



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

# Staff Report

## Site Plan Review

SP-14-24

May 21, 2024

### Application Information

Proposal:	To construct a new 1,200-square-foot residential accessory building.
Review Body:	Staff (Type I-L review)
Property Owner:	Angel Parker; 4650 Santa Maria Ave NE, Albany, OR 97322
Applicant:	Jeff Walter; Linear Construction; 31930 Parker Road, Tangent, OR 97389
Address/Location:	4650 Santa Maria Avenue NE, Albany, OR 97322
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-03AB; Tax Lot 2900
Zoning:	Residential Single Dwelling (RS-6.5)
Overlay Districts:	None
Total Land Area:	8,985 square feet
Existing Land Use:	Residential
Neighborhood:	East Albany
Surrounding Zoning:	North: Residential Single Dwelling (RS-6.5) East: RS-6.5 South: RS-6.5 West: RS-6.5
Surrounding Uses:	North: Single-dwelling unit residential East: Single-dwelling unit residential South: Single-dwelling unit residential West: Single-dwelling unit residential

### Summary

On March 18, 2024, the applicant submitted a Site Plan Review application to construct a residential accessory structure on the subject improved residential property identified as 4650 Santa Maria Avenue NE, Albany, OR, 97322 and Linn County Map Number 11S-03W-03AB; Tax Lot 2900. The proposed accessory structure is a 1,200-square-foot, one-story structure with a wall height of 10 feet and an overall height of approximately 14.5 feet (Attachment C). The proposed structure will have Hardie-lap siding with composite shingles for a roof.

The property is zoned Residential Single Dwelling (RS-6.5). Accessory buildings in residential districts that are 750 square feet or larger or have walls taller than 12 feet, are allowed outright in the RS-6.5 zone if they meet compatibility standards in Section 3.080(9) of the Albany Development Code (ADC). If the compatibility standards are not met, approval of a Site Plan permit is required.

[albanyoregon.gov/cd](http://albanyoregon.gov/cd)



The subject parcel is residential improved; however, because the size of the proposed structure exceeds the maximum square footage allowed, the proposed accessory structure is required to be evaluated for conformance with the applicable Site Plan Review criteria in Section 2.450 of the ADC.

The analysis in this report finds that all applicable standards and criteria for a Site Plan Review permit are satisfied as conditioned.

## Notice Information

A notice of filing was mailed to property owners located within 100 feet of the subject property on May 3, 2024. No comments were received regarding the proposed accessory structure.

## Analysis of Development Code Criteria

Section 2.450 of the ADC includes the following review criteria that must be met for this application to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

### Criterion 1

**The application is complete in accordance with the applicable requirements.**

#### Findings of Fact

- 1.1 In accordance with the applicable requirements, the application was deemed complete on April 19, 2024.

#### Conclusion

- 1.1 This criterion is met without conditions.

### Criterion 2

**The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.**

#### Findings of Fact

- 2.1 The applicant proposes to construct a 1,200 square foot accessory building to be used as a detached garage and shop.
- 2.2 Per ADC Table 3.190-1, the maximum front setback is 20 feet. Per ADC Table 3.230-1, the minimum interior setback for detached structures with walls greater than eight feet tall is five feet.
- 2.3 The submitted site plan (Attachment B) indicates the proposed accessory building will meet the minimum front setback of 20 feet and the interior setback of five feet.
- 2.4 The lot dimensions do not change with the proposed accessory structure.
- 2.5 Per ADC Table 3.190-1, the total lot coverage allowed in the RS-6.5 zone is 60 percent. Lot coverage for detached single dwelling development only includes the area of the lot covered by buildings or structures. The subject property is 8,985 square feet with an existing dwelling at 1,300 square feet and a garage at 599 square feet. The proposed accessory building will increase the lot coverage to 34 percent.
- 2.6 Per ADC Table 3.190-1, the maximum height allowed in the RS-6.5 zone is 30 feet. ADC 22.400 "Height of Building" defines the height of a pitched roofed building as the average height of the highest gable of a pitched roof. The total height of the proposed structure is approximately 14.5 feet and a wall height of 10 feet.

#### Conclusion

- 2.1 The proposed development meets all current provisions, including setbacks, lot coverage, lot dimensions, building height, and other applicable standards.

2.2 This criterion is met without any conditions.

### Criterion 3

**Activities and developments within special purpose districts comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.**

#### Findings of Fact

- 3.1 *Article 4 Airport Approach district:* According to Figure 4.410-1 of the ADC, the subject property is not located within the Airport Approach district.
- 3.2 *Article 6 Steep Slopes, Comprehensive Plan Plate 7:* According to Plate 7 of the Comprehensive Plan, the subject property is not located in the Hillside Development overlay district.
- 3.3 *Article 6 Wetlands, Comprehensive Plan Plate 6:* according to Plate 6 of the Comprehensive Plan, the subject property is not located within a jurisdictional wetland.
- 3.4 *Article 7 Historic Districts, Comprehensive Plan Plate 9:* According to Plate 9 of the Comprehensive Plan, the subject property is not located in one of Albany's Historic Districts. There are no known archaeological sites on the property.
- 3.5 *Article 6 Floodplains, Comprehensive Plan Plate 5:* The applicable Flood Insurance Rate Map (FIRM) for the subject site is Community Panel No. 41043C0218G, dated September 29, 2010. Based on this FIRM, the subject property is not located within the floodway or the flood fringe.

#### Conclusion

- 3.1 The subject property is not located within a special purpose district.

### Criterion 4

**The application complies with all applicable Design Standards of Article 8.**

#### Findings of Fact and Conclusions

- 4.1 The proposed accessory structure does not have applicable design standards.
- 4.2 The review criterion is not applicable.

### Criterion 5

**The application complies with all applicable Design Standards of Article 10.**

#### Findings of Fact and Conclusions

- 5.1 Article 10 pertains to manufactured homes, manufactured home parks, and RV parks. These uses do not pertain to the proposal.
- 5.2 This review criterion is not applicable.

### Criterion 6

**The application complies with all applicable On-Site Development and Environmental Standards of Article 9.**

#### Findings of Fact

- 6.1 The standard parking requirement for a single-dwelling unit residence does not apply to this proposed structure.
- 6.2 The landscaping requirement does not apply to this proposed structure.
- 6.3 The tree protection requirement does not apply to this proposed structure.
- 6.4 The fencing requirement does not apply to this proposed structure.
- 6.5 As the use is a residential accessory structure, the environmental requirement does not apply to this proposed structure.

## Conclusion

6.1 This criterion is not applicable.

## Criterion 7

**The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.**

### Findings of Fact

#### *Sanitary Sewer*

7.1 City utility maps show a 12-inch public sanitary sewer in Santa Maria Avenue NE. The subject property is currently connected to public sanitary sewer system.

7.2 The development will have no impact on the public sanitary sewer system.

#### *Water*

7.3 City utility maps show a 24-inch water main in Santa Maria Avenue SE that is located approximately 680 feet from the subject property. The subject property is not currently connected to the public water system.

7.4 The proposed development will not negatively affect the public water system.

#### *Storm Drainage*

7.5 City utility maps show no piped public drainage facilities in the right-of-way of Santa Maria Avenue. Santa Maria Avenue is not built to City standards. Santa Maria Avenue has street side ditches to convey stormwater runoff. Additionally, there is a drainage channel running along the western boundary line.

7.6 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection of the public system must be reviewed and approved by the City of Albany's Engineering Division.

7.7 ADC 12.530 states that a development will be approved only where adequate provisions from storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer. Also, no storm water may be discharged to the public sanitary sewer system.

7.8 The applicant is required to submit a drainage plan, including support calculations, as defined in the City's Engineering Standards. The applicant is responsible for making provisions to control and/or convey storm drainage runoff originating from, and/or draining to, any proposed development in accordance with all City standards and policies as described in the City's Engineering Standards.

7.9 Surface water drainage patterns and proposed storm drainage must be shown on every development proposal plan. Before beginning work, the applicant must submit to the Public Works Engineering Division a storm drainage plan for the site that shows the proposed slope of the lot and how storm drainage will be collected and routed to a public storm drain system. If storm drainpipes are planned, indicate the size and slope of each pipe. The city does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the driveway must be at the property line so that all on-site drainage is collected within the applicant's property. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer (ADC 12.530).

## Conclusions

7.1 The proposed development will have no adverse impact on public water, sewer, or storm systems.

- 7.2 The applicant must include a detailed storm drainage plan with building permit submittal. The drainage plan shall show how the roof drains from the proposed structure will be discharged to a location approved by the Engineering Department and Building Division.

### Condition

- Condition 1: Prior to the issuance of a building permit, the property owner shall include a detailed storm drainage plan for the residential accessory building. The drainage plan shall show how the roof drainage from the proposed structure will be discharged to a point approved by the Engineering Department.

### Criterion 8

**The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.**

### Findings of Fact

- 8.1 The proposed accessory structure does not require transportation improvements.

### Conclusion

- 8.1 This criterion is not applicable.

### Criterion 9

**The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.**

### Findings of Fact

- 9.1 See Findings under Site Plan Criterion 7 (above) related to stormwater quality standards in response to this review criterion. These findings are incorporated here by reference.

### Conclusion

- 9.1 The proposed development will have no impact on the public sanitary sewer and/or water systems.

### Criterion 10

**The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.**

### Findings of Fact

- 10.1 There are no prior land use decisions on the subject parcel.

### Conclusion

- 10.1 This criterion is not applicable.

### Criterion 11

**Sites that have lost their nonconforming status must be brought into compliance, and may be brought into compliance incrementally in accordance with Section 2.330**

### Findings of Fact

- 11.1 The subject parcel is a conforming parcel and development.

### Conclusion

- 11.1 This criterion is not applicable.

## Overall Conclusion

This report evaluates the applicant's application for the proposed residential accessory structure that is a 1,200-square-foot, one-story structure with a wall height of 10 feet and an overall height of 14.5 feet. The proposed development meets all applicable Site Plan Review criteria when the following conditions are met.

## Condition of Approval

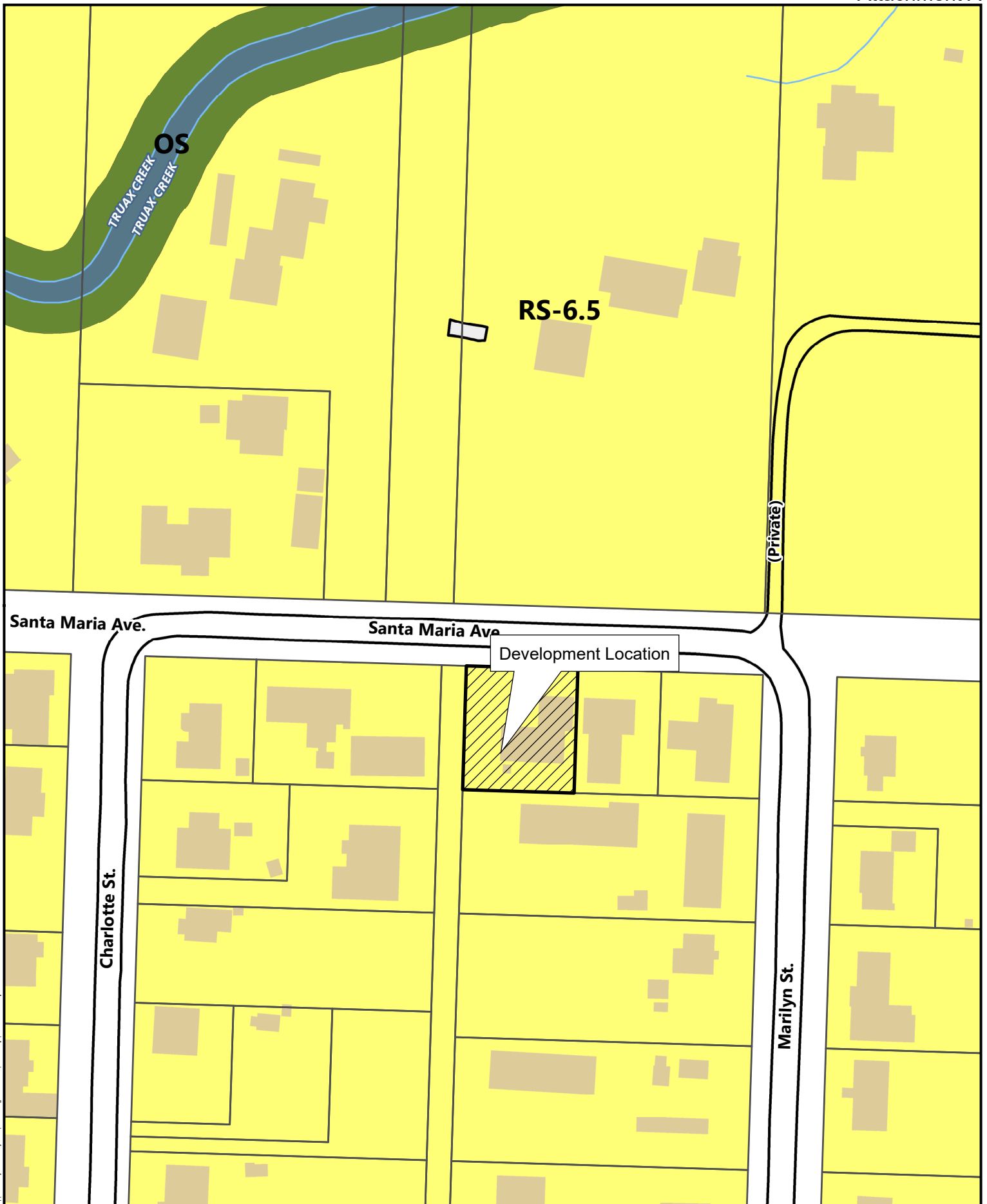
- Condition 1 Prior to the issuance of a building permit, the property owner shall include a detailed storm drainage plan for the residential accessory building. The drainage plan shall show how the roof drainage from the proposed structure will be discharged to a point approved by the Engineering Department.
- Condition 2 Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval and shall comply with all applicable state, federal, and local laws.

## Attachments

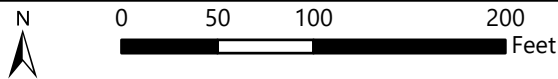
- A. Location Map
- B. Site Plan
- C. Elevation Drawing
- D. Applicant's Compatibility Worksheet

## Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
RS	Residential Single Dwelling Zoning District
SP	Site Plan Review



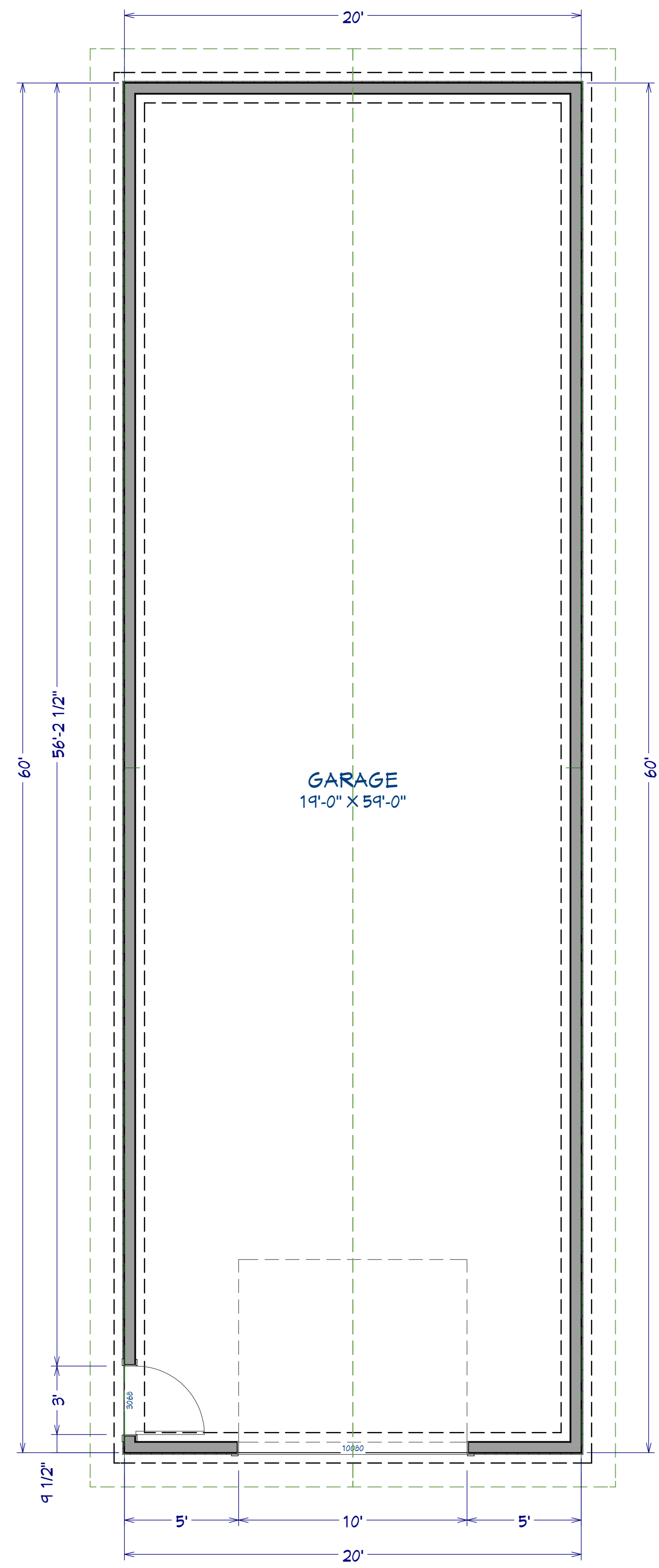
\\con.cityofalbany.net\homes\jeniferact\Desktop\Location Map.mxd



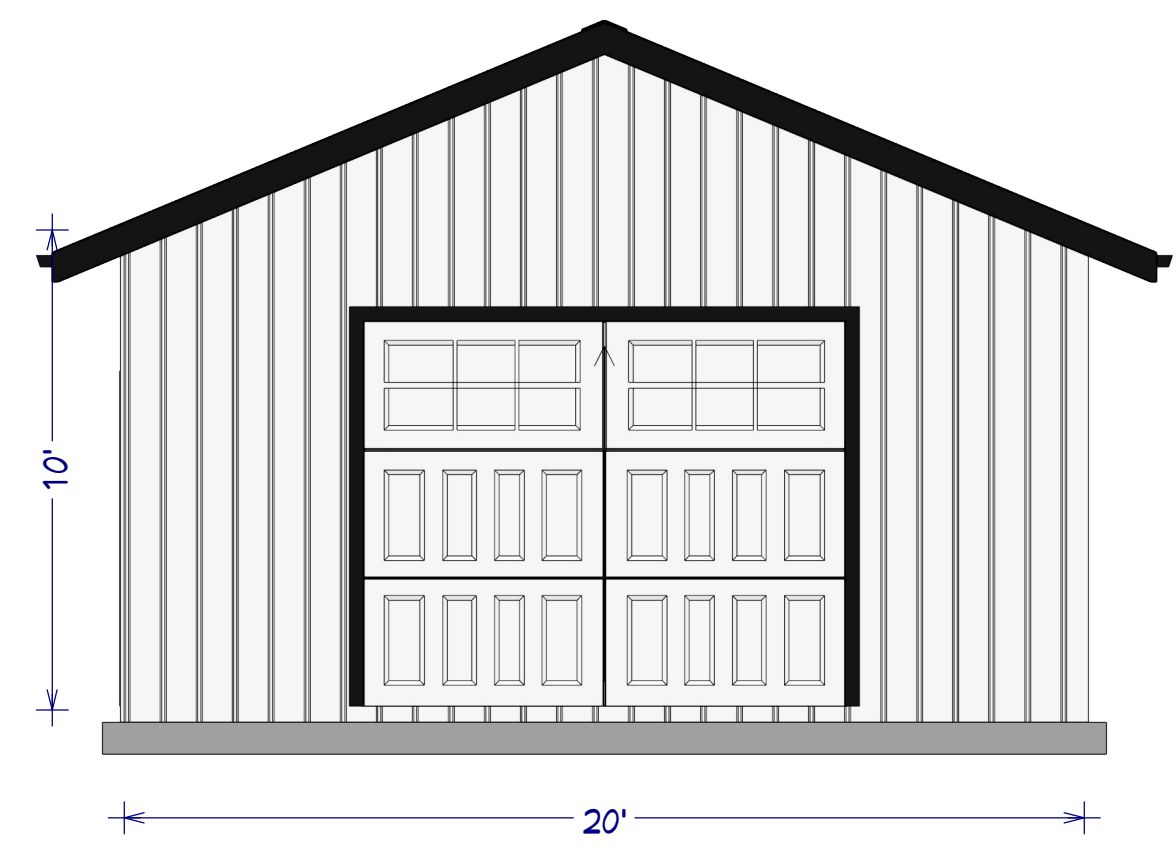
**4650 Santa Maria**

Date: 3/20/2024 Map Source: City of Albany

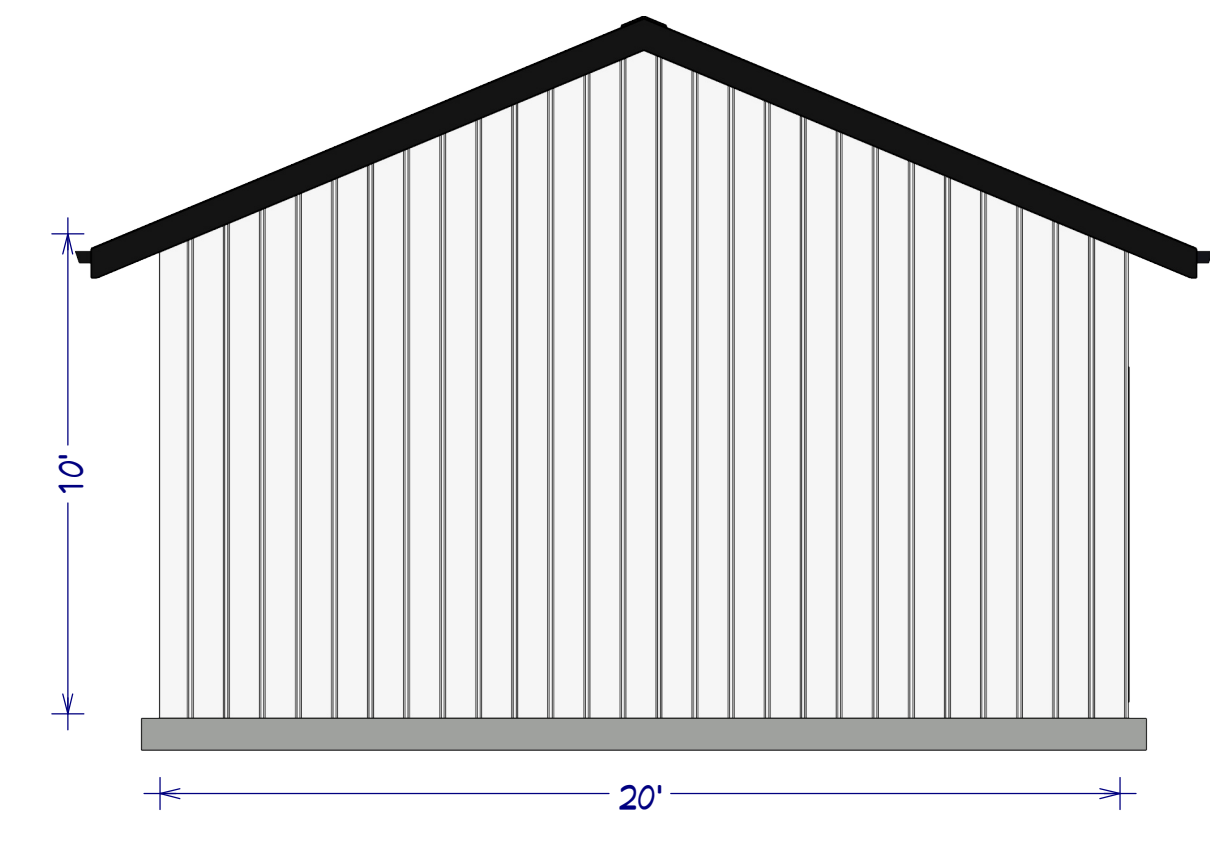
Location Map



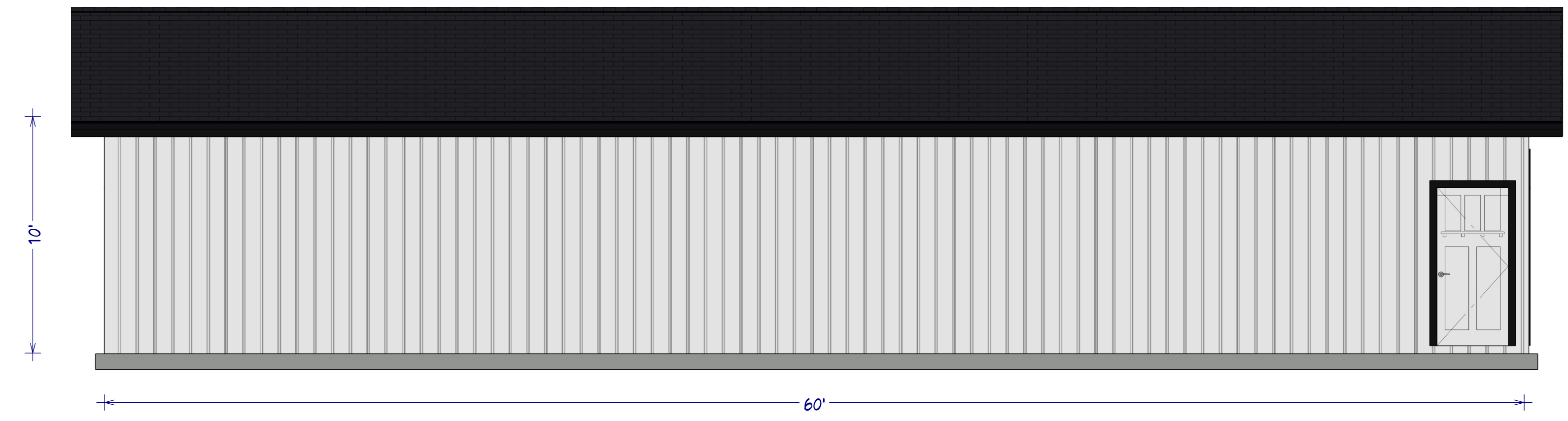
**Floor Plan**  
Scale: 1/4"-1'-0"



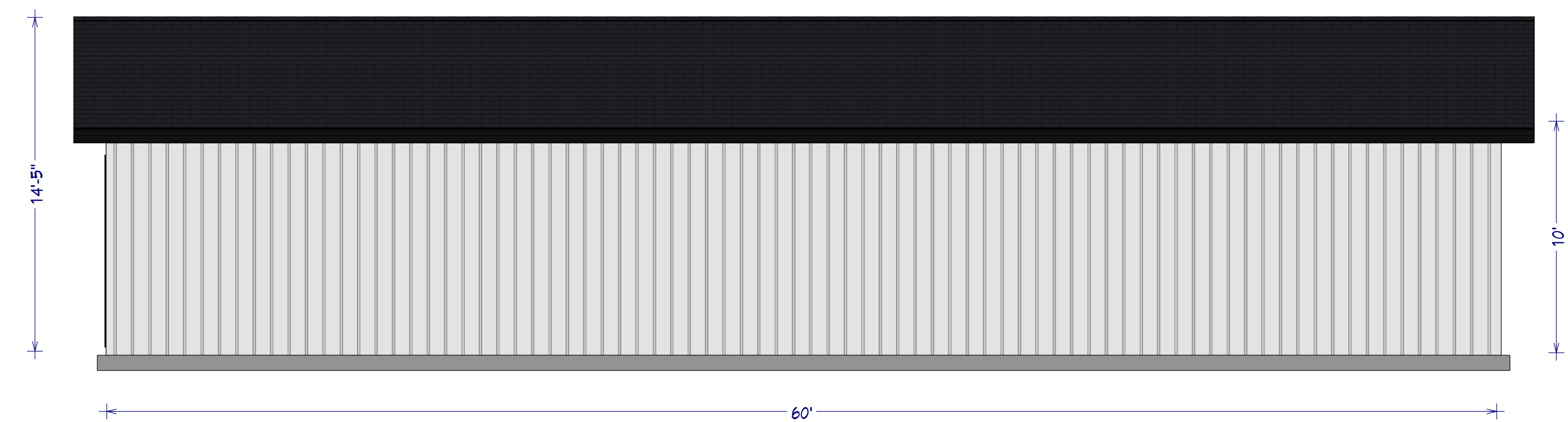
**South ELEVATION**  
Scale: 1/4"-1'-0"



**North ELEVATION**  
Scale: 1/4"-1'-0"



**East ELEVATION**  
Scale: 1/4"-1'-0"



**West ELEVATION**  
Scale: 1/4"-1'-0"

The shop walls will be white to match the existing house and the roof color will be black to match the house. Metal siding and roofing will be used. The walls will be framed with 2x6 materials and the roof will be engineered trusses.

NUMBER	DATE	REVISION BY	DESCRIPTION

**Brian & Angel Parker**  
4650 Santa Maria Ave NE  
Albany, OR 97322

**Shop Drawings**  
for review board

DRAWINGS PROVIDED BY:  
Jeff Walters

DATE:

3/18/2024

SCALE: 1/4"-1'-0"

SHEET: 1 of 1

**Prelim**





## COMMUNITY DEVELOPMENT

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

## Residential Accessory Structure Compatibility Worksheet

For proposed detached structures 750 sq. ft. or larger and/or with walls taller than 11 feet.

This handout addresses land use planning issues. Building permits are required for any residential accessory structure larger than 200 square feet.

Property Owner (print): Brian & Angel Parker  
 Property Address: 4650 Santa Maria Ave NE Albany OR 97322  
 Assessor's Parcel Map No: \_\_\_\_\_ Tax Lot(s): \_\_\_\_\_  
 Zoning District: \_\_\_\_\_

Intended Use of the Structure: Hobbie shop/storage

The Albany Development Code (ADC) allows attached additions to a residence without limiting size or wall height outright; subject to meeting the applicable development standards (see Table 3.190-1).

A detached accessory structure also is allowed outright if it can meet the applicable development standards (see Table 3.230-1) and the total square footage of the proposed structure is less than 750 square feet and the wall height does not exceed 11 feet. If the size would be larger or the walls taller, the structure may be allowed without a land use review, if it meets all of the established compatibility thresholds listed below. [ADC 3.080(9)]

Other considerations related to an accessory structure include the location of existing easements, septic tanks, drain fields, wells; access (existing and proposed); and whether trees would be removed (number and diameter of the trunks). You must include information about these items on a site plan drawing submitted with this worksheet.

**Don't Forget!** To support the information below, attach a scaled drawing of your property showing and labeling the location of all existing and proposed buildings and a scale drawing of each elevation of the proposed building. Include distances (in feet) between all structures and property lines.

Fill in the explanation area after each question below. If you answer "no" to Questions 1, 2, or 3, or "yes" to Questions 4 or 5, the structure will not be considered compatible. Question 6 calls your attention to special construction standards that will apply in all cases if the property is located in a Special Purpose District, such as the 100-year floodplain. In addition to answering the questions, you must attach a site plan of the property and elevation drawings of the proposed building to the worksheet.

If the structure cannot meet all of the compatibility standards, you may either alter the building to meet them or submit a Site Plan Review Accessory Building application to the Planning Division. This plan review typically takes six to eight weeks to process and requires additional paperwork and a non-refundable review fee. A notice of filing will be sent to property owners within 100 feet of your property giving them an opportunity to comment on the project. Filing an application does not guarantee approval.

**Question 1:** Will the roof and siding materials and colors on the proposed building be similar to those on the primary residential structure on the site? Yes  No

- Fill out (a) and (b) to demonstrate this standard would be met:

The building materials and colors of the proposed accessory building will be:  
 Materials: Siding: Hardi type Lap. Roof: Asphalt ~~Tom Metal~~ Comp.  
 Colors: Siding: Cream Roof: Black

The building materials and colors of the primary residential structure on the property are (or will be as part of this project):

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Materials: Siding: Hardi Lap Roof: Comp Asphalt  
 Colors: Siding: Cream Roof: Black

**Question 2:** If the proposed accessory building were built, would the percentage of lot coverage be similar to or less than the percentage allowed in the applicable zoning district? (See Table 3.190-1)  
 Yes  No  (you may not exceed the lot coverage threshold by Site Plan Review.)

• Fill out a. through d. to demonstrate this standard would be met:

a. The maximum lot coverage allowed in the RS-6.5 zoning district is 60% percent.  
 Total land area of the property is 9147 sq. ft.

The foundation (footprint) size of each building on the property is:

Primary residence: 2034 sq. ft.  
 Proposed building: 1200 sq. ft.  
 Other structures: 64 sq. ft., \_\_\_\_\_ sq. ft., \_\_\_\_\_ sq. ft.  
 Total foundation area of all structures on the property: 3298 sq. ft.

Percentage of building coverage on this lot after construction of the proposed accessory building would be percent.  
 (To calculate this percentage, divide the total foundation area of all structures (c) by the total land area of the property (b). This number cannot be larger than (a).)

**Question 3:** Will the proposed accessory building meet the minimum setback requirements for the primary residential structure? (see Table 3.190-1) Yes  No

• Fill out a. and b. to demonstrate this standard would be met:

a. The minimum setbacks from property lines for the primary structure in this zone are:  
 Front: 15 ft. Sides and rear, single-story: 5 ft., or two-story: \_\_\_\_\_ ft.  
 The setbacks from the property lines for the proposed accessory building are:  
 Front: 36 ft. Sides and rear, single-story: 5 ft., or two-story \_\_\_\_\_ ft.

**Question 4:** Will the proposed building be taller than the tallest building on adjacent property?  
 Yes  No  (Height in this case is measured to the highest point on the structure. "Adjacent" means any property bordering the property on which the accessory structure would be built or across an adjacent street.)

• Fill out a. through c. and attach a drawing showing the location of the tallest building on adjacent property in relation to your property.

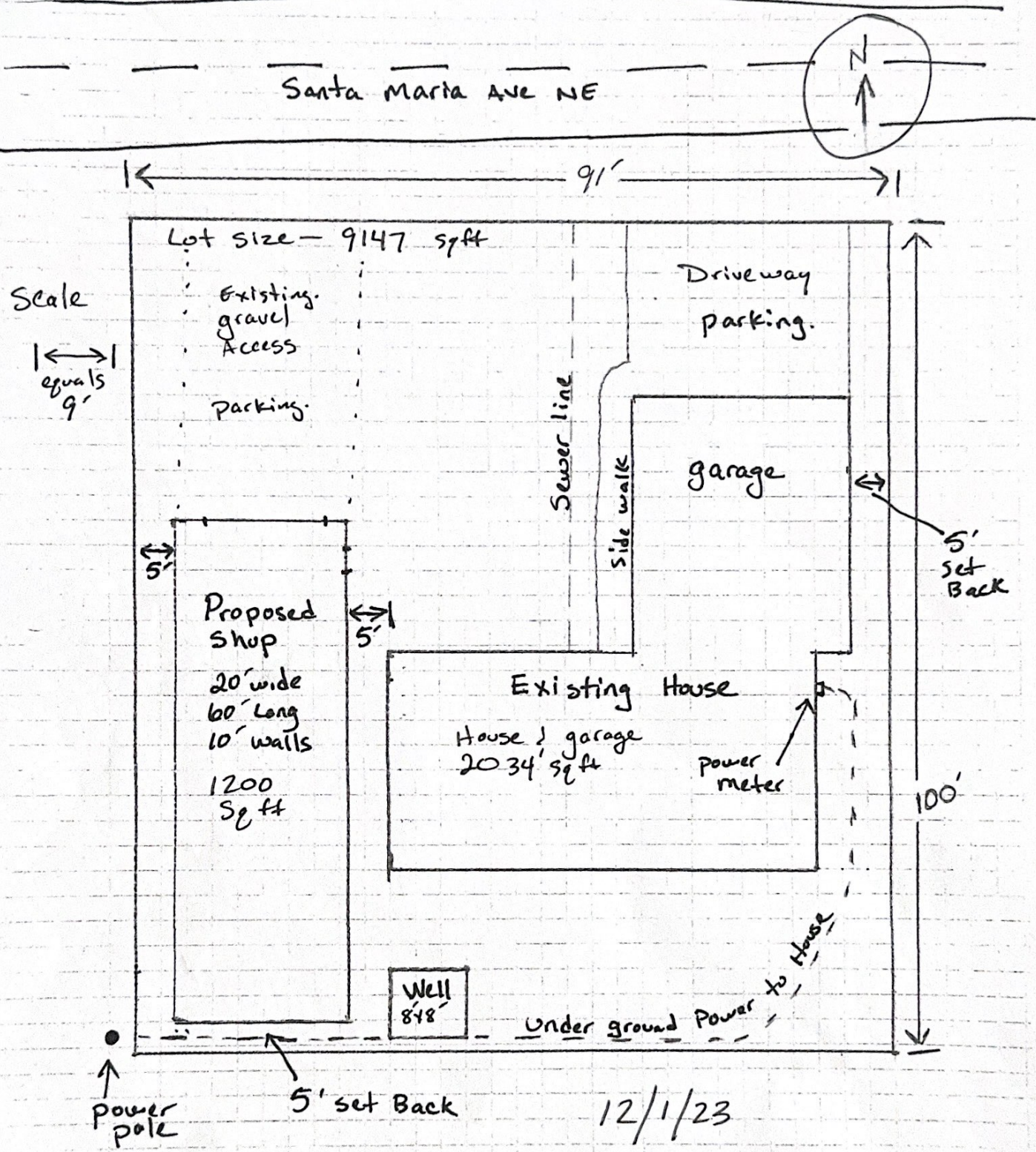
a. The total height of the proposed accessory building is 14 feet.  
 b. The wall height of the proposed accessory building is 10 feet.  
 c. The height of the tallest building on adjacent property is 16 feet, and it is located at (address) 4640 Santa Maria Ave NE.

**Question 5:** Will the area of the proposed building's foundation be larger than the area of the foundation of the largest building on adjacent property? Yes  No

• Fill out a. and b. to demonstrate this standard would be met:  
 a. The area of the proposed accessory building's foundation is 1200 sq. ft.  
 The area of the foundation of the largest building on adjacent property is 1600 sq. ft.  
 (include attached garages). The address of this building is 4640 Santa Maria Ave NE  
 currently occupied by Mr./Ms. Ernest, Mary White phone \_\_\_\_\_



Site Plan: 4650 Santa Marta AVE NE Albany OR



Builder: Linear Construction  
 Jeff Walters  
 541-740-8658  
 CCB # 197503

Owner: Brian Angel Parker

Site Plan Review - Residential Accessory Buildings

SUPPLEMENTAL APPLICATION INFORMATION

Does the site contain any existing structures, private wells, septic tanks, drain fields? yes

If yes, describe and indicate which will remain: well

Square footage of the property on which the accessory building would be located: 9147

Square footage of the footprint of each existing building on the site: Building 1: 2034

Building 2: 64 Building 3: \_\_\_\_\_ Building 4: \_\_\_\_\_

Square footage of the footprint of the proposed accessory building: 1200

Number and surface type of all existing driveways used by the property: 2

Do you intend to widen an existing driveway or add a new driveway to serve the accessory building? Yes \_\_\_ No X

(If yes, include proposed location, width, and surface material on the site plan.): \_\_\_\_\_

Overall height of the proposed accessory building: 14

Wall height of the proposed accessory building: 10

Identify the type and uses of properties next to, and across the street (if applicable) from, the subject property:

North: Residential

South: Residential

East: Residential

West: Residential

To assess whether the City will need additional information and/or whether you must obtain additional permits or applications from other agencies or departments, please answer the following questions.

Will the development:

- a. Require removal or demolition of any existing structure(s)? Yes \_\_\_ No X
- b. Affect historic structures or historically significant features? Yes \_\_\_ No X
- c. Be located within a 100-year floodplain? Yes \_\_\_ No X
- d. Be located within the designated Willamette Greenway? Yes \_\_\_ No X
- e. Affect an identified wetland? Yes \_\_\_ No X
- f. Require a Major or Minor Variance from a development standard? Yes \_\_\_ No X
- g. Involve fill or removal of contaminated soils or hazardous material? Yes \_\_\_ No X
- h. Involve grading/fill: within the 100-year floodplain or a watercourse, as shown on the City's Drainage Master Plan; over an existing public storm drain, sanitary sewer, or waterline; or more than 50 cubic yards in areas that have an average slope of 12 percent or greater? Yes \_\_\_ No X
- i. Involve land that has a current average slope of 12 percent to 25 percent? Yes \_\_\_ No X
- j. Involve removal of vegetation or trees (diameter of eight inches or larger)? Yes \_\_\_ No X
- k. Be within the Airport Approach District? Yes \_\_\_ No X
- l. Involve access onto an Oregon State Highway? Yes \_\_\_ No X
- m. Generate 50 or more AM or PM peak hour vehicle trips? Yes \_\_\_ No X

## Site Plan Review – Residential Accessory Buildings

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- (Note: In some cases, fewer than 50 peak hour trips can create a need for a traffic analysis.)
- n. Create noise or emissions outside the building? Yes \_\_\_ No
- o. Create air, steam, or odors emitted from the building? Yes \_\_\_ No

**If you answered YES to any of the above, contact the Planning Division before submitting your application.**

**FIRE DEPARTMENT SUPPLEMENTARY QUESTIONNAIRE**

1. Will you **STORE** hazardous materials in the building? Yes \_\_\_ No
2. Do you **USE** hazardous materials on your property? Yes \_\_\_ No
3. Do you **GENERATE** hazardous materials or hazardous waste on site? Yes \_\_\_ No
4. Are you currently reporting hazardous substances to the State Fire Marshal's Office? Yes \_\_\_ No

**NOTE:** Hazardous materials are materials that pose a potential threat to fire and life safety. Examples include paints, solvents, compressed gases, pesticides, poisons, gasoline, propane, and laboratory chemicals. Please call the Albany Fire Marshal if you have questions about this section. 541-917-7700.

**SITE PLAN REQUIREMENTS**

The site plan is a scale drawing of the subject property as it is today and shows exactly where the proposed accessory building would be placed and any changes that would occur on the property if it were constructed.

**At a minimum, the site plan drawing must include:**

- Existing address, if any, of the subject property, or assessor map and tax lot identification numbers.
- Names and addresses of the property owner(s).
- Date map was drawn.
- North arrow.
- Scale of map. (Use 1 inch = 10 or 20 feet, or as otherwise pre-approved by Planning staff.) The map must be clear and readable.
- Total land area of the entire site.
- Label and show the lengths of all existing property lines of the property.
- Label and show the locations of all existing and proposed driveways and parking areas. Indicate the surface material of each.
- Label and show the locations of all existing and proposed structures, wells, septic tanks, and drain fields, and distances between them and the existing property lines and each other (these are called setbacks). Indicate whether or not any are to be demolished or decommissioned.
- Label and show the locations of all public improvements to be constructed as part of the development of the site (e.g., streets, sidewalks, and utilities).
- Label and show the locations and sizes of all *existing* and *proposed* public sewer and water mains and private service lines from the main to the site; culverts, ditches, and drainpipes, including those on site and within adjacent rights-of-way. Include invert elevations of sewer lines.
- Label and show the locations, widths, and names of all *existing* or *platted* adjacent public streets, alleys, sidewalks, planter strips, curbs, and other public rights-of-way or uses.
- Label and show the locations, widths, names, approximate radii or curves, and the relationship of all streets to any proposed streets shown on any plan approved by the City or proposed with this application.
- Label and show the locations, widths, ownership, and purpose of all *existing* and *proposed* public and private easements located on the property.
- Existing and proposed on-site drainage systems, including pipe sizes and elevations at collection points and property lines