



CITY OF ALBANY
Planning Commission

MINUTES

Monday, May 13, 2024
Council Chambers – 5:15 p.m.
Approved: June 3, 2024

Call to Order

5:15 p.m.

Chair JoAnn Miller called the meeting to order at 5:15 p.m.

Pledge of Allegiance

Roll Call

Commissioners Present: JoAnn Miller, Ron Green, Karen Cardosa, Stacey Bartholomew, Ted Bunch Jr, Bill Ryals, Skylar Bailey

Commissioners Absent: Circe Verba (excused), Kenny Larson

Election of 2024 Chair and Vice-chair Positions

5:16 p.m.

Chair Miller opened the floor for nominations for the position of Chair.

Nominations

Commissioner Cardosa nominated JoAnn Miller. Commissioner Ryals seconded the nomination. Commissioner Miller accepted the nomination. Commissioner Miller called for a vote. All commissioners voted unanimously 7-0 to re-elect Commissioner Miller as Chair.

The Chair called for nominations for Vice-chair. Commissioner Cardosa nominated Commissioner Bartholomew for Vice-chair. Commissioner Ryals seconded the nomination. Commissioner Bartholomew accepted the nomination. A vote was called and was unanimous 7-0 electing Commissioner Stacey Bartholomew, Vice-chair.

Approval of the Minutes

5:18 p.m.

Motion: Commissioner Ryals moved to approve the minutes from the December 18, 2023, meeting as presented. Commissioner Bartholomew seconded the motion, which passed 7-0.

Business from the Public

5:19 p.m.

Current Planning Manager, David Martineau, prefaced the public business by emphasizing that the Commission's scheduled business for the evening was to conduct two public hearings regarding amendments to the Albany Development Code (ADC). He wanted to recognize that there were many people in attendance that wanted to talk about the 80-unit townhouse project off of Gibson Hill in North Albany and addressing the public he advised them that this meeting wasn't the proper venue to respond as the Commission has no jurisdiction over the project. He shared that there is an informational meeting on Wednesday, May 15 from 6:30 to 8:00 p.m. at the Riverfront Community Center to learn about Middle Housing and take questions.

Terry Hoffer asked about the procedure for filing an appeal on the housing project.

Lorraine Johnson shared her concerns regarding the housing project and flooding potential and noted the short timeframe for public appeal.

Trevor Lee voiced his opinion on the Riverwood Crossing Subdivision.

Brad Dennis shared that a group of North Albany residents and their State Representative met regarding HB 2001. The group's concern is that the city infrastructure is not adequate for the increased traffic from the new middle housing project. He provided printed comments* submitted from their Facebook group.

Audrey Eldridge commented that the needs of low and middle-income households won't truly be met by the proposed housing and there is no public transportation or services in walking distance.

Emily May asked about the role of the Commission in Albany's planning. Anne Catlin, Comprehensive Planning Manager, explained that this middle housing project was mandated by the State Legislature and reviewed the public input process. The Commission's function is to review certain land use decisions, which does not middle housing, and makes recommendations to the City Council on changes to the land use code and plans. Commissioner Green read the official description of the Commission's role and responsibility.

The Chair again referred those who had concerns for the housing project to the informational meeting set for May 15, 2024, as the Commission has no authority to make decisions on that matter.

The Chair called the Public Hearing to Order

5:46 p.m.

Public Hearing: Planning File No. DC-03-24 Various Amendments to the Albany Development Code – Type IV-L Legislative Process

David Martineau read the hearing procedures.

Staff Report

Project Planner, Liz Olmstead summarized that the updates to the ADC were to comply with changes in state law and minor clarifications, and revisions of various articles. She then proceeded to describe the specific Articles and amendments.

Olmstead then reviewed the ADC criteria for proposed amendments.

Staff Recommendation:

5:48 p.m.

That the Planning Commission recommends the City Council approve the proposed text amendments, as modified, in Ordinance Exhibit A, for file DC-03-24 as amended.

Anne Catlin reported on some additional proposed modifications to the recommendation based upon technical issues and comments received too late to include in the packet. She noted that all suggestions provided are reflected in the changes or staff were unable to change.

Commissioner Cardosa asked about the definition for Single Room Occupancy (SRO). Catlin responded that the new State Law has a specific definition for SRO (Article 22) that the SRO development units must have at least four attached units in the same building with shared kitchen and bathroom facilities and separate lockable private spaces. There were further clarifying questions regarding minimum lot and unit sizes.

Public Testimony

Scott Lepman testified briefly on the code amendment changes. He had a concern regarding the cover of refuse areas as the containers are already covered. The land use planners he uses suggested he asked for a continuance for further review.

Commissioner Ryals responded to Lepman's request for a continuance. Catlin clarified that for Quasi-Judicial hearings you must allow a continuance of a hearing if requested, but it is not a requirement for Legislative Hearings.

Staff Response

Catlin responded to Mr. Lepman's concerns, and that there still is an opportunity for the public to review these documents as the Council meeting on June 12, 2024.

Procedural Questions

Commissioners Bartholomew and Ryals reiterated that the City Council hearing is over a month from now providing ample time for further review and didn't believe there was a need for a formal continuance. They trust that the staff is willing to consider any comments received prior to the Council meeting.

Chair Miller closed the Public Hearing at 6:21 p.m.

Motion: Commissioner Cardosa moved to recommend that the City Council approve the amendment requests as presented in the staff report for Planning File no. DC-03-24 with the following modifications: Amend Table 3.050-1, not combining middle housing types, and remove the tenancy requirement for

emergency shelters or short-term housing in Section 22.190, and remove the redundancy in Sections 1.105, 2.490(5) and 11.300(b). This motion is based on the findings and conclusions in the May 6, 2024, staff report and findings in support of the application made by the Planning Commission during deliberations on this matter. Commission Ryals seconded the Motion, which passed 7-0.

Public Hearing: Planning File DC-02-24 Updates to Article 6 of the ADC as it pertains to floodplain requirements, definitions and standards – Type IV-L Legislative Process

The Chair called the Public Hearing to order at 6:35 p.m.

Current Planning Manager David Martineau read the hearing procedures.

Staff Report

Project Planner, Jennifer Cepello, summarized the floodplain development code amendments. The City of Albany has been a National Flood Insurance Program (NFIP) community. Albany's rivers and creeks all contain the potential for flood hazards and the city's participation in the NFIP programs with higher CRS regulations provides Albany's citizens with discounts on flood insurance. A recent audit found Albany's ordinance does not meet the State's minimum standards. The proposed amendments will update the floodplain ordinance to align with the FEMA approved Oregon's Model Floodplain Ordinance to meet the NFIP's minimum requirements for development in the floodplain. Staff also included some additional clarifying language. ADC criteria were met with these amendments, and they are consistent with applicable development code.

Commissioner Cardosa asked for clarification on a change requiring three elevation certificates as opposed to two, which Cepello addressed.

Public Testimony

6:32 p.m.

Scott Lepman testified to his concern about the amendments as he has two properties in the floodplain. He is concerned about the effect of these code changes on his properties. He understands the state may mandate these changes but there hasn't been an opportunity for review, and he is requesting a continuance to better understand the changes.

Staff Response

6:37 p.m.

Cepello addressed concerns stating that the interpretation portion comes straight out of the required code amendments from the state. We are not allowed to deviate from that language.

Commissioner Ryals asked about the public request for continuance. He asked what the method is to accept additional comments from the public. Cepello assured him that they are open to receiving comments at any time prior to the city council hearing.

Commissioner Bailey asked if there was any reason behind expediting this recommendation. Cepello shared that the delay would affect the CRS rating because currently the city is behind in our compliance so we would lose our ranking for discounted flood insurance rates. We are doing this to comply with State Requirements and to continue our community ranking.

Procedural Questions

Commissioners wanted clarification about continuance requests of Legislative hearings. Martineau clarified that any additional information can be provided to staff for consideration to the City Council along with the Planning Commission recommendation. Commissioner Ryals agreed that there is adequate time to communicate any concerns to staff prior to the Council meeting on June 12, 2024, and he doesn't consider the public would be at a disadvantage if the continuance is denied.

The Chair called the Public Hearing closed at 6:50 p.m.

Motion: Commissioner Cardosa moved to recommend that the City Council approve the amendment requests as presented in the staff report for planning file no. DC-02-24. This motion is based on the findings and conclusions in the May 6, 2024, staff report and findings in support of the application made by the

Planning Commission during deliberations on this matter. Commissioner Bartholomew seconded the Motion, which passed 7-0.

Staff Updates

6:52 p.m.

Catlin noted there will be an informational meeting on middle housing Wednesday, May 15, from 6:30 to 8:00 p.m. at the Riverfront Community Center and provided a handout about middle housing. Details can be found on the city webpage.

Martineau shared some details regarding the public concerns about the North Albany development. One of the concerns the Commission could take a role in is addressing off-street parking and how wide driveways can be.

Commissioner Green believed that the City should be more proactive in creating a future vision for Albany development rather than reacting to state requirements as they come about.

Catlin agreed that the current housing inventory in the city is approximately 70 percent single detached housing units and the rest is apartments; not much variety in type and size. The City is trying to incentivize smaller square footage to accommodate people downsizing or first-time home buyers. Middle housing may provide some more housing choices. The Housing Needs Analysis indicates that the housing demand is not being met. Middle housing is one way to provide more housing choices but not necessarily low- or moderate- income affordable housing.

Next meeting Date:

June 3, 2024, at 5:15 p.m.

Adjournment

Hearing no further business, Chair Miller adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Signature on file

Susan Muniz
Recorder

Reviewed by,

Signature on file

David Martineau
Planner

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. The documents are available by emailing cdaa@albanyoregon.gov.*