

APPENDIX I

AGENCY INVOLVEMENT PROGRAM

The City of Albany recognizes its responsibility to implement an agency involvement and coordination program to assure an effective working relationship with those local, state, and federal agencies which may have an interest in Albany and its surrounding area. The City's implementation program provides:

1. Agencies with status reports of current planning efforts, work schedules, and regular meeting dates of the City Planning Commission and the City Council.
2. On request, copies of studies, plans, and ordinances related to the City's planning program.
3. Notice of other public hearings and/or meetings when applicable.

The City coordinates all land-use activities with governmental agencies and private utilities, often utilizing plans or studies prepared by other agencies or direct assistance in the development of a plan or study. The following agencies received and had the opportunity to review background material, and/or goals and policies of the Comprehensive Plan.

LOCAL AGENCIES

Albany Area Chamber of Commerce
Albany Downtown Association
Albany-Lebanon Sanitation Company
Albany-Millersburg Economic Development Corporation
Albany Parks and Recreation Commission
Albany Planning Commission
Benton County Board of Commissioners
Benton County Planning Commission
City of Corvallis
City of Millersburg
Community Services Consortium
Friends of Historic Albany
Greater Albany Public School District 8J
Landmarks Advisory Commission
Linn-Benton Community College
Linn-Benton Housing Authority
Linn County Board of Commissioners
Linn County Planning Commission
Northwest Natural Gas
Oregon District 4 Council of Governments
Pacific Power and Light
Senior and Disabled Services
Southern Willamette Research Corridor
U.S. West Communications

STATE AGENCIES AND BUSINESS ORGANIZATIONS

American Planning Association - Oregon Chapter
1000 Friends of Oregon
Oregon Business Planning Council
Oregon Manufactured Housing Dealers
Public Utility Commissioner
State Board of Higher Education
State of Oregon -
 Department of Agriculture,
 Department of Energy
 Department of Environmental Quality
 Department of Fish and Wildlife
 Department of Geology and Mineral Industries
 Department of Human Resources - Employment Division
 Department of Land Conservation and Development
 Department of Transportation
 Department of Transportation - State Historic Preservation Office
 Department of Water Resources
 Division of State Lands
 Economic Development Department
 Health Division
 Housing Division
 Intergovernmental Relations Division

FEDERAL AGENCIES

Bonneville Power Administration
Bureau of Land Management
Army Corps of Engineers
Department of Housing and Urban Development
Environmental Protection Agency
Farmers Home Administration
Fisheries and Wildlife
Northwest Power Planning Council
Soil Conservation Service
Soil and Water Conservation District
Upper Willamette R. C. & D.
U.S. Forest Service
U.S. Geological Survey

APPENDIX IIA

CITIZEN COMMITTEES

The following citizen advisory committees were responsible for reviewing background reports, for providing input into development of Comprehensive Plan goals and policies, and for assisting the Comprehensive Plan Review Committee with developing the Comprehensive Plan:

Albany City Council

Albany Chamber of Commerce

Albany Citizen Involvement Sub-Committee

Albany Comprehensive Plan Review Committee

Albany Downtown Association

Albany Hearings Board

Albany Landmarks Advisory Commission

Albany Parks and Recreation Commission

Albany Planning Commission

Albany Public Works Committee

Benton County Board of Commissioners

Benton County Planning Commission

Linn County Board of Commissioners

Linn County Planning Commission

APPENDIX IIB

RESOLUTION NO. 2551

AMENDING RESOLUTIONS 1750 AND 1759, WHICH ESTABLISHED THE NEIGHBORHOOD PLANNING PROGRAM AND THE ALBANY COMMITTEE FOR CITIZENS' INVOLVEMENT AND RESOLUTION 2042 WHICH AMENDED RESOLUTION 1750 TO ALLOW FOR THE ADDITION OF NEIGHBORHOOD REPRESENTATIVES FROM NORTH ALBANY, SOUTH ALBANY, EAST ALBANY, AND MILLERSBURG TO THE COMMITTEE FOR CITIZENS' INVOLVEMENT.

WHEREAS, the City of Albany has formally adopted a Neighborhood Planning Program (Resolution No. 1750) in 1975 as the basis for creating a Committee for Citizen Involvement for a communitywide Citizen's Involvement Program; and

WHEREAS, the City of Albany formally adopted a Committee for Citizen Involvement (Resolution No. 1759) in 1976 to meet the Citizen Participation statewide planning Goal 1 requirements of the Land Conservation and Development Commission; and

WHEREAS, the City of Albany adopted Resolution 2042 in 1979 which amended Resolution 1750 to include representatives from those area of Albany's Preliminary Urban Growth Boundary outside the city limits as part of the Citizen Involvement Program for purposes of developing the Albany Comprehensive Plan; and

WHEREAS, the Albany Comprehensive Plan was adopted by the City on December 17, 1980, and subsequently acknowledged by the Land Conservation and Development Commission in November 1982 as being in compliance with statewide planning goals; and

WHEREAS, following acknowledgement of the Comprehensive Plan, the Committee for Citizen Involvement ceased to function due to completion of the Plan and the lack of other business; and

WHEREAS, it is necessary to provide for a review and update of the Albany Comprehensive Plan Periodic Review mandated by the 1983 Oregon Legislature, subsequent rules adopted by the Land Conservation and Development Commission, and the internal update and review of goals and policies of the Albany Comprehensive Plan; and

WHEREAS, the updated Albany Comprehensive Plan is scheduled for review by the Land Conservation and Development Commission during the last half of 1987; and

WHEREAS, it is necessary to adopt a revised Citizen Involvement Program because: 1) the nature and scope of the Periodic Review and Update process is significantly different than the initial comprehensive planning effort, 2) since acknowledgement of the Comprehensive Plan in 1982, the previous citizens' involvement process no longer operates, and 3) the neighborhoods that formed the basis of the Committee for Citizen Involvement have not been active or organized regarding comprehensive planning issues.

WHEREAS, it is the intent of the City of Albany to adopt a new Citizen Involvement Program to meet the requirements of the Albany Comprehensive Plan for the specific task of Comprehensive Plan Review and Update, and involve as broad a cross section of the community as possible.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that a revised Citizen Involvement Program is hereby established as outlined in attached Exhibit A.

Dated this 24th day of July, 1985.

The original Resolution was signed by Gary Holliday, City Recorder, and Tom Holman, Mayor.

APPENDIX IIC
CITY OF ALBANY
COMPREHENSIVE PLAN REVIEW AND UPDATE
CITIZEN INVOLVEMENT PROGRAM
(EXHIBIT A)

PERIODIC REVIEW

As per the requirements of OAR 660-19-060, Division 19, Periodic Review; the City of Albany Citizen Involvement Program shall be used to provide adequate participation opportunities for citizens, other interested persons, and affected jurisdictions and agencies in all phases of the Albany Comprehensive Plan Periodic Review and Update.

The City shall issue a specific, written notice informing citizens in the community and other persons requesting such notice about the initiation of Comprehensive Periodic Review. The requirements of OAR 660, Division 19, Periodic Review shall be followed to provide for subsequent procedural coordination with the Department of Land Conservation and Development and other affected local, state, and federal agencies.

PUBLIC INFORMATION AND NOTIFICATION

The following opportunities shall be provided to ensure that Albany's citizens and other affected groups and agencies are involved in every phase of the planning process:

1. Published notice of the Comprehensive Plan Review Committee meeting dates, times, and agendas shall appear in at least one local publication a minimum of five days prior to each meeting. The general public shall be invited to attend the CPRC meetings to provide input and comment.
2. When appropriate, other media shall be utilized to inform citizens including newsletters, posters, radio, and television. Also questionnaires, neighborhood meetings, and workshops shall be utilized, when appropriate, to provide citizen feedback to the CPRC and other appointed and elected officials.
3. Review and input shall be solicited from the Albany area special committees, boards, commissions, and interest groups in their specific areas of expertise that are subject to Comprehensive Plan review and update.
4. Copies of all reports, technical information, or minutes of proceedings shall be made available to the public upon written request. In addition, copies of all technical information and reports shall be made available for review by the general public at the Planning Department offices and at the two City Libraries.
5. Prior to the formal public hearing process to consider changes to the Comprehensive Plan, the public shall be notified by a combination of the above means to provide input and feedback on proposed changes to goals, policies, and implementation methods.

These opportunities for public input prior to formal adoption shall occur at the following times:

1. At public workshops to review final recommendations of the CPRC to the Albany City Council for changes to Comprehensive Plan goals, policies, and implementation methods.
2. During City Council deliberations of CPRC recommendations prior to setting date(s) for final public hearing(s) to consider formal adoption of changes to the Comprehensive Plan.

- Public hearings will be the formal point of input.

PUBLIC HEARINGS

After review of all CPRC recommendations and receipt of public input, the City Council shall move to set the date(s) for public hearing(s) to consider formal legislative adoption of changes or revisions to the Albany Comprehensive Plan.

All procedural requirements of OAR 660, Division 19, Periodic Review shall be followed to provide for coordination with the Department of Land Conservation and Development and other affected local, state, and federal agencies.

Following formal adoption, the revised Albany Comprehensive Plan and all associated background information and implementation methods shall be forwarded to the Land Conservation and Development Commission and the Department of Land Conservation and Development for review and approval.

CITIZEN INVOLVEMENT OPPORTUNITIES OUTSIDE PERIODIC REVIEW PROCESS

The City of Albany shall continue to utilize the public notice and hearing requirements outlined in Articles 2, 3, and 4 of the Albany Development Code to provide for public participation in land use planning issues.

The Albany Development Code provides for public participation through the following means.

- TYPE II PROCEDURES:** Major Partitionings, Type II Variances, Conditional Use Permits, Modifications to Non-Conforming Uses, Final Planned Development Plans, Greenway District Use Permits, Floodplain Excavation and/or Fill Permits are included.

Notice of the proposal to all abutting property owners and those separated from the development site by a public utility, street, or railroad right-of-way except for Conditional Use Permits which shall require notices to be sent to all property owners within 300 feet.

The notice summarizes the relevant facts related to the proposed action and invites the recipient to submit additional information and comments based on the criteria of the Albany Development Code. The notice also advises the recipient of his\her right to request a public hearing on the matter.

The Director may also require the applicant to post notice on the property within three (3) days of filing and remain posted for seven (7) days or until the date of the public hearing, whichever is longer. The Director may also, at his\her discretion, choose to initiate a public hearing and provide notice as outlined above.

- TYPE III PROCEDURES:** Interim Planned Developments, Preliminary Subdivision Plats, and Future Street Plans are included.

Under the Type III procedures, an application is automatically scheduled before the Planning Commission. All property owners within 300 feet of the development site receive notification. In addition, notices are also posted on the property at least seven (7) days prior to the Planning Commission hearing and remain until a decision is rendered.

- TYPE IV PROCEDURES:** Zone Changes, Comprehensive Plan Amendments, Annexations, and Street Vacations are included.

Notice and posting procedures as outlined above are required for these development actions prior to the public hearing and City Council review.

4. **LEGISLATIVE ACTIONS:** The Director may prepare a notice to reach persons believed to have particular interest and to provide the public with reasonable opportunity to be aware of the hearings on legislative proposals.
5. **PUBLIC HEARINGS:** In addition, to persons receiving notice as required by the matter under consideration, the Director may provide notice to others s/he has reason to believe are affected or otherwise represent an interest that may be affected by the proposed development. Required notice shall also be published in a newspaper of general circulation at least once during the week preceding the hearing and additional notices as may be required by Oregon State laws for a particular proceeding.

CONTINUING CITIZEN INVOLVEMENT

It is the intent of the City to assure the continued involvement of Albany's citizens in land use matters and to measure the effectiveness of the Citizen Involvement Program after the task of Comprehensive Plan review and update is completed. This Citizen Involvement Committee (CIC) shall be formed from the Comprehensive Plan Review Committee. The CIC shall report periodically to the Planning Commission regarding the following:

1. The effectiveness of the Citizen Involvement Program in providing opportunities for citizen participation.
2. Methods to improve the City's Citizen Involvement Program.
3. Specific and procedural problems regarding the Citizen Involvement Program.

AGENCY INVOLVEMENT PROGRAM

The City of Albany has a responsibility to implement an Agency Involvement and Coordination Program to assure an effective working relationship with those local, state, and federal agencies which may have an interest in Albany and its surrounding area. As with the initial development of the current Albany Comprehensive Plan and its implementation ordinances, agency involvement will continue to be of importance.

The Albany Comprehensive Plan periodic review and update process shall consider and incorporate the plans of all units and levels of government within the Albany area. This is determined to be necessary in order to provide a common focus for decisions by the various agencies and jurisdictions regarding development or conservation issues of mutual concern.

Therefore, any goal, policy, or implementation method changes proposed by the Plan update process and subsequent implementation methods shall be reviewed and agreed to by:

1. Each special district having any land-related responsibilities within the Albany planning area such as water, sewer, solid waste, schools, roads, irrigation, fire and crime protection, soil conservation, etc.
2. Each state and federal agency having responsibility for regulations, standards, services, property, or the operation and maintenance of facilities in the area.
3. Optimally, semi-public agencies such as electric power and telephone companies, solid waste disposal, natural gas distribution, and certain special service providers because of the direct impact of public decisions.

Throughout the Comprehensive Plan review and update process and the ensuing implementation of the Plan, the City shall:

1. When applicable, provide agencies with status reports of all planning efforts, work schedules, and regular

meeting dates of the Comprehensive Plan Review Committee, Hearings Board, Planning Commission, and the City Council.

2. Upon written request, provide copies of studies, plans, and implementing ordinances related to the City's planning program.
3. Provide notice of public hearings and special meetings when it is determined that it is in the best interest of the City, the general public, and the specific agency(s) to have notice and the opportunity to participate.
4. Request that all coordinating agencies designate a contact person who will be responsible for coordination with the City.
5. Request that each coordinating agency continue to provide the information which is needed by the City to maintain the elements of its required planning program. This shall include, but not be limited to the following:
 - A. Provision of plans or studies prepared by the agency or jurisdiction that may assist the City.
 - B. Participation by the affected agency(s) or jurisdiction(s) in public hearings or other meetings.
 - C. Direct assistance by the agency in the development of a plan or study or assistance with specific planning-related problems.
6. Utilize the A-95 Clearinghouse Review and other functions of the Oregon District 4 Council of Governments and the State Intergovernmental Relations Division to encourage and enhance intergovernmental coordination.
7. Utilize the services of the Department of Land Conservation and Development Division's field representative to facilitate intergovernmental coordination and to assist in identifying and resolving conflicts.

Agency coordination shall include, but not necessarily be limited to, the following agencies:

LOCAL AGENCIES

Albany Area Chamber of Commerce
Benton County Board of Commissioners
Benton County Planning Commission
City of Corvallis
City of Millersburg
City of Tangent
Consumers Power
Greater Albany Public School District 8J
Linn-Benton Community College
Linn-Benton Housing Authority

Linn-Benton Education Service District
Linn County Board of Commissioners
Linn County Planning Commission
Northwest Natural Gas Company
Oregon District 4 Council of Governments
Pacific Power and Light Company
U.S. West Communications

STATE AGENCIES

American Planning Association - Oregon Chapter

1000 Friends of Oregon

Oregon Business Planning Council

Oregon Manufactured Housing Dealers

Public Utility Commissioner

State Board of Higher Education

State of Oregon -

Department of Agriculture,

Department of Energy

Department of Environmental Quality

Department of Fish and Wildlife

Department of Geology and Mineral Industries

Department of Human Resources - Employment Division

Department of Land Conservation and Development

Department of Transportation

Department of Transportation - State Historic Preservation Office

Department of Water Resources

Division of State Lands

Economic Development Department

Health Division

Housing Division

Intergovernmental Relations Division

FEDERAL AGENCIES

Bonneville Power Administration

Bureau of Land Management

Army Corps of Engineers

Department of Housing and Urban Development

Environmental Protection Agency

Farmers Home Administration

Fisheries and Wildlife

Northwest Power Planning Council

Soil Conservation Service

Soil and Water Conservation District

Upper Willamette R. C. & D.

U.S. Forest Service

U.S. Geological Survey

APPENDIX III

GLOSSARY

ACTIVE, PASSIVE SOLAR SYSTEMS - Active or indirect solar heating utilizes heat collection which is separate from the area being heated, with a mechanical method of transferring heat between the two areas. A passive solar system is any method which requires no external energy input to collect and disperse solar heat. In new building design this means utilizing site design, building orientation, window placement, insulation, vegetation, etc. to heat and cool a building. Passive solar systems may also include the addition of such solar collectors as greenhouses or water traps or improved insulation or weatherization techniques.

AIRSHED - An area where certain air conditions prevail. Depending on what conditions are specified, the airshed could be large (the Willamette Valley) or quite localized, such as the Albany-Millersburg area.

ALBANY AREA - For the purpose of tabulating economic statistics, the Albany area consists of the area within the 97321 zip code which includes Albany, North Albany, Millersburg, and some rural areas in Linn County surrounding the Albany urban area, but is not limited to the Urban Growth Boundary. It does not include Tangent or the Highway 34 area between Corvallis and Interstate 5.

ALBANY PRIMARY ABATEMENT AREA - The area designated by the Department of Environmental Quality (DEQ) for special monitoring and study of air quality. It encompasses approximately 24 square miles extending north of Millersburg, east to nearly Lebanon, south between Albany and Tangent, and west to the Willamette River.

AQUIFER - Any geologic formation containing water, especially one that supplies water for wells, springs, etc.; groundwater.

ARTERIAL - A major street which functions primarily to move large amounts of traffic.

BERM - A manmade mound or small hill of earth used to deflect sound or used as a buffer in landscaping to separate incompatible areas or to provide aesthetic enhancement in site design.

BIKE PATH, LANE, WAY - A bike path is completely separated from vehicular traffic and within an independent right-of-way or the right-of-way of another facility. A bike lane is part of the roadway or shoulder or delineated by pavement markings and signs. A bikeway is any trail, path, part of a highway or shoulder, sidewalk, or any other travelway specifically signed and/or marked for bicycle travel.

BUFFER, BUFFERING - An area which provides a separation between potentially conflicting land uses.

BUILDABLE LANDS - Lands in urban and urbanizable areas that are suitable, available, and necessary for urban uses.

CAPITAL IMPROVEMENT PROGRAM - A government schedule showing how permanent facility improvements, such as streets, sewers, etc. will be scheduled and financed. Capital Improvement Programs (CIP's) show funding from both City and outside sources and are usually projected 4 to 6 years in advance and updated annually.

COLLECTOR - A major street which transports traffic from local streets to the arterial street system. It supplies abutting properties with the same degree of service as a local street.

COMPREHENSIVE PLAN - A set of public policy decisions dealing with how the land, air, and water resources

of the jurisdiction are to be used.

Compensatory Cut and Fill removed. [Ord. 5042, 4/14/1993]

COST-EFFECTIVE - For the purpose of energy conservation planning, cost-effective means any weatherization measure which would have a reasonable payback period for the consumer, usually identified as 15 to 20 years in which the measure would pay for itself.

CRITERIA AND NON-CRITERIA POLLUTANTS - Criteria pollutants are those air pollutants monitored by the DEQ, including suspended particulate, sulphur dioxide, carbon monoxide, ozone, nitrogen dioxide, and hydrocarbons. Theoretically, reliance on state and federal standards and monitoring of these pollutants could result in Albany meeting minimum air quality levels in the area. Non-criteria pollutants are those air pollutants for which no standards exist. In the Albany area these may include such industrial emissions as hydrogen chloride, methyl isobutyl ketone (MISK), chlorine, and phosgene. Some of these non-criteria pollutants are monitored by local industries but there is little available information on their long-term effects.

CUTBANK - Steep bank on the eroding, outside bend of a river. Albany's downtown is located on a south cutbank of the Willamette River.

DENSITY - The number of living units per acre of land. Density ranges in the Plan are:

1. Low Density - permits residential uses up to 10 units per net acre.
2. Medium Density - permits residential uses of 10-20 units per net acre.
3. High Density - permits 20-40 units per acre.

DEVELOPMENT - Any manmade change to improved or unimproved real estate, including but not limited to construction, installation, or change of a building or other structure, land division, establishment or termination of a right of access, storage on the land, drilling and site alteration such as that due to surface mining, dredging, paving, excavation, or clearing.

DRAINAGEWAY - Any natural or manmade watercourse, trench, ditch, swale or similar depression into which surface water flows.

ENSURE - Guarantee; make sure or certain something will happen.

FINDINGS - Written statements of fact, conclusions and determinations based on the evidence presented in relation to the approval criteria and used in the determination of discretionary acts by the approval authority.

FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) the overflow of inland or tidal waters; and/or
- (b) the unusual and rapid accumulation of runoff of surface waters from any source. [Ord. 5042, 4/14/1993]

FLOOD FRINGE - Those areas outside the floodway but within the 100-year floodplain. Zone designations on Flood Insurance Rate Maps include A, AE, AO, and shaded X. [Ord. 5042, 4/14/1993]

FLOODPLAIN - The combined area of the floodway and flood fringe as defined herein.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in

order to discharge the base flood without increasing the water surface elevation more than one foot. These areas are identified on the Floodway maps issued by FEMA. [Ord. 5042, 4/14/1993]

GOAL - A general statement indicating a desired end, or the direction the City wishes to follow to achieve that end (see Plan Introduction for complete definition and relationship to other Plan statements and the City's obligation to take action).

GROSS ACREAGE - A total area exclusive of deductions such as for streets and roads or public and semi-public uses.

HABITAT - The specific kind of environment occupied by the individuals of a species.

HISTORIC DISTRICTS - Three historic districts have been identified within the city: Monteith, Downtown Commercial, and the Hackleman Districts. Monteith and Hackleman are residential districts. All three are listed on the National Registry of Historic Places and the State Inventory of Historic Resources. Property owners of historic rated properties within these districts are eligible for certain tax relief benefits while in exchange, are required to maintain the structure in an historically appropriate manner.

HYDRAULIC - Operated by the pressure created by forcing water or another liquid through a comparatively narrow pipe or orifice such as in a hydraulic pump.

IMPACT - The consequences of a course of action; effect of a goal, guideline, plan, or decision.

IMPLEMENTATION METHOD - A statement which outlines a specific project or standard to implement a goal or policy (see Plan Introduction for complete definition and relationship to other Plan statements and the City's obligation to take action).

INTERMEDIATE REGIONAL FLOOD - see Flood.

LDN CONTOUR - A line showing average noise level (or anticipated average noise level) for an area. The ldn sound level represents a mathematical formula which tends to average noise events and gives additional importance to sound generated at night.

LIFE CYCLE COSTING - An evaluation method through which all costs attributable to a project decision are considered, including the initial investment, recurring costs and revenues, and proceeds from ultimate sale or other means of disposal.

MAINTAIN - Support, keep, and continue in an existing state or condition without decline.

MICRO-CLIMATE - Local climate conditions, especially the lowest stratum of the atmosphere, including average yearly precipitation, wind patterns, sun angles, etc.

MITIGATION - The lessening of the negative effect of any proposed action on the conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, economic climate, and historic or aesthetic resources.

NATURAL AREAS - Includes land and water that has substantially retained its natural character, which is an important habitat for plant, animal, or marine life. Such areas are not necessarily completely natural or undisturbed, but can be significant for the study of natural, historic, scientific, or paleontological features, or for the appreciation of natural features.

NATURAL RESOURCES - Air, land, and water and the elements thereof which are valued for their existing and

potential usefulness to man.

NET ACRES - The amount of acreage remaining after all necessary deductions have been made for required dedications such as streets, open space, or other necessary dedications.

NON-POINT SOURCE - See point source.

OPEN SPACE - Within a city this refers to any open lands and waters free of intensive urban development. This includes parks, golf courses, and cemeteries, as well as vacant lands, agricultural or forest land or any land which, when preserved as open space, conserves natural, scenic or historic resources, protects air, water and soil quality, preserves unique and fragile fish and wildlife habitats, or provides recreational enjoyment.

PAYBACK PERIOD - A period of time that it takes for a saving in energy costs to pay for the initial cost of a weatherization measure.

PLANNING AREA - The air, land, and water resources within the jurisdiction of a governmental agency.

PLANNING PERIOD - To the year 2005.

POINT SOURCES, NON-POINT SOURCES - Point sources are specifically identified sources of air or water pollution as opposed to non-point sources which may include car exhaust, etc.

PONDING - The accumulation of water on the ground, particularly occurring during the winter months, as a result of poor drainage due to soil conditions, a high water table, and the flat character of the land.

PRELIMINARY URBAN GROWTH BOUNDARY - The Urban Growth Boundary, as adopted in 1977, and which was revised in 1980 to exclude some previously included area.

PRESERVE - To save from change or loss and reserve for a special purpose.

PRIMARY HISTORIC STRUCTURES - Includes any structure built prior to 1900 and/or a building of outstanding architectural or historic significance.

PROGRAM - Proposed or desired plan or course of proceedings and action.

PROTECT - Save or shield from loss, destruction, or injury or for future intended use.

PROVIDE - Prepare, plan for, and supply what is needed.

PUBLIC FACILITIES AND SERVICES - Projects, activities and facilities which the planning agency determines to be necessary for the public health, safety and welfare.

PUBLIC GAIN - The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

RECOMMENDATION - A statement which identifies a recommended course of action, position, or implementation method for a non-City organization.

REVISED URBAN GROWTH BOUNDARY - The Urban Growth Boundary as adopted by the Planning Commission and the City Council as of 1980 and shown on Plate 1 and Plate 14. The UGB has been established to identify and separate urbanizable land from rural land and is based upon consideration of the need to accommodate projected population growth for the planning period.

RIGHTS-OF-WAY - Public land reserved or used for the location of streets, utilities, sidewalks, bike paths, and alleyways.

RIPARIAN VEGETATION - Vegetation of, pertaining to, or situated on the banks of a river, creek, drainage way, or other body of water. Most of Albany's natural vegetation occurs in riparian areas.

RIP-RAP, REVETMENT - A foundation of stones or other material along an embankment used to prevent erosion.

RURAL LANDS - Those lands outside of the urban area.

SECONDARY HISTORIC STRUCTURES - Secondary historic structures include those buildings built after 1900 but before 1915 and/or a building of lesser architectural or historical importance.

SETBACK - A minimum distance between the property line and the building line usually defined by feet and required by zoning regulations.

SLOPES - The rise and fall of elevation of the land, usually expressed as a percentage derived from dividing the rise of the land by the horizontal distance over which the rise occurs. Slopes are divided into classifications based on percentages. Most of Albany is in Class I with 0-10% slope.

SOCIAL CONSEQUENCES - The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.

TOPOGRAPHY - The physical relief features or surface configurations of an area.

UNBUILDABLE - Land which because of its natural character or location is unsuitable for urban development.

UNDEVELOPED LAND - Lands which are not physically developed for urban purposes, regardless of whether they are developable for interim purposes. This includes all vacant land as well as lands in use for agricultural purposes.

URBAN GROWTH BOUNDARY (UGB) - The Urban Growth Boundary is a site-specific line, delineated on a map or by written description which separates the projected urban service area from rural land.

URBAN LANDS - Those places which are developed to such a degree that urban services are needed. This includes lands which are developed, within city limits as well as adjacent to city limits.

URBANIZABLE LANDS - Urbanizing lands are those lands within the Urban Growth Boundary which:

1. Are determined to be necessary and suitable for future urban uses.
2. Can be served by urban services and facilities.
3. Are needed for the expansion of an urban area.

VACANT LAND - Lands not occupied or put to an urban type of use. On parcels greater than 1/2 acre but containing a dwelling unit, all but 1/2 acre is assumed to be vacant.

WATER DEPENDENT - A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water.

WATER ORIENTED - A use whose attraction to the public is enhanced by a view of or access to the water body.

WATER RELATED - Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water dependent or water related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

WATER TABLE - The upper surface of the free groundwater in a zone of saturation.

WEATHERIZATION - For the purposes of energy conservation, those methods identified by the City used to conserve heat loss in existing structures such as weatherstripping, increased insulation, etc.

WETLAND - Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

APPENDIX IV

ACRONYMS

- AC of E:** Army Corps of Engineers
- ACDP:** Air Contaminant Discharge Permit
- ACVC:** Albany Convention and Visitors Commission
- ADA:** Albany Downtown Association
- AMEDC:** Albany-Millersburg Economic Development Corporation. Serves as Albany's and Millersburg's central point of contact for businesses interested in locating/expanding in the area and/or needing business development assistance.
- ARA:** Albany Redevelopment Agency. This agency was formed by the City of Albany to provide public works improvements (water, sewer, sidewalk, traffic control, lighting, drainage) in the Albany Economic Development District.
- ATS:** Albany Transportation System
- BTU:** British Thermal Unit. A unit of heat, the quantity needed to raise the temperature of 1 pound of water 1 degree Fahrenheit.
- C-1:** Neighborhood Commercial Zoning District
- C-2:** Community Commercial Zoning District
- C-3:** Central Business Zoning District
- CBD:** Central Business District
- CH:** Heavy Commercial Zoning District
- CIC:** Citizen Involvement Committee. During the Comprehensive Plan update process this was a three-member subcommittee of the CPRC which developed and reviewed the citizen involvement portions of the Plan. After the periodic review process, the CIC will become a five-member committee composed of City Council appointees chosen as follows: one member from each of the Albany's three wards, one member at-large, and one from the North Albany portion of the UGB.
- CIP:** Capital Improvement Program
- CPRC:** Comprehensive Plan Review Committee. This committee was created to review and provide input regarding the Comprehensive Plan update. It is composed of 27 members, including the Albany Planning Commission, eight citizens appointed by the Planning Commission, seven citizens appointed by the City Council, two members from the North Albany Citizen's Advisory Committee and one City Council liaison member.
- DEQ:** Department of Environmental Quality, State of Oregon

DLCD: Department of Land Conservation and Development, State of Oregon

DSL: Division of State Lands, State of Oregon

EDD: Economic Development Department, State of Oregon

EPA: Environmental Protection Agency

FEMA: Federal Emergency Management Agency

GAPS: Greater Albany Public Schools, District 8J

HAMC: Historic Advisory and Museum Commission. Now known as the Landmarks Advisory Commission (LAC).

HUD: U.S. Department of Housing and Urban Development

I-5: Interstate Highway 5

I/I: Infiltration/inflow

ISCP: Indirect Source Construction Permit

LAC: Landmarks Advisory Commission. This commission was appointed by the Albany City Council for the purpose of protecting, enhancing, and perpetuating Albany's historic resources.

LBCC: Linn-Benton Community College

LCDC: Land Conservation and Development Commission

MGD: Million Gallons Per Day

MH: Heavy Industrial Zoning District

ML: Light Industrial Zoning District

MP: Industrial Park Zoning District

NC: Notice of Construction

OAR: Oregon Administrative Rule

ODOT: Department of Transportation, State of Oregon

OD4COG: Oregon District 4 Council of Governments

ORS: Oregon Revised Statutes

OS: Open Space Zoning District

PD: Planned Development

- PF:** Public Facility Plan
- PUD:** Planned Unit Development
- R-1:** Low Density Residential Zoning District
- R-2:** Limited Multiple Family Residential Zoning District
- R-3:** Multiple Family Residential Zoning District
- RP:** Residential Professional Zoning District
- SCS:** Soil Conservation Service, U.S. Department of Agriculture
- SWCD:** Soil and Water Conservation District
- SHPO:** State Historic Preservation Office, Department of Transportation, Parks and Recreation Division
- SWRC:** Southern Willamette Research Corridor
- TSP:** Total Suspended Particulates
- UGB:** Urban Growth Boundary
- URR:** Urban Residential Reserve

APPENDIX VA

RESOLUTION NO. 2822

A RESOLUTION ADOPTING THE 1988 URBAN GROWTH MANAGEMENT AGREEMENT AND REPEALING RESOLUTION NO. 2268.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does adopt the attached Exhibit "1" known as the "Agreement between the City of Albany, Oregon and Linn County, Oregon for the Management of the Albany Comprehensive Plan as it Pertains to the Urban Growth Boundary and the Urban Growth Area." This agreement will be the governing procedure for continued implementation of the Albany Urban Growth Boundary and plan for the Albany Urban Fringe pursuant to ORS 197.190.

BE IT FURTHER RESOLVED that Resolution No. 2268 is hereby repealed.

Dated this 26th day of October, 1988.

The original Resolution was signed by Gary Holliday, City Recorder, and Tom Holman, Mayor

EXHIBIT 1

AGREEMENT BETWEEN THE CITY OF ALBANY, OREGON AND LINN COUNTY, OREGON FOR THE MANAGEMENT OF THE ALBANY COMPREHENSIVE PLAN AS IT PERTAINS TO THE URBAN GROWTH BOUNDARY, AND THE URBAN GROWTH AREA

INTRODUCTION

The City of Albany, Oregon (hereafter called the “City”) and Linn County, Oregon (hereafter called “County”) hereby agree to establish a joint management procedure pursuant to ORS 197.190 for the implementation of the Albany Urban Growth Boundary and plan for the Albany fringe, both of which form an integral part of the Albany Comprehensive Plan. The Albany Urban Growth Boundary is attached as Exhibit “A” to this agreement. The City and County further agree to utilize the provisions of this agreement, the Albany Comprehensive Land Use Plan as amended, and the Linn County Comprehensive Land Use Plan as amended as the basis for review and action on Comprehensive Plan amendments, development proposals, and implementing regulations which pertain to the urban fringe. The urban fringe is defined as the area situated inside the Albany Urban Growth Boundary and outside the Albany city limits. Other definitions are located in the Glossary of the Comprehensive Plan.

COMPREHENSIVE PLAN AMENDMENTS

For purposes of this agreement, Comprehensive Plan amendments include amendments to the Urban Growth Boundary (UGB), Plan map amendments within the urban fringe, and amendments to the Plan text which are considered by either the City or County to have an effect within the urban fringe. Proposed Plan amendments as defined above shall be processed as follows:

1. ***Initiation of Request:*** All requests for Plan amendments shall be initiated at the City. Applications for Plan amendments will be reviewed semi-annually in April and October, unless other review dates are approved by the Albany City Council or Planning Commission as allowed by Section 3.063 of the Albany Development Code. The City will process the amendment proposal as provided for in the Development Code Section 3.064, which requires final action by the City Council.
2. ***City Notification:*** Upon receipt of a complete application, the City shall notify the County of the application request and, if possible, establish joint City-County hearings. A proposed final hearing date shall be set at least 60 days in advance but not greater than 120 days from the acceptance date of the complete application. At least 45 days from the proposed final hearing date, the City shall notify the Department of Land Conservation and Development (DLCD), the County, and any affected service district of the request and the proposed final hearing date.
3. ***County Response:*** Within 14 days of the initial City notification, the County shall establish dates for County hearings and final action by the Board of Commissioners.
4. ***Plan Text Amendment:*** For Plan text amendments, the County may provide comments or recommendations in lieu of formal action by the County Commissioners. If no response is received or extension requested within 21 days of initial notice, it will be assumed by the City that the County has no comment.
5. ***City/County Review:*** An amendment may be approved, denied, or altered by mutual approval of both the city and County. If concurrence on any amendment request is not reached within 30 days of the final hearing date, a joint meeting of the City Council and County Commissioners shall be held to attempt to

resolve differences. If concurrence still cannot be reached with 30 days of the joint meeting, the request is

denied.

6. **Time Extensions:** Any time period or deadline listed above can be extended by mutual consent of the applicant, County, and City.
7. **Delayed Annexations:** The City and County recognize a common interest in delayed annexations through which it may be possible for urban development to occur (as permitted in accordance with the Comprehensive Plan) without actual annexation to the city. Individual delayed annexations shall not be approved until both the City and County agree on all terms and conditions for approval. Procedures for approving delayed annexations shall be according to Article 17 of the County Zoning Ordinance as adopted or modified with City written concurrence.
8. **Urban Growth Management Overlay Zones:** In establishing UGM District zoning, the City and County further agree to attach the specific UGM overlay zoning designations as established on the attached map(s) labeled Exhibits B-1 and B-2. Future modifications to the maps may be made only upon written concurrence of both the City and County and through the zone amendment process.
9. **Planning Area of Influence:** Because there is a need to protect certain areas outside the Urban Growth Boundary and to maintain high standards for major arterials entering the City, the City and County further agree to establish a “Planning Area of Influence” as shown on Exhibit C.

Within these areas, no subdivision, plan or zone change, or conditional use permits will be allowed on any properties until after the County has notified the City and subsequently reviewed City comment. The City will have 30 days in which to review proposed major planning actions which include subdivisions, plan or zone changes or other land use actions which require a public hearing. For less significant actions, including conditional uses and others which do not require a public hearing, the City will have 15 days for review and comment.

PUBLIC FACILITIES AND SERVICES

The City has adopted a Public Facilities Plan for all lands within the Urban Growth Boundary in accordance with the Statewide Goals and administrative rule (OAR Chapter 660, Division 11). The City and County do hereby agree that this plan, known as the “Albany Public Facilities Plan” and which on the date of this agreement is incorporated and adopted by reference herein shall be the prevailing guide for the planning and improvement of all public facilities identified therein. Furthermore, the City and County agree that the Albany Public Facilities Plan, in as much as it affects portions of Linn County, may only be amended by mutual consent of both parties. In addition, the City and County may enter into a separate intergovernmental agreement to more particularly define the roles and responsibilities of each party for the planning, development, and management of public facilities within the Linn County portion of the Urban Growth Boundary.

DEVELOPMENT PROPOSAL REVIEW

1. **City Review of County Developments:** The County shall notify the City and request review and recommendation on the following proposed development and planning actions within the urban fringe:
 - a. Conditional Uses.
 - b. Variances.
 - c. Subdivisions, minor or major partitions, and multi-family developments including Planned Unit Developments.
 - d. Any development in the floodplain, any fill or excavation permits of 50 cu. yds. or larger, and any action in a designated wetland.
 - e. Expansions or alterations of non-conforming uses.

- f. Capital improvement plans and programs (including street reconstructions of arterial or collectors and public drainage improvements), which are reviewed by the Board of Commissioners, including annual capital projects approved as part of the budget.
- g. Zoning ordinance map amendments and zoning ordinance text changes affecting development in the Urban Fringe.
- h. Recommendations for the designation of health hazard areas.
- i. Requests for amendment or establishment of special districts.
- j. Commercial and industrial development in accordance with applicable delayed annexation and urban growth management zoning overlay provisions.

The review criteria used by the City in reviewing property development in the urban fringe shall be the same as if that property were inside the city limits and zoned in accordance with the City Development Code Annexation Zoning Matrix of Section 3.030, unless some other City zoning district has been applied as an overlay to the County zoning district.

Where the type of development review provides for only City review and comment, the County shall have authority to interpret City comments and City standards in a manner which the County deems consistent with the City's Comprehensive Plan, City and County development regulations and apply such in a manner which the County deems appropriate to the scale of the development proposed. Where the City has commented on County actions, the County shall inform the City of the County's final action.

2. **County Review of City Developments:** The County shall make recommendation to the City on development proposals, and implementing programs which pertain to the Urban Fringe, but which are a responsibility of the City, including the following:
 - a. Adoption and amendments of the Public Facilities Plan.
 - b. Transportation facility improvements or extensions.
 - c. Sanitary sewer or drainage system improvements or extensions.
 - d. Public facility or utility improvement or extensions.
 - e. Requests for annexation and delayed annexation.
 - f. Planning or development actions proposed adjacent to county roads.

Where the type of development review provides for only County review and comment, the City shall have authority to interpret County comments and County standards in a manner which the City deems consistent with the Comprehensive Plan, County and City development regulations and apply such in a manner which the City deems appropriate to the scale of the development proposed. Where the County has commented on City actions, the City shall inform the County of the City's final action.

3. **Review Process:** Whichever jurisdiction, City or County, has authority for making a decision with regard to items listed in 1 or 2 above, shall formally request the other jurisdiction to review and recommend action for consistency with its comprehensive plan and implementing ordinances. This request for review and recommendation shall allow the reviewing jurisdiction a minimum of 14 days within which to respond. If no response is received or extension requested, it will be assumed that the reviewing jurisdiction has no comment. If the positions of the two jurisdictions differ, the jurisdictions will consult with each other to attempt to resolve areas of disagreement. If the reviewing jurisdiction makes a comment or requests it, the jurisdiction having authority for making a decision (in regard to 1 and 2 above) shall advise the reviewing jurisdiction of its ultimate action.

SPECIAL DISTRICTS

The County Board of Commissioners shall not approve the creation; modification of district boundaries, authority, or responsibility; or engagement in 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 service.
2. Are created with adequate safeguards to assure that the ability of the City to provide adequate services will not be impaired.

AMENDMENT

This agreement may be amended by either party provided that the following procedure is used:

1. A public hearing shall be called by the party proposing an amendment. That party shall give the other party notice of hearing at least 60 days prior to the scheduled hearing date. This 60-day period shall be used by both parties to seek concurrence.
2. Public notice of the hearing shall be in accordance with applicable state and local statutes and goals. An amendment may be approved, denied, or altered by mutual consent of both the City and County.

SPECIAL CITY-COUNTY COORDINATION POLICIES

Generally, the policies contained within the City's Comprehensive Plan are intended to guide City actions and the review of urban scale development. However, there are a number of policies upon which the City relies on the County in order to assure compliance, protect certain resources, and provide for future orderly growth. These policies are identified in Exhibit D attached to this agreement. Other policies can be added to Exhibit D by joint review of the City and County.

Dated this 26th day of October, 1988

*The original agreement is on file with the City Recorder
and was signed by Mayor Tom Holman for the City of Albany and
by Commissioners Stach and Johnson for Linn County*

EXHIBIT D

CITY OF ALBANY COMPREHENSIVE PLAN POLICIES OF JOINT CITY/LINN COUNTY APPLICABILITY

CHAPTER 1: ENVIRONMENTAL SETTING

- I. Natural Resources
 - A. Vegetation and Wildlife Habitat - Policies 1-4
 - B. Agriculture - Policies 1-3
 - C. Aggregate Resources - Policies 1 & 2
 - D. Open Space Resources - Policies 1-5
 - E. Water Quality - Policies 1-5
 - F. Air Quality - Policies 1, 3, & 4
 - G. Sound Quality - Policies 1-4

- II. Hazards
 - A. Flooding - Policies 1-9 & 14
 - B. Slopes - Policy 12

- III. Special Areas
 - A. Historic and Archaeological Resources - Policies 4, 6, 7, & 8
 - B. Wetlands - Policies 1, 2, 4, & 5

CHAPTER 2: COMMUNITY NEEDS

- I. Economic Development - Policies 4, 11, 12, 14, 17, & 20
- II. Transportation - Policies 2, 3, 5-7, 9, 10, 13, & 18
- III. Public Services and Facilities
 - A. Water Service - Policies 9, 11, & 13
 - B. Storm Drainage - Policies 1-3 & 5
 - C. Wastewater Treatment - Policies 2-5 & 8
 - D. Solid Waste - Policies 1-6
 - E. Other Utilities - Policy 2
 - F. Police and Fire Protection Services - Policies 2 & 3
 - G. Education - Policies 1 & 2

- IV. Social Amenities
 - A. Parks and Recreation - Policies 1 & 5
 - B. Aesthetics - Policies 1 & 5

CHAPTER 3: GROWTH MANAGEMENT PROCESS

- I. Directing Growth - All policies
- II. Development Review - All policies
- III. Energy Conservation - Policies 1, 2, & 4
- IV. Citizen Involvement - Policies 2, 5, & 6
- V. Updating and Amending the Plan - Policy 3

APPENDIX VB

RESOLUTION NO. 2823

A RESOLUTION ADOPTING THE 1988 URBAN GROWTH MANAGEMENT AGREEMENT AND REPEALING RESOLUTION NO. 2279.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does adopt the attached Exhibit “2” known as the “**Agreement between the City of Albany, Oregon and Benton County, Oregon for the Management of the Albany Comprehensive Plan as it Pertains to the Urban Growth Boundary and the Urban Growth Area.**” This agreement will be the governing procedure for continued implementation of the Albany Urban Growth Boundary and plan for the Albany Urban Fringe pursuant to ORS 197.190.

BE IT FURTHER RESOLVED that Resolution No. 2279 is hereby repealed.

Dated this 26th day of October, 1988.

The original Resolution was signed by Gary Holliday, City Recorder, and Tom Holman, Mayor

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

In the Matter of an Urban Growth Management Agreement with the City of Albany regarding Comprehensive Planning within the Albany Urban Boundary)
)
)
)
)

ORDER

WHEREAS the City of Albany and Benton County have adopted an updated Albany Comprehensive Plan for application within the Albany Urban Growth Boundary in compliance with State Periodic Review and Statewide Land Use Planning Goal 14; and

WHEREAS in 1981 the City of Albany and Benton County adopted an Albany Urban Fringe Management Agreement to implement the Former Albany Comprehensive Plan; and

WHEREAS the City of Albany and Benton County agree to replace the Agreement with an updated agreement reflecting the amended Plan attached as “Exhibit 2”; and

WHEREAS the Agreement references the Albany Public Facilities Plan which contains elements addressing water, sewer, drainage, and transportation facilities for North Albany; and

WHEREAS the County Board of Commissioners has adopted elements of the Albany Public Facilities Plan applicable to North Albany by separate resolution.

IT IS HEREBY ORDERED that the 1981 Agreement is terminated and replaced with the new Agreement attached as “Exhibit 2.”

The Chairman of the Board is authorized to sign the new Agreement on behalf of Benton County.

Adopted this 19th day of October, 1988.

Signed this 19th day of October, 1988.

Original document was signed by Commissioners Schrock, Carr, and Simerville.

EXHIBIT 2

AGREEMENT BETWEEN THE CITY OF ALBANY, OREGON AND BENTON COUNTY, OREGON FOR THE MANAGEMENT OF THE ALBANY COMPREHENSIVE PLAN AS IT PERTAINS TO THE URBAN GROWTH BOUNDARY, AND THE URBAN GROWTH AREA

INTRODUCTION

The City of Albany, Oregon (hereafter called the “City”) and Benton County, Oregon (hereafter called “County”) hereby agree to establish a joint management procedure pursuant to ORS 197.190 for the implementation of the Albany Urban Growth Boundary and plan for the Albany fringe, both of which form an integral part of the Albany Comprehensive Plan. The Albany Urban Growth Boundary is attached as Exhibit “A” to this agreement. The City and County further agree to utilize the provisions of this agreement, the Albany Comprehensive Land Use Plan as amended, and the Benton County Comprehensive Land Use Plan as amended as the basis for review and action on Comprehensive Plan amendments, development proposals, and implementing regulations which pertain to the urban fringe. The urban fringe is defined as the area situated inside the Albany Urban Growth Boundary and outside the Albany city limits. Other definitions are located in the Glossary of the Comprehensive Plan.

COMPREHENSIVE PLAN AMENDMENTS

For purposes of this agreement, Comprehensive Plan amendments include amendments to the Urban Growth Boundary (UGB), Plan map amendments within the urban fringe, and amendments to the Plan text which are considered by either the City or County to have an effect within the urban fringe. Proposed Plan amendments as defined above shall be processed as follows:

1. ***Initiation of Request:*** All requests for Plan amendments shall be initiated at the City. Applications for Plan amendments will be reviewed semi-annually in April and October, unless other review dates are approved by the Albany City Council or Planning Commission as allowed by Section 3.063 of the Albany Development Code. The City will process the amendment proposal as provided for in the Development Code Section 3.064, which requires final action by the City Council.
2. ***City Notification:*** Upon receipt of a complete application, the City shall notify the County of the application request and, if possible, establish joint City-County hearings. A proposed final hearing date shall be set at least 60 days in advance but not greater than 120 days from the acceptance date of the complete application. At least 45 days from the proposed final hearing date, the City shall notify the Department of Land Conservation and Development (DLCD), the County, and any affected service district of the request and the proposed final hearing date.
3. ***County Response:*** Within 14 days of the initial City notification, the County shall establish dates for County hearings and final action by the Board of Commissioners.
4. ***Shared Record:*** In the event that joint hearings are not conducted, the City and County agree to transmit a written copy of testimony and reports related to the proposed amendment in a timely manner so as to be available for review at subsequent hearings on the proposed amendment.
5. ***City/County Review:*** An amendment may be approved, denied, or altered by mutual approval of both the city and County. If concurrence on any amendment request is not reached within 30 days of the final hearing date, a joint meeting of the City Council and County Commissioners shall be held to attempt to resolve differences. If concurrence still cannot be reached with 30 days of the joint meeting, the request is denied.
6. ***Time Extensions:*** Any time period or deadline listed above can be extended by mutual consent of the

applicant, County, and City.

PUBLIC FACILITIES AND SERVICES

The City has adopted a Public Facilities Plan for all lands within the Urban Growth Boundary in accordance with the Statewide Goals and administrative rule (OAR Chapter 660, Division 11). This plan includes facility elements prepared by both the City of Albany and Benton County. The City and County do hereby agree that this plan, known as the “Albany Public Facilities Plan” and which on the date of this agreement is incorporated and adopted by reference herein, shall be the prevailing guide for the planning and improvement of all public facilities identified therein. Furthermore, the City and County agree that the Albany Public Facilities Plan, in as much as it affects portions of Benton County, may only be amended by mutual consent of both parties. In addition, the City and County may enter into a separate intergovernmental agreement to more particularly define the roles and responsibilities of each party for the planning and management of any portion of the public facilities system in North Albany.

DEVELOPMENT PROPOSAL REVIEW

The City and County agree to the following process for review and action on development proposals, and implementing programs which pertain to the Urban Fringe:

1. **City Review of County Developments:** The County shall notify the City and request review and recommendation on the following proposed development and planning actions within the urban fringe:
 - a. Conditional Uses.
 - b. Variances.
 - c. Subdivisions, minor or major partitions, and multi-family developments including Planned Unit Developments.
 - d. Any development in the floodplain, any fill or excavation permits of 50 cu. yds. or larger, and any action in a designated wetland.
 - e. Expansions or alterations of non-conforming uses.
 - f. Capital improvement plans and programs (including street reconstructions of arterial or collectors and public drainage improvements), which are reviewed by the Board of Commissioners, including annual capital projects approved as part of the budget.
 - g. Zoning ordinance map amendments and zoning ordinance text changes affecting development in the Urban Fringe.
 - h. Recommendations for the designation of health hazard areas.
 - i. Requests for amendment or establishment of special districts.
 - j. Commercial and industrial development in accordance with applicable delayed annexation and urban growth management zoning overlay provisions.

The review criteria used by the City in reviewing property development in the urban fringe shall be the same as if that property were inside the city limits and zoned in accordance with the City Development Code Annexation Zoning Matrix of Section 3.030, unless some other City zoning district has been applied as an overlay to the County zoning district.

Where the type of development review provides for only City review and comment, the County shall have authority to interpret City comments and City standards in a manner which the County deems consistent with the City’s Comprehensive Plan, City and County development regulations and apply such in a manner which the County deems appropriate to the scale of the development proposed. Where the City has commented on County actions, the County shall inform the City of the County's final action.

2. **County Review of City Developments:** The County shall make recommendation to the City on development

proposals, and implementing programs which pertain to the Urban Fringe, but which are a responsibility of the City, including the following:

- a. Adoption and amendments of the Public Facilities Plan.
- b. Transportation facility improvements or extensions.
- c. Sanitary sewer or drainage system improvements or extensions.
- d. Public facility or utility improvement or extensions.
- e. Requests for annexation and delayed annexation.
- f. Planning or development actions proposed adjacent to county roads.

Where the type of development review provides for only County review and comment, the City shall have authority to interpret County comments and County standards in a manner which the City deems consistent with the Comprehensive Plan, County and City development regulations and apply such in a manner which the City deems appropriate to the scale of the development proposed. Where the County has commented on City actions, the City shall inform the County of the City's final action.

- 3. ***Review Process:*** Whichever jurisdiction, City or County, has authority for making a decision with regard to items listed in 1 or 2 above, shall formally request the other jurisdiction to review and recommend action for consistency with its comprehensive plan and implementing ordinances. This request for review and recommendation shall allow the reviewing jurisdiction a minimum of 14 days within which to respond. If no response is received or extension requested, it will be assumed that the reviewing jurisdiction has no comment. If the positions of the two jurisdictions differ, the jurisdictions will consult with each other to attempt to resolve areas of disagreement. If the reviewing jurisdiction makes a comment or requests it, the jurisdiction having authority for making a decision (in regard to 1 and 2 above) shall advise the reviewing jurisdiction of its ultimate action.

SPECIAL DISTRICTS

The County Board of Commissioners shall not approve the creation; modification of district boundaries, authority, or responsibility; or engagement in 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 service.
- 2. Are created with adequate safeguards to assure that the ability of the City to provide adequate services will not be impaired.

AMENDMENT

This agreement may be amended by either party provided that the following procedure is used:

- 1. A public hearing shall be called by the party proposing an amendment. That party shall give the other party notice of hearing at least 60 days prior to the scheduled hearing date. This 60-day period shall be used by both parties to seek concurrence.
- 2. Public notice of the hearing shall be in accordance with applicable state and local statutes and goals. An amendment may be approved, denied, or altered by mutual consent of both the City and County.

SPECIAL CITY-COUNTY COORDINATION POLICIES

Generally, the policies contained within the City's Comprehensive Plan are intended to guide City actions and the review of urban scale development. However, there are a number of policies upon which the City relies on the County in order to assure compliance, protect certain resources, and provide for future orderly growth. These policies are identified in Exhibit B attached to this agreement. Other policies can be added to Exhibit B by joint review of the City and County.

Dated this 26th day of October, 1988

*The original agreement is on file with the City Recorder
and was signed by Mayor Tom Holman for the City of Albany and
by Commissioner Dale Schrock for Benton County*

EXHIBIT B

CITY OF ALBANY COMPREHENSIVE PLAN POLICIES OF JOINT CITY/BENTON COUNTY APPLICABILITY

CHAPTER 1: ENVIRONMENTAL SETTING

- I. Natural Resources
 - A. Vegetation and Wildlife Habitat - Policies 1-3
 - B. Agriculture - Policies 1-3
 - C. Aggregate Resources - Policies 1 & 2
 - D. Open Space Resources - Policies 1-5
 - E. Water Quality - Policies 1-5
 - F. Air Quality - Policies 1, 3, & 4
- II. Hazards
 - A. Flooding - Policies 1-9 & 14
 - B. Slopes - Policy 12
- III. Special Areas
 - A. Willamette Greenway - Policies 1, 4, & 5
 - B. Historic and Archaeological Resources - Policies 4, 6, 7, & 8
 - B. Wetlands - Policies 1, 2, 4, & 5

CHAPTER 2: COMMUNITY NEEDS

- I. Economic Development - Policies 4, 14, & 20
- II. Housing - Policies 2, 7, & 10
- III. Transportation - Policies 2, 3, 5-7, 10, 13, & 18
- IV. Public Services and Facilities
 - A. Water Service - Policies 6, 9, 11, & 13
 - B. Storm Drainage - Policies 1-3
 - C. Wastewater Treatment - Policies 2-5 & 8
 - D. Solid Waste - Policies 1-3
 - E. Other Utilities - Policy 2
 - F. Police and Fire Protection Services - Policies 2 & 3
 - G. Education - Policies 1 & 2
- VI. Social Amenities
 - A. Parks and Recreation - Policies 1 & 5
 - B. Aesthetics - Policies 1 & 5

CHAPTER 3: GROWTH MANAGEMENT PROCESS

- I. Directing Growth - Policies 1-15
- II. Development Review - All policies
- III. Energy Conservation - Policies 1, 2, & 4
- IV. Citizen Involvement - Policies 2, 5, & 6
- V. Updating and Amending the Plan - Policy 3

APPENDIX VI

CITY OF ALBANY PUBLIC FACILITY PLAN

ALBANY & MILLERSBURG WATER SYSTEM FACILITY PLAN	Tables VI-1 to VI-10
DRAINAGE MASTER PLAN	Tables VI-7 to VI-10
WASTEWATER FACILITY PLAN	Tables VI-11 to VI-16
TRANSPORTATION FACILITY PLAN	Table VI-17

ALBANY AND MILLERSBURG WATER SYSTEM FACILITY PLAN

TABLES VI-1 to VI-6 removed. [Ord. 5579, 8/11/04]

The 2004 Water Facility Plan is adopted by reference as a supporting document to the Comprehensive Plan. [Ord. 5579, 8/11/04]

**DRAINAGE MASTER PLAN
LIST OF PROJECTS**

**TABLE VI-7 STORM DRAINAGE SYSTEM
HIGH PRIORITY PROJECTS**

TITLE	ESTIMATED COST
14th Avenue	\$ 320,700
Shortridge Street, Center Street	239,900
Cathy Ditch	45,300
Carroll Place	58,300
Channel Improvements, Basin C	69,500
Channel Improvements, Basin D	65,800
East Fork Culverts	175,400
Bain Street, Lansing Avenue	291,900
Washington Street	<u>50,000</u>
 TOTAL	 \$1,316,800

**TABLE VI-8 STORM DRAINAGE SYSTEM
INTERMEDIATE PRIORITY PROJECTS**

TITLE	ESTIMATED COST
Riverside Drive	\$ 5,600
16th Avenue and 17th Avenue	16,100
Looney Lane	27,400
12th Avenue and 14th Avenue	134,500
Takena Street	84,600
Elm Street	173,700
Ramona Main	111,800
Columbus Street	351,900
Geary Main and 23rd Avenue	258,600
Airport Road	4,900
Columbus Street	<u>54,700</u>
 TOTAL	 \$1,223,800

TABLE VI-9**STORM DRAINAGE SYSTEM
LOW PRIORITY PROJECTS**

TITLE	ESTIMATED COST
Broadway Street	\$ 8,400
14th Avenue	85,100
Pine Street	858,300
19th Avenue	170,100
Madison, Oak Street & 28th Avenue	1,059,600
34th Avenue, Ferry Street & Southern Pacific	1,003,000
South Fork	502,500
Middle Fork	<u>102,900</u>
TOTAL	\$3,789,900

TABLE VI-10**STORM DRAINAGE SYSTEM
DEVELOPMENT RELATED PROJECTS**

TITLE	ESTIMATED COST
No. 12 Lateral	\$ 54,700
Marion Main	370,600
Tudor Main	505,500
No. 35 Main	180,500
Del Rio Lateral	39,500
Waverly Main	200,000
No. 40 Main	38,300
No. 64 Main	155,500
Oak Main	426,500
College Park Main	196,900
No. 13 Creek	20,000
Columbus Creek	21,200
No. 51 Creek	11,000
Ellingson Creek	154,800
No. 12 Creek	30,800
West Fork	120,200
Geary Street, Approximately 11th Avenue	145,800
I-5 Main at Santiam Canal	347,500
Grand Prairie Main	66,800
23rd Avenue Main	552,900
Three Lakes Road, 19th Avenue to 21st Avenue	82,200
East Periwinkle Channel	151,700
Channel Improvements	98,100
Channel Improvements	21,500
Columbus Street	<u>97,200</u>
TOTAL	\$4,090,200

Drainage project prioritizations and locations are provided in the "Albany Drainage Master Plan," prepared by Kramer, Chin, Mayo Inc. - February, 1988. This report is available from the Albany Public Works Department at 250 Broadalbin SW.

WASTEWATER FACILITY PLAN

TABLES VI-11 to VI-16 removed. [Ord. 5465, 9/27/00]

The Albany Wastewater Facility Plan Summary is adopted as a supporting document to the Albany Comprehensive Plan. [Ord. 5465, 9/27/00]

TABLE VI-17

**ALBANY TRANSPORTATION FACILITY PLAN
SHORT- AND LONG-TERM PRIORITY PROJECTS
SOURCES OF FUNDING**

The Albany Transportation System Plan (TSP) is adopted as a supporting document to the Comprehensive Plan. [Ord. 5037, 8/13/97]

The North Albany Local Street System Plan is adopted as a supporting document to the Comprehensive Plan. [Ord. 5037, 8/13/97]