



## COMMUNITY DEVELOPMENT

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

# Notice of Filing

## Floodplain Development Review

FP-09-21

August 25, 2021

The Planning Division has received the following APPLICATION. Please provide any written comments you may have on this project to **David Martineau** (541-917-7555, [david.martineau@cityofalbany.net](mailto:david.martineau@cityofalbany.net)) **before 5:00 p.m. on September 8, 2021**, so we may take your comments into account.

### Application Information

Proposal:	Street improvements to Water Avenue that are located within the floodplain. These street improvements do not remove on-street parking. The application is for Floodplain Development Review for a total of 60 cubic yards of fill, grading, excavation or paving in the Special Flood Hazard Area.
Review Body:	Staff (Type I-L review)
Property Owner/Applicant:	City of Albany, Seth Sherry; 333 Broadalbin Street SW, Albany, OR 97321
Applicant's Representative:	Angelo Planning Group, Matt Hastie 921 SW Washington Street, Suite 468, Portland, OR 97205
Address/Location:	Public right-of-way: Ellsworth Street to the west and Lyon Street to the east. See vicinity maps attached.
Map/Tax Lot:	Not Applicable – City-owned right-of-way.
Zoning:	Historic Downtown (HD), Central Business (CB), Waterfront (WF), and Open Space (OS)
Overlays:	Floodplain (/FP), Willamette River Greenway (/WG), and Open Space (OS)

The City of Albany has received the application referenced above. We are mailing notice of the application to property owners within 100 feet of the development. We invite your written comments on this application to be considered when staff decides on this application. Comments must relate to the approval standards listed below. Issues, which may provide the basis for an appeal to the Land Use Board of Appeals, must be raised in writing and with sufficient detail to allow the City to respond. ***The deadline for submission of written comments is 5:00 p.m. on September 8, 2021, 14 days from the date the City mails the notice of filing.***

All application materials are available at the Planning Division, and copies can be obtained for a minimal charge. Should you wish to discuss this case with a planner, please call **David Martineau, project planner**, at 541-917-7555 or email at [david.martineau@cityofalbany.net](mailto:david.martineau@cityofalbany.net), or **Planning Supervisor Scott Whyte**, at 541-917-7561 or email at [scott.whyte@cityofalbany.net](mailto:scott.whyte@cityofalbany.net). Submit any written comments to the Planning Division, P.O. Box 490, Albany, OR 97321. Any person submitting written comments will receive a copy of the notice of decision.



## Approval Standards for This Request

**Grading, Fill, Excavation, and Paving.** A floodplain development permit is required for grading, fill, excavation, and paving in the Special Flood Hazard Area (100-year floodplain), except activities exempted in Section 6.094 of this Article. No grading will be permitted in a floodway, except when the applicant has supplied evidence prepared by a professional engineer that demonstrates the proposal will not result in any increase in flood levels during the occurrence of the 100-year flood. The permit will be approved if the applicant has shown that each of the following criteria that are applicable have been met (ADC 6.111):

- (1) Provisions have been made to maintain adequate flood-carrying capacity of existing watercourses, including future maintenance of that capacity.
- (2) The proposal will be approved only where adequate provisions for stormwater runoff have been made that are consistent with the Public Works Engineering standards, or as otherwise approved by the City Engineer.
- (3) No grading, fill, excavation, or paving will be permitted over an existing public storm drain, sanitary sewer, or water line unless it can be demonstrated to the satisfaction of the City Engineer that the proposed grading, fill, excavation, or paving will not be detrimental to the anticipated service life, operation, and maintenance of the existing utility.
- (4) In areas where no floodway has been designated on the applicable FIRM, grading will not be permitted unless it is demonstrated by the applicant that the cumulative effect of the proposed grading, fill, excavation, or paving when combined with all other existing and planned development, will not increase the water surface elevation of the base flood more than a maximum of one foot (cumulative) at any point within the community.
- (5) The applicant shall notify the City of Albany, any adjacent community, and the Natural Hazards Mitigation Office of the Oregon Department of Land Conservation and Development of any proposed grading, fill, excavation, or paving activity that will result in alteration or relocation of a watercourse (See Section 6.101).
- (6) All drainage facilities shall be designed to carry waters to the nearest practicable watercourse approved by the designee as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down spouts and diffusers or other devices.
- (7) Building pads shall have a drainage gradient of two percent toward approved drainage facilities, unless waived by the Building Official or designee.

Additional review standards for this application are found in ADC Articles 1, 6, and 12.

### Vicinity of Water Avenue within Special Flood Hazard Area

