



PUBLIC WORKS - COMMUNITY DEVELOPMENT

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

Notice of Public Hearing

Amendments to the Albany Development Code

Accessory Dwelling Units

DC-04-18 & DC-05-18

October 18, 2018

HEARING INFORMATION

Review Body:	City Council
Hearing Date:	Wednesday, November 7, 2018
Hearing Time:	7:15 p.m.
Hearing Location:	Albany City Hall, Council Chambers, 333 Broadalbin Street SW

APPLICATION INFORMATION

Proposal:	Albany Development Code Amendment (IV-Legislative) regarding accessory dwelling units.
Applicant:	City of Albany, Community Development Department

The proposals referenced above are scheduled for a public hearing before the City Council. We invite your comments, either in writing before the day of the public hearing or in person at the hearing. Your comments will be taken into account when the City Council make decisions on the proposals.

The proposed code changes are intended to comply with recent revised state statues related to accessory dwelling units. The amendments will affect ADC Article 3 – Residential Zoning Districts, Article 4 – Commercial and Industrial Zoning Districts, Article 5 – Mixed Use Zoning Districts, Article 8 – Design Standards, and Article 22 – Definitions.

A copy of the proposed text amendments and applicable criteria are available for inspection at no cost at the Albany Community Development Department, Planning Division. Staff reports are available at the Planning Division located in City Hall and on the City's web site at:

<http://www.cityofalbany.net/departments/community-development/planning/all-projects>.

Copies will be provided upon request at a reasonable cost. For more information, please contact **David Martineau**, Project Planner, at david.martineau@cityofalbany.net, 541-917-7561. Submit any written comments to the Planning Division; P.O. Box 490; Albany, OR 97321. Any person who submits written comments or testifies at a public hearing will receive a copy of the Notice of Decision.

cd.cityofalbany.net



YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards and criteria for the application listed in this notice. Failure to raise an issue by letter, or in person, before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the City Council an adequate opportunity to respond to each raised issue, precludes an appeal based on that issue.

PUBLIC HEARING PROCEDURE

The public hearing will begin with a declaration of any *ex parte* contacts (contacts that occurred outside of the public hearing) or any conflict of interest by the decision-makers. This will be followed by the staff report from the Planning staff. Then the applicant will testify, followed by testimony from other people in support of the application. After those in favor of the application are finished, testimony from opponents will begin. This will be followed by testimony from people who neither favor nor oppose the application. The applicant will then be given the opportunity for rebuttal. The decision-makers are free to ask questions of any person who has testified, or of staff, at any point during the hearing.

If additional documents or evidence are provided by any party, the City may allow a continuance, or leave the record open, to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time limitations of Oregon Revised Statute (ORS) 227.178.

If the hearing is continued or the record is left open, the chairperson will announce the date, time, and place for the resumption of the hearing and/or what limitations exist on further testimony or submittal of written materials. If the hearing and record are closed, the decision-makers will begin deliberations and/or will announce the time, date, and place when the decision will be made.

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 541-917-7500.

REVIEW CRITERIA FOR THIS APPLICATION

DEVELOPMENT CODE AMENDMENTS (ADC 2.290)

2.290 Review Criteria. The request may 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.