



## COMMUNITY DEVELOPMENT

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

# Notice of Decision

## Comprehensive Plan Amendment

CP-03-20

September 2, 2020

### APPLICATION INFORMATION

Proposal:	Proposed text amendments of Appendices VI Public Facility Plans: Albany and Millersburg Water System Facility Plan and Albany Transportation Facility Plan of the Albany Comprehensive Plan to be amended by Council resolution.
Review Body:	Planning Commission and City Council (Type IV, Legislative Process)
Applicant:	City of Albany, Community Development Department 333 Broadalbin Street SW, Albany, OR 97321
Address/Location:	Not applicable; the amendments are not site specific

On August 26, 2020, the Albany City Council adopted Ordinance No. 5946 to amend the Albany Comprehensive Plan and Development Code as described above.

A Copy of Ordinance No. 5946 is available on request. The supporting documentation relied upon by the City in making this decision is available for review at the Community Development Department, City Hall, 333 Broadalbin Street SW. For more information, please contact Planning Manager David Martineau at 541-917-7561.

The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). Per ORS 197.830 a notice of intent to appeal the plan and/or zoning map amendments shall be filed with LUBA no later than 21 days after notice of the decision is mailed or otherwise submitted to parties entitled to notice.

*Signature on File*

\_\_\_\_\_  
City of Albany Mayor

Attachment:  
Ordinance No. 5946 with Associated Exhibit

**Mail Date: September 2, 2020**

**Appeal Period Expiration: October 1, 2020**

[cd.cityofalbany.net](http://cd.cityofalbany.net)





ORDINANCE NO. 5946

AN ORDINANCE AMENDING ORDINANCE NO. 4836, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN, BY AMENDING THE ALBANY COMPREHENSIVE PLAN TEXT AND ADOPTING FINDINGS

WHEREAS, on July 13, 2020, the Albany Planning Commission held a public hearing and deliberated on proposed amendments of Appendices VI Public Facility Plans: Albany and Millersburg Water System Facility Plan and Albany Transportation Facility Plan of the Albany Comprehensive Plan, which will allow future amendment of these plans by council resolution (planning file no. CP-03-20); and

WHEREAS, on July 13, 2020, the planning commission recommended that the Albany City Council approve the proposed amendments. This recommendation was based on evidence presented in the staff report and consideration of public testimony during the public hearing; and

WHEREAS, the city council held a public hearing on the proposal on August 26, 2020, and reviewed the findings of fact and conclusions included in the staff report, dated July 13, 2020, and testimony presented at the public hearing and then deliberated; and

WHEREAS, the amendments to the comprehensive plan considered by the planning commission and city council are presented as an attachment to this ordinance as Exhibit A.

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

Section 1: The text of the Albany Comprehensive Plan is hereby amended as shown in Exhibit A of this ordinance.

Section 2: A copy of this ordinance shall be filed in the office of the city clerk of the City of Albany and these changes shall be made in the Albany Comprehensive Plan.

Passed by the Council: August 26, 2020

Approved by the Mayor: August 26, 2020

Effective Date: September 25, 2020

  
Mayor

ATTEST:

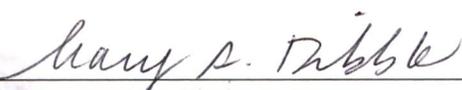
  
City Clerk



Exhibit A

**ALBANY AND MILLERSBURG  
WATER SYSTEM FACILITY PLAN**

**Tables VI-1 to VI-6 removed. [Ord 5579; 8/11/04]**

| The 2004 Water Facility Plan, as may be amended according to OAR 660-011-0045 is adopted by reference as a supporting document to the Comprehensive Plan. [ORD. 5579, 8/11/04]

Exhibit A  
**WASTEWATER FACILITY PLAN**

**Tables VI-11 to VI-16 removed.** [Ord 5465; 9/27/00]

The 2000 Albany Wastewater Facility Plan Summary, as may be amended according to OAR 660-011-0045, is adopted in its entirety as a supporting document to the Albany Comprehensive Plan. [Ord. 5465, 9/27/00]

## **GOAL 11: PUBLIC FACILITIES AND SERVICES**

### **WASTEWATER SYSTEM POLICIES AND IMPLEMENTATION METHODS**

#### **GOAL**

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

#### **POLICIES**

It shall be the policy of the City of Albany that:

1. The ~~1998-2000~~ *Wastewater Facility Plan Summary (Summary)* shall be the primary document for planning the community's wastewater system improvements.
2. The basic concept of the wastewater system is a gravity system. Pump stations and force mains will be minimized and will not be allowed unless approved by the Public Works Director (PWD).
3. Review and regulate development proposals to ensure adequate wastewater service improvements will be provided to the development and to future developments and ensure that adequate assurances have been secured for participation in the public system when these services become available.
4. Capital improvements to the wastewater systems will be prioritized based on the following criteria:
  - a. Projects needed to meet regulatory requirements for improving water quality;
  - b. Projects needed to maintain capacity and reliability of critical system components, such as pump stations and structural integrity of sewer lines;
  - c. Projects related to street improvements;
  - d. Projects needed to eliminate or reduce basement flooding;
  - e. Projects needed to reduce inflow and infiltration; and
  - f. Projects related to other issues such as alleviating health hazards.

These criteria are not necessarily ranked in order of priority.

5. Extensions of service shall be based on findings that provision of service to low priority areas will not impair the City's ability to accommodate higher priority wastewater system needs including recognition of the City's contractual service obligations.
6. Annexation is required to receive sewer service in unincorporated areas within the Urban Growth Boundary. Consequently, sewer service shall not be provided outside Albany's city limits, except as provided by specific contracts with the City of Millersburg, Oak Grove elementary school, Spring Hill Country Club or as authorized by the Albany City Council.
7. Development or expansion of "stand alone" wastewater treatment plant systems shall not be allowed within the Urban Growth Boundary that are not planned as part of the City's facility.
8. Developments extending wastewater collection facilities pay an equitable share of the costs. This may include:
  - a. A systems development charge (SDC) based on the number of residential units constructed or some other equivalent for commercial or industrial developments;

Exhibit A

**ALBANY TRANSPORTATION FACILITY PLAN**

**Tables VI-17 removed.** [Ord 5729; 2/24/2010]

The 2011 Albany Public Transit Plan, as may be amended according to OAR 660-011-0045, is adopted in its entirety as a supporting document to the Albany Comprehensive Plan. [Ord. 5753; 5/11/2011]

The 2010 Albany Transportation System Plan, as may be amended according to OAR 660-011-0045, is adopted in its entirety as a supporting document to the Albany Comprehensive Plan. [~~Ord. 5037; 8/13/1997~~ Ord. 5729; 2/24/2010 and as amended by Ord. 5753; 5/11/2011]

The 1995 North Albany Local Street System Plan, as may be amended according to OAR 660-011-0045, is adopted in its entirety as a supporting document to the Comprehensive Plan. [Ord. 5307; 8/13/1997]