

Ordinance # 2 - Controversial

(This title is for the convenience of the Council and is not part of the formal Ordinance).

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. _____, WHICH AMENDED THE CITY OF ALBANY DEVELOPMENT CODE AND ZONING MAP, BY AMENDING THE DEVELOPMENT CODE TEXT AND THE ZONING MAP AS PART OF PERIODIC REVIEW AND ADOPTING FINDINGS. (FILES DC-01-02 AND ZC -01-02)

WHEREAS, from time to time it is appropriate to amend the Albany Development Code and Zoning Map based on changing conditions; and

WHEREAS, the City is in Periodic Review, a process through which the City is updating its Comprehensive Plan, Plan Map, Development Code and Zoning Map in accordance with a work program approved by the State Department of Land Conservation and Development in 1997; and

WHEREAS, the City Council authorized the Great Neighborhoods Project in December 1997 as the initial step in Periodic Review to gauge the desires of the community; and several hundred citizens turned out for five meetings in November 1998 to express many ways to improve the livability of the community; and

WHEREAS, the Balanced Development Patterns Project in the winter of 2000 and spring of 2001 was the next step in Periodic Review to look at land use relationships and identify areas for future employment, commercial and housing growth; and

WHEREAS, the Planning Commission reviewed the proposed Development Code text and Zoning Map amendments in work sessions, and then directed staff to prepare specific changes to the text and map; and

WHEREAS, on May 22, 2002, the City mailed a "Measure 56" notice of the Planning Commission and City Council public hearings on the proposed Comprehensive Plan, Development Code and Zoning Map amendments to all commercial and industrial property owners in the city; and

WHEREAS, on June 3, 2002, the Planning Commission held a public hearing on the proposed amendments and then recommended approval based on findings contained in the staff report and evidence presented at the public hearings; and

WHEREAS, the Albany City Council held public hearings on June 17, 2002, and November 13, 2002, concerning the proposed amendments to the commercial and industrial zoning districts; and

WHEREAS, the Albany City Council reviewed the amendments recommended by the Planning Commission and the testimony presented at the public hearings and deliberated on them in work sessions and at the City Council meeting on December 11, 2002.

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

Section 1: The Albany Development Code, Article 5 (Mixed Use Village Center Zoning Districts including previous Article 14, Central Albany), is hereby amended to create a Mixed Use Commercial (MUC) Zoning District; to establish a Schedule of Permitted Uses in the MUC zone; to establish development standards for the MUC zone (including a maximum footprint

size), and to add references to the MUC zone to the provisions on setbacks and outside storage. (Exhibit A)

Section 2: The Albany Development Code, Article 2 (Review Criteria), is hereby amended to add the Mixed Use Commercial Zoning District as a compatible zoning district in the Village Center Comprehensive Plan designation. (Exhibit B)

Section 3: The Albany Development Code, Article 8 (Design Standards), is hereby amended to add Design Standards for Commercial and Residential uses in Village Centers. (Exhibit C)

Section 4: The Albany Development Code, Article 13 (Sign Code), is hereby amended to add the Mixed Use Commercial Zoning District as a Pedestrian Area. (Exhibit D)

Section 5: The Albany Development Code, Article 4 (Commercial and Industrial Zoning Districts), is hereby amended to establish a maximum building size of 100,000 square feet in the Community Commercial Zoning District. (Exhibit E)

These exhibits, upon adoption of this Ordinance, shall supercede the corresponding sections of the Development Code. Language shown in the exhibits as having been struck is removed from the Development Code and language shown in bold is added to the existing text.

Section 6: The Albany Zoning Map is hereby amended to rezone certain properties in North Albany and East Albany as Mixed Use Commercial. (Exhibit F)

This exhibit, upon the adoption of this ordinance, shall supercede the previous zoning of the properties that have been rezoned.

Section 7: The attached Findings and Conclusions are hereby adopted in support of this decision. (Exhibit G)

Passed by Council: _____

Approved by Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Recorder

