



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

Staff Report

East Albany Plan Adoption: Comprehensive Plan Map and Text Amendments, Zoning Map Amendments, Albany Development Code Amendments

Planning Files: CP-01-23, ZC-01-23, DC-01-23

March 31, 2023

HEARING BODIES:	Planning Commission	City Council
HEARING DATES:	Monday, March 13, 2023	Wednesday, April 12, 2023
HEARING TIMES:	5:15 p.m.	6:00 p.m.
HEARING LOCATION:	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	
VIRTUAL OPTIONS:	Instructions to attend the hearings and provide comments will be provided on the applicable agenda.	
STAFF REPORT PREPARED BY:	Anne Catlin, Comprehensive Planning Manager	

Application Information

Proposal:	East Albany Plan: The proposed legislative amendments would amend the Albany Comprehensive Plan text to adopt the East Albany Plan and make associated Comprehensive Plan map, Zoning map, and Albany Development Code amendments.
Applicant:	Albany Community Development Department, 333 Broadalbin Street SW, Albany, OR 97321
Location:	Legislative Amendments; not site specific

Overview

East Albany represents much of the Albany community's future growth and expansion. In the two decades since the original "East I-5 Plan" was prepared, the area has seen housing growth, as well as development of larger commercial businesses and light industrial facilities. However, more is needed to create the kind of community that Albany desires there in the future.

East Albany is envisioned to be a vibrant area that contains walkable and diverse residential neighborhoods and mixed-use areas with a variety of housing types for households of all incomes, significant employers, locally serving commercial areas and regional facilities and destinations. A network of trails and pathways provides recreation opportunities and transportation connections throughout the area, while a multi-modal network connects transit users, pedestrians, cyclists, and auto drivers across the area and beyond.

The East Albany Plan represents two years of public input, analysis of needs, and evaluation of several development scenarios to develop an efficient land use and transportation pattern that lays the framework for future development.



Summary of Proposed Changes

The purpose of the proposed amendments is to adopt the East Albany Plan into the Albany Comprehensive Plan and begin implementing the recommendations. The following amendments are proposed and provided as exhibits to the Ordinance.

Exhibit A: Albany Comprehensive Plan Text

- Chapter 8, Urbanization – add an East Albany section to the chapter that includes a summary of the East Albany Plan, recommended vision, goals, and policies; include the plan framework maps, and reference the East Albany Plan (EAP) as a supporting document to the Albany Comprehensive Plan.
- Chapter 9, Land Use Planning – add the new Employment and High Density Residential plan designations, add a subcategory to the Village Center plan designation for use in East Albany, rename the Light Commercial designation to Neighborhood Village, and update the Plan Designation Zoning Matrix.

Exhibit B: East Albany Plan: The EAP would be adopted as a supporting document to the Albany Comprehensive Plan.

Exhibit C: Albany Comprehensive Plan Map: Change map designations to be compatible with the EAP land use plan. The most substantial changes are to convert land designated as Urban Residential Reserve with residential designations (low, medium, and high density), to Employment, Neighborhood Village, Village Center and General Commercial designations.

Exhibit D: Albany Zoning Map: Amendments are needed in several areas so that the zoning is compatible with the Albany Comprehensive Plan map.

Exhibit E: Albany Development Code (ADC)

- Article 2, Review Criteria – update the Plan Designation Zoning Matrix
- Article 3, Residential Zoning Districts - add the High Density Residential zone.
- Article 4, Commercial and Industrial Zoning Districts – add the Employment zone.
- Article 5, Mixed Use Zoning Districts – add standards to the Mixed Use Residential and Mixed Use Commercial zones to ensure the districts are developed with some of the primary uses.
- Article 22, Use Categories and Definitions – update the use examples in manufacturing and production use category.

In the Ordinance Exhibits, proposed new text is shown in red underline print and proposed deleted text is in ~~black strike-out font~~.

Commentary boxes in the exhibits provide additional background about the proposed amendments. Should the proposed amendments be approved, the text boxes with the explanations will be removed and the approved amendments made part of the ADC.

Notice Information

Public notice was issued in accordance with legislative amendment requirements in the ADC Section 1.260. Specifically,

- Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on February 6, 2023, at least 35 days before the first evidentiary hearing, in accordance with Oregon Administrative Rule (OAR) 660-018-0020 and the ADC.
- A Measure 56 and public hearing notice was mailed to owners of property subject to an Albany Comprehensive Plan and/or Albany Zoning map amendment on February 17, 2023.
- A postcard notice of public hearings was mailed to all property owners within the East Albany Plan project boundary.

- Notice of the proposed amendments was mailed on February 22, 2023, to Linn County, Oregon Department of Transportation, Greater Albany Public Schools, and emailed to NW Natural, Bonneville Power Administration, Kinder Morgan, and Cascades West Council of Governments.
- Notice of the public hearings was published in the *Albany Democrat-Herald* on February 27, 2023, two weeks before the first public hearing on March 13, 2023.

Testimony received to date is summarized below followed by staff responses:

1. Oregon Department of Transportation (ODOT) Region 2 Manager Brian Morey objects to the proposal to designate the maintenance yard on Goldfish Farm Road to mixed use Village Center and Commercial from Light Industrial voicing concerns that the existing use would be rendered nonconforming and concern with incompatibility with mixed uses on nearby properties. ODOT voices concerns with the potential future extension of Blue Ox Drive to Goldfish Farm Road.

Staff Response: After receiving ODOT's letter, staff met with ODOT and recommended a compromise to designate the property General Commercial and zone the property Community Commercial, which would allow the maintenance yard use to continue as an allowed/conforming use. The Planning Commission voted to take staff's recommendation to modify the proposed map exhibits to designate the ODOT maintenance yard property General Commercial on the comprehensive plan map and rezone the property to Community Commercial.

2. ODOT Region 2 Planning and Development Review Manager Naomi Zwerdling, notes that the preliminary Transportation Planning Rule (TPR) analysis indicates future traffic could have a significant effect on the State Highway System resulting from implementation of the EAP.

Staff Response: In addition to meeting city review criteria, Albany comprehensive plan and zone changes must also provide a Transportation Planning Rule (TPR) review under OAR 660-012-0060. That rule requires an analysis of whether the proposed comprehensive plan or zone changes would cause a transportation facility to operate beyond its mobility target, or if already exceeded, be made worse. The review period is either the horizon year of the TSP or 20 years, whichever is farther out. DKS Engineering performed the traffic analysis for the East Interstate 5 (I-5) Project, based on methodology and overall land use assumptions approved by ODOT, for the horizon year and found that all existing or planned transportation facilities would operate either the same or better under the preferred land use scenario than under the base condition. See additional findings 1.66 and 1.67 provided in the staff report for Goal 12, Transportation.

3. Chuck Knoll noted the wetlands in the plan area are important in stormwater retention and the importance that the plan address' stormwater runoff and retention, and carefully consider design of transportation facilities for wetlands, truck traffic, and loss of property functionality.

Staff Response: The City's natural resources and wetlands were mapped and considered when preparing the East Albany Plan. Albany's significant wetlands are contained within the many riparian corridors in the plan area, which are designated open space. The stormwater analysis evaluated capacity and deficiencies within the Burkart-Truax Basin, and parts of the Cox Creek and Periwinkle Creek basins and proposes improvements needed to the storm drainage system.

4. Numerous residents who live on 18th Avenue SE, Spicer Drive, and Spicer Wayside expressed concern regarding the street plan that shows the potential alignment of the future street extensions of Spicer Drive to Timber Street, and the additional traffic, noise and pollution that may result from the street plan.

Staff Response: The Street Framework Plan proposed in the East Albany Plan includes potential future street connections that will be needed as development of the study area occurs. The street connections and circulation modifications showing on the Street Plan south of Highway 20 will be required when the I-5 and Highway 20 interchange improvements are made. These circulation modifications were shown in the 1997 and the 2010 Transportation Systems Plan (TSP). The only change in that area with the East I-5 Plan is to identify the intersection of Timber/Maple Leaf as a roundabout. The TSPs did not specify an intersection design, so it could be either a signal or a roundabout. Adopting the East Albany Plan will not affect the proposed street connections in the TSP.

Modifications to street alignments and connections would occur with the next TSP update, scheduled to start later this year.

Analysis of Development Code Criteria

The ADC includes the following review criteria in Section 2.220, 2.740, and 2.290, which must be met for these legislative amendments to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions.

Comprehensive Plan Amendment Review Criteria (ADC 2.220)

Criterion 1: A legislative amendment is consistent with the goals and policies of the Comprehensive Plan, the statewide planning goals, and any relevant area plans adopted by the City Council.

FINDINGS OF FACT

- 1.1 The Albany Comprehensive Plan defines a goal as, “a general statement indicating a desired end, or the direction the City will follow to achieve that end.”
- 1.2 The Albany Comprehensive Plan defines a policy as, “a statement identifying a course of action or City position.”
- 1.3 The Albany Comprehensive Plan describes the City’s obligation regarding policies as follows: “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 that would otherwise violate a Plan policy. However, in the instance where specific Plan policies appear to be conflicting, the City must seek solutions that 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 must consider whether the policy contains mandatory language (e.g., shall, require) or more discretionary language (e.g., may, encourage).”
- 1.4 The applicable Albany Comprehensive Plan and Statewide Planning goals and policies are provided below in **bold** print and are followed by findings of fact and conclusions.
- 1.5 The proposed legislative amendments would amend the Albany Comprehensive Plan text to adopt the East Albany Plan (EAP) and make associated Albany Comprehensive Plan Map, Zoning Map, and Albany Development Code amendments.
- 1.6 Plan Area Boundaries. The EAP boundary includes all of the land within the Albany Urban Growth Boundary (UGB) east of I-5 and represents about 2,800 acres. Approximately half of the land in the study area is outside city limits. The Albany Municipal Airport and Linn County Expo Center are in the western portion of the Study Area near I-5. Most commercial development in East Albany is along US 20 or near I-5 and has a regional draw (Walmart, Home Depot, car sales) or caters to travelers. A collection of properties zoned Regional Commercial adjacent to the Knox Butte I-5 interchange remain underdeveloped with low- density residential uses. Recent development has included both traditional residential neighborhoods with single-family homes, as well as more recent development of apartments.
- 1.7 The proposed East Albany Plan and associated Albany Comprehensive Plan amendments are based on a culmination of almost two years of working with the community to plan for the future of East Albany. This Plan has been prepared through a collaborative process involving City staff, a consulting team, a broad range of City advisors and decision-makers, and extensive guidance from property owners and the community at large.
- 1.8 Planning efforts in 2001 were not fully adopted into the Albany Comprehensive Plan and associated plans and codes. Since 2001, the area has seen residential, commercial, and industrial growth; however, the area lacks

connectivity, adequate transportation facilities, variety of housing and shopping choices. The EAP evaluated infrastructure and land use needs to ensure adequate facilities are provided to support multi-modal connectivity, more commercial, employment and housing opportunities.

- 1.9 The Albany Comprehensive Plan amendments in Exhibit C include adopting a new East Albany section of the Plan that includes goals and policies that are specific to shaping future development in the East Albany area. The East Albany Plan (EAP) is proposed to be adopted as a supporting document to the Albany Comprehensive Plan. The EAP policies are intended to create vibrant new neighborhoods that appeal to future residents and businesses. The EAP evaluated and integrated Albany Comprehensive Plan policies and statewide planning goals related to land use, transportation, parks and recreation, schools, infrastructure, economic development, natural and cultural resources and place-making elements.

Goal 1, Citizen Involvement: To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Goal: Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process.

Policies include involving the public in the evaluation and update of the Plan; seek input from citizens, agencies, and interested parties; and ensuring information is made available to the public.

- 1.10 Citizen involvement was integrated into the planning process through public open houses and two committees. Prior to public “kick off” of the planning project, twelve interviews were conducted with persons with experience and or familiarity with planning, development, and business and transportation issues associated with East Albany. Persons interviewed included property owners, local businesses, City Commissions, city department heads, the City Council, and the Oregon Department of Transportation (ODOT).
- 1.11 Focus Group Meetings. The City conducted three sets of focus group meetings with residents, property owners, businesses, and community leaders at key project milestones. These meetings were instrumental in identifying key planning issues and providing feedback on initial planning concepts.
- 1.12 Technical Advisory Committee. A technical committee with representation from Greater Albany Public Schools, Albany Bike/Pedestrian Committee, Cascades West Council of Governments, Oregon Department of Transportation, Linn County, real estate, property owners, and City Public Works and Parks and Recreation Departments. The group met six times throughout the various phases of the project to review project deliverables, community input, and provide guidance to the City and consultants.
- 1.13 Online and in Person Open Houses. The first round of public engagement for the East Albany Plan included online and in person open houses at City Hall to review the project’s overall vision and goals, and visual character of potential development types. The second round of public engagement included an online survey and a community open house to solicit comments on specific elements of the land use and transportation plans. Postcards were mailed to roughly 1,000 property owners of vacant and undeveloped land in the project study area for the open houses and emails were sent to the interested parties list.
- 1.14 City staff hosted a “community conversation” with residents at Cascade Grill in East Albany.
- 1.15 One-on-one Meetings. City staff met with a variety of property owners to consider their concerns and suggestions regarding recommendations related to specific individual properties and improvements.
- 1.16 The Albany Planning Commission and Albany City Council served as the project advisory committee. Four joint work sessions were held at critical junctions in the project for their input on the plan alternatives and outcomes – October 11, 2021; March 21, 2022; October 24, 2022; and January 30, 2023.
- 1.17 An East Albany Plan web site has been maintained throughout the project. The site contains all of the plan documents, technical reports, committee and meeting agendas and the public hearing schedule and proposed amendments.
- 1.18 Public notice and hearings were held in accordance with Oregon Administrative Rules (OAR) and ADC 1.260. Public involvement for the amendments in planning files CP-01-23, ZC-01-23, and DC-01-23, included public notice as required in the OAR and in ADC Section 1.260. Specifically, notice was sent to the Department of Land Conservation and Development on February 6, 2023; notice of public hearings was mailed February 23

to Linn County, Greater Albany Public Schools, and Oregon Department of Transportation and emailed to Oregon Cascades West Council of Governments, and area utilities. Notice was published in the Albany Democrat Herald on February 27, 2023. Two public hearings are scheduled – March 13, 2023 (planning commission), and April 12, 2023 (city council).

Goal 2, Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual bases for such decisions.

1.19 The following goals and policies are relevant for the proposed plan amendments.

Goal: Undertake Periodic Review and Update of the Albany Comprehensive Plan to ensure the Plan:

1. Remains current and responsive to community needs.
2. Retains long-range reliability.
3. Incorporates the most recent and reliable information.

Policy 2: Base approval of Albany Comprehensive Plan amendments upon consideration of the following:

- (a) Conformance with goals and policies of the Plan and Statewide Planning Goals;
- (b) Citizen review and comment;
- (c) Input from affected governmental units and other agencies;
- (e) Short - and long-term impacts of the proposed change,
- (f) Public need for the change; and
- (g) The amendments will best meet the identified public need versus other available alternatives.

1.20 The East Albany area contains a large amount of undeveloped industrial and urban residential reserve lands inside Albany's UGB. Planning efforts in 2001 were not fully adopted into the Albany Comprehensive Plan and associated plans and codes. Since 2001, the area has seen residential, commercial, and industrial growth; however, the area lacks connectivity, adequate transportation facilities, variety of housing and shopping choices.

1.21

The proposed plan is needed to remain responsive to community needs and provide long-range reliability and guidance for future development. The proposed plan is also needed to provide long range guidance for updating city utility, facility, parks, and transportation systems master plans.

1.22

The EAP plan process began with identifying community visions and goals for how this part of Albany can develop to create vibrant new neighborhoods that will appeal to residents and businesses as the City grows and expands east. The vision for the area includes neighborhoods with a variety of housing types, significant employers, regional facilities and destinations, services, commercial areas close to neighborhoods, and a network of trails and pathways that provide recreational opportunities and connectivity throughout the area and multimodal roadways. East Albany's creeks, wetlands and other natural areas are protected and enhanced and serve as an open space amenity that also helps to manage stormwater and water quality.

1.23

A gap analysis evaluated baseline future conditions to the project's vision and goals. Baseline projections result in auto-oriented development, lack of variety in housing types, single use commercial development, lack of public connections along creek corridors, and lack of identity and character.

1.24

The EAP process involved evaluation of infrastructure and land use needs to ensure adequate facilities are provided to support multi-modal connectivity, more commercial, employment and housing opportunities to meet the plan visions and goals.

1.25

The EAP proposes a preferred land use plan and street, trail, and bike network based on community and agency input, and the most recent and reliable information including residential growth as projected in the 2020 Housing Needs Analysis, employment growth as projected in the 2020 Economic Opportunities Analysis, and projected transportation needs based on anticipated growth.

1.26

The EAP reflects substantial community and property owner input as described in Goal 1 Citizen Involvement findings.

- 1.27 The Albany Comprehensive Plan amendments in Exhibit A include adopting a new East Albany section of the Plan that includes goals and policies that are specific to shaping future development in the East Albany area. The East Albany Plan (EAP) is proposed to be adopted as a supporting document to the Albany Comprehensive Plan, and is provided as Exhibit B.
- 1.28 Albany Comprehensive Plan Map amendments in Exhibit C are proposed to implement the EAP land use plan convert urban residential reserve lands to low, medium and high density residential, employment, and mixed use commercial centers.
- 1.29 The proposed Land Use Plan in the EAP recommends patterns of neighborhoods that include low, medium and high density residential land to allow for a variety of housing types that are close to mixed use village centers and smaller neighborhood village nodes. The Plan also identifies land to accommodate large and small industrial/employment uses, and provides the transportation and trail framework to support these uses and connect them to the rest of the Plan area and city.

Goal 5, Open Spaces, Scenic & Historic Areas, and Natural Resources.

- 1.30 The Albany Comprehensive plan contains many relevant goals and policies relating to Natural Resources and are followed by findings.

Goals:

- **Ensure native vegetation remains an integral part of Albany's environment**
- **Balance compact development patterns with natural resource protection.**
- **Ensure the provision of open space and protection of natural and scenic resources.**
- **Maintain a healthy environment and natural landscape in riparian corridors.**
- **Protect wetlands to ensure their continued contribution as natural areas, open space, wildlife and vegetative habitat, and storm water retention and conveyance.**

Policies:

- **Retain open space lands that provide aesthetic and environmental relief from the intensity of urban development, recreational lands and opportunities, protection of hazardous natural areas not suitable for development, significant fish and wildlife habitats, or protection of significant historic areas.**
 - **Preserve and enhance riparian corridors by managing uses and activities that could adversely affect riparian corridors through education, and adoption and enforcement of development standards.**
 - **Limit the removal of native riparian vegetation.**
- 1.31 East Albany contains a network of creeks that extend throughout much of the study area including Burkhart, Cox, and Truax creeks. The vision for East Albany includes a system of linear parks, trails and open spaces connecting neighborhoods to services, schools and parks, while preserving and enhancing creek corridors. Riparian corridors will be protected and enhanced and serve as greenway corridors that provide connectivity and opportunities for trails and linear parks.
- 1.32 Most of the creek segments are within Albany's Riparian Corridor, Significant Wetland, and Floodplain overlay districts. Most creek and floodplain corridors are designated Open Space on the Albany Comprehensive Plan and are zoned Open Space for additional protection.
- 1.33 The natural resource overlay districts and Open Space Plan designation and zoning over much of the riparian corridors will manage uses and activities that could adversely impact the riparian corridors. Standards are needed to enhance the riparian corridors and habitat, provide visual and physical access to the greenway corridors, and enhance the corridors as a community open space, parks, and trails.
- 1.34 To achieve plan goals to maintain riparian corridors as public open space with trails and paths, the EAP proposes development face these greenway corridors, and they serve as an open space and recreational amenity with trails and pocket parks. Major streets proposed with the plan are located to avoid the creeks or cross at

the narrowest points.

- 1.35 The study area also contains many non-significant wetlands that are on the Local Wetland Inventory. The area's significant wetlands are contained within the riparian corridors and help with flood storage. A variety of densities are proposed to encourage wetland preservation as amenities in future development.

Goal 8: Recreational Needs

- 1.36 The following Albany Comprehensive Plan goals and policies are noted as relevant to the proposed amendments relating to the East Albany Plan.

Goal: Provide a high quality and diversified system of safe and attractive parks, open space, recreation programs, and facilities to facilitate community access to leisure, recreation, open space, and cultural opportunities; and enhance the beauty, livability, and positive image of Albany.

Policy: Continue to provide and develop a system of multi-purpose parks and facilities that consider:

- a. Opportunities for both passive and active recreation.
- b. Recreation and leisure needs of Albany's special populations (i.e. the handicapped, elderly, low-income and others whose activity capabilities or geographic mobility are limited).
- c. Protection and enhancement of natural environmental qualities and values.
- d. Albany's existing natural resources such as drainageways, rivers, and woodland areas.

Policy: Promote the development of linear parks that incorporate hiking, jogging, and bicycle trails and/or provide buffers between incompatible uses, scenic and open space features.

- 1.37 As noted in Goal 5 findings, the area's riparian corridors are proposed to serve as linear parks with trails and paths that connect residents to other amenities. The greenway corridors will also provide open space and protect scenic vistas of the Cascade mountains to the east.
- 1.38 Key objectives of the plan are that it provides more multi-modal connectivity, and -provides a framework for a more walkable and bikeable community, greenway trail system, and compatible transitions between land use types.
- 1.39 The EAP Trails, Paths, and Bike Lanes Framework Plan (in Exhibit A) identifies a network of multi-use trails or paths that provide variety of passive and active recreational opportunities in the greenway open space along the area's numerous riparian corridors. The proposed trail network could provide miles of linear parks for pedestrians and cyclists while providing a buffer to the area's natural resources. These public corridors will create an identity for East Albany as a community with generous, healthy open spaces, integrated neighborhoods, and connections to nature.
- 1.40 In addition, public amenities and gathering spaces are envisioned in East Albany's village centers, which may also help shape the area's identity and character.
- 1.41 The EAP proposes to provide connectivity to Timber Linn Memorial Park, Albany's largest park that provides diverse recreational amenities. The 2021 Park System Master Plan (PMP) includes the development of Timber Ridge Neighborhood Park between the Timber Ridge and Meadow Ridge schools. The PMP proposes a couple of additional parks on the edges of the UGB.

Goal 9: Economy

- 1.42 The EAP supports the following economic development goals and policies in the Albany Comprehensive Plan.

Goals and Policies:

- Develop land use refinement plans for undeveloped and redeveloping parts of the city.
- Provide development opportunities for large-scale industrial and commercial development and for people to live near activity centers, particularly their place of employment.
- Ensure an adequate supply of appropriately zoned land to provide for the full range of economic development opportunities in Albany, including commercial, professional, and industrial development.
- Ensure that new industrial and commercial development is located in areas that can be

adequately served by public infrastructure.

- Provide opportunities to develop the full range of commercial, industrial, and professional services to meet the needs of Albany's residents and others.
- Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.
- Disperse employment centers to parts of the City with access to adequate transportation routes and public utilities.
- Achieve stable land-use growth that results in a desirable and efficient land-use pattern.
- Promote infill development and redevelopment throughout the City.
- Improve community appearance and establish attractive gateways into Albany and visually appealing highway corridors.
- Encourage land use patterns and development plans that take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations that increase energy efficiency.
- Promote land use patterns, site design, and incentives that accommodate public transit, bicycling, walking, vans and carpools as alternatives to single-occupancy vehicle commuting.
- Discourage future strip commercial development and promote clustered commercial opportunities and the infilling of existing commercial areas that will foster efficient and safe utilization of transportation facilities, a variety of attractive and comfortable shopping opportunities that encourage shopping in a number of stores without auto use.
- Create village centers that offer housing and employment choices.
- Designate new mixed use Village Centers that provide a mix of commercial, office, entertainment and medium- to high-density residential uses that are integrated into the desired character of the neighborhood.
- Use land use controls and other tools to reserve Village Centers for intended uses.
- Provide opportunities for small neighborhood commercial facilities to be located in neighborhoods and Village Centers to be located close to the areas they are intended to serve.
- Wherever possible, except for infilling, do not allow further expansion of existing strip commercial areas, and discourage new strip development, including isolated offices and professional facilities. Undertake measures to improve the appearance and safe utilization and operation of existing strip commercial areas by:
 - a. Providing development opportunities for compact and multi-purpose commercial facilities that encourage shopping in a number of stores without auto use.
 - b. Providing for combined access and otherwise limiting the number of access points to major arterial streets to maintain safety and the smooth flow of traffic.
 - c. Improving pedestrian access and on-site environmental amenities.
 - d. Providing for shared parking opportunities.

- 1.43 The EAP is a refinement plan for undeveloped and redeveloping parts of the City and UGB east of I-5 (Exhibit B).
- 1.44 One goal of the EAP is that the area becomes a thriving employment center. The Plan envisions the industrial and commercial lands within the study area will support employment needs outlined in the Albany Comprehensive Plan and 2020 Economic Opportunities Analysis (EOA).
- 1.45 Industries need transportation access and adequate public facilities, and proximity to I-5 can be desirable. Business parks often look for large parcels of land with direct access to an arterial street and adequate public facilities. Retail and service sites look to locate central to the targeted populations.
- 1.46 The EAP proposes to retain industrial lands along I-5 and add employment land in several sizes that are easily accessible by highways, collector, or arterial streets. More than 60 acres of employment land are proposed on the north side of Highway 20 and several smaller parcels on the south side of Highway 20 east of the City limits. Land along Highway 20 in the UGB is proposed to be redesigned from light commercial to employment to

- reduce opportunities for strip commercial and create more attractive gateways into East Albany from the east.
- 1.47 Public utilities are in Highway 20 near Goldfish Farm Road and moving east with development.
- 1.48 The EAP proposes to create a new comprehensive plan and zoning designation called Employment. The Employment zone would allow light industrial and office developments and support growing industrial sectors.
- 1.49 Several mixed use village centers and neighborhood village nodes are proposed throughout the plan area on current or proposed transportation corridors to provide clustered commercial uses near higher density residential lands that are easily accessible to reduce dependence on automobiles and support transit, bicycling and walking. Mixed use zoning is also proposed in areas with redevelopment potential to encourage more compact and diverse development that can respond to housing and commercial market needs.
- 1.41 The Land Use Plan (in Exhibit A) coordinates with the Street and Trails Frameworks (in Exhibit A). The Street Framework identifies future arterial and collector and “connector” streets. The Trails Framework proposes an extensive network of sidewalks, bike paths, and trails connecting neighborhoods to commercial and employment centers.

Goal 10: Housing

- 1.42 Relevant Albany Plan goals and policies include:
Goal: Create a city of diverse neighborhoods where residents can find and afford the values they seek.
Policy: Ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services.
Policy: Encourage innovation in housing types, densities, lot sizes and design to promote housing alternatives.
Policy: Encourage residential development that conserves energy and water; uses renewable resources; and promotes the efficient use of land, conservation of natural resources, easy access to public transit, and easy access to parks and services.
- 1.43 On November 2, 2020, the Albany City Council passed Ordinance 5951, which adopted the 2020 Buildable Land Inventory (BLI) and the 2020 Housing and Residential Land Needs Analysis (HNA). The HNA analysis reflects the coordinated population forecast prepared by the Oregon Population Forecast Program at the Population Research Center at Portland State University (PSU) in 2017 that projects Albany will experience an annual average growth rate (AAGR) of 1.27 percent to 2040. The HNA was based on the 20-year need assessment requirements of ORS and OAR 660 Division 8 for statewide planning Goal 10, Housing. It projected the number and types of units by tenure and cost based on the PSU population projections to 2040 and compares housing demand to residential land supply.
- 1.44 The HNA found Albany is projected to add between 6,700 and 9,300 new households between 2020 and 2040. The analysis concluded Albany will need 1,328 acres to accommodate projections to 2040 in a mix of low-, medium- and high-density housing types and zoning districts.
- 1.45 The 2020 BLI estimated the City had 1,397 buildable acres for residential development and another 1,278 acres in the urban growth boundary available for residential development. In adopting the amendments in compliance with HB 2001, the City of Albany has considered how the middle housing provisions affect its compliance with Goal 10, including how it affects its recently adopted BLI and HNA, to ensure sufficient availability of buildable lands to accommodate needed housing types identified in the HNA.
- 1.46 Goals of the EAP are to create diverse, connected neighborhoods through an appropriate mix of zoning districts that increase variety of housing types, densities, and mixed use developments to accommodate the needs of current and future residents, including housing that is affordable to a full spectrum of residents.
- 1.47 Most of the vacant land within the East Albany study area is designated Urban Residential Reserve (URR). This designation does not provide enough guidance to adequately plan for needed housing types. The EAP proposes to convert the URR lands to a mix of low, medium, and high density residential to offer a spectrum of housing choices throughout the plan area and meet Albany’s housing needs to 2040 and beyond.
- 1.48 To create more opportunities for housing choices in proximity to commercial services and employment, the

Plan proposes to restore the high density residential Albany Comprehensive Plan map designation and create a new High Density Residential zoning district that would allow for development up to 50 units an acre. In addition, the mixed use plan designations – Neighborhood Village and Village Center would allow for residential development.

- 1.49 To promote the efficient use of land and infrastructure, the EAP proposes a pattern of higher density residential abutting village centers and employment lands with easy access to transportation choices and natural resources. Natural resources would be conserved as amenities to diverse neighborhoods. The plan promotes a healthy balance of housing designations with opportunities to respond to future market demand and changes in housing types.
- 1.50 The EAP will retain roughly 1,100 acres of vacant residential land and proposes to add more than 100 acres of mixed use and commercial land, and 60 acres of employment land to ensure capacity well into the future.

Goal 11: Public Utilities

- 1.51 The following Albany Comprehensive Plan goals and policies related to public utilities are relevant to the EAP.

Water:

- **Maintain high standards of water quality and service levels with consideration to long-range public facility planning as well as implementation of a five-year capital improvement program.**
- **Provide an adequate supply of water to meet projected demands based on the Comprehensive Plan land use designations and adopted population projections.**

Wastewater:

- **Provide and maintain wastewater facilities and services in an orderly and efficient manner that reflects the community's environmental stewardship responsibilities and meets regulatory requirements.**

Storm Drainage:

- **Work toward the elimination of existing drainage problems and minimize future drainage problems within the Albany Urban Growth Boundary area.**
- **Encourage drainage systems which utilize natural drainageways unless it can be shown that a conventional piped drainage system is a more suitable alternative.**

- 1.52 The siting and sizing of public facilities has a significant impact on land use patterns and future growth in an area. Inadequate provision of services and facilities tends to discourage development and may have a long-range impact on the economic stability of the area.
- 1.53 The plan analyzed future water, sewer and storm infrastructure needs to accommodate build out of the plan area.
- 1.54 Water infrastructure has been updated to accommodate growth in East Albany based on the 2004 Water Facility Plan. The City is currently in the process of updating the Water Facility Plan and the EAP will inform this plan.
- 1.55 The 2015 Wastewater Collection System Facility Plan calls out several Capital Improvement Program (CIP) projects in the East Albany plan area to address deficiencies in a full build out scenario. The increased residential and employment capacity are not anticipated to have a major impact on existing or planned facilities.
- 1.56 Storm Utilities. The East Albany study area consists of the entire Burkart-Truax Basin, and parts of the Cox Creek and Periwinkle Basins. Build-out deficiencies include previously identified existing deficiencies in the 2021 Stormwater Master Plan, such as deficiencies in pipe sizes and unimproved streets in the study area.

Goal 12: Transportation

- 1.57 One of the primary objectives of the EAP is to provide a framework for multimodal connectivity throughout the plan area that will inform updates needed to the 2010 Albany Transportation Systems Plan (TSP). The following Albany Comprehensive Plan goals and policies are relevant to the proposed amendments.

Goals: Provide an efficient and safe transportation system that:

- provides for the local and regional movement of people and goods.
- ensures mobility for all members of the community and provides alternatives to automobile travel.
- balances financial resources with community livability and economic vitality.

Policy: Encourage development design that emphasizes safety and does not create unnecessary conflicts.

Policy: Develop bicycle and pedestrian facilities that encourage non-vehicular travel to/from home, school, work, and other activity centers.

- 1.58 I-5 is at or above capacity through the Albany corridor and upgrades are needed at both Albany interchanges. While the timing of these improvements is not known, they will require future local circulation modifications adjacent to I-5. Some changes to the local system envisioned by ODOT were not anticipated in the 2010 TSP.
- 1.59 East Albany has developed in a piecemeal fashion resulting in a lack of connectivity and inadequate transportation facilities and choices that add to travel demand and results in an over-reliance on highways for travel within east Albany.
- 1.60 Growth in the area is projected to add additional traffic and further degrade the primary routes, intersection operations and the pedestrian and bicycle experience along these facilities. Many streets have curb-tight sidewalks or limited shoulder. In addition, the ability to safely cross these roads will become more difficult with the increased traffic.
- 1.61 The Plan analyzed land use and transportation scenarios that would improve connectivity and internal circulation and support alternative modes of transportation in East Albany. Analysis also evaluated where to locate major “connector” streets to connect neighborhoods, schools and employment sites.
- 1.62 The EAP Street Framework and the Trails, Paths and Bike Lanes Framework (in Exhibit A) illustrate how the neighborhoods, commercial, and employment areas will be connected by future streets, sidewalks, bike-lanes, and multi-use paths. This network extends to each neighborhood or village center and includes a trail or path system along some of the riparian corridors.
- 1.63 The analysis prepared by DKS Associates reviewed the planned improvements in the TSP and the need for amendments to ensure adequate transportation facilities are provided to handle long-term capacity of the major streets. The analysis concluded with a list of amendments that will be needed to the TSP, such as road widening for additional lanes, or intersection improvements. Roundabouts and traffic signals are included in the proposals for traffic safety and flow. The new projects will be incorporated into a TSP update that is scheduled to begin this year.
- 1.64 In addition to meeting city review criteria, Albany comprehensive plan and zone changes must also provide a Transportation Planning Rule (TPR) review under OAR 660-012-0060. That rule requires an analysis of whether the proposed Albany comprehensive plan or zone changes would cause a transportation facility to operate beyond its mobility target, or if already exceeded, be made worse. The review period is either the horizon year of the TSP or 20 years, whichever is farther out. DKS Engineering performed the traffic analysis for the East I-5 Project and found that all existing or planned transportation facilities would operate either the same or better under the preferred land use scenario than under the base condition.
- 1.65 Naomi Zwerding submitted a letter (dated March 10, 2023) on behalf of ODOT that noted ODOT was currently reviewing the TPR analysis for the project to determine if they believed the proposed Albany comprehensive plan and zone changes would have a “significant effect” on the transportation system. ODOT noted that the DKS analysis showed that the I-5 ramp terminals at its intersection with Highway 99E would operate beyond ODOT’s mobility target, and that additional review was required by ODOT to determine if they believed that as a result the proposed changes would result in a “significant effect”. At the time of the drafting of this staff report no additional information was received from ODOT.

- 1.66 While the DKS analysis did show that ramp terminals at I-5/Hwy 99E would operate beyond ODOT's mobility target, their operation was improved by the proposed comprehensive plan and zone changes as opposed to being made worse. The ramp terminals were projected to operate beyond ODOT's mobility target under both the base and preferred alternative scenarios but performed better under the preferred scenario. The reason for this is that the addition of mixed use areas east of I-5 encouraged internal trips within the area and resulted in fewer back and forth trips across I-5. Because the preferred alternative would not make the operation of the I-5 ramp terminals worse, staff does not believe the proposed changes result in a "significant effect" under OAR 660-012-0060.

Goal 14: Urbanization

- 1.67 The relevant policies related to Goal 14, Urbanization, are provided below.

Goal: Achieve stable land use growth which results in a desirable and efficient land use pattern.

Policies:

- **Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.**
- **Provide development opportunities for large-scale industrial and commercial development and for people to live in proximity to activity centers, particularly their place of employment.**
- **Provide opportunities for neighborhood commercial facilities to be located within an accessible distance of the area they are intended to serve.**
- **Discourage future strip commercial development and promote clustered commercial opportunities and the infilling of existing commercial areas which will foster efficient and safe utilization of transportation facilities and provide a variety of shopping opportunities without auto use.**

- 1.68 The relevant policies related to Goal 14, Urbanization, mirror policies under Goal 9, Economy. The findings under Goal 9 are incorporated here by reference.

CONCLUSIONS

- 1.1 Goal 1, Citizen Involvement. The EAP and proposed amendments to the Albany Comprehensive Plan were formed with extensive citizen involvement and input throughout the planning process.
- 1.2 Goal 2, Land Use Planning. Currently there is no plan to guide development in East Albany. The EAP provides a long-range plan that incorporates plans and needs for transportation, land uses, public infrastructure, housing, jobs, schools and recreation.
- 1.3 Goal 5, Natural Resources. An important objective of the EAP is balancing the protection of the area's many natural resources with future demand for housing and employment. The Plan envisions the riparian corridors offering a wide greenways with open spaces and trails, wetland protection, flood storage, and recreation.
- 1.5 Goal 8, Recreational Needs. The EAP Trails, Paths and Bike lanes Framework proposes opportunities for active and passive recreation to address the needs of all residents and all abilities.
- 1.6 Goal 9, Economy. The EAP proposes additional employment land to accommodate projected demand for large site employers and more mixed use village and neighborhood centers are proposed to accommodate the need for retail and services.
- 1.7 Goal 10, Housing. The EAP Land Use Plan proposes to designate medium density and high density lands in the study area to encourage new neighborhoods with a mix of housing types throughout the area to provide a variety of housing choices and locations to accommodate the spectrum of current and future housing demands and a changing housing landscape.

- 1.8 Goal 11, Public Utilities. The EAP will guide public utility plan updates to ensure utilities are adequately sized to accommodate future growth.
- 1.9 Goal 12, Transportation. The EAP Streets Framework identifies future arterial, collector and major connector streets that will be needed to accommodate future growth. Amendments to the 2010 Albany TSP are recommended to ensure adequate transportation facilities will be provided to accommodate growth in the long-term.
- 1.10 Goal 14, Urbanization. The proposed EAP map and text changes would provide guidance for urbanization of this now vacant area and result in more efficient land use and travel patterns, reducing travel time to accommodate frequent needs.
- 1.11 In summary, the EAP integrated planning efforts to ensure that the EAP presents the vision for East Albany as determined by the community, with the objective to create a vibrant new neighborhood that will be appealing to residents and businesses. The EAP provides the specific direction, tools, and best management practices necessary to implement this vision.
- 1.12 This review criterion is met.

Criterion 2: A legislative amendment is needed to meet changing conditions or new laws.

FINDINGS OF FACT

- 2.1 The City has not adopted a land use plan to guide future development in the City and UGB east of I-5. Past planning efforts occurred in 2001 as a part of the Balanced Development Patterns project that looked at how to balance employment and housing needs into the future. The 2001 project produced an East I-5 vision that wasn't fully adopted into the Albany Comprehensive Plan. The 2001 planning effort occurred prior to the 2010 Transportation Systems Plan and creation of significant natural resource overlays to comply with statewide planning Goal 5 in 2011.
- 2.2 Since 2001, the area has seen lots of residential growth and some new commercial and light industrial uses. However, the area lacks connectivity, housing diversity, commercial services, and multi-modal transportation options. The EAP is needed to assess transportation and land use needs to accommodate growth into the future and ensure city infrastructure can meet those needs.
- 2.3 Interstate 5 (I-5) is at capacity through the Albany corridor and ODOT proposes improvements at both Albany interchanges. Interchange improvements will trigger street improvements and realignments not anticipated in the 2010 TSP. These changes can have a significant impact on how the area develops.
- 2.4 A more detailed land use plan and modified transportation network are needed to create vibrant and accessible neighborhoods and employment centers designed around natural resources.
- 2.5 The proposed legislative amendments would provide a plan for future growth in the East Albany area to address changing conditions in the area. The legislative amendments also support state laws aimed to reduce vehicle trips and create places where residents can get most of their daily needs met without having to drive.

CONCLUSIONS

- 2.1 The EAP is needed to address changing conditions and plan for transportation and land use needs into the future. The EAP will also ensure adequate infrastructure and facilities are accommodated and to meet existing laws.
- 2.2 This criterion is met.

Zoning Map Amendments Review Criteria (ADC 2.740)

The Albany Development Code includes the following review criteria which must be met for this application to be approved. Code criteria are written in ***bold italics*** and are followed by findings and conclusions.

Criterion 1: The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for. [ADC 2.740(1)]

FINDINGS OF FACT

- 1.1 Albany Comprehensive Plan map amendments are proposed with the adoption and implementation of the East Albany Plan. See the proposed Albany Comprehensive Plan map amendments in Exhibit C.
- 1.2 A few Zoning map amendments are proposed to make properties compatible with the proposed Albany Comprehensive Plan map amendments. See the proposed Zoning map amendments in Exhibit D.
- 1.3 Most of the properties proposed to be rezoned are already developed, but some have redevelopment potential.

CONCLUSIONS

- 1.1 The proposed Zoning Map amendments are consistent with the proposed Albany Comprehensive Plan Map designations for the East Albany Plan area.
- 1.2 This criterion is satisfied.

Criterion 2: Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation. [ADC 2.740(2)]

FINDINGS OF FACT

- 2.1 The proposed Zoning Map amendments are intended to ensure properties are compatible with proposed Albany Comprehensive Plan map amendments and to encourage redevelopment of already developed areas in the City limits.
- 2.2 DKS Associates analyzed the preferred land use plan and the impact of associated development that is projected to occur within the 20-year planning horizon. The analysis indicates the proposed land use changes would result in minimal impacts the transportation system when compared to development under the currently in place zoning designations.
- 2.3 The proposed EAP includes streets, trails and bike facilities that are part of the current City of Albany 2010 TSP as well as new facilities that will be added to the TSP. Projects identified in the EAP that are not currently in the city's TSP are anticipated to be included in the upcoming City of Albany TSP update that ODOT has indicated is scheduled to begin this year.
- 2.4 The EAP includes recommendations to update the 2010 TSP based on the EAP elements in the Street and Trails Frameworks and to accommodate needs when the area is fully developed.

CONCLUSIONS

- 2.1 The proposed zone changes were found to have minimal impacts on the transportation system within the 20-year planning horizon when contrasted with the results of development under the zone designations currently in place.
- 2.2 The transportation improvements envisioned under the preferred plan are a mix of projects already included in the City's TSP and new projects that need to be added. The new projects will be incorporated into a TSP update that is scheduled to begin this year.
- 2.3 This review criterion is satisfied.

Criterion 3: Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area. [ADC 2.740(3)]

FINDINGS OF FACT

- 3.1 City Utilities (Water, Sanitary Sewer and Storm Drainage). The City's public facilities plans (Wastewater, Water, and Storm Drainage) were evaluated by Keller Associates to determine whether utility improvements are needed to accommodate projected growth with the proposed land use plan. Existing plans anticipate future growth in East Albany and existing deficiencies are planned for.
- 3.2 While the City's facility plan recommendations pertain to the more significant portions of the utility systems (i.e., trunk sewers, distribution mains, etc.), the utility lines within a particular development are determined at the time of development based on the needs of the proposal. Typically, the timing of these improvements is development-driven, and improvements are incrementally constructed as portions of the area are built out. The EAP includes a funding and implementation strategy based on the technical memo prepared by Johnson Economics. Planned utility improvements will be funded largely through public-private partnerships with the City's portion consisting largely of systems development charges.
- 3.3 Schools. There is one elementary school and one middle school in the study area –Meadow Ridge and Timber Ridge, respectively. These schools are currently at capacity. The Greater Albany Public Schools leadership does not propose additional school sites at this time. Educational institutions are a permitted use in most zoning districts EAP to accommodate future school enrollment needs as the area develops over time.
- 3.4 Police and Fire Protection. The Albany Police and Fire Departments provide services to all development in Albany regardless of the zoning or types of uses. Approximately 1,400 acres of the EAP area is outside of the City limits and is currently undeveloped. Future fire and possibly police station will be needed in the area. These uses are permitted in all zones.

CONCLUSIONS

- 3.1 The proposed zoning map amendments are minor, therefore existing or anticipated services can accommodate potential development within East Albany without adverse impacts on the affected service area.
- 3.2 The City's facility plans were evaluated with the EAP and are consistent with the projected growth for the East Albany area.
- 3.3 City utilities will be required to be extended when development is proposed, based on the particular development proposals and system needs.
- 3.4 Schools, fire and police stations are permitted in most zoning districts in the plan area.
- 3.5 This review criterion is satisfied.

Criterion 4: The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan. [ADC 2.740(4)]

FINDINGS OF FACT

- 4.1 The East Albany Plan proposes Albany Comprehensive Plan Map amendments to implement the preferred land use plan. Zoning Map amendments are needed in in some locations to be compatible with the proposed Albany Comprehensive Plan Map designation.
- 4.2 The proposed Zoning Map amendments support the goals and policies of the Albany Comprehensive Plan related to Goal 10: Housing, Goal 9: Economy, and Goal 14: Urbanization. The findings and conclusions under

Review Criterion (1) of the concurrent Albany Comprehensive Plan amendment staff analysis are applicable to the Zoning Map amendment and are included here by reference.

- 4.3 Proposed Zoning Map amendments include changing some from RS-6.5 Residential Single Dwelling District to Residential Medium Density (RM) and Mixed Use Residential (MUR) in areas close to current or planned major roads and commercial centers. Some RM properties close to arterial streets and highways are proposed to be rezoned to Regional Commercial (RC), or Community Commercial (CC) where traffic volumes are high and to add commercial capacity. Some zone changes are being proposed to reflect existing development and support redevelopment and future commercial, mixed use and employment needs.
- 4.4 The purposes of the MUR and MUC, Mixed Use Commercial zoning districts are to provide a mix of commercial, personal services, offices and medium density residential uses. The MUR and MUC districts are easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods. The EAP proposes these zones in areas proposed as larger village centers that serve area residents and beyond, and neighborhood villages, which are located to serve nearby residents.
- 4.5 The purpose of the RM zone is “primarily for medium-density residential urban development. New RM districts should be located on a collector or arterial street or in Village Centers. Development may not exceed 25 units a gross acre.” The EAP anticipates the RM and MUR designations will provide a variety of housing choices from detached and attached housing types, to middle housing and apartments to meet the needs of future residents.
- 4.6 The High Density Residential (HDR) zone is being proposed with the EAP to create a primarily residential zone that would allow for densities up to 50 units an acre. It is proposed to be applied along Goldfish Farm Road where residential uses are located to provide higher density housing types along transit corridors and near commercial centers and recreational amenities available at Timber Linn Park.
- 4.7 The Community Commercial (CC) zoning district recognizes the diversity of small to medium-scale businesses and services mostly located on arterial streets and highways. The Regional Commercial (RC) zone is intended primarily for developments that serve the wider Albany region. RC allows a wide range of retail sales and service uses and is typically appropriate for developments that require large sites near I-5. In the EAP, these commercial zoning districts are located on or have easy access to highways and arterials near I-5, mostly Highway 20 and Century Drive and Knox Butte.
- 4.8 The Employment district is a new zone that is proposed for a few commercially zoned properties to better reflect the currents and anticipated uses.
- 4.9 The findings conclude the East Albany Plan and associated proposed amendments to adopt the plan and amend the Albany Comprehensive Plan Map satisfy the goals and policies of the Albany Comprehensive Plan.

CONCLUSIONS

- 4.1 The proposed Zoning Map amendments better satisfy the goals and policies of the Albany Comprehensive Plan than the existing zoning.
- 4.2 The proposed Zoning Map amendments support the Land Use Plan in the EAP.
- 4.3 This criterion has been met.

Criterion 5: The land use and transportation pattern recommended in any applicable City-contracted or funded land use or transportation plan or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study. [ADC 2.740(5)]

FINDINGS OF FACT

- 5.1 The City received a Transportation and Growth Management grant to prepare the East Albany Plan to address transportation and land use needs and challenges. A more detailed land use plan and modified transportation network are needed to create vibrant and accessible neighborhoods and employment centers designed around natural resources.
- 5.2 The proposed land use and transportation pattern recommended in the EAP are the result of evaluating existing conditions and baseline projections against the community visions and goals. The plans provide a framework that provides multi-modal transportation connectivity throughout the plan area, a variety of housing choices and locations, commercial and mixed use centers sized and located to serve residents and employees, and employment land to accommodate future industrial and jobs growth.
- 5.3 The proposed Zoning and Albany Comprehensive Plan Map amendments are consistent with the preferred land use plan proposed in the EAP and would implement the EAP.

CONCLUSIONS

- 5.1 The proposed Zoning Map amendments are consistent with the proposed EAP Land Use Plan and Streets Framework maps.
- 5.2 The proposed Zoning Map amendments are consistent with the visions and goals proposed EAP and the Albany Comprehensive Plan goals and policies.
- 5.2 This criterion is met.

Development Code Amendments Review Criteria (ADC 2.290)

Criterion 1: The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing language.

Findings of Fact

- 1.1 The Albany Development Code serves as the principal vehicle for implementing the Albany Comprehensive Plan.
- 1.2 Amendments are proposed to the Albany Development Code (ADC) in Exhibit E to implement elements of the East Albany Plan. Specifically, proposed amendments would create new Employment and High Density Residential zoning districts in order to implement the visions and goals and preferred land use plan proposed in the EAP. Standards are also proposed to ensure developments in the Mixed Use Commercial zone provide some commercial uses and aren't solely residential, and that development in the Mixed Use Residential zone include some residential and are not solely commercial. Lastly, the Zoning Compatibility Matrix is proposed to be updated with the new zoning districts and Albany comprehensive plan designations.
- 1.3 Findings of fact provided for Albany Comprehensive Plan amendment review criterion 1 assess the proposed amendments against the Albany Comprehensive Plan goals and policies and are hereby incorporated a findings in support of this review criterion.
- 1.4 The proposed text amendments will implement elements of the EAP that respond to community needs for more housing and shopping variety and land for employment.

Conclusions: Development Code Amendments Criterion 1

- 1.1 The proposed ADC amendments are consistent with the applicable Albany Comprehensive Plan goals and policies related to public involvement, housing opportunities, historic and natural resources, economic development, and land use planning in general.
- 1.2 This review criterion is met.

Criterion 2: The proposed amendments are consistent with Development Code policies on purpose and with the purpose statements for the base zone, special purpose districts, or development regulation where the amendment is proposed.

Findings of Fact

- 2.1 ADC 2.290(2) requires ADC amendments to be consistent with ADC policies and purpose statements for the affected base zones or development regulations where the amendments are proposed. Below are purpose statements from Article 1 – Administration and Procedures, Article 3 – Residential Zoning Districts, Article 4 – Commercial and Industrial Zoning Districts, Article 5 – Mixed Use Zoning Districts, and Article 22 – Use Categories and Definitions.
- 2.2 Findings provided for Zoning map amendments review criterion 4 are incorporated here.

Article 1 Administration and Procedures:

ADC Purpose 1: Serve as the principal vehicle for implementation of the City's Comprehensive Plan in a manner that protects the health, safety, and welfare of the citizens of Albany.

ADC Purpose 2: Satisfy relevant requirements of federal law, state law, statewide goals, and administrative rules.

- 2.3 Amendments to the ADC are needed to help implement the Albany Comprehensive Plan and the EAP.
- 2.4 Proposed amendments include modifications to standards to comply with numerous statewide planning goals..

Article 2 Review Criteria

For rezoning and annexation zoning requests, the zoning of the property shall be compatible with the Comprehensive Plan designation as provided in the Table 2.760-1, Plan Designation Zoning Matrix. Zoning other than that shown in the matrix requires approval of a Comprehensive Plan Map and/or Zoning Map amendment.

- 2.5 Amendments are proposed to Table 2.760-1, the Plan Designation Zoning Matrix to add the new Employment and High Density Residential comprehensive plan designations and zoning districts and to create a village center-east subcategory for use in East Albany.

Article 3 Residential Zoning Districts: The residential zones are intended to preserve land for housing. This Code preserves the character of neighborhoods by providing seven zones with different density standards. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods. These regulations provide certainty to property owners, developers, and neighbors by stating the allowed uses and development standards for the base zones. Sites within overlay districts are also subject to the regulations in Articles 6 and 7.

- 2.3 The purpose of the residential zoning districts is to provide standards to allow for a variety of housing types and densities within the residential zoning districts.
- 2.4 The amendments propose to add a new zoning district, High Density Residential (HDR). The HDR district would support the highest residential density in the city, as development in the HDR district must achieve a density of at least 25 units per gross acre and may not exceed 50 units per gross acre. The HDR district allows

a variety of housing types along with other compatible uses. Albany's highest density residential district allows development of up to 35 units an acre before any density bonuses.

- 2.5 The new HDR zone would enable denser development as the City continues to grow and respond to diverse housing needs. The HDR zone would be compatible with the new High Density Residential Albany Comprehensive Plan designation, which is proposed adjacent to Village Centers and other higher intensity uses.

Article 4 Commercial and Industrial Zoning Districts: The zones created in this article are intended to provide land for commercial, office and industrial uses. The differences among the zones, in the permitted uses and development standards, reflect the existing and potential intensities of commercial and industrial development. The site development standards allow for flexibility of development while minimizing impacts on surrounding uses. The regulations in this article promote uses and development that will enhance the economic viability of specific commercial and industrial areas and the city as a whole.

- 2.6 Amendments to Article 4 include adding a new zone called Employment (EMP). The EMP district is intended primarily for a range of office uses, light manufacturing, and high-tech/research activities and uses. Uses in this district complement or support more intensive industrial activities and uses while also providing a transition between industrial areas and general commercial or residential areas. The limited industrial and manufacturing activity allowed in the EMP district is intended to minimize hazardous impacts from heavier industrial uses while also providing a buffer between other industrial areas and nearby residential or commercial uses.
- 2.7 The Employment zone would be compatible with the Employment Albany Comprehensive Plan designation. The Employment zone is proposed to be located along visible corridors and could be applied near residential and commercial uses.
- 2.8 The proposed development code amendments would provide more opportunity for industrial, manufacturing and office developments.

Article 5 Mixed Use Zoning Districts. The mixed-use zoning districts are the center of neighborhood and commercial activity, providing a horizontal or vertical mix of retail and residential uses to serve nearby neighborhoods. Other uses may include offices, and community and personal services. Centers are easily accessible to nearby residences, are pedestrian-friendly, and relate to adjacent land uses. Commercial uses must fit the scale of adjacent neighborhoods and the desired character envisioned for each Village Center or mixed-use area.

- 2.9 The MUR district is intended primarily to create a residential district that allows a mixture of neighborhood commercial uses that meet the daily needs of area residents.
- 2.10 The MUC zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices and medium density residential uses. The district would typically be anchored by a grocery store and may include a mix of smaller retailers, offices, live-work units, and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods.
- 2.11 Proposed amendments would ensure that land zoned MUR would not be developed solely for non-residential uses, and that land zoned MUC would not be developed with only residential uses.

Conclusions: Development Code Amendment Criterion 2

- 2-1 The proposed Albany Development Code amendments are consistent with applicable purpose statements, special purpose districts, or development regulations where amendments are proposed in Articles 2, 3, 4, 5, and 22.
- 2-2 Based on the above analysis, this criterion is satisfied.

Overall Conclusions

Based on the analysis in this report, the proposed Albany Comprehensive Plan, Zoning Map, and Development Code amendments meet all the applicable review criteria as outlined in this report.

Ordinance Exhibits

- Exhibit A: Comprehensive Plan Text Amendments
- Exhibit B: East Albany Plan
- Exhibit C: Comprehensive Plan Map Amendments
- Exhibit D: Zoning Map Amendments
- Exhibit E: Albany Development Code Amendments
- Exhibit F: March 31, 2023, Staff Report Findings and Conclusions

Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
DC	Development Code Text Amendment File Designation
DLCD	Oregon Department of Land Conservation and Development
OAR	Oregon Administrative Rule
ORS	Oregon Revised Statutes