



**PUBLIC HEARING**  
**CITY OF ALBANY**  
**PLANNING COMMISSION**  
City Council Chambers, 333 Broadalbin Street SW  
Monday, October 26, 2009  
5:15 p.m.

**AGENDA**

1. CALL TO ORDER

(Chair Faller)

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. APPROVAL OF THE MINUTES

November 7, 2008; May 11, 2009; June 15, 2009; July 27, 2009; and August 27, 2009, minutes.

5. LEGISLATIVE PUBLIC HEARING

CP-01-09:

- 1) Enter into a Cooperative Agreement with the Greater Albany Public School District 8J, and
- 2) Amend the Albany Comprehensive Plan by adding as support documents the Greater Albany Public School District 8J's 2009-2018 Facility Plan and a Cooperative Agreement between the City and the Greater Albany Public School District 8J.

**Rules of Conduct for Public Hearing**

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.

6. SUMMARY OF DEVELOPMENT REVIEW PROCESS

7. ACTIVITY UPDATE

8. NEXT PLANNING COMMISSION MEETING DATE: November 16, 2009.

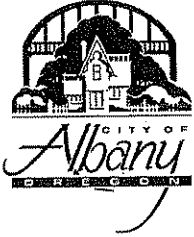
9. ADJOURN

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*The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling 917-7500.*

*City of Albany Web site: [www.cityofalbany.net](http://www.cityofalbany.net)*

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TO: Albany Planning Commission  
VIA: Greg Byrne, Community Development Director  
Don Donovan, Planning Manager *Don*  
FROM: Janet Morris, Planner II  
DATE: October 19, 2009, for the October 26, 2009, Planning Commission Meeting  
SUBJECT: Legislative amendments to the Albany Comprehensive Plan

Background:

The purpose of the amendments is to bring the city into compliance with changes made to ORS 195.110 by the 2007 State Legislature (via Senate Bill 336). The changes required that by the end of 2009:

- (1) In coordination with the City, the Greater Albany Public School District 8J (GAPS) produce a 10-year school facilities plan; and
- (2) The City adopt that school facility plan as part of its Comprehensive Plan, and
- (3) The City and GAPS enter into a Cooperative Agreement related to school district interests in land use planning within the City.

The statute contained what minimum elements were to be included in the documents. For consistency with other intergovernmental agreements (Linn County and Benton County), staff proposes the Cooperative Agreement be adopted as a support document to the Comprehensive Plan.

The above two documents are attached as exhibits to the staff report. Because the existing text contains sufficient goals and policies related to schools, no other amendments are included.

Please contact Janet Morris, at 917-7563, if you have any questions about this agenda item.

**Attachments: Staff Report**

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# Community Development Department

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## STAFF REPORT

<b><u>HEARING BODYS</u></b>	PLANNING COMMISSION	CITY COUNCIL
<b><u>HEARING DATES</u></b>	Monday, October 26, 2009	Monday, November 9, 2009
<b><u>HEARING TIMES</u></b>	5:15 p.m.	7:15 p.m.
<b><u>HEARING LOCATION</u></b>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	

### GENERAL INFORMATION

DATE OF REPORT: October 19, 2009  
 FILE: CP-01-09

TYPE OF APPLICATION: 1) Enter into a Cooperative Agreement with the Greater Albany Public School District 8J, and  
 2) Amend the Albany Comprehensive Plan by adding as support documents the Greater Albany Public School District 8J's 2009-2018 Facility Plan and a Cooperative Agreement between the City and the Greater Albany Public School District 8J.

PURPOSE OF APPLICATION: Compliance with ORS 195.110 as revised  
 REVIEW BODIES: Planning Commission and City Council  
 APPLICANT: Planning Division of the Albany Community Development Department.  
 APPLICANT REP: Janet Morris, Planner II

### INTRODUCTION

The proposed amendments are to comply with revisions made to ORS 195.110 (via Senate Bill 336) by the 2007 State Legislative Assembly. The purpose of Senate Bill 336 was to reverse 1995 law to once again allow consideration of school capacity in residential development requests as a basis for the acceptance or rejection of development applications. The bill allows the city or county to deny an application for residential development based on a lack of school capacity if:

- (a) The issue is raised by the school district;
- (b) Lack of school capacity is based on a school facility plan formally adopted under this section; and
- (c) The city or county has considered other options to address school capacity.

In addition, the bill changed the definition of "high growth school district" to "large school district" and defines a large school district as one with enrollment greater than 2,500 students. It extended the length of the school facility plan from five to 10 years; removed the provision limiting when a city or county would be required to provide notice to an affected school district when considering a plan or land use

regulation amendment that significantly impacts school capacity, and directs that a large school district complete a 10 year school facility plan within two years of the effective date of the law (January 2008).

The bill also required the two entities to enter into a formal Cooperative Agreement related to consideration of school needs when changes are proposed to land use plans and regulations.

In coordination with the City, GAPS prepared a 10-year Facility Plan (attached as Exhibit A) and a Cooperative Agreement between the parties (attached as Exhibit B). The GAPS 2009-2018 Facility Plan does not show any school capacity issues during this timeframe.

#### **NOTICE INFORMATION**

A notice of the public hearings was published in the *Albany Democrat-Herald* on October 16, 2009. This is a legislative amendment so individual notice is only sent to known affected parties and government agencies.

#### **STAFF RECOMMENDATION**

Recommend City Council enter into a Cooperative Agreement with the Greater Albany Public School District 8J and APPROVAL of the proposed Comprehensive Plan amendment to add as support documents (appendices) to the Comprehensive Plan, both the Cooperative Agreement and the Greater Albany Public School District 8J's 2009-2018 Facility Plan.

#### **PLANNING COMMISSION DECISION**

##### **MOTION TO RECOMMEND APPROVAL**

*If no new evidence is presented at the public hearing, the Planning Commission may recommend that the City Council approve the application based on the findings and conclusions of the staff report.*

I MOVE that the Planning Commission recommend that the City Council enter into the proposed Cooperative Agreement between the City and Greater Albany Public School District 8J (GAPS) and amend the Albany Comprehensive Plan by adding as support documents in the appendices, both the GAPS 2009-2018 Facility Plan and the Cooperative Agreement.

This motion is based on the findings and conclusions of the staff report and testimony presented at the public hearing.

#### **APPEALS**

If the decision of the Planning Commission is to recommend that the City Council approve the proposed amendments to the Comprehensive Plan, the City Council will hold a public hearing on the amendments. A City Council decision can be appealed to the Oregon Land Use Board of Appeals.

## STAFF ANALYSIS

### Legislative Amendment to the Comprehensive Plan

File: CP-01-09

Section 2.220 of the Albany Development Code (ADC) contains the following review criteria which must be met in order to approve the proposed legislative text amendment. Review criteria are written in *bold italics* and are followed by findings and conclusions.

*Criteria (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 goals and policies of the Albany Comprehensive Plan that are relevant to the proposed amendments are shown below in *italics*. These goals and policies have been acknowledged by the Land Conservation and Development Commission (LCDC) as consistent with statewide planning goals.

### GOALS:

- *Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process. (Goal 1, Citizen Involvement)*
- *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.*
  4. *Remains consistent with state laws and administrative rules*  
*(Goal 2, Land Use Planning)*

### POLICIES: (Statewide Goal 1, Citizen Involvement)

*Policy 2: When making land use and other planning decisions:*

- a. *Actively seek input from all points of view from citizens and agencies and assure that interested parties from all areas of the Urban Growth Boundary have the opportunity to participate.*
- b. *Utilize all criteria relevant to the issue.*
- c. *Ensure the long-range interests of the general public are considered.*
- d. *Give particular attention to input provided by the public.*
- e. *Where opposing viewpoints are expressed, attempt to reach consensus where possible.*

*Policy 4: Ensure information is made available to the public concerning development regulations, land use, and other planning matters including ways they can effectively participate in the planning process.*

*Policy 5: Continue an active coordination program with agencies and other governmental units. The program should include:*

- a. *Defining areas of mutual interest (e.g. development of land outside the Urban Growth Boundary and other areas where development may affect the city).*
- b. *Information sharing on issues of mutual interest.*

- c. *Scheduling of regular meetings.*
- d. *A process of notification and review of new development projects among affected jurisdictions and agencies.*
- e. *Participation and support of planning efforts dealing with issues of regional concern.*

*Policy 6: Review the creation of, expansion, and/or development plans of any special district that has the purpose of providing public facilities and services within the Urban Growth Boundary. The City's review shall determine if the proposed special district, development, or expansion plans:*

- a. *Meet the goals and policies of Albany's Comprehensive Plan.*
- b. *Recognize the City as the ultimate provider of urban services.*
- c. *Incorporate adequate safeguards so that public services provided by the district can be phased into the City's public facility system.*

*POLICIES –(Statewide Goal 2 – Land Use Planning)*

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

- a. *Conformance with goals and policies of the Plan.*
- b. *Citizen review and comment.*
- c. *Applicable Statewide Planning Goals.*
- d. *Input from affected governmental units and other agencies.*
- e. *Short- and long-term impacts of the proposed change.*
- f. *Demonstration of public need for the change.*
- g. *Demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.*
- h. *Any additional information as required by the Planning Commission or City Council.*

- 1.2 The purpose of the proposed amendments is to comply changes made to ORS 195.110 by the 2007 Oregon State Legislature (via Senate Bill 336). The changes required that by the end of 2009: (1) in coordination with the City, the Greater Albany Public School District 8J (GAPS) produce a 10-year Facility Plan; (2) the City adopt that school facility plan as part of its Comprehensive Plan, and (3) the City and GAPS enter into a Cooperative Agreement related to school district interests in land use planning within the City. The statute contained the minimum elements to be included in both of these documents.
- 1.3 The City and GAPS worked together to develop the GAPS 2009-2018 Facility Plan that is attached as Exhibit A, and the Cooperative Agreement is attached as Exhibit B. The GAPS Facility Plan does not show school capacity issues within the stated timeframe. For consistency with other intergovernmental agreements contained in the Comprehensive Plan (Linn County and Benton County), staff proposes the Cooperative Agreement also be adopted as a support document to the Plan.
- 1.4 Adding the GAPS Facility Plan and the Cooperative Agreement as supporting documents to the Comprehensive Plan ensures that the Comprehensive Plan remains current and responsive to community needs by updating it with the most recent and reliable information in which to make long range plans. Also, the Cooperative Agreement formalizes the roles of the City and GAPS related to consideration of school planning needs when changes to land use plans and regulations are proposed.
- 1.5 The City does not have any special area plans related to schools. The Comprehensive Plan map currently shows existing school sites as “public and semi-public” properties. There are no sites identified for future schools.

- 1.6 A legislative amendment to the Comprehensive Plan is processed as a Type IV land use decision. This means there will be a minimum of two opportunities for citizen involvement in the review of the amendments. As required, notice of the public hearings on the amendments has been placed in the local newspaper and provided by mail to affected parties, including government agencies.
- 1.7 No Oregon Administrative Rules (OARs) related to the changes in ORS 195.110 have been adopted by the state.

### CONCLUSIONS

- 1.1 State law requires that the City adopt the GAPS 2009-2018 Facility Plan into its Comprehensive Plan. Adding the GAPS Facility Plan as a support document will update the Comprehensive Plan related to this special district within the City. The GAPS Facility Plan does not show any capacity deficiencies within its timeframe.
- 1.2 State law requires that the City enter into a Cooperative Agreement with GAPS to define the roles and responsibilities of each entity with respect consideration of school planning as part of the land use review process. Adding the Cooperative Agreement between the City and GAPS as a support document to the Plan is consistent with locating other intergovernmental agreements the City has entered into related to land use.
- 1.3 The proposed support documents to the Plan are consistent with identified relevant statewide planning goals and the existing goals and policies of the Comprehensive Plan.
- 1.4 This criterion is satisfied.

*Criteria (2) A legislative amendment is needed to meet changing conditions or new laws.*

### FINDING OF FACT

- 2.1 The 2007 Oregon State Legislature amended Oregon Revised Statutes (ORS) section 195.110. The proposed amendments to the Comprehensive Plan are in response to these changes in law.

### CONCLUSIONS

- 2.1 By incorporating the proposed support documents as amendments to the Comprehensive Plan the City will be in compliance with State statutes and will be able to make more informed decisions related to planning for future schools.
- 2.2 This criterion is satisfied.

Attachments: Exhibit A - 2009-2018 Facility Plan of the Greater Albany Public School District 8J  
Exhibit B - Cooperative Agreement between the City and GAPS

## SUPERINTENDENT



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**SECTION 1 — INTRODUCTION**

**A. Purpose of the Capital Facilities Plan**

School districts adopt capital facilities plans to identify capital improvements to existing facilities and additional school facilities necessary to meet the educational needs of the growing student populations anticipated in their districts. They also are used to support the imposition of school impact fees.

The Greater Albany Public School District 8J (the "District") has prepared this Capital Facilities Plan (the "CFP") to identify capital improvements over the next ten years (2009-2018).

This CFP contains the following elements:

- The District's standard of service, which is based on program year, year size by grade span, number of classrooms, types of facilities and other factors identified by the District.
- Future Enrollment forecasts for each grade span (elementary, middle, and high schools).
- An inventory of existing capital facilities owned by the District, showing the locations and capacities of the facilities, based on the District's standard of service.
- A forecast of the future needs for capital facilities and school sites based on the District's enrollment projections.
- The proposed capacities of expanded or new capital facilities over the next ten years based on the inventory of existing facilities and the standard of service.

This CFP was developed using information from recognized and reliable sources that was compiled by consultants skilled in this area of research.

**B. Overview of the Greater Albany Public School District 8J**

Founded in 1979, the Greater Albany Public School District (GAPS) proudly educates the children of Albany and surrounding areas of Linn and Benton counties in the heart of the Willamette Valley. The district spans 154 square miles. It offers education for children of all abilities in 16 elementary schools (grades K-5), three middle schools (grades 6-8), two high schools (grades 9-12) and a variety of alternative programs.

The district covers the Cities of Albany, Tangent, and Millersburg as well as unincorporated areas of Linn and Benton counties.

The most significant issues facing the District in terms of providing classroom capacity to accommodate demands are:

- Property Inventory. Other than property adjacent to Periwinkle School, the District currently does not have any suitable property for school expansion.

**C. Long Range/2018 Build-Out Facility Needs**

In addition, this CFP addresses long-range facilities needs. As land is annexed within the urban growth boundary additional residential land becomes available for development impacting the District's facilities. As additional land is made available and developed, the District's enrollment increases which in turn prompts the need for additional school facilities to house growing student populations.

The demographic study takes into account local residential development and housing trends. Many factors that are used to forecast the enrollment in 2018 will change between now and then. Thus, the enrollment forecast and facility needs is only a projection that is based on the data that is currently available.

**SECTION 2 — DISTRICT EDUCATIONAL PROGRAM STANDARDS**

School facility and student capacity needs are dictated by the types and amounts of space required to accommodate the District's adopted educational program. The role that quality education plays in growing a strong economy is vital. In order to accomplish the community value of having a strong area economy, schools must have quality facilities. These facilities serve as the supporting space for developing the whole child within a community to prepare them for a competitive global economy. The education program standards which typically drive needs for educational space for students include grade configuration, optimum facility size, class size, educational program offerings, supplemental program offerings, specialty spaces, classroom utilization and scheduling requirements.

In addition to student population, other factors such as collective bargaining agreements, government mandates, and community expectations affect classroom space requirements. Space is necessary for regular classrooms, the fine and performing arts, physical education, special education, Title I, tutorial support, technological applications, and computer labs. Space must be provided for common areas such as media centers, cafeterias, kitchens, and auditoriums. Space is needed for groups of students/staff to work together. These programs can have a significant impact on the available capacity within school facilities. Further, the community expects all spaces to be well utilized during the school day and available after the school day for public use.

**A. District Educational Program Standards**

Core program includes the following:

- Core classroom space for all curriculum areas which includes space for group learning, directed instruction, and individual student work to meet the rigors set forth in state standards.
- Science classroom space that supports advanced coursework (including water, sinks, gas, hoods, safety equipment). Students must achieve rigorous state mandated science standards. This requires specialty space that is not met by adding portables. High school and middle school science lab space is a high priority.
- Physical education space is needed for students to meet rigorous health and fitness standards. This includes covered areas, fields, gymnasiums, and other multi-use spaces.
- Technological competency is expected for all students. Spaces must be allocated for technological equipment and applications in classrooms and specialty spaces.

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- Art, music, and theatre arts spaces are critical to the core program for students. Spaces are necessary to adequately meet the rigorous standards of these state required programs.
  - Library/Media services (research, technology, collaboration) and space must be provided for students to achieve the rigors in the core program. In an information-driven environment, student access to information through appropriately-sized library/media spaces is essential.
  - Extra-curricular activities need adequate space in order to safely support program activities.

Special services are essential to meet the needs of special populations:

- Special Education services are delivered at each of the schools within the District. Program standards and services vary based on the handicapping conditions of the students and their individual education plan (IEP). Implementing each student's IEP often requires large and small specialty spaces, which the District must provide. Program standards change as a result of various external or internal influences. External influences include changing federal mandates, funding changes, and the introduction of new technological applications, which meet the needs of students. Internal influences include increase in numbers of high needs IEP students, modifications to the program year, class size, grade configurations, and facility changes.
- Special populations receive special support. Specialty space is essential to the delivery of this support. Federal and state programs, including Title I Reading, ELL, and Special Education receive limited funding. These resources do not however include the expense of adding facilities to support them.
- Supplementary services in core academic areas (tutoring, on-line learning) and providing multiple pathways to prepare students for a broader range of post-secondary learning opportunities require additional spaces that have not been calculated in square footage allowance formulas.
- Support services are often overlooked as core services, and are essential to a quality educational program. Food service delivery, storage, preparation, and service require spaces that are specialty designed and equipped with specific attention. As student populations increase, calculating space needs for this core service is crucial to the overall planning of the facility. Adequacy in planning for this space has significant impacts on the overall learning environment for students if not done appropriately.
- Maintenance support facilities, including adequate storage of district supplies, materials and testing documents, must also be considered and are not counted as core support services.
- Administrative support facilities must be provided but are not counted as core support services.

**B. Elementary Educational Program Standards**

The District educational program standards, which directly affect elementary school capacity, include:

- Class size for grades K-2 is targeted not to exceed 25 students per class.
- Class size for grades 3-5 is targeted not to exceed 26 students per class.
- Music will be provided in separate classrooms or performance areas.
- Physical education instruction must be provided in a full sized, enclosed area.
- Special education services are provided in a self-contained classroom for some children, while others need highly specialized services.
- Specialty programs require instructional areas similar to regular classrooms.
- All elementary schools will have a library/media resource center, which includes space for technology.
- Computer labs will be available for all students at all schools.

**C. Middle and High School Program Standards**

The district educational programs standards, which directly affect middle school and high school capacity include:

- Class sizes for grades 6-8 strive not to exceed 29 students per class, with the exception of PE, band or choir.
- Class sizes for high school grades 9-12 have various targets depending on the variety of program and safety needs. However, the District strives to meet an average of 29 students in the core classrooms with the exception of PE, band and choir.
- The middle and high school classroom utilization standard is set at a factor of 85% (based on a regular school day).
- Special education services are provided in a self-contained classroom for some children, while other need highly specialized spaces to address their specific handicapping conditions.

Students will also be provided other programs in classroom designated as follows:

- Specialty rooms (computer labs, individual and large group study rooms, practice labs, production rooms, and art areas).
- Media Center/Library.
- A specialized science lab for grades 6-12 will be available.
- Vocational education requires specialized spaces suited to the curriculum.
- Physical education instruction must be provided in a full sized, enclosed area.

**SECTION 3 — CAPITAL FACILITIES INVENTORY**

The facilities inventory establishes the baseline for determining the existing capacity in the school facilities and the need for addition capacity to serve future growth at acceptable levels of service. This section provides an inventory of capital facilities owned and operated by the Greater Albany Public School District 8J including schools, portables, undeveloped land and support facilities. School facility capacity was inventoried based on the space required to accommodate the District's educational program standards discussed in Section 2.

**A. Schools**

The District currently maintains sixteen schools containing elementary grades, four schools with middle grades, two high schools and one alternative school (serving both middle and high school students). The elementary schools typically accommodate K-5, the middle schools serve grades 6-8, and the high school houses grades 9-12. The following tables show the current capacity of existing schools.

**Table 1 – Elementary School**

Elementary Schools	Location	Building Area (Square Feet)	Oct. 2008 Enrollment	Teaching Stations*	Fall 2009 Capacity	Portables**
Central	336 9 <sup>th</sup> Ave SW Albany, OR 97321	48,453	187	10	257	
Clover Ridge (K-2)	2953 Clover Ridge Rd NE Albany, OR 97322	36,750	357	11	308	
Timber Ridge (3-5)	373 Timber Ridge St. NE Albany, OR 97322	109,000	0	14	359	
Fir Grove (K-2)	5355 Scenic Dr NW Albany, OR 97321	19,796	145	7	180	
Oak Grove (3-5)	1500 Oak Grove Dr. NW Albany, OR 97321	26,296	188	9	230	
Lafayette	3122 Madison St. SE Albany, OR 97322	44,754	407	16	410	
Liberty	2345 Liberty St. SW Albany, OR 97321	35,439	361	14	359	4
Fairmount (K-1)	1005 Springhill Dr NW Albany, OR 97321		74	4	103	
North Albany (2-5)	815 Thornton Lake Dr NW Albany, OR 97321	28,347	201	9	230	

GREATER ALBANY PUBLIC SCHOOL DISTRICT 8J  
FACILITY PLAN

Oak	3610 Oak St. SE Albany, OR 97322	42,240	317	13	333	4
Periwinkle	2196 21 <sup>st</sup> Ave. SE Albany, OR 97322	36,625	475	17	436	2
South Shore	910 Bain St. SE Albany, OR 97322	40,240	443	16	410	8
Sunrise	730 19 <sup>th</sup> Ave. SE Albany, OR 97322	50,648	468	19	487	4
Takena	1210 12 <sup>th</sup> Ave. SW Albany, OR 97321	31,393	159	8	205	2
Tangent	32100 Old Oak Dr. Tangent, OR 97389	24,967	189	9	246***	
Waverly	425 Columbus SE Albany, OR 97322	42,480	261	11	257	

\* Rooms such as the music room, special ed rooms, ELL, library and computer lab are not counted as teaching stations in the elementary schools because they are special/pull-out programs.

\*\* Total rooms housed in portable structures.

\*\*\*Includes space for 15 students at LBCC kindergarten program.

**Table 2 – Middle School**

Middle Schools	Location	Building Area (Square Feet)	Oct. 2008 Enrollment	Teaching Stations*	Fall 2009 Capacity **	Portables***
Calapooia	830 SE 24 <sup>th</sup> Ave. Albany, OR 97322	96,315	737	27	783	2
Memorial	1050 Queen Ave. SW Albany, OR 97321	100,815	675	24	696	4
North Albany	1205 North Albany NW Albany, OR 97321	100,514	711	25	725	
Timber Ridge	373 Timber Ridge St. NE Albany, OR 97322	109,000	0	18	434	

\* Rooms such as the music room, special ed rooms, ELL room, library and computer lab are not counted as teaching stations in the elementary schools because they are special/pull-out programs.

\*\* Capacity is calculated by multiplying the number of teaching stations times the students per classroom as defined in the educational standards, times an 85% utilization factor. The utilization factor is based on the amount of time during the day a regular classroom is not occupied by students.

\*\*\* Total rooms housed in portable structures.

**Table 3 – High School**

High Schools	Location	Building Area (Square Feet)	Oct. 2008 Enrollment	Teaching Stations*	Fall 2009 Capacity**	Portables***
South Albany	3705 Columbus SE Albany, OR 97322	167,408	1306	50	1450	1
West Albany	1130 Queen Ave SW Albany, OR 97321	135,672	1461	53	1537	3

\* Rooms such as the music room, special ed rooms, ELL room, library and computer lab are not counted as teaching stations in the elementary schools because they are special/pull-out programs.

\*\* Capacity is calculated by multiplying the number of teaching stations times the students per classroom as defined in the educational standards, times an 85% utilization factor. The utilization factor is based on the amount of time during the day a regular classroom is not occupied by students.

\*\*\* Total rooms housed in portable structures.

**Table 4 – Albany Options School (capacity driven by class size requirements)**

High Schools	Location	Building Area (Square Feet)	Oct. 2008 Enrollment	Teaching Stations*	Fall 2009 Capacity**	Portables***
Albany Options School	701 19 <sup>th</sup> Avenue SE Albany, OR 97322	18,000	7 (MS) 68 (HS)	7	15 (MS) 95 (HS)	

\* Rooms such as the music room, special ed rooms, ELL room, library and computer lab are not counted as teaching stations in the elementary schools because they are special/pull-out programs.

\*\* Capacity is calculated by multiplying the number of teaching stations times the students per classroom as defined in the educational standards, times an 85% utilization factor. The utilization factor is based on the amount of time during the day a regular classroom is not occupied by students.

\*\*\* Total rooms housed in portable structures.

**B. Support Facilities**

In addition to schools, the District owns and operates additional facilities which provide operational support functions to the schools. An inventory of these facilities is provided in Table 4.

**Table 4 – Support Facility**

Building	Building Area (Square Feet)	Site Location
District Office	11,560	718 SW 7 <sup>th</sup> Street Albany, OR 97321
Bus Garage	21,960	430 11 <sup>th</sup> Street Albany, OR 97321
Fairmount (Portion used for Special Ed. Administration)	21,960	1005 Springhill Dr NW Albany, OR 97321
Support Services Grand Prairie	28,450	3610 Grand Prairie Albany, Oregon 97322
Albany Community Pool	20,598	2150 36thSEt Albany, OR 97322

**C. Land Inventory**

The district has the following sites in its land inventory:

Vacant land next to Periwinkle School	2.68 acres
Vacant land off of Marion Street	10.00 acres
Vacant land on Lochner Road	29.46 acres
Land being used as Deerfield Park	9.20 acres
Land being used as Burkhart Park	1.88 acres

The land adjacent to Periwinkle is suitable for expansion of that campus. The other sites are either in use as municipals parks or are unsuitable at this time for school expansions.

**SECTION 4 — STUDENT ENROLLMENT PROJECTIONS**

**A. Projected Student Enrollment 2009-2018**

The District's projected enrollment is based upon enrollment statistics developed and updated annually by the School District. The demographic study does take into account cohort survival, birth rates, local population and changing demographics, and local residential development and housing trends.

**Table 5 – Projected Enrollment 2009 - 2018**

Grades	Oct. 2008 Enrollment	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
K – 5	4232	4232	4222	4292	4417	4483	4586	4680	4781	4785	4790
6 – 8	2130	2197	2270	2273	2249	2256	2226	2257	2233	2343	2446
9 – 12	2835	2803	2849	2924	3004	3101	3170	3123	3153	3126	3106
<b>Total</b>	<b>9197</b>	<b>9232</b>	<b>9341</b>	<b>9489</b>	<b>9670</b>	<b>9840</b>	<b>9982</b>	<b>10060</b>	<b>10167</b>	<b>10254</b>	<b>10342</b>

\* Forecasts may vary from actual conditions; based upon 2 year cohort survival and moderate growth.

**SECTION 5 — CAPITAL FACILITIES NEEDS**

**A. Ten Year Facility Needs**

Facility needs are the facility improvements that must be built to accommodate forecast growth. Existing capacity for growth is derived by subtracting the existing student enrollment from the existing school capacity. The improvements that must be built to serve growth are derived by subtracting the existing capacity from 2018 enrollment and then determining the number of classrooms or schools that must be built to serve the 2018 enrollment. The following tables shows existing enrollment, existing capacity, 2018 forecasted enrollment and the 2018 capacity needs.

The District's current capacity, its educational programs, standard of service and enrollment forecast is used to determine its facility needs. The District finds that within the 10-year time period covered by this Facility Plan, no new schools or school sites are needed. Going forward the District will be closely monitoring school capacity based upon population projections and land use designations, analyzing alternatives to new school construction and major renovation, and ways to increase the efficient use of existing school sites. The District also plans to work with the jurisdictions within the District's boundary to identify desirable sites for possible future schools. At that time the District will then address site acquisition schedules and programs, and land dedication requirements needed to provide for public facilities to support the site(s).

It is likely, however, that the Transportation Facility will outgrow the current site by 2012. Land will need to be identified, acquired and improvements made to create either a new larger site or a satellite facility.

**Table 6a – Existing Enrollment, Capacity and Facility Needs**

Facility	Fall 2009 Projected	Existing Capacity	Existing Facility Needs
Elementary (K – 5)	4,239	4,810	None
Middle (6 – 8)	2,196	2,653	None
High (9 – 12)	2,736	3,082	None
<b>Total</b>	<b>9,171</b>	<b>10,545</b>	

**Table 6b – 2018 Enrollment, Capacity and Facility Needs**

Facility	2018 Enrollment	Capacity	2018 Facility Needs*	Planned Facility Improvements
Elementary (K – 5)	4,790	4,810	+20	TBD
Middle (6 – 8)	2,446	2,653	+207	TBD
High (9 – 12)	3,016	3,082	+66	TBD
<b>Total</b>	<b>10,228</b>	<b>10,385</b>	<b>+123</b>	

**B. Building Needs Assessment**

Facility needs can also be described as those improvements needed to make upgrades and improvements for the buildings to remain operational. These improvements are replacements of existing systems and surfaces that are beyond their useful life. Funding for these improvements can come from Impact Fees. Appendix A details the Building Needs Assessment.

**C. Necessary Acreage For Locating New School Facilities**

Many factors need to be considered when determining the amount of land needed for new school construction. These include, but are not limited to, the number of students; the grades to be housed; the educational programs and services that are planned; the site requirements including physical education programs, parking, forestation or reforestation, zoning and set-backs, storm water management, and community sports, leisure, and recreational events. The following is used by many states for planning purposes (Oregon has no acreage standards for schools):

- Elementary: 5 acres plus 1 acre for each 100 students
- Middle: 20 acres plus 1 acre for each 100 students over 500 students
- High: 30 acres plus 1 acre for each 100 students over 800 students

*Note: Acreage needs can be reduced by approximately 10% if school buildings are two-story.*

**SECTION 6 — CAPITAL FACILITIES FINANCING PLAN**

**A. Improvements**

There are no improvements needed to address unhoused students through 2019. There are, however, numerous improvements needed to address existing deficiencies within the existing infrastructure. Some can be accomplished through annual general fund allocations while others will require an outside funding source such as voter approved General Obligation Bonds or the use of Construction Excise Tax proceeds.

**B. Financing for Planned Improvements**

**1. General Obligation Bonds/Capital Projects Levies**

Bonds are typically used to fund construction of new schools and other capital improvement projects. Bonds are then retired through collection of property taxes. The District passed a \$55 million bond in November 2006 that funded a new 3-8 school, addition of a new 3 classroom wing to North Albany Middle School, modernizations to all Elementary Schools and Middle Schools, a new technology center at South Albany High School and a major renovation of West Albany High School.

**2. Impact Fees**

Impact fees are a means of supplementing traditional funding sources for construction of public facilities needed to accommodate new development. School impact fees are generally collected by the permitting agency at the time building permits are issued.

**SECTION 7 — SCHOOL IMPACT FEES**

ORS 320.170 authorizes School Districts to impose impact fees to supplement funding of public facilities that are available or needed to accommodate new development and other current facility needs.

**A. School Impact Fees**

To collect school impact fees the District must prepare and adopt a CFP, enter into an Intergovernmental Agreement with a government entity who will collect the tax, and adopt a tax resolution stating the amount of tax to be collected. The district has entered into agreements with the Cities of Albany and Millersburg.

**B. Methodology and Variables Used to Calculate School Impact Fees**

The District's impact fees have been set at the statutory limits.

**C. Greater Albany Public School District 8J Construction Excise Tax Schedule**

The District requests collection of school impact fees in the following amounts:

Residential Construction	\$1.00 per Square Foot
Commercial and Industrial Construction	\$.50 per Square Foot

*Certain construction is exempt from the tax.*

ELEMENTARY SCHOOLS		\$ 16,567,000.00	\$ 3,723,000.00	\$ 8,876,500.00	\$ 3,960,500.00	
	Total	A	B	C	Funding?	
<b>Central Elementary</b>	\$ 1,511,000	\$ 564,000	\$ 786,500	\$ 160,500		
Stage Curtains	\$ 10,000	\$ 10,000				BOND
Upstairs Restroom VAT Abatement	\$ 40,000	\$ 40,000				
Interior Renovations/Plaster & Lathe	\$ 250,000	\$ 150,000	\$ 100,000			
Repair/Replace Flooring	\$ 87,000	\$ 87,000				
Replace Carpet	\$ 60,000	\$ 40,000	\$ 20,000			
Replace Roof/Recoat	\$ 150,000	\$ 150,000				
Restroom Renovations	\$ 40,000	\$ 40,000				
Upgrade Communications System	\$ 47,000	\$ 47,000				
Additional Parking	\$ 79,000		\$ 79,000			
Ceiling Tile Replacement	\$ 83,000		\$ 41,500	\$ 41,500		
Classroom Casework Upgrade	\$ 100,000		\$ 100,000			
Light Blocking Curtains	\$ 14,000		\$ 14,000			
Lighting Upgrades	\$ 100,000		\$ 50,000	\$ 50,000		
Replace Classroom Sinks & Fittings	\$ 20,000		\$ 20,000			
Replace Door Hardware	\$ 25,000		\$ 25,000			
Replace Exterior Doors	\$ 119,000		\$ 119,000			
Replace Windows	\$ 144,000		\$ 144,000			
Re-point Brick	\$ 55,000		\$ 55,000			
Resurface Parking Lot	\$ 19,000		\$ 19,000			
Irrigation System	\$ 69,000			\$ 69,000		
<b>Cllover Ridge Elementary</b>	\$ 1,181,000	\$ 92,000	\$ 729,000	\$ 360,000		
Stage Curtains	\$ 10,000	\$ 10,000				BOND
Bell Tower Repair	\$ 5,000	\$ 5,000				
Stage/Hall VAT Abatement	\$ 25,000	\$ 25,000				
Replace Carpet	\$ 12,000	\$ 12,000				
Restroom Renovations	\$ 40,000	\$ 40,000				
Bus Loop	\$ 109,000		\$ 109,000			
Chalk Board Replacement	\$ 12,000		\$ 12,000			
Communications System Upgrades	\$ 50,000		\$ 50,000			
Irrigation	\$ 50,000		\$ 50,000			
Kitchen Prep	\$ 22,000		\$ 11,000	\$ 11,000		
Light Blocking Curtains	\$ 13,000		\$ 13,000			
Lighting Upgrades	\$ 190,000		\$ 95,000	\$ 95,000		
Parking Lot Improvement	\$ 79,000		\$ 79,000			
Repair Siding	\$ 5,000		\$ 5,000			
Replace Classroom Sinks & Fittings	\$ 15,000		\$ 15,000			
Replace Door Hardware	\$ 50,000		\$ 50,000			
Replace Exterior Doors	\$ 68,000		\$ 68,000			
Replace Flooring	\$ 63,000		\$ 63,000			
Replace Windows	\$ 109,000		\$ 109,000			
Classroom Casework Upgrades	\$ 100,000			\$ 100,000		
Playfield/Irrigation	\$ 154,000			\$ 154,000		
<b>Fir Grove Elementary</b>	\$ 986,000	\$ 214,000	\$ 518,500	\$ 243,500		
Clocks, Bells & Intercom System	\$ 30,000	\$ 30,000				BOND
Replace Ceiling Tile in Rooms 3,4 & 5	\$ 50,000	\$ 15,000	\$ 35,000			
Room 6 & 7 VAT Abatement	\$ 14,000	\$ 14,000				
Carpet	\$ 10,000	\$ 10,000				
Communications System Upgrades	\$ 29,000	\$ 29,000				
Renovate Restrooms	\$ 80,000	\$ 80,000				
Replace Carpet	\$ 36,000	\$ 36,000				
Classroom Casework Upgrade	\$ 60,000		\$ 60,000			
Fence Perimeter	\$ 20,000		\$ 20,000			
Heating Retrofit	\$ 69,000		\$ 69,000			
Interior Repairs	\$ 30,000		\$ 30,000			
Irrigation System	\$ 20,000		\$ 20,000			
Light Blocking Curtains	\$ 8,000		\$ 8,000			
Lighting Upgrades	\$ 95,000		\$ 47,500	\$ 47,500		
Lunch Area	\$ 49,000		\$ 49,000			
Re-Pipe Building Water Supply	\$ 69,000		\$ 69,000			
Replace Exterior Doors/Hardware	\$ 25,000		\$ 25,000			
Replace Flooring	\$ 34,000		\$ 17,000	\$ 17,000		
Replace Sinks and Fittings	\$ 10,000		\$ 10,000			
Window Replacement	\$ 59,000		\$ 59,000			
Exterior Repairs	\$ 25,000			\$ 25,000		
Playfield/Irrigation	\$ 154,000			\$ 154,000		
Stage Curtains	\$ 10,000					

	Total	A	B	C	Funding?
<b>Lafayette Elementary</b>	\$ 1,401,000	\$ 236,500	\$ 744,500	\$ 420,000	
# 8 Stage Curtains	\$ 10,000	\$ 10,000			BOND
Room 7 & Hall VAT Abatement	\$ 88,000	\$ 88,000			
Additional Parking	\$ 39,000	\$ 19,500	\$ 19,500		
Bus Loop (Student Drop Off Safety)	\$ 109,000	\$ 109,000			
Carpet Replacement	\$ 60,000	\$ 10,000	\$ 50,000		
Chalkboard Replacement	\$ 18,000		\$ 18,000		
Exterior Door Replacement	\$ 115,000		\$ 115,000		
Exterior Repairs	\$ 50,000		\$ 50,000		BOND
Heating Upgrade	\$ 192,000		\$ 192,000		
Interior Repairs	\$ 55,000		\$ 55,000		
Irrigation	\$ 20,000		\$ 20,000		
Light Blocking Curtains	\$ 17,000		\$ 17,000		
Replace Door Hardware	\$ 38,000		\$ 38,000		
Restroom Renovations	\$ 80,000		\$ 80,000		
Sidewalk Replacement	\$ 15,000		\$ 15,000		
Water Piping Replacement	\$ 75,000		\$ 75,000		
Classroom Casework Upgrade	\$ 120,000			\$ 120,000	
Lighting Replacement	\$ 165,000			\$ 165,000	
Replace Sinks and Fittings	\$ 10,000			\$ 10,000	
Window Replacement	\$ 40,000			\$ 40,000	
Playground Improvement	\$ 85,000			\$ 85,000	
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>Liberty Elementary</b>	\$ 1,348,000	\$ 573,000	\$ 501,000	\$ 274,000	
# 2 Asphalt Resurfacing	\$ 112,000	\$ 58,000	\$ 56,000		
# 2 Concrete Entry and Sidewalk	\$ 10,000	\$ 10,000			
# 8 Stage Curtains	\$ 10,000	\$ 10,000			
# 20 Window/Siding Replacement	\$ 200,000	\$ 200,000			BOND
Hall VAT Abatement	\$ 64,000	\$ 64,000			
Carpet Replacement	\$ 42,000	\$ 42,000			
Complete Building Repipe	\$ 50,000	\$ 50,000			
Modular Maintenance	\$ 20,000	\$ 20,000			
Restroom Renovations	\$ 121,000	\$ 121,000			
30 Additional Parking Stalls	\$ 100,000		\$ 100,000		
Ceiling Tile Replacement	\$ 75,000		\$ 75,000		
Chalkboard Replacement	\$ 13,000		\$ 13,000		
Communications System Upgrade	\$ 60,000		\$ 60,000		
Electrical Upgrade	\$ 55,000		\$ 55,000		
Light Blocking Curtains	\$ 13,000		\$ 13,000		
Replace Building Sewer	\$ 10,000		\$ 10,000		
Replace Door Hardware	\$ 40,000		\$ 20,000	\$ 20,000	
Roof Replacement	\$ 99,000		\$ 99,000		
Classroom Casework Upgrade	\$ 120,000			\$ 120,000	
Exterior Renovations	\$ 84,000			\$ 84,000	
Replace Sinks and Fittings	\$ 20,000			\$ 20,000	
Irrigation Installation	\$ 30,000			\$ 30,000	
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>North Albany Elementary</b>	\$ 857,000	\$ 112,000	\$ 496,000	\$ 249,000	
# 7 Window Replacement	\$ 42,000	\$ 42,000			
# 8 Stage Curtains	\$ 10,000	\$ 10,000			
Room 2 VAT Abatement	\$ 50,000	\$ 10,000	\$ 40,000		BOND
Carpet Replacement	\$ 10,000	\$ 10,000			
Restroom Renovations	\$ 40,000	\$ 40,000			
Additional Parking	\$ 47,000		\$ 47,000		
Asphalt Resurface	\$ 61,000		\$ 61,000		
Exterior Door Replacement	\$ 55,000		\$ 55,000		
HVAC Upgrade	\$ 150,000		\$ 150,000		
Light Blocking Curtains	\$ 12,000		\$ 12,000		
Lighting Replacement	\$ 80,000		\$ 40,000	\$ 40,000	
Repipe Building	\$ 50,000		\$ 50,000		
Replace Door Hardware	\$ 30,000		\$ 30,000		
Replace Sinks and Fittings	\$ 11,000		\$ 11,000		
Classroom Counter Upgrades	\$ 68,000			\$ 68,000	
Gym Floor Replacement	\$ 30,000			\$ 30,000	
Playground Replacement	\$ 26,000			\$ 26,000	
Field Improvements	\$ 85,000			\$ 85,000	

	Total	A	B	C	Funding?
<b>Oak Elementary</b>	\$ 1,266,000	\$ 111,000	\$ 753,500	\$ 401,500	
# B Stage Curtains	\$ 10,000	\$ 10,000			
Carpet Replacement	\$ 108,000	\$ 36,000	\$ 36,000	\$ 36,000	
Restroom Renovations	\$ 120,000	\$ 60,000	\$ 60,000		
Soffit Repairs	\$ 10,000	\$ 5,000	\$ 5,000		
50 Add'l Parking Stalls	\$ 79,000			\$ 39,500	
Asphalt Resurface	\$ 56,000		\$ 28,000	\$ 28,000	
Brick Re-Pointing	\$ 20,000		\$ 20,000		
Chalkboard Replacement	\$ 19,000		\$ 19,000		
Communication System Upgrade	\$ 50,000		\$ 33,000	\$ 17,000	
Fence Perimeter	\$ 35,000		\$ 35,000		
Graffiti Sealer	\$ 15,000		\$ 15,000		
HVAC Upgrade	\$ 160,000		\$ 160,000		
Interior Repairs	\$ 40,000		\$ 20,000	\$ 20,000	
Irrigation	\$ 20,000		\$ 20,000		
Light Blocking Curtains	\$ 15,000		\$ 15,000		
Lighting Replacement	\$ 234,000		\$ 117,000	\$ 117,000	
Replace Door Hardware	\$ 28,000		\$ 28,000		
Replace Sinks and Fittings	\$ 13,000		\$ 13,000		
VAT Abatement	\$ 90,000		\$ 90,000		
Classroom Casework Upgrade	\$ 78,000			\$ 78,000	
Playfield Repair	\$ 21,000			\$ 21,000	
Replace Exterior Doors	\$ 45,000			\$ 45,000	
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>Oak Grove Elementary</b>	\$ 938,500	\$ 291,500	\$ 455,000	\$ 192,000	
# B Stage Curtains	\$ 10,000	\$ 10,000			
#17 Exterior Repairs/Gym Siding	\$ 60,000	\$ 60,000			BOND
Music Hall VAT Abatement	\$ 64,000	\$ 64,000			
Air Compressor	\$ 1,500	\$ 1,500			
Asphalt Resurface	\$ 56,000	\$ 56,000			
Carpet Replacement	\$ 30,000	\$ 30,000			
Controls for Circ. Pump	\$ 10,000	\$ 10,000			
Cooling in Computer Lab	\$ 10,000	\$ 10,000			
Restroom Renovations	\$ 80,000	\$ 40,000	\$ 40,000		
Room Partition Upgrade	\$ 10,000	\$ 10,000			
Chalkboard Replacement	\$ 12,000		\$ 12,000		
Classroom Casework Upgrade	\$ 70,000		\$ 70,000		
Expand Library	\$ 20,000		\$ 20,000		
Exterior Door Replacement	\$ 65,000		\$ 65,000		
Interior Repairs	\$ 40,000		\$ 40,000		
Light Blocking Curtains	\$ 11,000		\$ 11,000		
Lighting Replacement	\$ 136,000		\$ 68,000	\$ 68,000	
Repipe Building	\$ 50,000		\$ 50,000		
Replace Door Hardware	\$ 25,000		\$ 25,000		
Replace sinks and fittings	\$ 15,000		\$ 15,000		
Window Replacement	\$ 78,000		\$ 39,000	\$ 39,000	
Playfield Improvements	\$ 85,000			\$ 85,000	
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>Periwinkle Elementary</b>	\$ 992,000	\$ 155,000	\$ 538,500	\$ 298,500	
#15 Replace Incoming Electrical	\$ 30,000	\$ 30,000			
Carpet Replacement	\$ 30,000	\$ 30,000			
Lighting Replacement	\$ 190,000	\$ 10,000	\$ 90,000	\$ 90,000	
Modular Repair	\$ 5,000	\$ 5,000			
Restroom Renovation	\$ 80,000	\$ 80,000			
Additional Parking	\$ 32,000		\$ 32,000		
Asphalt Resurfacing	\$ 50,000		\$ 10,000	\$ 40,000	
Ceiling Tile Replacement	\$ 95,000		\$ 95,000		
Chalkboard Replacement	\$ 15,000		\$ 15,000		
Communication System Upgrade	\$ 60,000		\$ 60,000		
Exterior Door Replacement	\$ 54,000		\$ 54,000		
Fence Perimeter	\$ 25,000		\$ 25,000		
Field Improvements	\$ 20,000		\$ 20,000		
Interior Repairs	\$ 40,000		\$ 40,000		
Irrigation	\$ 18,000		\$ 18,000		
Light Blocking Curtains	\$ 17,000		\$ 17,000		
Replace Door Hardware	\$ 30,000		\$ 30,000		
Replace Sinks and Fitting	\$ 18,000		\$ 18,000		
VAT Replacement	\$ 29,000		\$ 14,500	\$ 14,500	
Classroom Casework Upgrade	\$ 110,000			\$ 110,000	
Exterior Repairs	\$ 44,000			\$ 44,000	

	Total	A	B	C	Funding?
<b>South Shore Elementary</b>	\$ 997,000	\$ 158,000	\$ 718,000	\$ 121,000	
# 8 Stage Curtains	\$ 10,000	\$ 10,000			
# 13 Playground Asphalt Rehab	\$ 28,000	\$ 28,000			
Carpet Replacement	\$ 76,000	\$ 10,000	\$ 30,000	\$ 36,000	
Exterior Rehab	\$ 50,000	\$ 25,000	\$ 25,000		
Modular Rehab	\$ 40,000	\$ 40,000			
Restroom Renovations	\$ 80,000	\$ 40,000	\$ 40,000		
Soffits	\$ 10,000	\$ 5,000	\$ 5,000		
Brick Re-Pointing	\$ 20,000		\$ 20,000		
Ceiling Tile Replacement	\$ 33,000		\$ 33,000		
Chalkboard Replacement	\$ 16,000		\$ 16,000		
Classroom Casework	\$ 78,000		\$ 78,000		
Communications System Upgrade	\$ 37,000		\$ 37,000		
Exterior Doors	\$ 45,000		\$ 45,000		
HVAC Upgrade	\$ 160,000		\$ 160,000		
Interior Repair	\$ 40,000		\$ 40,000		
Irrigation	\$ 20,000		\$ 20,000		
Light Blocking Curtains	\$ 21,000		\$ 21,000		
Lighting Control	\$ 5,000		\$ 5,000		
Replace Door Hardware	\$ 28,000		\$ 28,000		
Replace Sinks and Fittings	\$ 13,000		\$ 13,000		
Sidewalk extension	\$ 10,000		\$ 10,000		
VAT Abatement	\$ 92,000		\$ 92,000		
Playfield Improvements	\$ 85,000			\$ 85,000	
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>Sunrise Elementary</b>	\$ 1,713,000	\$ 410,000	\$ 750,500	\$ 552,500	
# 6 Window Replacement	\$ 250,000	\$ 150,000	\$ 100,000		
# 6 Exterior Rehab	\$ 75,000	\$ 75,000			
# 8 Stage Curtains	\$ 10,000	\$ 10,000			
Carpet Replacement	\$ 80,000	\$ 40,000	\$ 20,000	\$ 20,000	
Repipe Building	\$ 60,000	\$ 60,000			
Restroom Renovations	\$ 150,000	\$ 75,000	\$ 75,000		
VAT Replacement	\$ 38,000		\$ 38,000		
Asphalt Resurfacing	\$ 56,000		\$ 56,000		
Ceiling Tile Replacement	\$ 130,000		\$ 60,000	\$ 70,000	
Chalkboard Replacement	\$ 16,000		\$ 16,000		
Exterior Door Replacement	\$ 60,000		\$ 60,000		
HVAC Upgrades	\$ 134,000		\$ 134,000		
Interior Renovation	\$ 80,000		\$ 40,000	\$ 40,000	
Light Blocking Curtains	\$ 23,000		\$ 23,000		
Lighting Replacement	\$ 187,000		\$ 93,500	\$ 93,500	
Replace Door Hardware	\$ 35,000		\$ 35,000		
Classroom Casework Upgrade	\$ 150,000			\$ 150,000	
Replace Sinks and Fittings	\$ 25,000			\$ 25,000	
Irrigation Installation	\$ 69,000			\$ 69,000	
Playfield Repair	\$ 85,000			\$ 85,000	
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>Tangent Elementary</b>	\$ 952,500	\$ 29,000	\$ 655,000	\$ 268,500	
# 8 Stage Curtains	\$ 10,000	\$ 10,000			BOND
Gym VAT Replacement	\$ 19,000	\$ 19,000			
Asphalt Repair	\$ 28,000		\$ 28,000		
Boiler Replacement	\$ 62,000		\$ 62,000		
Brick Re-pointing	\$ 57,000		\$ 57,000		
Carpet Replacement	\$ 12,000		\$ 12,000		
Chalkboard Replacement	\$ 8,000		\$ 8,000		
Communications System Upgrade	\$ 40,000		\$ 40,000		
Exterior Door Replacement	\$ 37,500		\$ 37,500		
Field Drainage Upgrade	\$ 69,000		\$ 69,000		
HVAC Upgrades	\$ 120,000		\$ 120,000		
Interior Repairs	\$ 25,000		\$ 25,000		
Light Blocking Curtains	\$ 12,000		\$ 12,000		
Lighting Replacement	\$ 139,000		\$ 69,500	\$ 69,500	
Replace Door Hardware	\$ 25,000		\$ 25,000		
Replace Sinks and Fittings	\$ 15,000		\$ 15,000		
Window Replacement	\$ 75,000		\$ 75,000		
Classroom Casework Upgrade	\$ 90,000			\$ 90,000	
Exterior Repairs	\$ 40,000			\$ 40,000	
Irrigation Installation	\$ 69,000			\$ 69,000	

	Total	A	B	C	Funding?
<b>Takena Elementary</b>	\$ 833,000	\$ 301,000	\$ 349,000	\$ 206,000	
#12 Parking/Playground Asphalt Rehab	\$ 40,000	\$ 40,000			
#8 Stage Curtains	\$ 10,000	\$ 10,000			BOND
Hall VAT Replacement	\$ 36,000	\$ 36,000			
Boiler Replacement	\$ 117,000	\$ 117,000			
Replace Carpet	\$ 18,000	\$ 18,000			
Restroom Renovations	\$ 80,000	\$ 80,000			
Ceiling Tile Replacement	\$ 36,000		\$ 36,000		
Communications System Upgrade	\$ 40,000		\$ 40,000		
Exterior Door Replacement/Hardware	\$ 30,000		\$ 53,000		
Exterior Renovations	\$ 25,000		\$ 25,000		
HVAC Upgrade	\$ 120,000		\$ 120,000		
Interior Repairs	\$ 40,000		\$ 20,000	\$ 20,000	
Playfield Upgrades	\$ 85,000		\$ 30,000	\$ 55,000	
Replace Lights	\$ 25,000		\$ 25,000		
Brick Re-pointing	\$ 71,000			\$ 71,000	
Classroom Casework Upgrade	\$ 45,000			\$ 45,000	
Replace Sinks and Fittings	\$ 15,000			\$ 15,000	
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>Waverly Elementary</b>	\$ 1,591,000	\$ 476,000	\$ 881,500	\$ 213,500	
#14 Gym Siding and Metal Rehab	\$ 75,000	\$ 75,000			
#8 Stage Curtains	\$ 10,000	\$ 10,000			BOND
Hall VAT Replacement	\$ 90,000	\$ 90,000			
Carpet Replacement	\$ 36,000	\$ 36,000			
Ceiling Tile Replacement	\$ 105,000	\$ 25,000	\$ 80,000		
Interior Concrete	\$ 50,000	\$ 50,000			
Interior Renovation	\$ 70,000	\$ 35,000	\$ 35,000		
Restroom Renovations	\$ 120,000	\$ 60,000	\$ 60,000		
Window Replacement	\$ 95,000	\$ 95,000			
Asphalt Repair	\$ 30,000		\$ 10,000	\$ 20,000	
Classroom Casework Upgrade	\$ 120,000		\$ 120,000		
Communications System Upgrade	\$ 50,000		\$ 50,000		
Exterior Door Replacement	\$ 48,000		\$ 48,000		
Exterior Repairs	\$ 150,000		\$ 150,000		
HVAC Upgrades	\$ 55,000		\$ 55,000		
Irrigation	\$ 35,000		\$ 35,000		
Lighting Upgrade	\$ 157,000		\$ 78,500	\$ 78,500	
Playground Improvements	\$ 80,000		\$ 40,000	\$ 40,000	
Repipe Building	\$ 90,000		\$ 90,000		
Replace Door Hardware	\$ 30,000		\$ 30,000		
Parking	\$ 75,000			\$ 75,000	
	\$ 20,000				
	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>Funding?</b>
<b>Fairmount Elementary</b>	\$ 90,000	\$ 35,000	\$ 55,000	\$ -	
Heating in Gym	\$ 15,000	\$ 15,000			
Roof Rehab	\$ 35,000	\$ 20,000	\$ 15,000		
Caulk and Paint Siding	\$ 5,000		\$ 5,000		
Metal Wrap on Gym	\$ 30,000		\$ 30,000		
Paint Doors and Handrails	\$ 5,000		\$ 5,000		

MIDDLE SCHOOLS		\$ 7,927,000	\$ 786,000	\$ 5,109,600	\$ 2,031,400	
		Total	A	B	C	Funding?
Calapooia Middle School		\$ 2,989,000	\$ 275,000	\$ 1,697,000	\$ 1,017,000	
# 3	Replace Storm Water Pumps	\$ 10,000	\$ 10,000			
# 5	Irrigation Well	\$ 70,000	\$ 70,000			
# 8	Stage Curtains	\$ 10,000	\$ 10,000			
# 10	Locker Room Replacement	\$ 185,000	\$ 185,000			
	Additional Parking	\$ 80,000		\$ 80,000		
	Asphalt Repairs	\$ 100,000		\$ 50,000	\$ 50,000	
	Ceiling Tile Replacement	\$ 150,000		\$ 150,000		
	Chalkboard Replacement	\$ 32,000		\$ 32,000		
	Classroom Casework Upgrade	\$ 240,000		\$ 240,000		
	Communications System Upgrade	\$ 75,000		\$ 75,000		
	Extend Canopy to Include Bus Loop	\$ 159,000		\$ 159,000		
	Exterior Door Replace/Hardware	\$ 125,000		\$ 125,000		
	Exterior Repairs	\$ 50,000		\$ 50,000		
	HVAC Upgrades	\$ 280,000		\$ 140,000	\$ 140,000	
	Interior Renovation	\$ 140,000		\$ 140,000		
	Library Carpet Replacement	\$ 25,000		\$ 25,000		
	Light Blocking Curtains	\$ 37,000		\$ 37,000		
	Lighting Upgrade	\$ 140,000		\$ 70,000	\$ 70,000	
	Modular Removal/Storage Replacement	\$ 50,000		\$ 50,000		
	Playground Replacement	\$ 26,000		\$ 26,000		
	Rekey building	\$ 30,000		\$ 30,000		
	Remove/Replace Chimney	\$ 23,000		\$ 23,000		
	Replace Lockers	\$ 120,000		\$ 120,000		
	Sidewalk Repair	\$ 10,000		\$ 10,000		
	Sinks and Fittings	\$ 40,000		\$ 40,000		
	Ventilation Upgrade	\$ 25,000		\$ 25,000		
	Cafeteria Acoustical Trim & AV	\$ 127,000			\$ 127,000	
	Covered Walkway	\$ 32,000			\$ 32,000	
	Field Improvements	\$ 85,000			\$ 85,000	
	Hallway Upgrades/Concrete Repair	\$ 150,000			\$ 150,000	
	Track Replacement	\$ 363,000			\$ 363,000	
		Total	A	B	C	Funding?
Memorial Middle School		\$ 2,394,000	\$ 226,000	\$ 1,765,600	\$ 402,400	
# 3	Replace Storm Water Pump	\$ 10,000	\$ 10,000			
# 8	Stage Curtains	\$ 10,000	\$ 10,000			
# 9	Locker Room Replacement	\$ 156,000	\$ 156,000			
	Back Hall VAT Abatement	\$ 100,000	\$ 50,000	\$ 50,000		BOND
	Asphalt Resurfacing	\$ 176,000		\$ 105,600	\$ 70,400	
	Build Storage Building	\$ 50,000		\$ 50,000		
	Carpet Replacement	\$ 50,000		\$ 50,000		
	Ceiling Tile Replacement	\$ 150,000		\$ 150,000		
	Chalkboard Replacement	\$ 33,000		\$ 33,000		
	Classroom Casework Upgrade	\$ 240,000		\$ 240,000		
	Communications System Upgrade	\$ 75,000		\$ 75,000		
	Exterior Door Replacement	\$ 75,000		\$ 75,000		
	Exterior Renovations	\$ 50,000		\$ 50,000		
	Hallway Upgrades	\$ 246,000		\$ 246,000		
	HVAC Replacement	\$ 335,000		\$ 335,000		
	Interior Repairs	\$ 110,000		\$ 50,000	\$ 60,000	
	Light Blocking Curtains	\$ 33,000		\$ 33,000		
	Locker Replacement	\$ 120,000		\$ 60,000	\$ 60,000	
	Modular Removal	\$ 25,000		\$ 25,000		
	Remove Brick Chimney	\$ 23,000		\$ 23,000		
	Replace Door Hardware	\$ 50,000		\$ 50,000		
	Sinks and Fittings	\$ 40,000		\$ 40,000		
	Ventilation Upgrades	\$ 25,000		\$ 25,000		
	Athletic Field Improvement	\$ 85,000			\$ 85,000	
	Cafeteria Acoustical Trim & AV	\$ 127,000			\$ 127,000	

	Total	A	B	C	Funding?
North Albany Middle School	\$ 2,544,000	\$ 285,000	\$ 1,647,000	\$ 612,000	
#11 Locker Room Renovation	\$ 175,000	\$ 175,000			
# B Stage Curtains	\$ 10,000	\$ 10,000			
Between Rooms 23 & 24, Home Ec. & Caf/VAT Abatement	\$ 100,000	\$ 100,000			BOND
Asbestos Ceiling Tile Abatement	\$ 300,000		\$ 300,000		
Asphalt Replacement	\$ 67,000		\$ 20,000	\$ 47,000	
Chalkboard Replacement	\$ 40,000		\$ 40,000		
Classroom Casework Upgrade	\$ 180,000		\$ 180,000		
Communications Syst. Upgrade	\$ 75,000		\$ 75,000		
Counseling Office HVAC Upgrade	\$ 21,000		\$ 21,000		
Exterior Door Replacement	\$ 75,000		\$ 75,000		
Exterior Renovations	\$ 50,000		\$ 50,000		
Interior Repair	\$ 120,000		\$ 120,000		
Irrigation	\$ 50,000		\$ 50,000		
Light Blocking Curtains	\$ 26,000		\$ 26,000		
Lighting Upgrade	\$ 148,000		\$ 74,000	\$ 74,000	
Playground Replacement	\$ 26,000		\$ 26,000		
Replace Door Hardware	\$ 40,000		\$ 40,000		
Replace Lockers	\$ 120,000		\$ 120,000		
Repaint Brick	\$ 30,000		\$ 30,000		
Restroom Renovation	\$ 100,000		\$ 100,000		
Room Divider Replacement	\$ 50,000		\$ 50,000		
Sinks and Fittings	\$ 25,000		\$ 25,000		
Track Replacement	\$ 363,000		\$ 20,000	\$ 363,000	
Ventilation Upgrade	\$ 5,000		\$ 5,000		
Window Replacement	\$ 200,000		\$ 200,000		
Athletic Field Improvement	\$ 85,000			\$ 85,000	
(2) Tennis Court Resurface	\$ 43,000			\$ 43,000	

HIGH SCHOOLS		\$ 9,990,000	\$ 1,679,000	\$ 6,501,200	\$ 1,809,800	
	Total	A	B	C		Funding?
West Albany High School	\$ 4,714,000	\$ 1,203,000	\$ 2,504,500	\$ 1,006,500		
# 5 Drill Well	\$ 65,000	\$ 65,000				
#18 Air Compressor/Dryer	\$ 5,000	\$ 5,000				
#19 Restroom Renovation	\$ 250,000	\$ 250,000				
Stadium & Kitchen Roof	\$ 100,000	\$ 100,000				
E Hall, Lower F Hall, Career Center, Foods & CSA Rooms Floor	\$ 440,000	\$ 150,000	\$ 290,000			BOND
Kitchen Ventilation Upgrade	\$ 25,000	\$ 25,000				
HVAC Upgrades (Gym)	\$ 493,000	\$ 493,000				
Reactivate 2 Mothballed Restrooms	\$ 115,000	\$ 115,000				
Blackboard Replacement	\$ 60,000		\$ 60,000			
Ceiling Replacement	\$ 231,000		\$ 231,000			
Concrete Repair	\$ 51,000		\$ 51,000			
Exterior Door Replacement	\$ 534,500		\$ 334,000	\$ 200,500		
Exterior Lighting	\$ 20,000		\$ 20,000			
Foods Room Vent	\$ 11,000		\$ 11,000			
Hall Lockers	\$ 221,000		\$ 221,000			
Interior Repairs	\$ 75,000		\$ 75,000			
Irrigation To All Fields	\$ 69,000		\$ 69,000			
Kitchen Appliance Upgrade	\$ 150,000		\$ 150,000			
Light Blocking Curtains	\$ 67,000		\$ 67,000			
Lighting Upgrade	\$ 200,500		\$ 200,500			
Portable Bleachers	\$ 50,000		\$ 50,000			
Replace Door Hardware	\$ 50,000		\$ 50,000			
Replace Sinks and Fittings	\$ 25,000		\$ 25,000			
Window Replacement	\$ 600,000		\$ 600,000			
Athletic Field Upgrades	\$ 256,000			\$ 256,000		
Casework Upgrade	\$ 400,000			\$ 400,000		
Pave Elm Street Parking	\$ 150,000			\$ 150,000		
	Total	A	B	C		
South Albany High School	\$ 5,276,000	\$ 476,000	\$ 3,996,700	\$ 803,300		
# 4 Drill Well	\$ 35,000	\$ 35,000				
#21 Communication System Upgrade	\$ 131,000	\$ 131,000				
Ceiling Tile Replacement	\$ 180,000	\$ 90,000	\$ 90,000			
Fire Detector System Upgrade	\$ 150,000	\$ 150,000				
Modular Rehab	\$ 20,000	\$ 20,000				
Asphalt Resurfacing	\$ 200,000	\$ 50,000	\$ 150,000			
Lighting Upgrade	\$ 200,000		\$ 100,000	\$ 100,000		
Door Hardware Replacement	\$ 150,000		\$ 150,000			
Exterior Door/Frame Replacement	\$ 412,000		\$ 206,000	\$ 206,000		
Art Rooms Casework Replacement	\$ 41,000			\$ 41,000		
HVAC Upgrade	\$ 500,000		\$ 500,000			
Classroom Casework Upgrade	\$ 420,000		\$ 420,000			
Sinks and Fittings	\$ 50,000		\$ 50,000			
Restroom Upgrades	\$ 400,000		\$ 400,000			
Sidewalk Replacement	\$ 100,000		\$ 100,000			
Window Replacement	\$ 500,000		\$ 500,000			
Exterior Renovations	\$ 150,000		\$ 150,000			
Interior Renovations	\$ 400,000		\$ 400,000			
Ceiling Tile Replacement	\$ 240,000		\$ 120,000	\$ 120,000		
Floor Tile Replacement	\$ 127,000		\$ 12,700	\$ 114,300		
Irrigation at Athletic Flds.	\$ 206,000		\$ 70,000	\$ 136,000		
Light Blocking Curtains	\$ 69,000		\$ 69,000			
Chalkboard Replacement	\$ 55,000		\$ 55,000			
Stormwater System Modification	\$ 86,000			\$ 86,000		
Kitchen Equipment Rep.	\$ 169,000		\$ 169,000			
Ventilation Upgrade	\$ 35,000		\$ 35,000			
Student Lockers	\$ 200,000		\$ 200,000			
Portable Bleachers	\$ 50,000		\$ 50,000			

**COOPERATIVE AGREEMENT  
BETWEEN THE CITY OF ALBANY AND  
THE GREATER ALBANY PUBLIC SCHOOL DISTRICT 8J**

**INTRODUCTION**

The city of Albany, Oregon (hereafter called the "City") and the Greater Albany School District 8J (hereafter called the "District"), and collectively referred to as the "parties," hereby agree to establish a cooperative agreement related to planning responsibilities pursuant to ORS 195.020 and ORS 195.110.

**COMPREHENSIVE PLANNING**

The District is identified in the City's Comprehensive Plan as a "special district." As such, the City recognizes the District as a local agency that may have an interest in Albany and its surrounding area.

The City shall provide written notice to the District's designated contact person of any proposed amendments to the City's Comprehensive Plan goals, policies, implementation methods, maps, and support documents that significantly impact school capacity. If requested by the District, the City will provide it with status reports, copies of background studies, plans and ordinances related to planning projects, work schedules and regular meeting dates of the Hearings Board, Planning Commission, the City Council, and any special review committees formed related to planning projects. If the District does not respond or request an extension during the comment period, the City will assume that it has no comment.

The District shall designate a contact person who will be responsible for coordination with the City related to comprehensive planning activities. If requested by the City, the District shall provide it with information needed to maintain the elements of its required planning programs. This shall include, but not be limited to, the following: (a) Copies of requested plans or studies prepared by the District agency that may assist the City in its planning efforts; (b) Participate in public hearings or other meetings. This participation could range from, but is not limited to, submitting written comments to providing a representative to sit as a member of a study committee; and (c) Provide direct assistance in the development of a plan, or study, or assistance with specific planning related problems.

**NEW DEVELOPMENT**

The City will provide the District with notice of all proposed land use applications for new development that may significantly impact school capacity. The District will provide the City with written comments or concerns in response to the notice within the comment period. If the District does not respond or request an extension during the stated comment period, the City will assume that it has no comment.

The capacity of a school facility is not the basis for a development moratorium under ORS 197.505 to 197.540, nor does ORS 195.110 confer any power to a school district to declare a building moratorium.

**WATER SOURCES, CAPITAL FACILITIES, REAL PROPERTY  
INCLUDING RIGHTS OF WAY AND EASEMENTS;**

The City is the ultimate provider of urban services within its Urban Growth Boundary (UGB). The City is also responsible for determining the appropriate zoning of land within its UGB. How and where land is

zoned for various uses is a strong indicator for planning the size and location of facilities such as schools. The City's Comprehensive Plan and implementing ordinances recognize that schools typically are located in residential areas, but that they also may want to locate in certain commercial and industrial zones. The City's Comprehensive Plan and Zoning maps currently do not show locations of any future school sites.

The City has a five-year Capital Improvement Plan (CIP) that identifies and prioritizes public infrastructure needs, such as new and maintenance of existing public streets, water, sanitary sewer and storm facilities, libraries, and parks and recreation sites. The CIP is updated annually.

The District is not funded by the City and therefore it has its own capital facilities and implementation plans. At the District's request, the City will participate in its planning for future school sites. The City's participation may include, but not be limited to, providing City staff to sit on a school-siting committee and providing information on current land use and capital improvement plans.

### **URBAN SERVICES – SPECIAL DISTRICTS**

Since 1988 the City has had intergovernmental agreements (IGAs) with Benton County and Linn County. The IGAs state that the counties will not approve the creation, modification of district boundaries, authority, or responsibility, or engagement of new activities for any special districts pertaining to the urban fringe for the provision of utilities, transportation, recreation, or other public facilities or services unless such districts: (1) recognize the City as the ultimate provider of urban services within its Urban Growth Boundary; and (b) are created with adequate safeguards to assure that the ability of the City to provide adequate services will not be impaired.

The District is a special district that is located within the City and portions of both Linn County and Benton County. As a special district, the District recognizes the City as the ultimate provider for urban services within its Urban Growth Boundary and will not approve any activities, including but not limited to boundary changes and school siting that would impair the City's ability to provide urban services.

### **SCHOOL FACILITIES**

In consultation with the City, the District prepared, and the school board adopted, a Facility Plan for the ten-year period of 2009-2018. This Facility Plan does not identify any school capacity limitations, but indicates that the District does not have an adequate supply of suitable land to accommodate any future school facility needs.

The City shall adopt the District's Facility Plan as a supporting document to the Comprehensive Plan. At the District's request, the City will work with it to identify land for potential future school sites and take necessary actions, including, but not limited to, adopting appropriate zoning and designating site(s) for future schools pursuant to applicable law.

The District shall update its school Facility Plan during the City's periodic review, or more frequently by mutual agreement between the parties.

### **AMENDMENTS**


This cooperative agreement may be amended by mutual written agreement of the parties. The party that wants to amend the agreement shall give notice of its intended amendment in writing to the other party and provide suggested times and places to meet and discuss the proposal. Public notice of all necessary

hearings to amend this agreement shall be in accordance with applicable state and local statutes. An amendment may be approved, denied, or altered by mutual consent of the parties.

**EFFECTIVE DATE**

It is understood that this agreement must be approved by both an order of the District's school board, and by an ordinance of the City. The agreement shall become effective on the date of the last party to sign it.

**GREATER ALBANY PUBLIC SCHOOL  
DISTRICT 8J**

By:   
Title: School District Superintendent

Date Signed: OCTOBER 12, 2009

**CITY OF ALBANY**

By: \_\_\_\_\_  
Title: Mayor

Date Signed: \_\_\_\_\_



TO: Albany Planning Commission  
FROM: Don Donovan, Planning Manager *DD*  
DATE: October 19, 2009, for the October 26, 2009, Planning Commission Meeting  
SUBJECT: Overview of the Development Review Process

### Purpose

Following the public hearing on adoption of the school district's Facility Plan, we have scheduled a short discussion of the development review process. We thought it might be helpful to have a discussion about the process and answer any questions before we bring the next round of Development Code amendments to the Commission for review. Staff will explain how the Development Code is used in reviewing development applications, so Commissioners will have a better understanding of that process.

There is a well defined process that we use to review development applications. Some of the review process is set up to meet state laws about notice and opportunities for public involvement in the process. We have incorporated requirements of state law in the review process set out in the Development Code. Much of the review process is also set up to make sure that design and construction requirements included in the Development Code are met when development is proposed and when it's built. Many of the process requirements are found in Article 1 of the Development Code.

### Background

In 1994, a few developers had expressed concern to the City Council about the development review process, mostly about what are sometimes called exactions. The term "exactions" as used in the context of development review is generally used to refer to any requirement by the City as a condition of approval of a development application. In response to a request by the City Council for staff to give a report on what we were doing in terms of development review, staff wrote a description of the process. Since 1994, when the description was first written, we have updated it a few times to reflect changes in the process. A copy of the description, titled "*Overview of the Development Review Process*," is attached to this memo.

We have found that the *Overview of the Development Review Process* document is a convenient way of framing discussion of particular aspects of the process that we sometimes need to explain.

### Overview of the Development Review Process

Staff thought it might be particularly useful for us to explain the various types of applications that we review and the differences in the review process that each type of application follows. We realized last time we talked with the Planning Commission about applications and processes that there may not be a clear understanding which applications come to the Planning Commission and City Council and which ones are reviewed only by staff.

It will probably be helpful to read the entire attached *Overview* document, but the section that staff will focus on when we frame the discussion at the October 26 meeting, is the section titled "E. Application Process" on page 3 of the document. In short, some applications are reviewed only by staff, some applications are reviewed by Planning Commission, and some applications

are reviewed by both Planning Commission and City Council. The requirements for notice and opportunity for public comment are different for each type of application. Some application reviews require a public hearing and some do not.

Staff intends to go over the Application Process section of the document, but then, equally important, we want to answer any questions Commissioners may have about the review process or about how the Development Code applies to applications.

We plan to schedule a Planning Commission public hearing for November 30, 2009, for the next round of Development Code revisions. We have advised people that have expressed an interest in the past about proposed Development Code revisions what topics will be considered and asked for their comments in advance of the Planning Commission hearing. By talking with people before the hearing, we hope to better understand what their concerns may be and take those into account in the written staff report that will come to the Planning Commission with the proposed revisions. For example, some citizens from North Albany have suggested a number of revisions to the Development Code and we have included some of them in the next round of proposed revisions.

If you have specific questions before the October 26 meeting, or would like staff to prepare to answer specific questions at the meeting, please contact Anne Catlin at 917-7560 or contact me at 917-7561. Anne is preparing the next round of revisions and is most familiar with the details.

Attachment: *Overview of the Development Review Process*

*U:\Community Development\Planning\Current\2009\developmentreviewpcm.dd.docx*

**CITY OF ALBANY**  
**AN OVERVIEW OF THE DEVELOPMENT REVIEW PROCESS**

*This document was originally prepared for a City Council Work Session in 1994. It has been revised three times. The most recent major revisions were made in August 2002. A few minor revisions were made most recently in October 2009. The discussion focuses primarily on the Planning Division's role in land development because the questions the City Council originally had were related to that part of the process and because more recent questions have also related to Planning's role in development review. There is a discussion of the role of the Building Division and the Engineering Division at the end of the document, but it is more limited in scope.*

**I. INTRODUCTION**

A primary responsibility of the Planning Division is the processing and review of land use applications. The Planning Division's responsibility in the development review process begins with an initial contact at the Planning counter and ends with an Approval Letter/Notice of Decision. During the review process, other City departments play a major role—including Building, Fire, Finance, and Public Works/Engineering. These departments provide comments to Planning relating to requirements in the Development Code, Building Code, Fire Code, and other parts of the Municipal Code. The Building Division and the Engineering Division also have other development-related responsibilities that extend into the construction phase of projects. These other responsibilities are summarized in the final two sections of this document.

The Albany Comprehensive Plan is the general description of how we want Albany to look and function. The Comprehensive Plan was written with substantial review and comment from the citizens of Albany including residents, business owners, and those who are involved in developing Albany. The Comprehensive Plan is updated about every 8 years, or so. The most recent update has been in progress since about 1999.

The Albany Development Code implements the Comprehensive Plan by setting forth specific standards for development, such as maximum building heights, water and sewer service requirements, parking, and landscaping. The Development Code is the primary tool we use to evaluate land use applications. The Development Code is also periodically revised in response to changing ideas about how the city should look and in response to new laws.

In administering the Development Code, the Planning Division has two primary goals:

1. To provide excellence in customer service, and
2. To do a quality analysis that will withstand legal review.

The first goal is consistent with the City's mission identified in the City's Strategic Plan: "Providing quality public services for a better Albany community." Our first concern is to deal with customers, including applicants and neighbors, in an honest, accurate, and empathetic manner.

The second goal furthers one of the core values of City employees identified in the Strategic Plan: "Dedication to Service. Our primary duty is to the people we serve. We are accessible, responsive, consistent, and understanding. We provide assistance beyond our customers' expectations, and we find effective solutions to problems that they bring to our attention."

People expect us to do quality work. This goal responds to the legal environment in which Planning and other staff work today. We work within a framework of state land use statutes and local implementing process requirements. Our decisions are subject to challenge before the Planning Commission, City Council, Land Use Board of Appeals (LUBA), and courts.

The basis of every decision we make is a set of review criteria listed in the Development Code. The review criteria vary with the type of application. (Examples of Conditional Use and Site Plan Review criteria are included at the end of this document as Attachment "B.")

## II. THE DEVELOPMENT REVIEW PROCESS

(Much of this process is described in Article 1 of the Development Code.)

A. **Initial contact with the applicant.** Generally, the applicant comes in or calls to find out what they need to do to submit an application and to find out what the development standards are for a specific development proposal. We give them an application and a copy of development standards, and tell them about our pre-application process. There are two things we always need to review a development proposal: a complete application, and a drawing that shows the proposed development. The application asks for the property owner's and applicant's names, a legal description of the property, and a short description of the proposal. The drawing must show the property, existing conditions, and the location of the new development. The applicant often contacts the Engineering Division at this point to find out if sewer and water service are available. Infrastructure issues may be complex.

B. **Pre-application meeting.** In most cases, a pre-application meeting is required before a development application is submitted. At the pre-application meeting, we try to make sure the applicant is aware of our requirements and the issues raised by their proposed development. The meeting is attended by Engineering and Planning staff, and staff from other departments and/or agencies that may have an interest in the development proposal. Prior to the meeting, the applicants submit a description and drawings of their proposal, and these are routed to other departments and agencies so they can provide comments to the applicant at the pre-application meeting. We usually give these organizations 5 to 14 working days to respond with preliminary comments.

What we hope to do at the pre-application meeting is provide the applicant with a summary of issues that they should address in their application. Issues frequently include street and sewer improvements, site development standards (such as density, parking, landscaping), and pending assessments. This is usually the first opportunity for other departments to consider whether the infrastructure needed to support development at a specific location is in place.

Representatives of a variety of City departments attend the preapplication meeting. This is the "one-stop" opportunity applicants may be looking for in having their project reviewed. Applicants have all the relevant departments in one room at one time and can ask questions they may have related to any aspect of the review process that will be set in motion when they submit an application. It is an opportunity for applicants to gather valuable information they will need to help evaluate the feasibility of their project.

C. **Neighborhood meeting.** Applicants for some developments, such as apartment projects adjacent to single-family zoning districts and subdivisions with more than 10 lots, must hold a meeting with neighbors to present information and answer questions about the proposed development. The meeting must be held before an application is submitted. This is an

opportunity for the developer and neighbors to talk about the project before the formal application process begins. It provides a forum to identify neighborhood concerns and address them early on.

- D. Application submitted.** Ideally, the applicant has assembled in the application all of the information we need to evaluate the proposed development. Planning staff has 30 days to determine whether the application is complete. State law requires cities to take final action on a land use application within 120 days after the application is deemed complete. The 120 days can be extended if the applicant requests an extension. The maximum number of days the limit can be extended is 245 days.

A review rarely takes 120 days. The Planning Division typically completes a staff review of land use applications within 6 to 8 weeks of receiving a complete application depending on complexity and work load. It is not unusual, however, for staff to request additional information because an application is not complete when first submitted. This situation results in a longer timeline for reviewing the application. If a public hearing is required, the first hearing is typically scheduled within 8 weeks of receiving the application. If hearings before the Planning Commission and City Council are required the time needed for review is longer.

- E. Application process.** There are five types of review of applications: Type I, Type I-L, Type II, Type III, and Type IV.

Type I's are staff decisions with no notice to surrounding property owners and no public hearings. Examples of Type I's are a change of use in an existing building from one use to another that will have no additional impact on the surrounding neighborhood, and final subdivision plats.

Type I-L's (Limited Land Use Decisions) require notice to surrounding property owners of a development application. (State law requires the notice.) The notice area is 100 feet, except for apartment projects, manufactured home parks, and subdivisions where the notice area is 300 feet. The notice gives people 14 days to submit comments on the development proposal. These comments are considered when the staff report and decision are prepared. There is no public hearing on these applications, unless the Community Development Director decides there is a policy issue involved, in which case a public hearing may be held before the Planning Commission. Appeal of all Type I-L staff decisions, except apartments, manufactured home parks, and subdivisions, is currently to LUBA. Appeal of apartments, manufactured home parks, and subdivisions is to the Planning Commission. Tentative subdivision and partition plats, and site plan reviews are Type I-L decisions.

Type II's are decisions made by staff, but with an opportunity for someone to ask for a public hearing if they do not agree with the staff decision. The initial staff decision is mailed to surrounding property owners. A public hearing before the Planning Commission is scheduled only if the applicant or a property owner who received notice asks for one. If no public hearing is requested, the staff decision is final. Type II's are applications such as modifications to non-conforming uses and variances.

Type III's require notice and a public hearing before the Planning Commission. The Planning Commission can be appealed to City Council. Type III applications include land divisions in floodplains and interim Planned Development applications, for example.

Type IV's generally involve a policy decision. Notice to surrounding property owners and a public hearing before both the Planning Commission and the City Council is required. Zoning Map Amendments and amendments to the Comprehensive Plan are examples of Type IV applications.

Applications are routed to City departments and other jurisdictions or agencies that have an interest in a proposed development. This is the stage at which each department must evaluate the proposed development for conformance with approval standards.

- F. Evaluation of the application.** Staff is required by Oregon statutes (laws) to write findings and conclusions that evaluate every land use application. The staff report must state the review criteria, present findings of fact, and draw conclusions about whether the development proposal meets, does not meet, or can meet with conditions, the applicable review criteria. This is a time-consuming task, especially for complex cases. Increased scrutiny from applicants, opponents of proposed developments, and courts, in addition to a significant number of development proposals over the last several years, have put an increased demand on Planning Division and other staff for quick, complete, and accurate performance.

Staff looks at existing conditions (such as the existing transportation system), the impact of the proposed development, and future improvements identified in utility master plans. Then we make a determination whether the existing systems are adequate to accommodate the proposed development, or whether improvements are needed. Other review criteria require an evaluation of whether the proposed development is "compatible" with surrounding development.

- G. Decision.** Planning Division staff, Planning Commission, or City Council must make a decision whether the proposed development meets Development Code review criteria. The decision can be approval, denial, or approval with conditions. The most frequent outcome is approval with conditions. This decision means that the development does not meet the review criteria as proposed, but can meet the criteria if certain conditions are met. This is where the questions of "rational nexus" and "rough proportionality" arise.

The issue of rough proportionality, in particular, has been an important topic of discussion for several years now among planners, applicants, property rights advocates, courts, and others. Essentially, government may impose regulations or conditions that are necessary to meet a need created by a proposed development. We may not impose regulations or conditions that satisfy what may be a public need, but that exceed the need created by a specific development proposal, unless the required improvement is the minimum necessary to serve the development. It is often difficult to determine what proportion of a needed public improvement is made necessary by a particular development and what part will benefit the greater public.

For example, staff may recognize a need to improve the storm drainage system in the area of a proposed development. The need for the public improvement may be created by a particular development, but it may also serve many other properties. Strictly speaking, the applicant can be asked to fund only the part of the improvement that is needed for their particular development. It is here that a situation may some times be created where the applicant may disagree with the staff evaluation, and appeal the decision to the City Council or to LUBA.

The defining challenge to a City's conditions of approval was heard by the U.S. Supreme Court in 1994. In *Dolan v. City of Tigard* (Oregon), the City asked the applicant to dedicate a

storm drainage easement and land for a bike path, but the Court decided the City had not adequately supported their decision. The Court said the dedication of land which the City was asking for had to be “roughly proportional” to the impact of the development proposed by the Dolans. This concept has been extended by courts to other exactions, such as infrastructure improvements. Oregon law now requires a City to pay attorney’s fees where conditions are challenged and the appellant wins.

- H. Conditions of approval.** At the time staff has finished writing the land use decision that will be delivered to the applicant, we know what the conditions of approval will be. In cases where the applicant may not have expected a particular condition, we often contact the applicant before mailing out the decision document. We want the applicant to be aware of conditions of approval, and give them an opportunity to discuss them prior to the time that a formal process will be required to appeal any of the conditions. If the Planning Commission and/or City Council is making the decision, the conditions of approval may be a topic of discussion at the public hearing. Final conditions of approval are presented to the applicant and other parties in the staff report and notice of decision.
- I. Other City requirements.** Routinely included with the notice of decision document provided to the applicant is a list of other City, County, or State requirements that are not part of the land use decision. Requirements may include Municipal Code, Fire Code, and Planning and/or Engineering process requirements. An example of the type of information included is a summary of the requirements for filing a final subdivision plat with the County.
- J. Monitoring conditions of approval.** Some conditions of approval must be satisfied prior to issuance of building permits, but others are not required until later. (One example is landscaping requirements. Landscaping must be done before occupying a new building. Under some circumstances, primarily weather, it can be completed later.) Most conditions of approval are met by applicants, but occasionally they are not.

Enforcement of conditions of approval is some times difficult after building permits have been issued. Certificates of occupancy are not required for most residential construction, and may not be needed for commercial and/or industrial developments. Prior to final building inspection, or issuance of a certificate of occupancy, Planning staff inspects the development to make sure all Planning conditions of approval have been met. Engineering staff inspects public improvements.

### **III. BUILDING DIVISION CONSTRUCTION RESPONSIBILITIES**

The Building Division is responsible for enforcing State Building Codes (structural, mechanical, and plumbing), the Abatement of Dangerous Building Code, and issuing Grading Permits and Sign Permits. They currently also assist with enforcing conditions of approval and other Development Code requirements. Community Policing officers also help enforce some Development Code regulations in some situations. The City also has a code enforcement team that decides how to expend limited resources on serious code violations.

The Building Division's principal role in the development process begins with an application for a building permit. A building permit application can be submitted at the same time the land use application is submitted. All work on buildings, except minor alterations or repairs, require plans to be submitted with an application for building permits. One and two family dwelling applications are reviewed for compliance with Development Code requirements such as building setbacks from

property lines, maximum height of structures, and floodplain development standards. Commercial development applications are reviewed for compliance with the conditions of approval that resulted from site plan review.

#### IV. ENGINEERING DIVISION CONSTRUCTION RESPONSIBILITIES

When public improvements, such as sewer lines and water lines, are required to be constructed as a condition of land use approval, a developer has two options available to accomplish those improvements. They can be constructed privately, through the Site Improvement (SI) process, or a Local Improvement District (LID) can be formed to construct the improvements through a public contract. All public improvements must be built, or financial assurances for their construction must be in place, before final partition and subdivision plat, or building permits are approved. The Engineering Division begins their review of construction plans only after Planning's Notice of Decision has been issued. The Engineering Division has to know what are the conditions of approval related to public improvements before they can review the plans.

Site Improvement Process: This process can be used to construct improvements privately. The developer hires a private engineer to provide design and construction services. The engineer submits plans and specifications for review and approval by the City's Engineering Division. If revisions are needed so the proposed work conforms with City standards, the private engineer makes the revisions, and the plans and specifications are approved. When the developer is ready to construct the improvements, the private engineer assumes responsibility for obtaining a permit and constructing the public improvements privately.

During construction, the private engineer is responsible for monitoring and inspecting the work to ensure public standards are met. City Engineering staff will visit these projects occasionally to verify that work is being done properly, but detailed construction inspection is the responsibility of the private engineer. After construction is completed and the private engineer certifies that all the work was done to City standards, the City accepts the public improvements and responsibility for maintenance.

The fees collected during the plan review and construction permit process reimburse the City for approximately 50% of the staff time expended on the Site Improvement process.

Local Improvement District Process: This process can be used to construct improvements publicly and is initiated when a petition is submitted to the City asking for improvements to be made. A copy of the petition is forwarded to City Council. The Council then decides whether or not to proceed with investigating the project, and if so, directs Engineering and Finance to prepare reports on the project. If directed to proceed, engineering and financial reports are generated using a general scope of work and preliminary cost estimates. Staff recommends a benefited area boundary and assessment methodology. This information is included in the reports and presented to Council for a public hearing.

At the public hearing the Council hears testimony and decides whether or not to initiate the LID. If the Council adopts the reports and directs staff to proceed, Engineering will finalize the scope of work, generate a detailed design for the project, advertise for public bids, and award the construction contract. Following construction, final payments are made and project costs are accounted for.

Final Engineer and Finance reports are prepared based on actual construction costs plus engineering, legal, and administration costs, and the final amount to be assessed is distributed to the properties.

The LID process takes 6 - 12 months to meet all the requirements for holding public hearings, preparing Engineer reports and complying with State public bidding laws.

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DEVELOPMENT CODE PURPOSES (FROM ARTICLE I)

The general purpose of this Code is to set forth and coordinate City regulations governing the development and use of land. The Code is more specifically intended to do the following:

- (1) Serve as the principal vehicle for implementation of the City's Comprehensive Plan in a manner which protects the health, safety, and welfare of the citizens of Albany.
- (2) Satisfy relevant requirements of federal law, state law, statewide goals, and administrative rules.
- (3) Facilitate prompt review of development proposals and the application of clear and specific standards.
- (4) Provide for public information, review, and comment on development proposals which may have a significant impact on the community.
- (5) Guide public and private planning policies and actions to ensure provision of adequate water, sewerage, transportation, drainage, parks, open space and other public facilities and services for each development.
- (6) Establish procedures and standards requiring that the design of site improvements and building improvements are consistent with applicable standards and flexible design guidelines.
- (7) Provide for review and approval of the relationship between land uses and traffic circulation in order to minimize congestion, with particular emphasis on not exceeding the planned capacity of residential streets.
- (8) Require that permitted uses and development designs provide reasonable protection from fire, flood, landslide, erosion, or other natural hazards as well as prevent the spread of blight, and aid in the prevention of crime.
- (9) Protect and enhance the City's aesthetic beauty and character.
- (10) Protect constitutional property rights, provide due process of law, and give consideration in all matters to affected property owner interests in making land use decisions.

CONDITIONAL USE REVIEW CRITERIA

- (1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.
- (2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping; or, the proposal calls for mitigation of difference in appearance or scale through such means as setbacks, screening, landscaping or other design features.
- (3) The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.
- (4) Public services for water, sanitary and storm sewer, water management and for fire and police protection are capable of servicing the proposed use.
- (5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to:
  - (a) Noise, glare, odor, litter, and hours of operation.
  - (b) Privacy and safety issues.

SITE PLAN REVIEW CRITERIA

- (1) Public utilities can accommodate the proposed development.
- (2) The transportation system can safely and adequately accommodate the proposed development.
- (3) Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.
- (4) The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.
- (5) Any special features of the site (such as floodplains, hillsides, wetlands, riparian corridors, topography, hazards, vegetation, wildlife habitat, archaeological sites, historic sites, etc.) have been adequately considered and utilized.