

ORDINANCE NO. 4589

TITLE: ZONE CHANGE AMENDMENT NO. 7 UNDER ORDINANCE NO. 4441 REZONING 69.62 ACRES OF PROPERTY LOCATED GENERALLY EAST OF CENTURY DRIVE AND NORTH OF KNOX BUTTE ROAD AS R-2 (38.30 ACRES), C-1 (5.52 ACRES), C-2 (12.47 ACRES), ML (9.81 ACRES) AND UGM-ML (3.52 ACRES). (R-2 = Medium Density Residential; C-1 = Neighborhood Commercial; C-2 = Community Commercial; ML - Light Industrial.)

WHEREAS, the Planning and Zoning Commission of the City of Albany has held such hearings as are required by law and the ordinances of this city and has made findings concerning the appropriate zone for the property being considered, said findings being based upon evidence produced at hearings; and

WHEREAS, the Council of the City of Albany has duly advertised and caused notices to be given as required by law and has had a public hearing concerning the zoning of the property described above and bases its decision in accordance with the findings on file with the City Recorder which are adopted by separate motion and incorporated by reference herein; and

WHEREAS, it is further determined that the rezoning hereinafter made should be subject to certain conditions. Those said conditions are as follows:

none

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

Section 1. ZONE CHANGE AMENDMENT NO. 7

An area described as shown on Exhibits B1 through B7 is hereby rezoned as R-2, C-1, C-2, ML, and UGM-ML and will be known as Zone Change Amendment No. 7.

Section 2. COPY FILED

A copy of this zone change amendment shall be filed in the Office of the City Recorder of the City of Albany and the number noted on the official zoning map of the City of Albany.

Passed by the Council: May 25, 1983  
Approved by the Mayor: May 27, 1983  
Effective Date: June 24, 1983

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

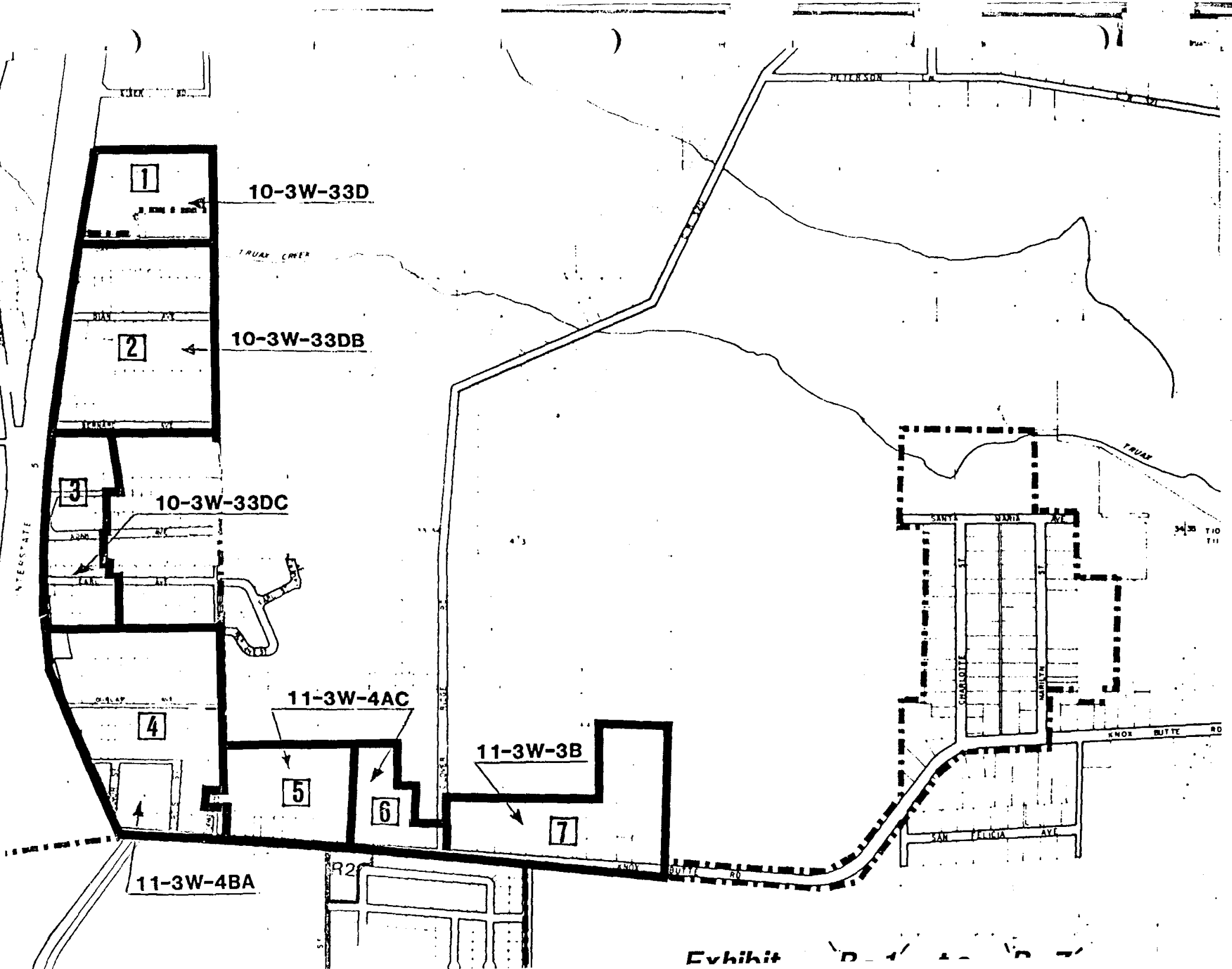





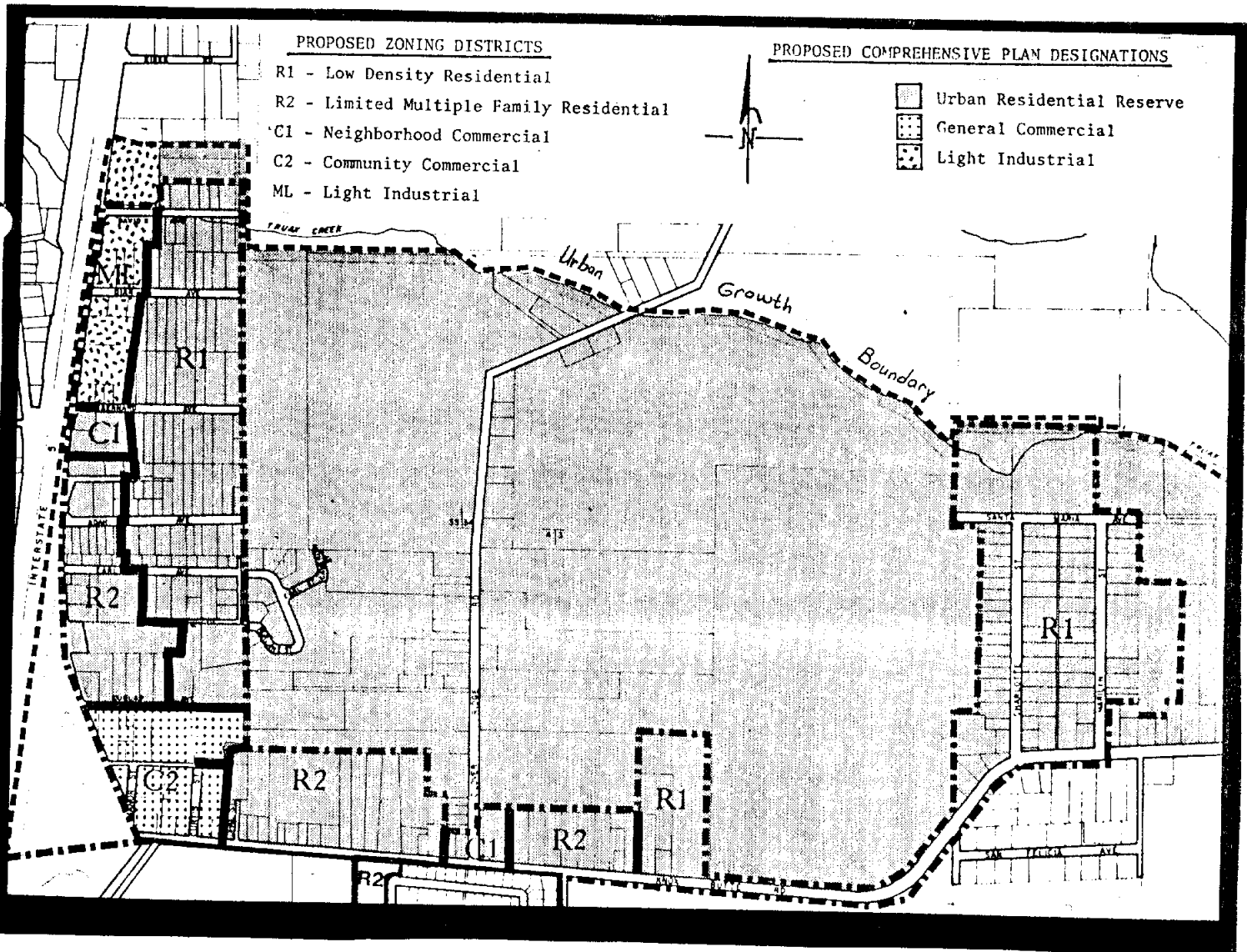
Exhibit D-1

PROPOSED ZONING DISTRICTS

- R1 - Low Density Residential
- R2 - Limited Multiple Family Residential
- C1 - Neighborhood Commercial
- C2 - Community Commercial
- ML - Light Industrial

PROPOSED COMPREHENSIVE PLAN DESIGNATIONS

-  Urban Residential Reserve
-  General Commercial
-  Light Industrial



<u>Map Book Page</u>	<u>Tax Lot Number</u>	<u>Proposed Zoning</u>	<u>Map Book Page</u>	<u>Tax Lot Number</u>	<u>Proposed Zoning</u>
11-3W-33D (Exhibit 'B-1')	900	UGM-ML	11-3W-4BA (Exhibit 'B-4')	300	R-2
				400	R-2
				402	R-2
11-3W-33DB (Exhibit 'B-2')	4500	ML		500	R-2
	2900	ML		600	R-2
	3000	ML		700	R-2
	1601	ML		800	R-2
	1600	ML		3900	R-2
	1700	ML		401	R-2
	1501	ML		4000	C-2
	1500	ML		1700	C-2
	1400	ML		1500	C-2
	2700	ML		1400	C-2
	2800	ML		1300	C-2
	1300	ML		1200	C-2
	1200	ML		3500	R-2
	1100	ML		1600	C-2
	1000	ML		1800	C-2
				1900	C-2
10-3W-33DC (Exhibit 'B-3')	1300	C-1		2000	C-2
	1200	C-1		2100	C-2
	1101	R-2		2400	C-2
	1400	R-2		2401	C-2
	1500	R-2		2200	C-2
	1800	R-2		2500	C-2
	1900	R-2		2300	C-2
	2000	R-2		2600	C-2
	5100	R-2		2700	C-2
	5000	R-2		2801	C-2
	4900	R-2		2802	C-2
	4800	R-2		2800	C-2
	4700	R-2		2901	C-2
	4600	R-2		2900	C-2
	4500	R-2		3000	C-2
	5300	R-2		3100	C-2
	5400	R-2		3200	R-2
	5500	R-2		3400	R-2
	5600	R-2		3300	R-2
	5601	R-2		3700	R-2
	7700	R-2			
	7600	R-2			
	7400	R-2			
	7300	R-2			
	7501	R-2			
	7500	R-2			

SE 1/4 Sec.

S. R. 3W. W.M.

Exhibit 'B-1'

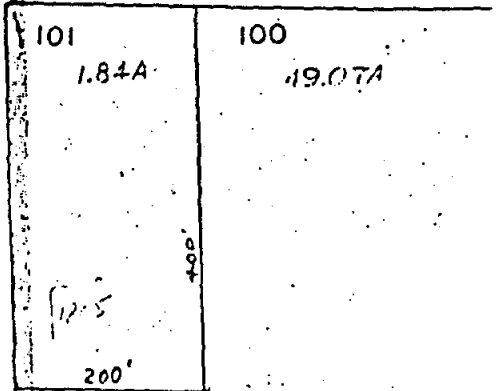
1" = 200'

NW Cor. M. HOUSTON  
DLC 43

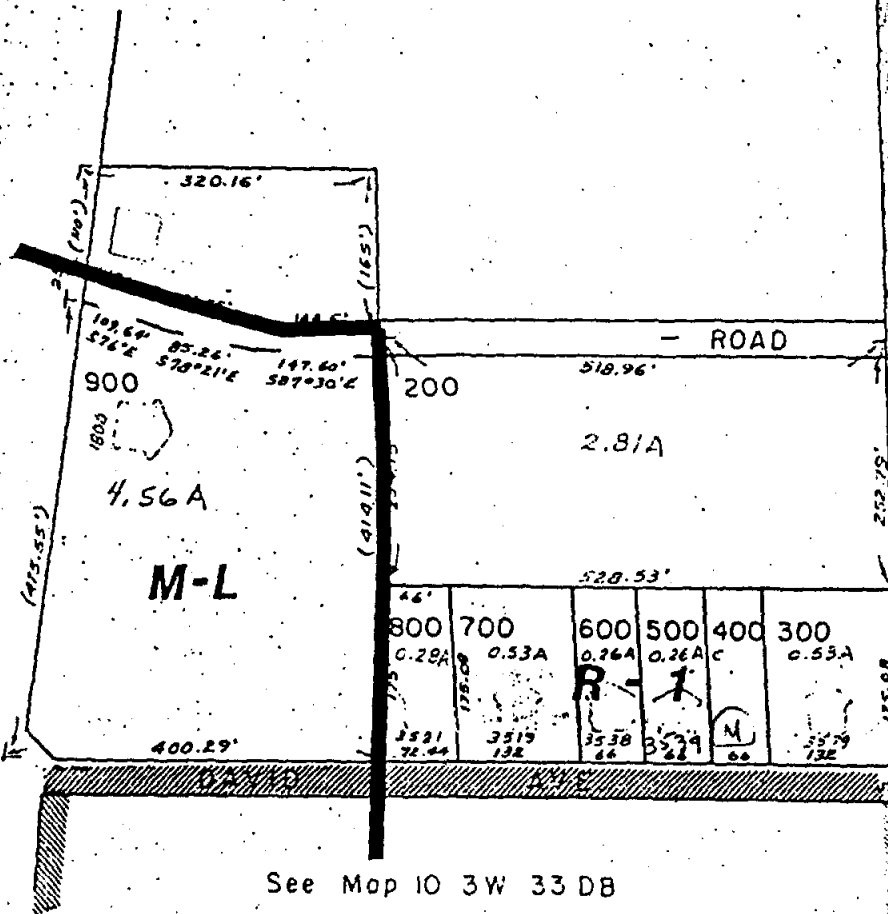
10-3w-33D

See Map 10 3W 33A

00  
37A

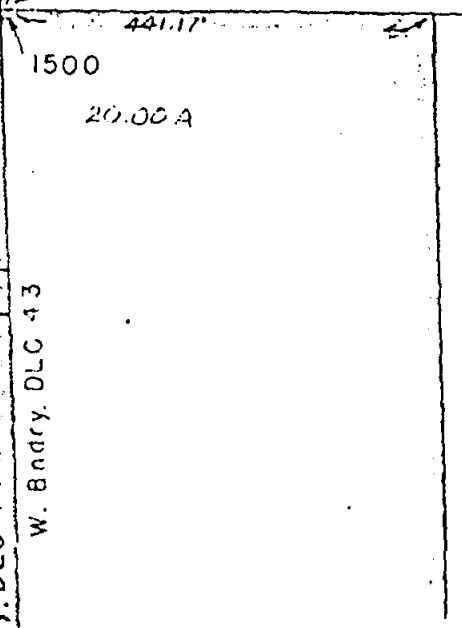


PACIFIC HIGHWAY



See Map 10 3W 33 DB

5-4



See Map 10 3W 33 D5

Y. DLC 44  
W. Bndry. DLC 43

# Exhibit 'B-2'

10-3w-33DB

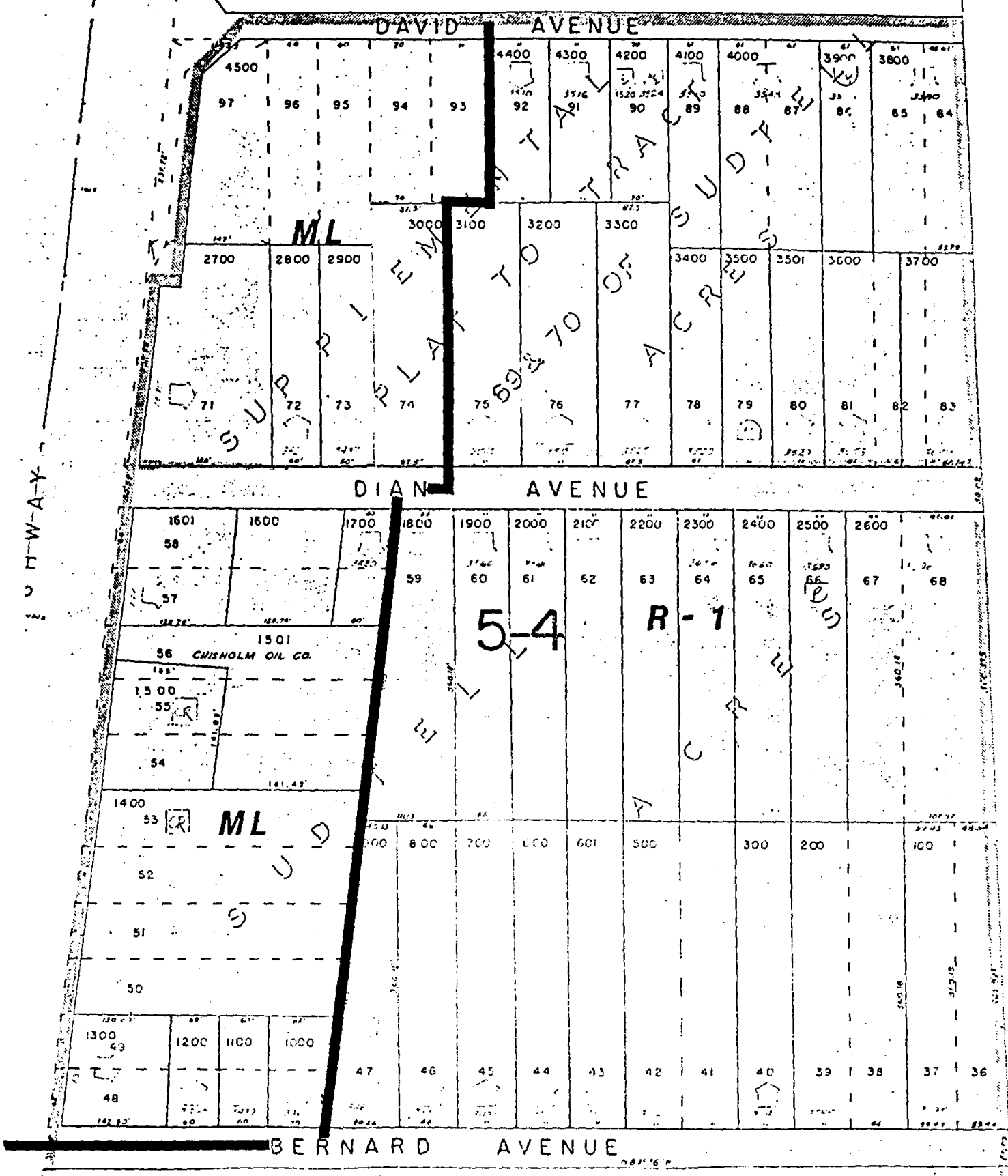


Exhibit 'B-3'

W. 1/4 SE. 1/4 Sec. 33

1" = 100'

See Map 10 3W 3

10-3w-33DC

OLD PACIFIC HIGHWAY

RELOCATED PACIFIC HIGHWAY

BERNARD

ADAH

EARL

1300  
C-1  
COMMERCIAL

TRAILER COURT

R-2

5

See Map 10 33CD

See Map 11 3W 49B

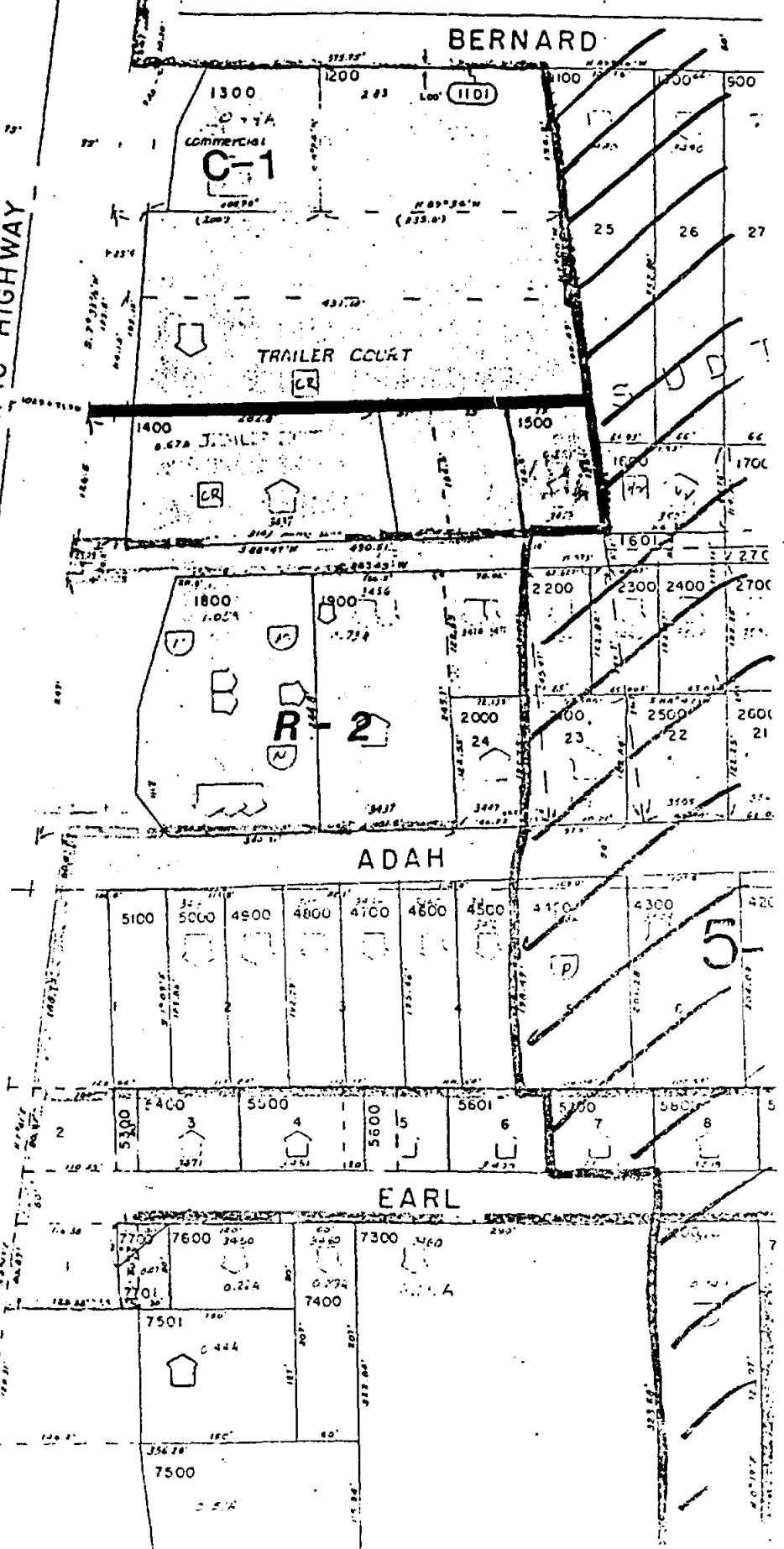
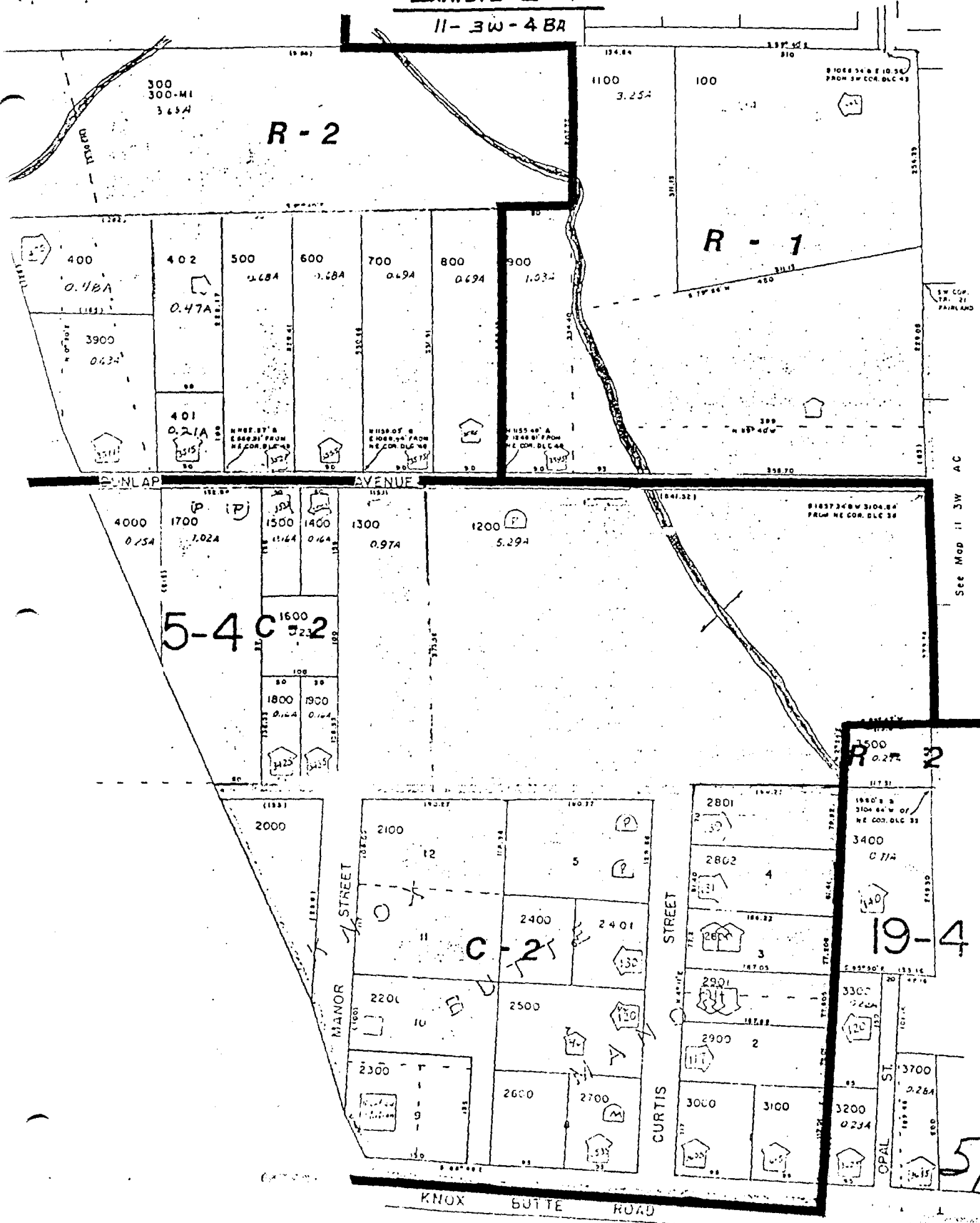


Exhibit 'B-4'

11-3W-4BA



R-2

R-1

5-4C

C-2

R-2

19-4

5

See Map 11 3W AC



Map Book Page   Tax Lot Number   Proposed Zoning

11-3W-4AC	800	R-2
(Exhibit 'B-5')	1000	R-2
	1600	R-2
	1700	R-2
	1800	R-2
	801	R-2
	900	R-2
	1100	R-2
	1200	R-2
	1300	R-2
	1400	R-2
	1500	R-2
11-3W-4AC	1901	R-2
(Exhibit 'B-6')	1900	R-2
	2500	R-2
	2700	R-2
	2601	R-2
	2600	R-2
	2300	C-1
	2400	C-1
11-3W-3B	900	C-1
(Exhibit 'B-7')		

SW 1/4 NE 1 S 34 T.11S. R.3W. W.M.

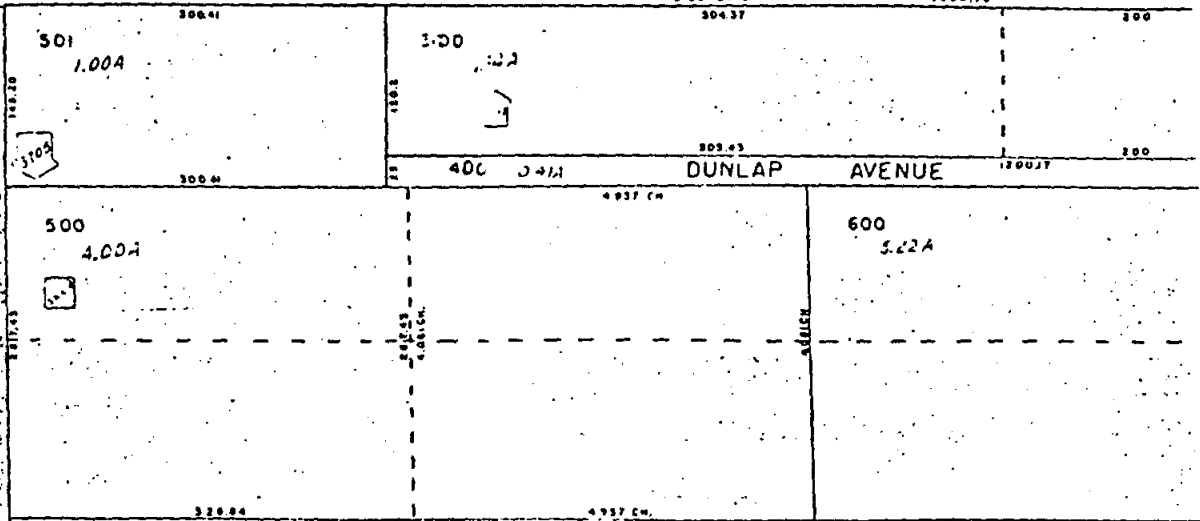
1" = 100'

# Exhibit 'B-5'

11-3w-4AC

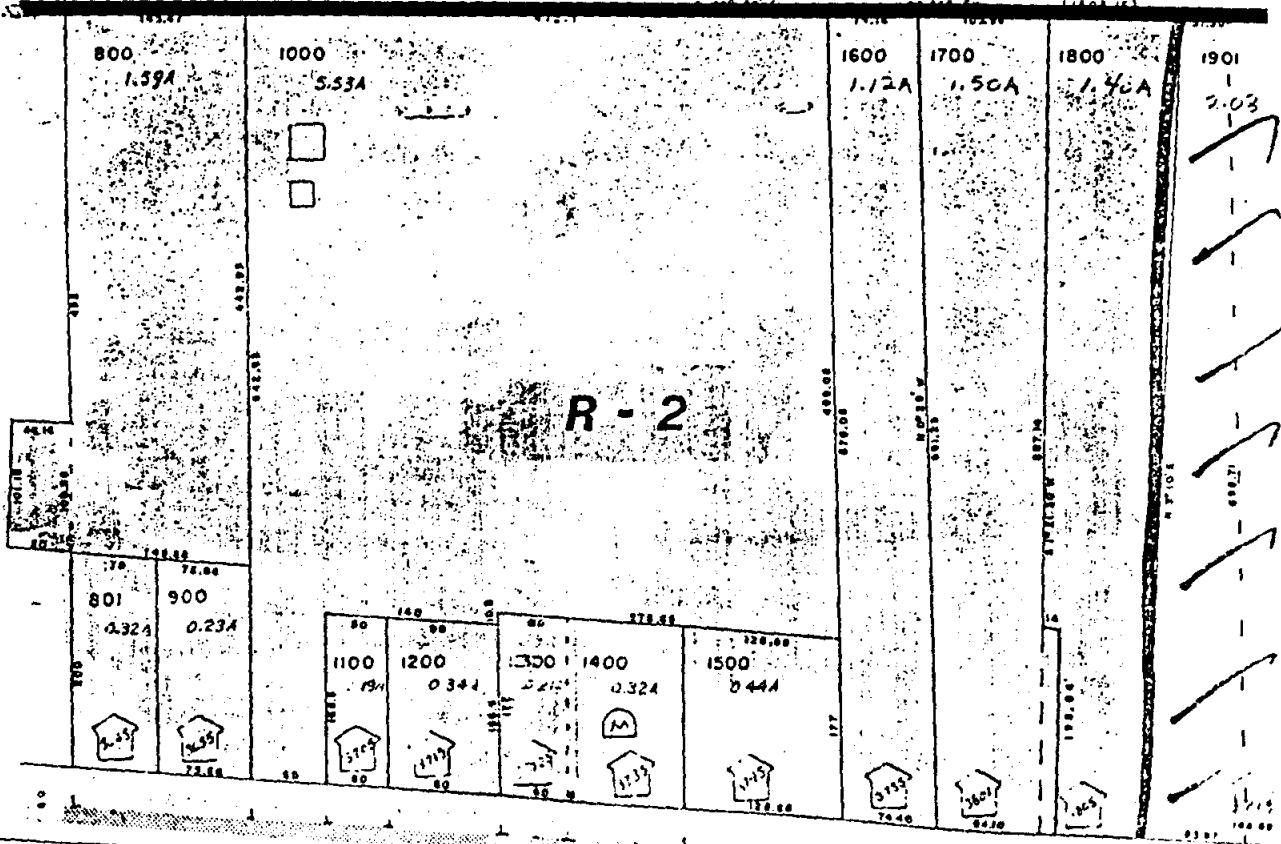
See Map 11 3w 4AB

30°00' N 83°34' E 300.00'  
80°00' S 0°00' E 300.00'  
50°16' E 810.10' FROM  
NE COR. DLE 38



## 19-4

See Map 11 3w 4BA



INOX

BUTTE

Handwritten scribbles and lines on the right side of the map.



NW 1/4 Sec. 3 T. 11.

1" = 200'

See Map 10 3W 34

NE Cor  
DLC 38 100  
97.77A

Exhibit 'B-7'

11-3w-3B

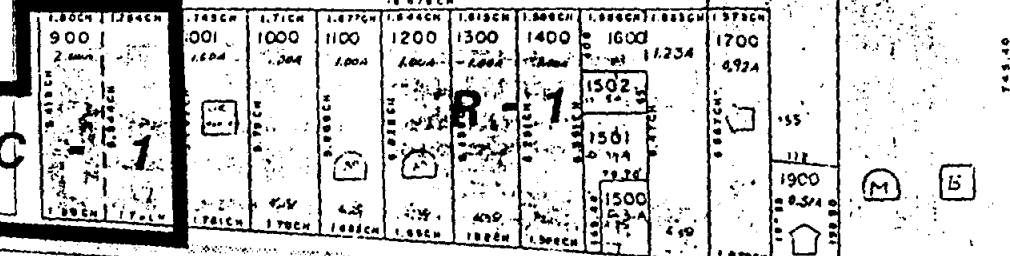
See Map 11 3W 4A B

See Map 11 3W 4A C

CLOVER RIDGE ROAD

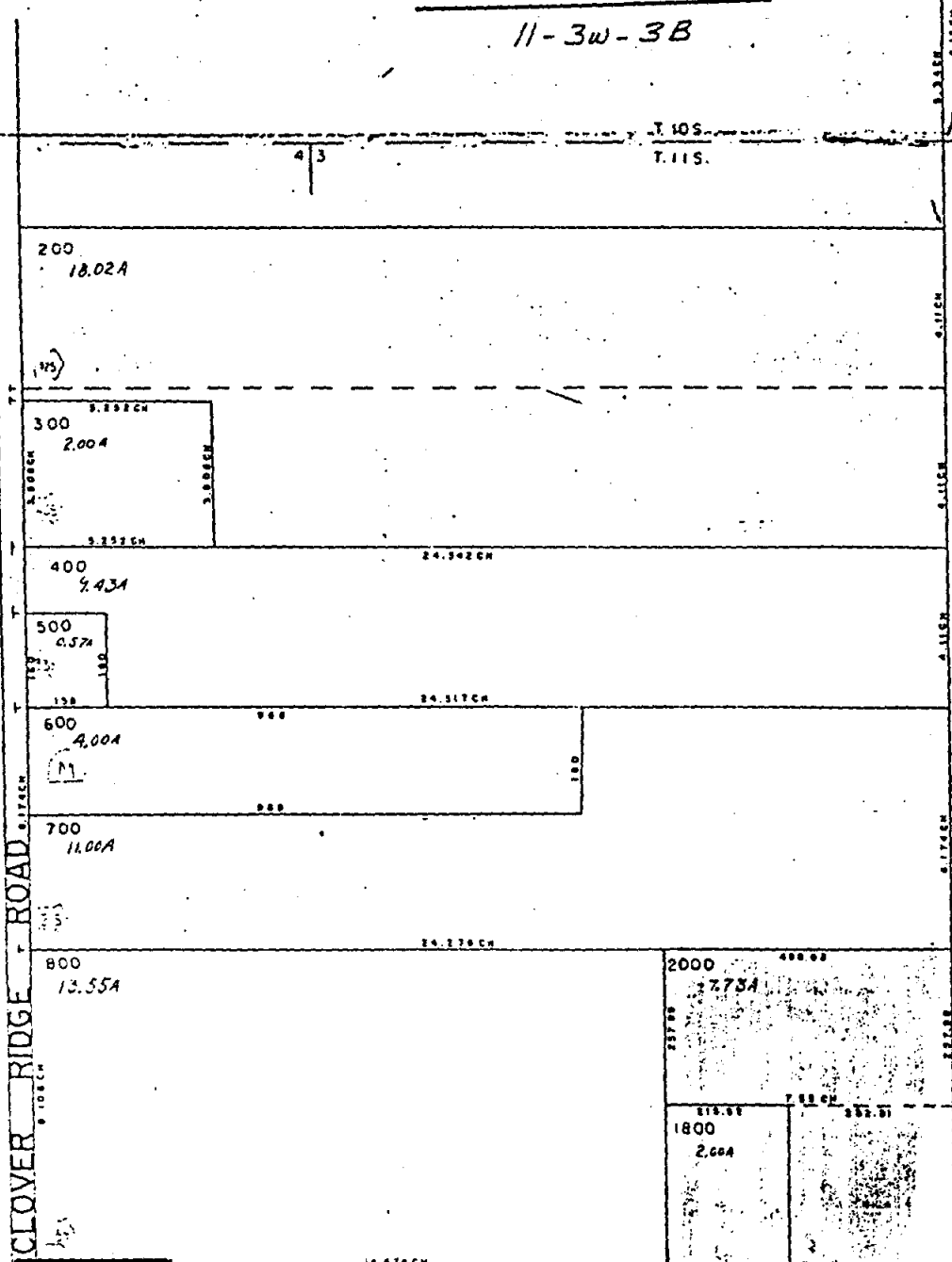
C

1



KNOX BUTTE ROAD

19-4



Surrounding Land Use:

The property to the south of Knox Butte Road and within the City limits contains the Albany Airport, the National Guard Armory, multiple family dwelling units and a single family subdivision; also, lying south of Knox Butte Road, outside of the City limits and east of Goldfish Farm Road the land is predominately a large vacant tract which is presently being farmed; the property to the south of Knox Butte Road in the vicinity of Charlotte and Marilyn Street is developed with a large lot single family subdivision, the property to the north of the subject property, lying east and west of Clover Ridge Road contains a mixture of small to large lots with a mixture of single family uses and a variety of farm uses.

Proposed Development:

The proposed Residential zoning will allow for a variety of housing types and densities. The proposed Commercial designations will allow for commercial uses which are capable of serving the area and compatible with the neighborhoods being served. The proposed Industrial zoning will allow a wide range of manufacturing, warehousing, processing, and related establishments which have a limited impact on surrounding properties.

Prior History:

This area was declared a health hazard area on December 1, 1978. On February 3, 1982 the area was annexed to the City of Albany. On October 27, 1982, the City Council moved to zone all properties other than those designated C-1 (Neighborhood Commercial) and C-2 (General Commercial) R-1 (Low Density Residential) on an interim basis.

FINDINGS

1. TRANSPORTATION FACILITIES:

- (a) Staff's Comments: The R-2 (Medium Density Residential) designation allows for multiple family and attached single family development at densities ranging from 10 to 20 units per acre. Mobile home parks and subdivisions may be permitted through Site Plan Review. The C-1 (Neighborhood Commercial) designation allows limited commercial uses such as small shopping clusters or service centers. The C-2 (Community Commercial) designation allows for neighborhood services to heavy commercial establishments suitable for a wide range of retail sales and service establishments. The ML (Light Industrial) designation is particularly suited to areas having good rail and/or highway access.

Century Drive and Clover Ridge Road are designated collector streets and Knox Butte Road is a designated arterial street on the Master Street Plan. A bike path exists along Knox Butte Road. Bike paths are proposed along Burhart Creek, Truax Creek, and Clover Ridge Road.

The location of the commercial areas and the medium density residential areas should minimize any conflict in traffic and help preserve the character of the existing single family neighborhoods. The location of the more intense zones adjacent to arterial or collector streets will encourage the combining of lots and therefore, the reduction in number of accesses onto these major streets.

The industrial area is located adjacent to a designated collector street and in the immediate vicinity of Interstate 5 and the Millersburg Industrial area.

2. PUBLIC SERVICES:

- (a) Staff's Comments: Sanitary sewage facilities are presently under construction in the area proposed for zoning. Sizing of lines has been projected to accommodate the growth and development in this area using low to medium residential density projections. Fire and police protection is provided by the City. Storm sewage facilities are substandard with all runoff accommodated in open roadside ditches and the existing natural drainage ways. Water is available along Knox Butte Road to Goldfish Farm Road. Water is not available elsewhere in the subject area and will not be unless a Local Improvement District (LID) is formed.

3. NATURAL FEATURES:

- (a) Staff's Comments: A land use inventory was taken of the entire area. For the most part the proposed zoning conforms with the existing use of the properties and is not detrimental to the existing features. Presently there are two businesses of an industrial nature which will be compatible with the proposed Comprehensive Plan designation and zoning. Any commercial, multiple family development over 2 units, mobile home parks, and subdivisions will be subject to Site Plan Review at the time the property is developed. At that time natural features of that particular site will be reviewed.

4. SPECIAL DISTRICTS:

- (a) Staff's Comments: The subject properties fall within 3 special districts designated in the Comprehensive Plan: (1) floodplain areas, (2) properties impacted by the Airport, and (3) properties adjacent to the freeway.

(1) Floodplain Areas

Truax Creek and Burkhart Creek drainage basins flow through the area. Data on the complete floodplain areas is available, however, the size of floodway areas is not. For lack of better information the Comprehensive Plan assumes a minimum unobstructed width of 100 feet is necessary along these creeks. Encroaching on the floodplain by filling or with buildings or other structures decreases the area available for the conveyance of excess water. Such filling may increase both upstream and downstream flooding or displace floodwaters on to land which is not within the floodplain. Buildings and bridges within the floodway may dam flood waters and causes higher stages and creates upstream inundation. The removal of vegetation along riverbanks and in the floodplain increases the likelihood of erosion damage. Much of the existing floodplains will be reduced as a result of scheduled Soil Conservation Service drainage improvements. All proposed development in the subject area will be reviewed for compliance with the regulations regarding floodways and flood fringe areas.

(2) Airport Overlay Zone

One of the Comprehensive Plan Implementation Methods that the following three provisions should be applied to the existing Airport:

- (a) Adopt the Approach and Clear Zone Plan as proposed in the Airport Master Plan, limiting height intrusions from both natural and man-made sources.
- (b) Ensure that developments in the airport approach area (safety zone) would not be visually distracting, create electrical interference, or cause other safety problems for aircraft.
- (c) Develop a noise corridor zone as determined by the projected year 200 ldn contours. Regulations in the zone should be based on the following criteria:
  - (1) In the 55 to 60 ldn area, encourage developers to make use of noise mitigating measures, and inform future residents of the anticipated future noise levels.
  - (2) In the 60+ ldn area, all developments will have special review to determine if special noise mitigating measures will be required.

The Development Code has incorporated these and other provisions regulating development within both height and noise corridors surrounding the Airport. Then provisions will not apply to limited areas north of Knox Butte Road.

(3) Freeway Corridor

A Comprehensive Plan Policy states "For new noise-sensitive development, encourage special construction and landscaping techniques in areas where that development would be impacted by noise."

5. NEIGHBORHOOD COMPATIBILITY:

- (a) Staff's Comments: The subject area was reviewed for compatibility and possible redevelopment. Of the 68 single family structures in the area, 85% were found to be in good to fair condition. Of the multiple family units, 27.3% were in good condition and 72.7% were in poor condition. The area chosen for a medium density designation contains existing multiple family units, has good access to major streets, in most areas are large lots either vacant or containing a single family residence and would not be detrimental to the single family integrity of the areas located to the east and north of the R-2 areas. The two areas proposed for a C-1 designation contain existing small retail grocery stores. The remaining property adjacent to Century Drive contains a Mobile Home Park. The remaining property adjacent to Knox Butte Road contains two single family homes in fair condition. The area proposed for a C-2 designation presently contains a service station/repair shop; a beauty salon; an auto-body shop; four single family homes - 2 in fair condition, 1 in poor condition, and one should be demolished; a mobile home; a plant nursery; and several vacant parcels. The area proposed for a M-L designation contains an existing crane

business; 12 single family homes in good to fair condition; a mobile home; and a plant nursery.

6. COMMUNITY LOCATION:

(a) Staff's Comments: The proposed zoning complies with the following Comprehensive Plan Policies:

Economic Development:

- Policy No. 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.
- Policy No. 4 Encourage the expansion of existing business and industry.
- Policy No. 5 Encourage diversification of the local economy beyond the three existing major industrial sectors (rare metals, food products, and lumber and wood products).
- Policy No. 6 Encourage tourist service related activities and services such as motor inns, restaurants, parks, and recreation facilities.
- Policy No. 9 Encourage business and industry to locate in Albany that will employ Albany's existing labor force.
- Policy No. 10 Provide residents of the City with access to neighborhood commercial facilities within a half mile radius.
- Policy No. 18 Limit neighborhood commercial areas with respect to site size (less than five acres), site coverage, and types of uses which should be correlated with the needs of the people in the neighborhood.
- Policy No. 19 Encourage business and industry to locate within the Albany city limits to decrease the proportional share of City taxes paid by residential properties.

Public Facilities:

- Policy No. 3 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.
- Policy No. 17 Encourage compact commercial areas for highway related businesses with each area having controlled access to arterials.



Housing:

- Policy No. 1                    Ensure that there is an adequate supply of zoned land in areas accessible to employment and public services to provide a choice of type, location, density, and cost of housing units commensurate to the needs of City residents.
- Policy No. 4                    Support regional fair share distribution of assisted housing for low income people.
- Policy No. 5                    Continue to provide assistance to the City's low income neighborhoods in the form of facility improvements, rehabilitation loans, historic preservation grants, and other programs made available through State and federal government.
- Policy No. 6                    Encourage innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs.
- Policy No. 7                    Consider mobile homes as a viable alternative to conventional housing, particularly for low and moderate income families.

Growth:

- Policy No. 1                    Encourage the development of vacant serviced properties before extending services to other undeveloped area.
- Policy No. 2                    Encourage the partitioning of lots which can meet minimum lot size requirements and thus provide for infilling of partially developed areas of the City.
- Policy No. 6                    Encourage the infilling of existing vacant land and the revitalization of older areas, and discourage low density sprawl development.
- Policy No. 7                    Encourage land-use patterns which take advantage of density and location to reduce the need for travel, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.
- Policy No. 10                    As much as possible locate commercial activity centers in the center of the population area they serve.
- Policy No. 12                    Require the type and size of commercial service areas to be commensurate with the size and area to be served.
- Policy No. 13                    Discourage the establishment of commercial development in a strip of strung-out pattern along major arterials preferring instead clustered development and infilling in areas surrounding existing commercial development.

7. LOW-INCOME HOUSING OPPORTUNITY:

- (a) Staff's Comments: The proposed residential zoning designation allow for a variety of housing types and densities as well as providing opportunities for permitting low to moderate to high cost housing.

PLANNING COMMISSION ACTION: At its regular April 4, 1983, meeting, the Planning Commission recommended adoption of the zoning amendments (Exhibits B-1 through B-7) as outlined in the Staff Report dated April 4.