indemnity Agreement with the City. This approval expires within 180 days unless the permitted activity has been substantially begun and thereafter pursued to completion (ADC 6.093).

Signature on file

Community Development Director

Appeal Deadline: 5:00 p.m. on December 20, 2023

Approval Expiration Date (if not appealed): June 3, 2024

cd.cityofalbany.net



Conditions of Approval

- Condition 1 At the conclusion of the proposed project, the following documentation shall be submitted to the Community Development Department:
- a) As-built drawings with elevations provided; and
 - b) Letter from the Engineer of Record who is licensed in the state of Oregon, stating the fill was placed in accordance with the signed plans.
- Condition 2 Development shall occur consistent with the plans and studies submitted by the applicant and shall comply with all applicable state, federal, and local laws.

The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

Information for the Applicant

Please read the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or Albany Development Code (ADC) regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

Planning

1. Land use approval does not constitute Building or Public Works permit approvals.
2. An Erosion Prevention and Sediment Control Permit is required by Public Works prior to site development.
3. Construction of the development must substantially conform to the approved plans.

Engineering

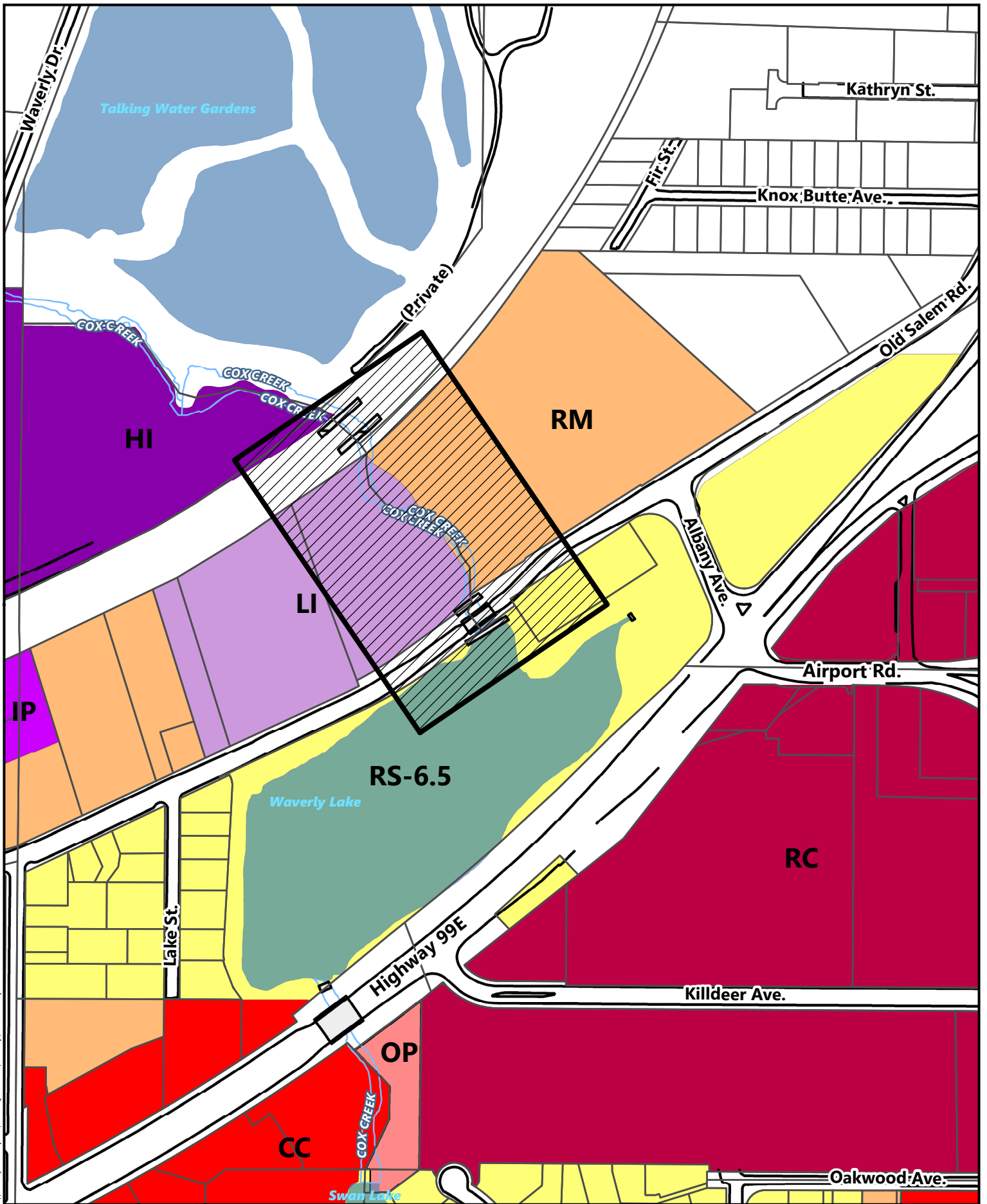
The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.

Building

1. The proposed project may require permits that will need to be applied for at www.albanyoregon.gov/permits. For questions about permitting requirements, please email cd.customerservice@albanyoregon.gov.
2. The proposed design has not been reviewed for code compliance with the Oregon Building Code and the design will need to meet the applicable Oregon Building Code requirement in effect at time of application.
3. The proposed project is within a mapped floodplain and will need to meet the additional requirements of ORSC R322.

Attachment:

1. Location Map
2. Site Plan



\\on.cityofalbany.net\homes\jenifac\Desktop\Location Map.mxd



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0 50 100 200
Feet

Date: 10/19/2023 Map Source: City of Albany

Cox Creek Bridge and Spillway

Location Map

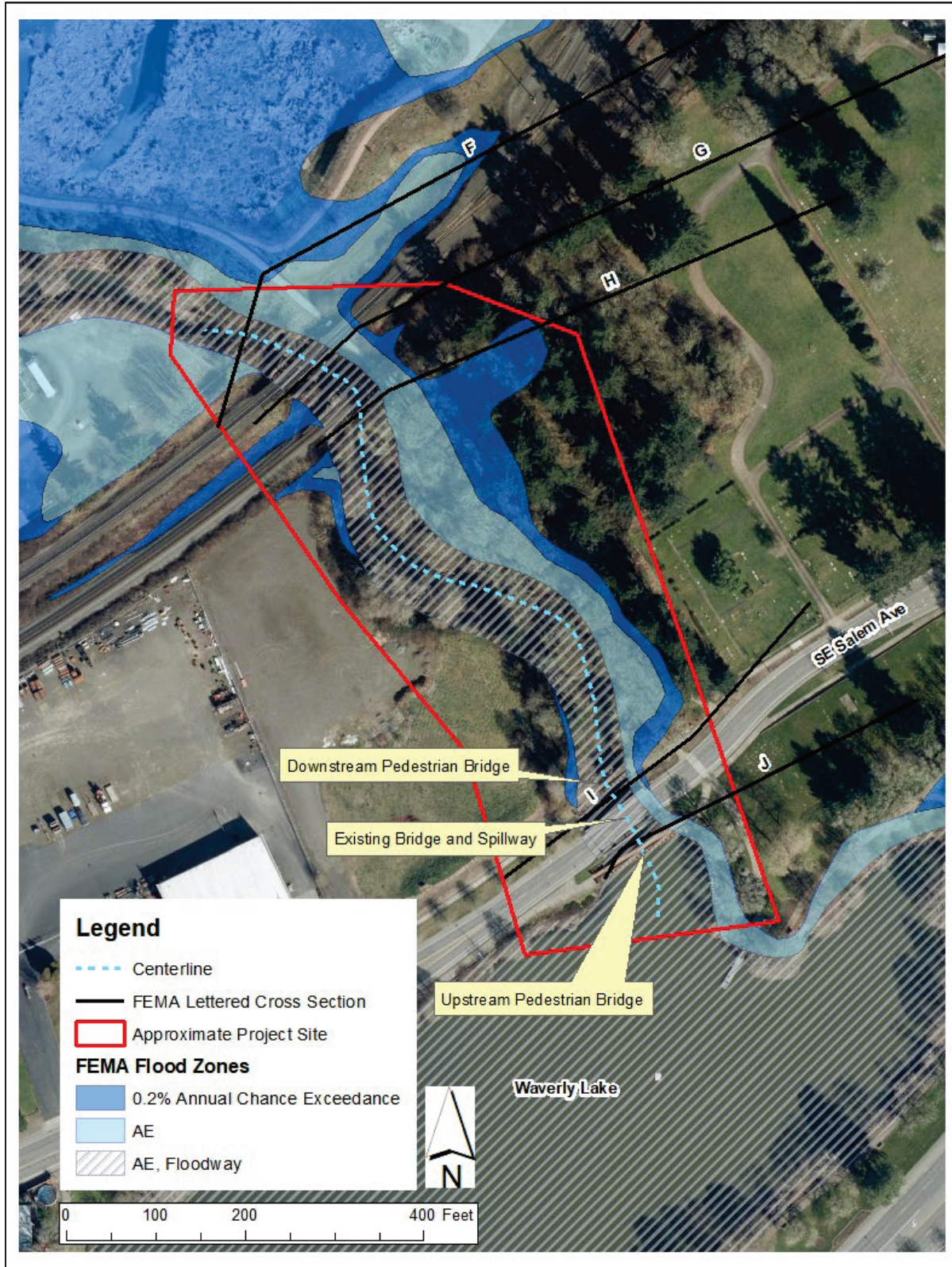


Figure 1. Study Area with Effective SFHA Mapping