



## COMMUNITY DEVELOPMENT

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

# Notice of Public Hearings

## Albany Comprehensive Plan and Development Code and Text Amendments

CP-03-21 and DC-02-21

October 18, 2021

### Hearing Information

Review Body: **Planning Commission**

Hearing Date and Time: **Monday, November 1, 2021, at 5:15 p.m.**

Hearing Locations: This hearing will be conducted virtually. To testify, see instructions on next page.

Virtual: At 5:15 p.m., join the meeting with the link below:  
<https://www.gotomeet.me/CommunityDevelopmentCityofAlbany/pc>

Phone: 1-571-317-3122; access code 498-239-709

Review Body: **City Council**

Hearing Date and Time: **Wednesday, December 1, 2021, at 6:00 p.m.**

Hearing Locations: This hearing will be conducted virtually. To testify, see instructions on next page.

Virtual: at 6:00 p.m., go to [www.cityofalbany.net/calendar](http://www.cityofalbany.net/calendar), City Council Meeting, and select “join meeting remotely”.

Watch Livestream at 6:00 p.m.: <http://www.cityofalbany.net/livestream>

### Application Information

Proposal: Albany Comprehensive Plan (Plan) and Development Code (ADC) legislative amendments described below.

Review Bodies: Planning Commission and City Council (Type IV - Legislative review 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.

### Summary of Proposed Amendments

Middle Housing Amendments: to comply with House Bill 2001, Oregon Revised Statutes 197.758, and Oregon Administrative Rules 660-46 that require cities to allow middle housing types in areas that permit single-family residences outright by permitting middle housing types (duplexes, triplexes, fourplexes, townhouses, and cottage clusters). Amendments will also comply with Senate Bill 458 that requires cities to permit middle housing land divisions, which may enable more home ownership opportunities. Amendments are proposed in ADC Articles 1, 2, 3, 4, 5, 8, 9, 11, 12, and 22, and in Comprehensive Plan Chapter 4 (Goal 10 Housing) and Chapter 9 (Goal 2, Land Use Planning).

Clear and Objective Standards: Update the Manufactured Home Park standards in Article 10 and land division standards in Article 11 to provide a clear and objective path for residential subdivisions and developments, streamline the land use procedures where limited discretion is needed, and modify the Planned Development open space requirements to encourage innovative developments.

A copy of the proposed text amendments and staff report will be available by 5:00 p.m., at least one week before each hearing for inspection at the Planning Division counter in Albany City Hall, 333 Broadalbin Street SW, and will be available online here: [www.cityofalbany.net/project](http://www.cityofalbany.net/project). See the project website for additional information and materials: [www.cityofalbany.net/hb2001](http://www.cityofalbany.net/hb2001). Upon request to [cdaa@cityofalbany.net](mailto:cdaa@cityofalbany.net), a copy of the proposed text amendments and staff report can be emailed at no cost or can be provided by mail at a reasonable cost.

For more information, please contact **Anne Catlin**, project planner, at [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net), 541-917-7560.

## Information Sessions

We invite you to attend an information session to ask questions and learn more about the middle housing requirements. You may attend the meeting in person or virtually. **Click on the meeting date below to attend a session virtually.**

- [Friday, October 22, 2021 @ 12 noon](#), Albany City Council Chambers, 333 Broadalbin Street SW
- [Tuesday, October 26, 2021 @ 5:00 p.m.](#), Albany City Council Chambers, 333 Broadalbin Street SW

## Process Overview

Amendments to the ADC and Comprehensive Plan are made through a Type IV legislative land use review process. Following this process, the Planning Commission will hold a public hearing to consider proposed amendments and will make a recommendation to the City Council. The Planning Commission's recommendation cannot be appealed. The City Council will hold a subsequent public hearing to consider the proposed amendments. The applicable review criteria listed in ADC Sections 2.220 and 2.290 must be met for the proposed amendments to be approved. After closing the public hearing, the City Council will deliberate and make a final decision. Within five days of the City Council's final action on the proposed amendments, the Community Development Director will provide written notice of the decisions to any parties entitled to notice. A City Council decision can be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a notice of intent to appeal within 21 days of the date the decision is reduced to writing and bears the necessary signatures of the decision makers.

## Your Comments (How to testify):

We invite your comments either in writing by noon on the day of the public hearing or in person at the hearing. Your comments will be considered when the Planning Commission makes a recommendation, and the City Council makes a decision on this application. **All testimony and evidence must be directed toward the review criteria for the applications as listed below.** Failure to raise an issue in writing or verbally at a hearing before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the applicant an adequate opportunity to respond to each issue raised precludes an appeal based on that issue.

Persons wishing to testify at either hearing have two options:

1. Email written comments to [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net) **before noon the day of the applicable meeting** and include your name, address, and subject of the public hearing, or mail comments to Albany Planning Division; PO Box 490, Albany, OR 97321 at least three days before the applicable meeting date;  
or

2. Register to testify virtually at the public hearing **before noon on the day of the applicable meeting** by emailing [cdaa@cityofalbany.net](mailto:cdaa@cityofalbany.net), with your name, address, phone number, and if you are speaking for, against, or neutral on the proposal. The chair/mayor will call upon those who registered first followed by those who wish to speak at the meeting. *Testimony at the City Council hearing is limited to three (3) minutes.*

Any person who submits written comments or testifies at a public hearing will receive a copy of the notice of decision.

These meetings are accessible to the public via phone and/or video connection. If you have a disability that requires accommodation, please notify City staff at least 48-hours in advance of the meeting at 541-917-7550, or email [cdaa@cityofalbany.net](mailto:cdaa@cityofalbany.net).

## Review Criteria for This Application

### *COMPREHENSIVE PLAN TEXT AMENDMENTS (ADC 2.220)*

Amendments to the Comprehensive Plan will be approved if the council finds that the application meets the following 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.
- (2) A legislative amendment is needed to meet changing conditions or new laws.

### *DEVELOPMENT CODE AMENDMENTS (ADC 2.290)*

Amendments to the Development Code will be approved if the council finds that the application meets the following criteria:

- (1) The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing language.
- (2) The proposed amendments are consistent with Development Code policies on purpose and with the purpose statement for the base zone, special purpose district, or development regulation where the amendment is proposed.