

ORDINANCE NO. 4517

AN ORDINANCE AMENDING ORDINANCE NO. 4447, ADOPTING THE CITY OF ALBANY COMPREHENSIVE PLAN (EXHIBIT "A") AND THE CITY OF ALBANY COMPREHENSIVE PLAN MAPS (EXHIBITS "B" - "H" ON DISPLAY AT CITY OF ALBANY PLANNING DEPARTMENT).

WHEREAS, the City of Albany has forwarded to the Land Conservation and Development Commission the City of Albany Comprehensive Plan and the Albany Comprehensive Plan Maps for review and acknowledgement; and

WHEREAS, the Land Conservation and Development Commission has reviewed the City of Albany Comprehensive Plan and the Albany Comprehensive Plan Maps and has recommended to the City that consideration be given to certain amendments;

WHEREAS, the Albany Planning Commission held one public hearing on said amendments to the Comprehensive Plan and has recommended adoption of certain amendments to the City Council; and

WHEREAS, the City Council held one public hearing on said amendments to the Comprehensive Plan and received additional written testimony; and

WHEREAS, the City Council determines that adoption of said amendments to the Comprehensive Plan is in the public interest and substantially complies with the Statewide Goals and Guidelines.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: That Ordinance No. 4447 is hereby amended such that that the Albany City Council does hereby adopt the attached amendments Exhibit A, Exhibit B, and Exhibit C to the City of Albany Comprehensive Plan and the City of Albany Comprehensive Plan Maps.

Section 2: That the attached amendments Exhibit A, Exhibit B, and Exhibit C be forwarded to the Land Conservation and Development Commission for review and acknowledgement.

Passed by the Council: August 11, 1982

Approved by the Mayor: August 12, 1982

Effective Date: September 10, 1982



Mayor

ATTEST:



City Recorder

ZC-5-82
Duane R. Sellon

Surrounding Land Use: The property to the north contains the Miracle Revival Center; the property to the west contains two non-conforming businesses: Albany Cabinets and Tom's Fixit Shop; the property to the south across Queen Avenue contains single family homes; the property to the northeast across Waverly Drive contains Cedarwood P.U.D.; and a mobile home park lies to the southeast from the subject property.

Proposed Development: The applicant has indicated that he proposes to remove all existing structures on the site and construct a professional office building subject to site plan review.

CRITERIA FOR ZONE AMENDMENTS

District Amendment Criteria: Any zoning or special purpose district amendment proposal considered under a Type IV procedure must be demonstrated to be in conformance with each of the following criteria:

- a. The proposed amendment conforms to the Comprehensive Plan or substantial changes have occurred which render the Comprehensive Plan in-applicable to the requested change and the Plan should be amended as proposed by the proponent of the change (in which case the Plan must be amended prior to final action on the district amendment).
- b. If residential zoning is involved, the proposed residential zone or zones best satisfies the objectives of the Comprehensive Plan and does not exclude opportunities for adequate provision of low- and moderate-income housing within the subject neighborhood area.

In determining compliance with the adopted Comprehensive Plan, the following questions have been developed by the staff. Adequate findings with these questions will support compliance with the Plan.

FINDINGS

1. TRANSPORTATION FACILITIES: What are the existing or anticipated transportation facilities (streets, bus routes, etc.), what impact on traffic generation and safety will result from the proposed zone, and how do the transportation facilities make the proposed zone the most appropriate zone within the plan designation?

Applicant's Comments

- a. Facts: The subject property is located at the northwest corner of Waverly Drive and Queen Avenue, both major arterials. That intersection is controlled by an electronic traffic signal. The property is served by the Albany bus system. Across Waverly Drive to the east and across Queen Avenue to the east are densely populated residential areas.

- b. Conclusions: The proposed Residential/Professional use would have the effect of locating a traffic generating public service facility near high-density residential areas and along transportation lines (Plan Policy 8, Page 94). Because of its location in close proximity to highly developed residential areas, the proposed Residential/Professional use would make professional services available to a large number of people who reside within walking distance of the subject property.

Staff's Comments

Both Waverly Drive and Queen Avenue are designated on the Master Street Plan as arterial streets. In the Comprehensive Plan, Transportation Section, the following policy and implementation methods relating to access need to be considered:

Policy #1. When reviewing development proposals or transportation plans, determine the relationships between land uses and transportation systems, i.e., how will proposed developments affect existing or proposed transportation and how will transportation plans affect future land use patterns?

Policy #15: Maintain the carrying capacity and viability of major arterials and other major streets.

Policy #16: Limit access onto major arterials (reducing curb cuts and other street intersections); ensure adequate rights-of-way and setback lines; and discourage on-street parking.

Implementation Method #16: For major arterials, limit access to frontage or side streets (if possible) and where frontage on side streets is not available attempt to develop shared access.

Implementation Method #27: On arterials and other major streets, restrict or reduce curb cuts and other street intersections, require adequate rights-of-way and setback lines as part of the development process, and discourage on-street parking.

The City Traffic Engineer has indicated substantial concern regarding unlimited access onto arterial streets, and specifically, access onto arterials near major intersections. He recommends limiting access from this property to no more than one access and that access should occur from Waverly Drive.

The Development Code further states in Articles 7.120 (4), (5), (6), (7), (8), and (12):

Distance from Intersection. All driveways shall be located the maximum distance which is practical from a street intersection and in no instance shall the distance from an intersection be closer than the following as measured from the nearest curb return radius:

Local Street	-10 feet
Collector Street	-20 feet
Arterial Street	-40 feet

Site Plan Review. The location, width, and number of accesses to a public street may be limited for developments which are subject to site plan review provisions of this Code. In addition, any development which proposes access to an arterial street shall be subject to site plan review procedures.

Number of Accesses Permitted. Access points to a public street shall be the minimum necessary to provide reasonable access while not inhibiting the safe circulation and carrying capacity of the street.

Double Frontage Properties. Properties which have frontage on more than one street may be restricted to access on the streets of a lower classification through site plan review or other review procedures.

Joint Access Encouraged. Common access ways at a property line shall be encouraged and in some instances may be required in order to reduce the number of access points to streets. Construction of common access ways shall be preceded by recording of joint access and maintenance easements.

Access to Arterial Streets. Where access is allowed on an arterial street, efforts shall be made to locate the access adjacent to the interior property line where such access could be shared by the adjacent property.

Staff has determined that there could be a number of access problems to the site. To have a "traffic generating public service facility" along transportation lines is not in itself sufficient reason for approving a zone change. The subject property is not in "close proximity to a highly developed residential area" if we are referring to density.

2. PUBLIC SERVICES: How will other existing or anticipated services (sanitary sewers, storm sewers, schools, fire protection, etc.) be impacted by the proposed zone and how do these services make the proposed zone the most appropriate zone within the plan designation?

Applicant's Comment

- a. Facts: The subject property is served by city sewer and water facilities. Power is supplied by PP&L. The property is well within the city limits and the protection of the City's Police and Fire Departments.
- b. Conclusions: The change of zoning from single-family residential to Residential/Professional will have little impact on public services and facilities. The policies and implementation methods set out on Pages 64-81 generally deal with large-scale development of public facilities and have little applicability to the proposed zone change.

Staff's Comments

The subject property is served by an 8" sanitary sewer and has access to a 72" storm drain line on Queen Avenue and a 66" on Waverly.

3. NATURAL FEATURES: What are the natural features of the site, how will those features be impacted as a result of the zone change, and how do these features make the proposed zone the most appropriate zone within the plan designation?

Applicant's Comment

- a. Facts: The subject property is a .44 acre parcel which is perfectly flat and has no significant vegetation upon it. There is nothing unusual or outstanding about the natural features of the property.
- b. Conclusions: The natural features of the property have no effect on the decision of whether to grant the zone change request.
4. SPECIAL DISTRICTS: Is the area proposed for a change within any of the following special areas, and considering the impact of uses allowed in the proposed zone, how does this particular zone fit with the special area?

Applicant's Comments

- a. Facts: The subject property is not within any of the so-called "special areas" designated in the Comprehensive Plan.
5. NEIGHBORHOOD COMPATIBILITY: What type of development (existing and anticipated surround the site, what are the probable impacts from allowed uses on surrounding development and how does the question of compatibility make the proposed zone the most appropriate zone within the plan designation?

Applicant's Comments

- a. Facts: Cedarwood, a large residential development, lies directly across Waverly Drive from the subject property. High-density residential uses are across Queen Avenue to the south. Commercial or light industrial uses are west of the property on Queen Avenue and residential development abuts the property to the north. The property is in fairly close proximity to the Fred Meyer development and the developing Albany Plaza.
- b. Conclusions: The Plan and Zoning maps indicate there is virtually no Residential/Professional property in this area of Albany. Residential/Professional zoning would allow the location of professional services in close proximity to the population area which the professionals would serve. (Plan Policy 10, Page 95).

Staff's Comments

Any development of the type proposed will have an impact on the existing uses in the surrounding area. The Development Code provides for criteria to ameliorate any expected disruption to the surrounding uses. Adverse impacts may be reduced through control of access, landscaping requirements, and buffering and screening. Perhaps the largest obstacle to overcome is access.

6. COMMUNITY LOCATION: How does the proposed zone comply with distribution policies of the plan? For example, neighborhood commercial sites are to be spread throughout the community to serve as neighborhood centers. Higher density development is desired as to reduce the need for travel and increase energy policy. Pay particular attention to Comprehensive Plan Pages 43, 44, 50, 94, 95, and 106.

Applicant's Comments

- a. Facts: See No. 5 on preceding page.
- b. Conclusions: The proposed professional services would meet the neighborhood need. (Plan Policy 2, Page 43) (Plan Policy 10, Page 44). The subject property is occupied with an old, not particularly attractive single-family rental residence. The proposed professional office would be a revitalization of the property. (Plan Policy 6, Page 94)

Staff's Comments

Within a half-mile radius of the subject property there are three commercial areas. One-half mile to the north is the Santiam Commercial Center. One-half mile to the west is the intersection of Queen Avenue and Geary Street which provides for a Neighborhood Commercial Center. Less than a half-mile to the south at the intersection of Waverly and 21st Avenue, a zone change was recently approved from R-1 to C-1. All of these areas would allow the same types of uses allowed in an RP zone. Additionally within a quarter-mile radius to the north of the subject property on the south side of 14th Avenue, there is presently 18.58 acres of RP (Residential/Professional) zoned property of which only 1.96 acres is presently developed with an office complex and approximately .86 of an acre is developed with single-family structures. Staff does not agree that the proposed site is the best location for this proposed zoning considering that only approximately 1/7th of the available RP zoned property within a quarter-mile radius is developed. These available parcels do not have the access problems that the subject property will encounter.

An implementation method under the Economic Development Chapter of the Comprehensive Plan states that "Residential/Professional zoned areas should be provided to meet specific needs such as:

- (1) near the hospital;
- (2) surrounding the Central Business District; and
- (3) other areas that have special business and professional needs such as neighborhood medical clinics.

A policy statement under the Directory Growth Chapter of the Comprehensive Plan states that local, state, and federal office buildings should be encouraged to locate in the downtown area or adjacent to major shopping facilities and should be encouraged to utilize existing vacant floor area.

As will be discussed later in the report under Alternative Lands, there is a sufficient amount of RP (Residential/Professional) zoned land within a quarter of a mile of the subject property to meet any special needs of the neighborhood.

If a zone change is granted, the applicant should be aware of possible restrictions placed on the development through the site plan review process.

7. ALTERNATIVE LANDS: What other areas within the city have the identical Comprehensive Plan designation and zoning as the zone redesignation being applied for? (Give location of parcels and estimate of acreage.) What are the characteristics of the subject parcel that are not duplicated by the similarly zoned land (mentioned above) that make it necessary to amend the zoning?

Applicant's Comments

- a. Facts: Exhibits D and F to the Albany Development Code are zoning maps which set out the zoning designations in the area of the subject property. There is only one small parcel of residential property shown on Exhibit F. It is located near the intersection of Geary and Grand Prairie Road and it is completely developed. There are several small parcels of Residential/Professional property shown on Exhibit D, most of which are already developed. A small parcel of Residential/Professional property has been rezoned as C-2 and is now included in the Albany Plaza project.
- b. Conclusions: There is little available land in the area of the subject property for professional offices. The redesignation of the subject property would replace the Residential/Professional land removed from that designation by the Albany Plaza development.

Staff's Comments

As previously discussion, there appears to be an adequate amount of RP zoned land as there is presently approximately 15.76 acres of vacant RP zoned land within a quarter of a mile of the subject property.

8. ENERGY EFFICIENCY: Explain how the zone change will assist with efficient service provisions and energy conservation, comparing present development on this parcel as opposed to other vacant parcels with the same zoning (Comprehensive Plan Pages 93-116 discuss growth and energy use).

Applicant's Comments

- a. Facts: No Residential/Professional property in the area is located in such close proximity to the residential development and to two major arterials.

- b. Conclusions: The location of professional offices on the subject property could serve the professional needs of the residents of the area while reducing the requirement that those residents travel significant distances to obtain those services.

Staff's Comments

All public facilities are available to the subject property. Although the subject property is located at the intersection of two arterial streets, the location of an office building on the site would not necessarily account for a savings in fuel consumption. With limited access, a patron going to or from the site will undoubtedly have to drive out of their way to get to their destination.

9. LOW-INCOME HOUSING OPPORTUNITY: If residential zoning is involved, explain how approval of the request will not excluded opportunities for adequate provision of low- and moderate-income housing within the subject neighborhood area.

Applicant's Comments

The applicant did not address this criteria.

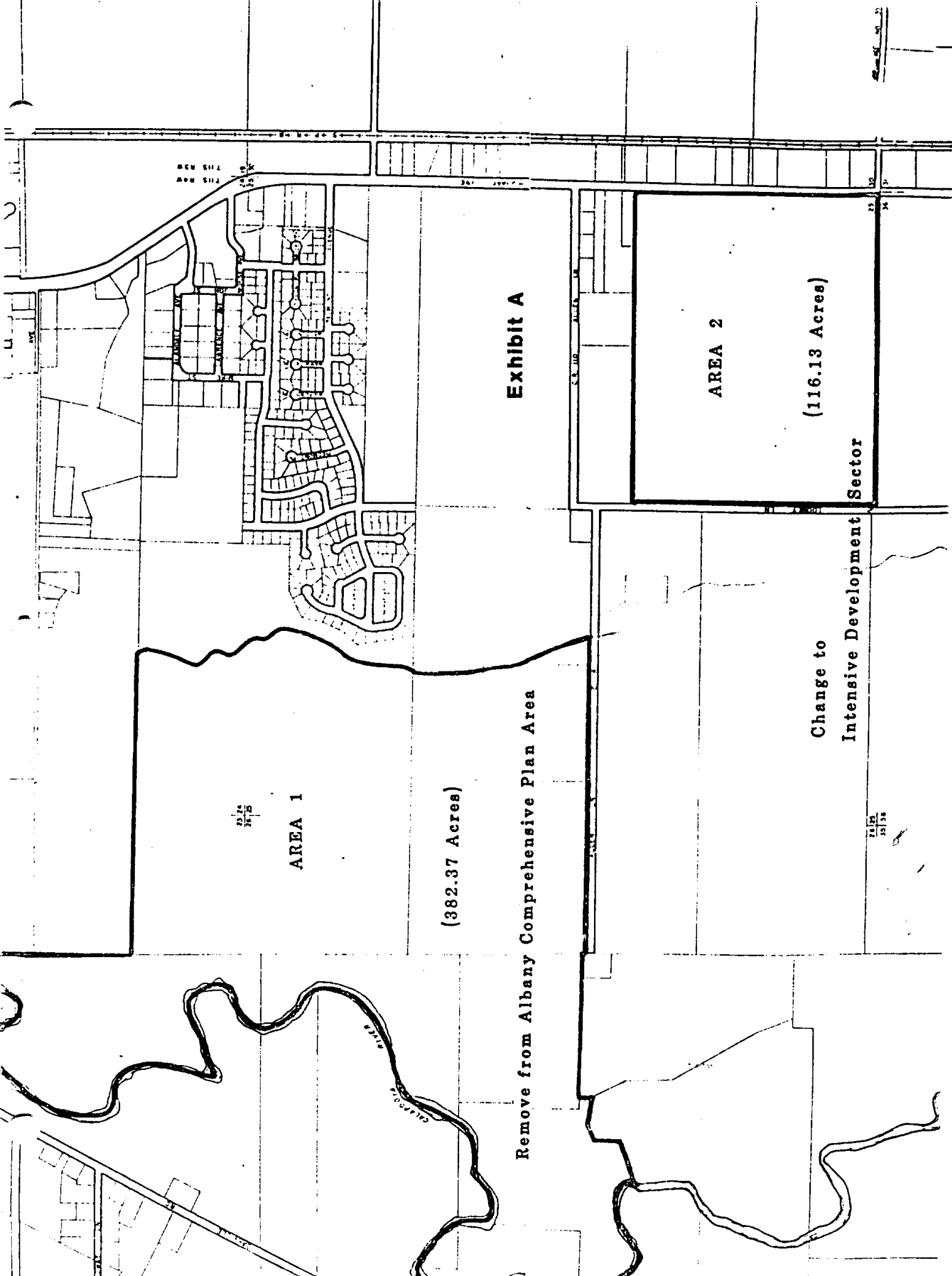
10. STATE-WIDE GOALS: Since the Albany Comprehensive Plan has not been acknowledged, each of the Oregon State-Wide Goals (1 through 15) must be addressed. If the applicant assumes that the Albany Plan complies with state goals, then the applicant only has to state that in complying with the City they are also complying with all state goals. Copies of the Oregon State-Wide Goals are available from the City of Albany Planning Department.

Applicant's Comments

- a. Facts: The Albany Comprehensive Plan has been submitted to the Land Conservation and Development Commission for acknowledgement. The City has exercised its best efforts to ensure that the plan complies with state-wide goals.
- b. Conclusion: By complying with the Comprehensive Plan of the City of Albany, the applicant has complied with the State-Wide Goals and Guidelines.

APPLICANT'S FINDINGS FOR APPROVAL

The applicant's findings for approval are found under applicant's comments throughout this report.



2000
1000

AREA 1

(382.37 Acres)

Remove from Albany Comprehensive Plan Area

Exhibit A

AREA 2

(116.13 Acres)

Change to
Intensive Development Sector

2000
1000

Sector

940
W/13

INTERSTATE 5

Remove from Albany Comprehensive Plan Area
(50.58 Acres)
AREA 3

Exhibit B

C. & S. 110

R. 12

GRAND PRAIRIE RD

ALBANY - SANTIAGO CANAL

D.P.A. EASEMENT

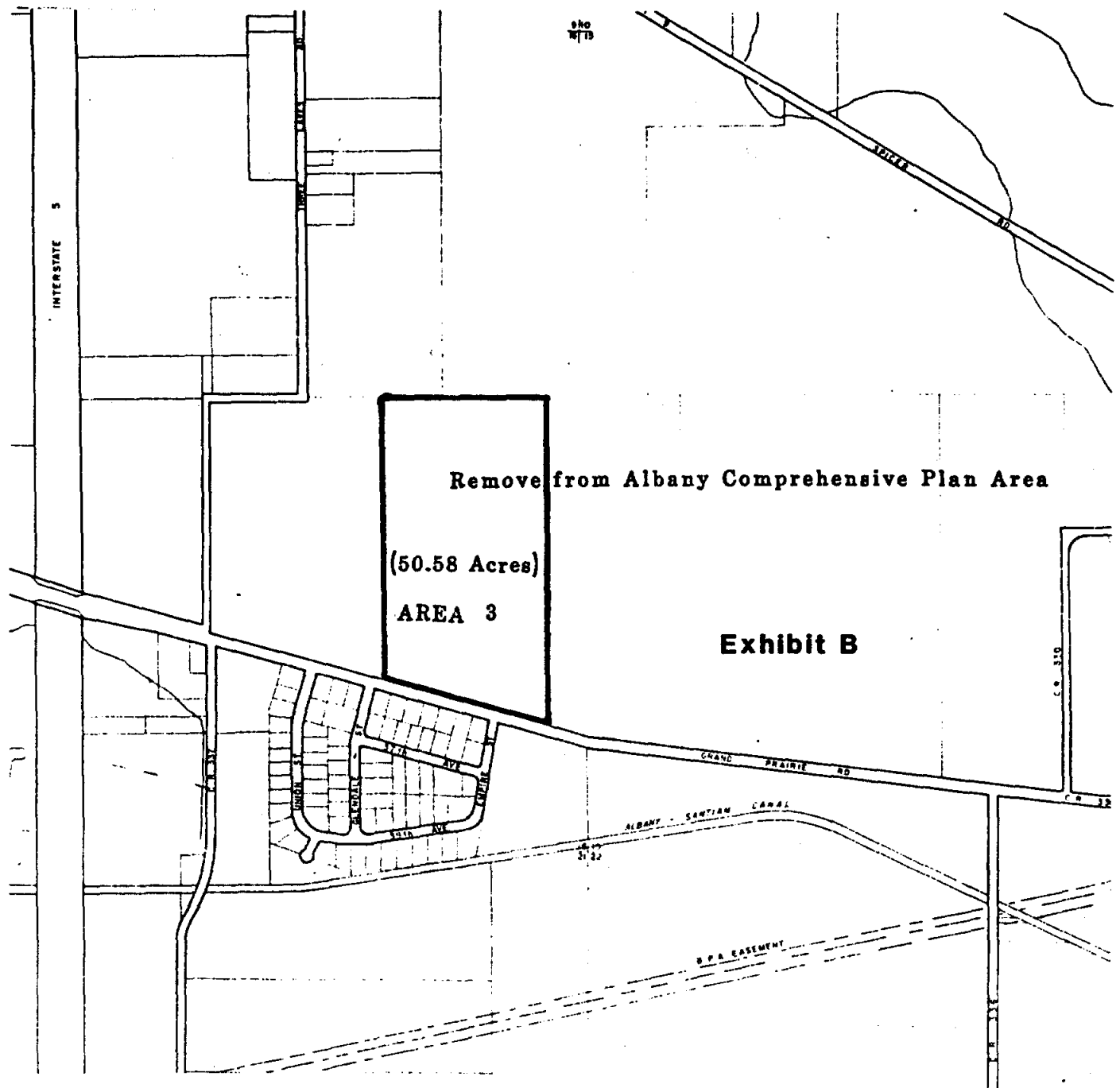


Exhibit C

CHANGES TO THE COMPREHENSIVE PLAN

Items eliminated are lined out.

Additions to the Plan are shown in bold type.

All of the plan statements relate to each other. The general goal is tied to supportive policies and recommendations, and the policies in turn are supported by implementation methods. It is not necessary for an implementation method to be based on specific policy as long as it supports a goal statement.

The Comprehensive Plan is the general guide for the City for all activities relating to land-use. A number of other facts must also be recognized:

1. It is not the only document establishing City policies and planning activities.
2. If a project or process is not discussed in the Plan the City may still take any such appropriate action, but should amend the Plan where applicable.
3. An emergency situation may arise which would require action in conflict with Plan goals. The City can temporarily suspend goal requirements if the emergency is:
 - a. Of such importance that the time required to process a Plan amendment would exceed the time within which the emergency must be corrected;
 - b. Not likely to reoccur;
 - c. Declared by action of the Council; and
 - d. In finding form; stating reasons for and anticipated duration.
3. Although the Plan does not specifically address disaster situations (floods, fire, broken utility lines, etc.), the City responsibility in the areas of safety and public health may occasionally require emergency actions which would otherwise require adherence to specific permit requirements and findings of Plan compliance.

GOAL

Definition--- A general statement indicating a desired end, or the direction the City wishes to follow to achieve that end.

Obligation--- The City cannot take action which opposes a goal statement unless:

1. It is taking action which clearly supports another goal, and
2. There are findings indicating the goal being supported takes precedence (in the particular case) over the goal being opposed.

POLICY

Definition--- A statement identifying a course of action or City position. Although more specific than goals, policies usually do not explain the exact method of implementing a goal.

Obligation--- The City must follow applicable policies in making a decision; show that a different approach better supports a goal statement; or show that the decision reflects a goal or policy in some other section of the Plan.

The City must follow relevant policy statements in making a land use decision or show cause why the Comprehensive Plan should be amended consistent with statewide goals. Such an amendment must take place following prescribed procedures prior to taking a land use action which would otherwise violate a plan policy. However, in the instance where specific plan policies appear to be conflicting, then the City shall seek solutions which maximize each applicable policy objective within the overall content of the Comprehensive Plan and in a manner consistent with the statewide goals. In balancing and weighing those statements, the City can refer to general categories of policies and does not have to respond to each applicable policy. Also, in this weighing process, the City shall consider whether the policy contains mandatory language (e.g. shall, require), or more discretionary language (e.g., may, encourage).

IMPLEMENTATION METHOD

Definition--- A statement which outlines a specific City project or standard to implement a goal or policy. Projects are those statements which would require expenditure of funds and/or staff time, are specific as to what is to be done, and have a starting and ending point. Standards are statements indicating a proposed regulation or guideline.

Obligation--- Completion of any project will depend on a number of factors such as specific City priorities, City financing, grant availability, etc. The City shall periodically review project statements as part of a process to determine a priority list of projects to be completed. (The list can be of any length, and inclusion of an item on the list does not obligate the City to complete that project within the time period allocated.)

Since Implementation Methods are suggestions to future City decision-makers regarding courses of action which might be undertaken to implement the goals and policies set forth in the Plan, the listing of any particular implementation method in this plan does not, by virtue of the listing alone, obligate the City to undertake any particular implementation method.

Standards will be incorporated into City regulations and policies by separate action, given the constraints of staff time and City priorities, and will not be put into effect by virtue of this Plan alone.

It may not be necessary for the City to incorporate the specific implementation method where it can be demonstrated that an alternative action or no action at all will better or equally accomplish the intent of the related goals and policies.

The list of implementation methods is not exclusive and the City shall always have the power to adopt alternate methods for implementing the Plan's goals and policies.

RECOMMENDATION

Definition--- A statement which identifies a recommended course of action, position, or implementation method for a non-City organization.

Obligation--- If the particular organization is required to approve the Albany Plan then, upon approval, the Albany Plan recommendations, specific to that organization, are considered adopted by that organization.

4. Encourage new vegetation to be planted to reduce or eliminate the detrimental effects of older, existing vegetation.
5. Recognize the importance of vegetation for sustaining wildlife.
6. Consider possible impacts on wildlife habitat when reviewing proposed development projects in floodplains and vegetated hillside areas drainage projects and, where possible, mitigate adverse impacts through design modifications.
7. Require new developments to utilize landscaping to:
 - a. Reduce water runoff and maintain soil stability;
 - b. Buffer incompatible land uses;
 - c. Reduce energy uses by altering the microclimate using vegetation for windbreaks, for shading, for insulation, etc.;
 - d. Visually enhance developments.
8. Encourage upgrading of all existing developments to meet present landscaping requirements.
9. Encourage the planting of vegetation around public buildings and public spaces, such as parking lots, as an energy saving technique.
10. Encourage individual homeowners to use vegetation to cool and insulate their homes.
11. Encourage tree-planting programs for City streets.

**IMPLEMENTATION
METHODS**

1. Protect selected vegetation areas which are unsuitable for development but provide wildlife habitat and other desirable qualities.
2. Require existing trees of a predetermined size to be identified in the design processes and protected wherever possible in new development.
3. The City should provide and maintain information sources pertaining to the needs and appropriate uses of landscaped areas and plant materials.
4. Except for single family and two family residences, require developers to utilize the skills of landscape architects and/or designers and to guarantee the completion of landscape requirements (for example, through performance bonding or by setting aside funds for landscaping).

More detailed information on hazards may be found in the Background Report under Goal 7, Natural Disasters and Hazards.

GOAL Protect life and property from natural disasters and hazards.

- POLICIES**
1. No new development (including fill) shall be allowed in floodways. The floodway is the channel required to safely discharge a one-hundred year flood but more specifically for the purpose of this policy:
 - a. The floodway is the channel and adjacent land areas which must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one (1) foot for the Calapooia and Willamette Rivers, and Oak Creek.
 - b. For Burkhart and Truax Creeks the floodway is defined as that area 50 feet from the centerline of the creek on each side of the channel.
 - c. For Cox Creek the floodway is that area 100 feet from the centerline on each side.
 - d. Items b and c above are subject to change as more detailed information becomes available.
 2. Encourage, in flood fringe areas, alternatives to urban development such as agricultural uses, open space, parks, wildlife habitat, natural areas, and recreational uses.
 3. Encourage, in all areas which are susceptible to ponding, minimum density and run off control measures to reduce adverse ponding both on and off site.
 4. The City should continue participation in the National Flood Insurance Program complying with applicable standards.
 5. Recognize that development in any flood fringe area is not a guaranteed right, but depends on whether the benefit to the City or a prior commitment by the City outweighs problems which would be caused by development in the flood fringe area.
 6. All drainageways shall be left open or modified only with City approval.

**IMPLEMENTATION
METHODS**

- 1.7 As a condition of granting development approval within a flood fringe area, the City may require the following:
 - a. Compensatory cut and fill.
 - b. Protection of open space areas, wildlife habitat, and existing vegetation.

- c. Dedication of public access, rights-of-way, or easements.
- d. Channel improvements (stabilization, etc.).
- e. Special structural or construction changes such as flood proofing measures.

2.8 Any development in the Willamette, Oak Creek, and Calapooia River flood fringe areas must first receive special review and approval according to the following criteria:

- a. Any proposed activities do not change the flow of surface water during future flooding so as to endanger the residents of property in the area, and that provisions have been made to assure adequate access during a 100-year flood. Special engineering reports on the changes in water flow and potential damage which may be caused as a result of proposed activities may be required by the City.
- b. The lowest finished floor elevation be built at least one (1) foot above the 100-year flood level. Special engineering reports or structural work may be required.
- c. The average depth of fill on any development site or building location shall not be greater than three feet except where extreme hardship is proven as part of a variance procedure.
- d. **Any possible impacts on fish and wildlife habitat have been considered and appropriate protection measures included in project design.**

3.9 For the East Albany flood fringe areas of Cox, Truax, and Burkhart Creeks, any development must show how:

- a. Drainage improvements (both on and off site) have removed the proposed development area from the ponding or flood fringe area.
- b. Improvements made to the site (such as increases in impervious land area, drainageways, etc.) do not increase flooding, do not endanger residents or property in the area, and that provisions have been made to assure adequate access during flooding.
- c. Engineering evaluations have been made for development and construction, including a consideration concerning the problems of ponding, the high water table, and soil stability. (Evaluations should be based on wet season characteristics and include measures such as excavation safety.)
- d. If adjacent to a designated floodway, the development will utilize the amenities of the floodway and provide needed easements for drainage maintenance access, public accessways, etc.
- e. **Any possible impacts on fish and wildlife habitat have been considered and appropriate protection measures included in project design.**

- 4.10** Any fill of flood fringe areas will require a permit and all fill shall be engineered and compacted to City standards. Fill areas for dwellings should require engineering certification that loading rates are adequate for dwellings.
- 5.11** If development is proposed in flooding or ponding areas the City shall:
- a. Review subdivision proposals and other proposed new developments to assure that (1) all such proposals are consistent with the need to minimize flood damage, (2) all public utilities and facilities, such as sewer, gas, electrical and water systems, are located, and constructed to minimize or eliminate flood damage, and (3) adequate drainage is provided to reduce exposure to flood hazards and problems caused by poor drainage under and around dwellings.
 - b. Require new or replacement water supply systems and/or sanitary sewer systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located to avoid impairment of them or contamination from them during flooding.
 - c. Review building permit applications for new construction or substantial improvements within the floodplain area to assure that the proposed construction (including prefabricated and mobile homes): (1) is protected against flood damage, (2) is designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (3) uses construction materials and utility equipment that are resistant to flood damage, and (4) uses construction methods and practices that will minimize flood damage.
- 6.12** For existing development in floodplain areas review building permit applications for major repairs to determine that the proposed repair: (1) uses construction materials and utility equipment that are resistant to flood damage, and (2) uses construction methods and practices that will minimize flood damage.
- 7.13** Require ~~site plan~~ review of all development proposals of slopes in excess of 12 percent to ensure proper development of the site in relation to preservation of natural vegetation for erosion control and landslide prevention.
- 14.** In reviewing subdivision proposals on hillside areas, ensure that street, lot design, and density give full consideration to the natural contours and vegetation features of the site.
- 15.** Prior to or concurrent with the next major plan update or annexation of hillside areas, the City will adopt Development Code provisions pertaining to hillside protection.

IMPLEMENTATION

METHODS

8.1 For property which includes area in the flood fringe, develop a density bonus of up to one-half the allowable density of adjacent buildable property for dedication of lands which have been determined to meet City park space needs by the City Council on advice from the Parks and Recreation Commission.

RECOMMENDATION

Encourage the counties to adopt and enforce Chapter 70 of the Uniform Building Code (Grading and Filling).

There are no identified ecologically fragile areas, aggregate resource sites or timber resources within the Albany Greenway Boundary, although it is possible some of these sites may exist. Most of the natural vegetation along the riverbank consists of a fringe of cottonwood and willow trees, grasses, and bushes which anchor the steep south cutbank. The vegetation protects fish and wildlife habitat. Some of the larger cottonwood trees may provide heron and osprey nesting sites but only one such site has been identified.

Man-induced changes along either side of the River such as vegetation removal, aggregate extraction, or filling of the lowlands, particularly at the mouth of the Calapooia River, may increase the potential of riverbank erosion. If severe enough, this erosion could endanger portions of Albany's downtown. Bank erosion is currently stabilized by the bankside vegetation which eliminates any immediate necessity for revetment or rip-rap. There are a few industrially zoned areas where bank fill has displaced some vegetation leaving only a thin covering and a few large trees.

The City has established a Greenway Boundary in coordination with the Department of Transportation and manages land use activity with a Greenway Conditional Use Permit. Current land uses within the Greenway Boundary, other than parks and open space, include residential, industrial, and downtown commercial use, including two restaurants with views of the River, some industrial warehouses, parking lots, and the City's Senior Citizen Center. The Greenway Boundary is mapped on Plate 14, the Comprehensive Plan Map in Chapter Four, page .

ore detailed information on the Willamette Greenway can be found in the Background Report under Goal 15, Willamette Greenway.

GOAL Protect, conserve, enhance, and maintain the natural, scenic, historic, economic, and recreational qualities of the Willamette River, its banks, and adjacent lands.

- POLICIES**
1. Maintain and enhance the natural vegetative fringe along the banks and terraces of the River through **establishment of special setbacks and other available means in order** to protect wildlife habitat; provide food and shelter for fish; mitigate erosion and flood damage; and provide scenic character.
 2. Encourage the use of natural vegetation for needed bank stabilization as a preferable alternative to rip-rap or revetments.
 3. Encourage the development of recreational and scenic river related uses as preferred land uses within the Greenway.

4. Encourage the establishment of an Albany museum which would include the housing of Albany historic artifacts, sponsorship for touring exhibits (county-wide), seminars in oral history, archival research, etc., and encourage research into the organization and development of a repository for the storage and use of historic data.
5. The City shall continue to assist non-profit corporations whose purpose is promotion and development of Albany's historic resources.
6. Encourage adaptive uses to help maintain historic structures such as establishment of Bed and Breakfast operations, specialty shops, restaurants, and professional offices.
7. Discourage the displacement of historic buildings for other uses.
8. Encourage the identification of archaeological sites along the Calapooia River and Oak Creek.
9. Determine the location of any additional known archeological sites prior to the next major plan update.

**IMPLEMENTATION
METHODS**

1. Develop an education program (including public workshops, printed matter, tours, and exhibits) for Albany residents which would:
 - a. Demonstrate the economic and energy assets of preserving Albany's older structures.
 - b. Advise property owners on proper restoration techniques.
 - c. Emphasize the relationship of the Willamette River to Albany's historic character.
 - d. Work with the Greater Albany Public School District and other learning institutions in developing education programs which utilize Albany's historic areas as learning resources.
2. Include in the Capital Improvement Program specific projects for the improvement of historic areas. Possible projects include:
 - a. Beautification of the Santiam Canal and its branches in coordination with Pacific Power and Light.
 - b. Beautification of Eighth Street between Broadalbin and Lyon Streets.
3. Develop design standards for signage of historic structures.
4. Stabilize and improve property values in existing and proposed historic districts. Methods might include:
 - a. Emphasizing the importance of owner-occupied housing in those areas. For example, encourage loan programs which will provide funds for the acquisition and renovation of historic structures for future owners intending to live on the site.

contained in the projected acreage needs will be suitable for development from the standpoint of firms wanting to locate in Albany and that every available parcel will develop.

By the year 2000, the City of Albany will need approximately 1,320 **580 additional** acres of industrial land and 640 acres of commercial land. Because of the existing zoned and buildable acreages, **and the ability to create small commercial and office areas in residential plan designations**, the City projects a need to provide less than 100 acres of additional **designated** commercial land and no **additional** industrial land.

The Central Business District maintains a mix of retail stores and restaurants and is evolving into the business-financial center of the Albany area. Almost 100% of the Central Business District is developed, although many buildings are utilized only on the ground floor. Second stories could be used to provide more efficient use of existing commercial lands.

A large proportion of the commercial lands along Pacific Boulevard and Santiam Highway are currently being used for parking. More efficient transportation would allow more intensive development.

The industrial and commercial land use projections are based on the projected population and employment needs of the City of Albany. However, Millersburg and Tangent may also be using projected population increases in Albany to support future commercial and industrial activities in their jurisdictions.

A more detailed analysis of the economic development needs, methodologies used in making employment projections, land use projections, and employment characteristics are provided in the Background Report under Goal 9, Economy.

GOALS

Diversify the economic base in the City of Albany and strengthen Albany's role as a regional economic center.

Maintain the median income of Albany's residents at or near state and county levels and provide jobs for Albany's residents.

POLICIES

1. Improve local and regional coordination of economic planning.
2. Provide trade and service establishments for the residents of Albany which include a variety of levels of service ranging from neighborhood to regional needs.
3. Improve the Central Business District as the economic culture, business and governmental center of the Albany region.
4. Encourage the expansion of existing business and industry.

- * 2. Complete the master storm drainage plans for all of the drainage basins within the Urban Growth Boundary. Update the master storm drainage plan on a continuous basis.
- 3. Ensure that drainage projects help achieve other plan objections, including those relating to community aesthetics and water quality.
- 4. Ensure that all developments include a drainage system which protects the development and adjoining property from runoff related damage.
- * 5. Require future development to submit drainage plans for City review. The City shall review the drainage facility plans for all drainageway improvements and new developments **excluding** one and two family dwellings. Designers of such drainage facilities should utilize the following criteria and show on their drainage plans how the criteria have been considered.
 - a. emphasize the use and improvement of natural drainageways,
 - b. investigate the desirability of detention ponds or other holding facilities as an alternative to conventional systems,
 - c. indicate how any drainage facility will be maintained,
 - d. minimize the amount of impervious surfaces,
 - e. where possible, provide storm water easement conforming substantially to natural drainageway,
 - f. maintain unrestricted flow from runoff originating elsewhere,
 - g. make provisions for planned increases in drainage flow resulting from upstream development,
 - h. where useful, consider a present or future mechanism to control the rate of runoff discharge so that excess capacity of drainageways does not occur,
 - i. protect structures and lots from damage caused by ponding and runoff,
 - j. ensure that downstream properties and/or structures will not be harmed by runoff originating from the development, and
 - k. ensure that the drainage system connects to an approved drainageway.
- 6. Encourage drainage systems which utilize natural drainageways and minimize the amount and rate of surface water runoff unless it can be shown that a conventional piped drainage system is a more suitable alternative.
- 7. Utilize life-cycle costing in reviewing alternative methods for storm drainage improvements.

* 8. Undertake a capital improvements program to provide for adequate storm drainage to all portions of the City.

* Formerly Implementation Methods

provide sewers to the area. Sewer problems in North Albany and potential solutions are being dealt with by Benton County and the North Albany citizens.

One means of providing adequate treatment for future domestic waste is by reducing the amount of industrial waste treatment at the Sewage Treatment Plant. Growth of some types of industries have a greater impact on the Plant than future population growth because of the heavier demand these industries create. It is possible to require industries such as canneries or other processing plants to provide a pre-treatment or complete treatment of their own liquid wastes. Thus, the City could increase residential capacity of the Plant by decreasing industrial demand.

POLICIES

1. Encourage the use of techniques and devices that reduce the amount of wastewater discharged into the City system.
- * 2. Continue the program of separating all combined sanitary and storm sewers.
- * 3. Continue a program for eliminating infiltration of storm water and groundwater into the sanitary sewer system to increase the effective capacity of the sewage treatment plant.
- * 4. Periodically review the Sewer Capital Reserve Fund to ensure that the revenues generated are adequate to facilitate the projects planned in the capital improvements program for sewer main extension and sewage treatment plant expansion.
- * 5. Have industries with large quantities of industrial sewage or unusual waste contaminants include pre-treatment of such waste or continue to be subject to assessments by the City commensurate with the costs for treating such wastes.
6. Encourage productive uses of sludge.
7. Prioritize extension of sanitary sewer service as follows:
 - a. properties within the City limits of Albany,
 - b. health hazard areas within the Urban Growth Boundary.
 - c. unincorporated buildable lands within the Albany Urban Growth Boundary, where annexation has been agreed to, and
 - d. other incorporated cities.

* Formerly Implementation Methods

8. Base criteria for extension of service on findings that provision of service to low priority areas will not impair the City's ability to serve a higher priority area.
- * 9. Continue the policy of requiring annexation or delayed annexation to receive sewer service in unincorporated areas.
- * 10. Size sanitary sewers to provide for projected growth within the Urban Growth Boundary based upon the land use designations on the Comprehensive Plan Map, and completion of an Urban Growth Boundary facility study and plan.
- * 11. Undertake a sanitary sewer and urban growth area sewer facility study and plan.
12. Prior to the next major Plan update, develop specific plans and funding mechanisms for expansion of the wastewater treatment plant which includes proposed resolution of treatment needs for the City of Millersburg, North Albany, and other expanding areas of the Urban Growth Boundary.

**IMPLEMENTATION
METHODS**

1. Continue the policy of charging property owners outside the city limits a higher monthly rate and implement an ordinance requiring similar hook-up fees.

* Formerly Implementation Methods

2. Encourage recycling operations which accept a wide range of items, discouraging those operations which take only the most profitable items to the detriment of a comprehensive recycling program.
3. Encourage organic waste pick-up programs which utilize material for compost.
4. Ensure that there is land available and zoning regulations which would accommodate firms specializing in manufacturing, refurbishing, or repairing.
5. Support a base level of recycling programs which would include a central drop-off depot, and would receive a range of materials.
6. Encourage expansion of source-separation programs such as home pick-up service (especially for apartment complexes), and the recycling of more items.
7. **Work with both Linn and Benton Countys to assure continuous provision of cost effective solid waste disposal.**

**IMPLEMENTATION
METHODS**

1. Review solid waste collection franchise agreements as soon as possible to determine if recycling and other aspects of collection can be improved upon and at what cost to the public.
2. Prohibit development on the fill portion of the Albany dump site unless studies show the intended development would not cause a hazardous situation.
3. Require special review of development of the school site adjacent to the old Albany dump site to determine if any potential problems from the dump site have been adequately considered and reduced.

RECOMMENDATIONS

1. Encourage both Linn and Benton Countys the Chemeketa Solid Waste Management Region and/or the Linn County Solid Waste Advisory Committee to develop an energy efficient comprehensive solid waste management plan which considers both separation for recycling purposes and treatment of mixed waste for alternative uses.
2. Encourage the sanitation franchise to provide a refuse collection station in Albany.
3. Encourage the sanitation franchise to explore recycling of some solid wastes even if such action would necessitate raising collection rates.

There are few areas in the Albany Fire District where it is difficult to provide emergency services. However, one identified problem, though infrequent, is that of not being able to provide emergency service to areas cut off during times of flooding. North Albany would be inaccessible in times of a major flood when emergency services are especially important.

The City of Albany currently has a Class III fire rating - the best in Linn County-resulting in lower fire insurance rates for Albany citizens.

- POLICIES**
1. Explore the development of a coordinated central dispatch system in order to more effectively and efficiently serve city residents with emergency services such as police, fire, and emergency medical assistance.
 2. Determine if the City has the ability to provide adequate police and fire protection services to proposed annexation areas.
 3. Work with Linn County to coordinate improvement of City and County law enforcement and justice facilities.
 4. Emphasize primary prevention techniques within the City as a means for preventing losses due to fire and crime. Such methods may include school education programs, block programs, voluntary alarm hookups, code enforcement, etc.
 - * 5. Prepare a long range fire and police protection plan for the urbanizing area which shall include: (1) a determination of the long range needs for fire and police protection, (2) locations for future facilities such as fire stations, and (3) suggested means for maintaining and implementing the Plan.

**IMPLEMENTATION
METHODS**

1. Periodically review the quantity and quality of fire protection services to ensure the best possible fire rating within the City.

RECOMMENDATION

Encourage Pacific Power and Light through review of their franchise agreement to improve the firefighting capability by increasing the distribution of fire hydrants and improving reliability and water flow capabilities.

* Formerly Implementation Method

3. Coordinate with the School District the design of safe pedestrian and bicycle routes to all schools.
4. Include consideration of safe access to school and park sites in all development reviews.
5. Recognize the importance of schools to neighborhood identity and stability.
- * 6. Review all development proposals for potential impacts on the school system which shall include the adequacy of existing facilities and the need for new facilities or sites.

IMPLEMENTATION

METHODS

1. Provide the School District with updated population projections, proposed residential densities, and master street plans for the school district's use in capital facilities planning.
2. Work with neighborhood groups to encourage sidewalk construction where sidewalks are lacking from residential areas to schools.

RECOMMENDATIONS

1. Encourage the School District to coordinate capital facility planning and school site selection with the City.
2. Encourage the School District to locate new junior high and high school sites within the Urban Growth Boundary to discourage leap frog development and prevent the uneconomic extension of services.
3. Encourage the School District to locate schools in areas with good pedestrian access within the attendance area.

* Formerly Implementation Method

COMPREHENSIVE PLAN MAP DESIGNATIONS

The land use designations on the Comprehensive Plan Map (Plate 14, p.) indicate the type, location, and density of land development and redevelopment that will be permitted in the future. The map shows where various kinds of land use activities are appropriate for all areas within the Urban Growth Boundary. Although future development in Albany may never correspond exactly to the Plan Map, the Map does show where different kinds of activities are appropriate. It identifies potential development opportunities for meeting Albany's housing, commercial, and employment needs.

The Map has four general categories of designations (residential, commercial, industrial, and special uses) and each general category is broken down into more specific categories as described below.

Residential - General Requirements

The four residential plan designations have the following common elements: 1) Home occupations are permitted subject to Development Code requirements, 2) Residential Professional and Neighborhood Commercial zoning is permitted within all residential plan designations without a plan change, but will be subject to rezoning requirements and conformance to special standards, 3) Density increase bonuses will be permitted within each designation based upon project amenities and energy conservation packages, and 4) Schools, parks, cemeteries, churches and certain public facilities may also be compatible in the residential plan designations.

Urban Residential Reserve - identifies areas between the developed urban area and the Urban Growth Boundary within which a variety of residential zones may be permitted to accommodate all needed housing types without a plan change. It is intended that the Urban Residential Reserve area will contain a range of residential densities from four to forty units per acre with the average density being seven to nine units per acre for the entire Residential Reserve area. However, All zoning decisions will be based upon criteria as specified in the Development Code. However, there are three policies which will be utilized in

converting Urban Residential Reserve land to a particular residential zoning classification.

1. The average overall developed density within the URR designation will be from 7 to 9 units per acre, although the developed density allowed in any particular area may be from 4 to 40 units.
2. The City will at all times maintain at least a 5-year supply of land designated for low-, medium-, and high-density residential uses.
3. Land within the URR designation will be changed to low-, medium-, or high-density plan designations if such changes are needed to develop accurate 5-year capital improvement plans involving any such areas.

At the time of each plan update, the Urban Residential Reserve will be amended to place more specific plan designations on those areas which have been committed to residential development or which have been shown to be most appropriate for a specific residential density or use. In addition to residential use, it is anticipated that 50 to 100 acres of the Urban Residential Reserve land will be utilized for Neighborhood Commercial and Residential Professional uses.

Low Density Residential - identifies areas predominantly suited or used for single family development on lot sizes ranging from 5,000 to 10,000 square feet. Mobile home parks and subdivisions may be permitted by Site Plan Review or Conditional Use Permit. Duplexes and attached townhouses are permitted on corner lots. Low density cluster housing is permitted within Planned Unit Development at 4 to 10 units per acre depending on the zone. (Density as stated is net density, streets not included, unless specifically mentioned otherwise).

Medium Density Residential - identifies areas suitable for multiple family and attached single family development at densities ranging from 10 to 20 units per acre. Mobile home parks and subdivisions are permitted with a site plan review.

High Density Residential - permits multiple family and condominium developments at densities ranging from 20 to 40 units per acre depending upon approved density bonuses. These areas are concentrated near major commercial centers and corridors and with immediate access to arterial streets and/or major collectors.

Commercial

Light Commercial - provides for limited commercial activities which include residential professional and neighborhood commercial uses. This designation is used to provide a buffer between residential and more intensive uses (such as between the Central Business District and the surrounding residential areas) and also to provide neighborhood commercial areas in close proximity to residential areas.

General Commercial - identifies areas from neighborhood services to heavy commercial establishments, suitable for a wide range of retail sales and service establishments. Aside from recognition of existing commercial corridors, attempts have been made to designate future Community Commercial sites in large clusters to avoid continuance of "strip commercial" development in order to more efficiently serve the shopping needs of the community and region.

Central Business District - identifies the downtown commercial core and provides for its preservation and expansion. Typical Central Business District uses are permitted along with high density housing. Parking is provided by a Downtown Off-street Parking Assessment District.

Industrial

Industrial Park - preserves large parcels for development of large scale, planned light industrial developments and accessory uses which have exceptionally high standards for architecture, landscaping, and environmental effects.

Light Industrial - identifies areas suitable for a wide range of light manufacturing, warehousing, wholesaling, and other accessory and compatible uses which have minimal environmental effects and can conform to the Development Code performance standards for the Light Industrial Zone.

Heavy Industrial - provides for most types of manufacturing and processing, storage and distribution, and other types of industrial uses which are potentially incompatible with most other uses but which can comply with the industrial performance standards of the Heavy Industrial Zone.

Special Use Designations

Intensive Development Sectors

These are areas where intensive development can and should occur, but the particular type of land use should not be pre-determined in order to maintain maximum flexibility where any of several uses could be appropriate depending upon current market conditions. An intensive development designation requires that:

1. The area be designated on the Comprehensive Plan.
2. The area can only be developed through the planned development process.
3. No land division shall occur except as a part of an approved phase of a planned development for the entire parcel.

Permitted uses are cluster residential with densities of 6 to 15 units per gross acre, residential professional uses accessory recreational uses, neighborhood commercial uses when such are designed to serve the development, industrial park uses, or any combination of the above.

Upon annexation, the underlying zoning designation of an intensive development sector shall be that which corresponds to the predominant intended use.

Open Space - identifies and protects areas where development is infeasible or undesirable and where it is in the public interest to protect lands for the maintenance of natural drainageways and flood channels, to protect fish and wildlife habitats, to enhance scenic and historic areas, to protect natural resources, and to protect potential recreation trails and park sites. The principal private uses of these areas will include grazing and crop production, and recreation and open space uses within private developments.

Public and Semi-Public - identifies existing public and semi-public uses including public parks, schools, the community college, cemeteries and other public buildings as well as major utility facilities. Planned locations for such facilities are also included within this designation; however, future sites and public facility developments may take place within other plan designations subject to special regulations.

Overlay Designations

Flood Plain Overlay - identifies lands located within the 100-year flood plain as determined by the U.S. Army Corps of Engineers for purposes of special regulation and protection.

Willamette River Greenway Overlay - identifies lands located within the Willamette River Greenway Boundary which are subject to special regulations intended to "protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River."

ZONING DISTRICTS

Zoning is a major "tool" for implementing the Comprehensive Plan. By law, zoning must be "consistent" with the Comprehensive Plan. This does not mean, however, that zoning designations are simply duplicates of Plan designations. The zoning cannot permit uses or intensities which are not allowed under the particular Plan category. It is possible to have zoning which is more restrictive than the Plan designation, for example if the land is not needed for such uses in the short run or a particular area is not currently suitable for such development. In those instances, the zoning intensity would be increased when the land was needed and/or the suitability of the land for a particular use was assured. Zone changes will occur concurrently with annexations, although the particular zone attached to such annexation depends on the Plan classification, need for the intended uses, and the suitability of the land for a particular use.

PLAN DESIGNATION-ZONING MATRIX

PLAN DESIGNATION	Open Space	The following matrix indicates which zoning classification may be Compatible, Restricted or not allowed within the various Comprehensive Plan Designations.											OVERLAY ZONES		
		ZONING DISTRICTS											Flood Plain	Greenway	PUD
		R-1	R-2	R-3	RP	C-1	C-2	C-3	CH	MP	ML	MH			
Urban Residential Reserve	R	C	C	C	R	R	N	N	N	N	N	N	R	R	R
Low Density Residential	R	C	N	N	R	R	R	N	N	N	N	N	R	R	R
Medium Density Residential	R	C	C	N	R	R	R	N	N	N	N	N	R	R	R
High Density Residential	R	C	C	C	R	R	R	N	N	N	N	N	R	R	R
Light Commercial	R	R	R	R	C	C	N	N	N	N	N	N	R	N	R
General Commercial	R	N	N	N	C	C	C	N	C	N	N	N	N	N	R
Central Business District	R	N	N	N	C	N	N	C	N	N	N	N	R	R	R
Industrial Park	R	N	N	N	N	N	N	N	N	C	N	N	R	N	R
Light Industrial	R	N	N	N	N	N	N	N	R	C	C	N	R	R	R
Heavy Industrial	R	N	N	N	N	N	N	N	N	C	C	C	R	R	R
Public Facilities	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Open Space	C	N	N	N	N	N	N	N	N	N	N	N	C	C	R
Intensive Development Sector	R	R	R	R	R	R	N	N	N	R	N	N	R	R	C

Key: C - Compatible
 R - Restricted or Subject to Special Regulation
 N - Not Compatible

- a) The request meets applicable County standards, especially those relating to sanitation and environmental protection.
- b) The request meets plan goals and policies.
- c) An urban conversion plan is submitted showing the future location of any streets, utility easements, and city sized parcels or other intended use of the land.
- d) Recordation of a deed covenant consenting to annex to the municipality providing services is filed.

8. Although the Plan Map designates this property for an Intensive Development Sector, its annexation and subsequent development will depend upon a demonstration that:

- a. The property is needed for an industrial or professional use which is compatible with and benefits from the proximity of Linn-Benton Community College and such need cannot be satisfied by land within the nearby Industrial Park classification; or
- b. The property is needed for residential use due to major new employment opportunities within the South Albany area or other change in circumstances not anticipated within the Comprehensive Plan which would increase the demand for residential uses in this area.

Additional areas which may be subject to special review considerations in addition to the specified requirements of the designated district include the following:

Slopes exceeding 12%
 Floodplain areas
 Properties within the Willamette River Greenway
 Historic Areas
 Central Business District Properties
 Properties along Pacific Boulevard and Santiam Highway
 Properties impacted by the airport
 Properties adjacent to the Freeway (I-5)

The criteria for review of developments in these areas are discussed in the Plan text.