



COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, P.O. Box 490
Albany OR 97321

Ph: 541-917-7550 Fax: 541-917-7598
www.cityofalbany.net

NOTICE OF DECISION

DATE OF NOTICE: July 18, 2018

FILE: PA-05-18

TYPE OF APPLICATION: Tentative Plat to create a three-Lot Partition located within the Hillside Development Overlay District (Type III Process).

REVIEW BODY: Planning Commission

PROPERTY OWNER/
APPLICANTS: Christopher J. Allen Living Trust; PO Box 808; Albany, OR 97321

REPRESENTATIVE: Troy L. Plum, PE; TKP Engineering LLC; PO Box 374; Corvallis, OR 97339

ADDRESS/LOCATION: 3271 NW Ridgeview Lane

MAP/TAX LOT: Benton County Assessor's Map No. 10S-04W-25; Tax Lot 800

ZONING: Residential Single Family (RS-10) District

On July 16, 2018, the City of Albany Planning Commission granted **APPROVAL WITH CONDITIONS** of the application referenced above.

The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. Conditions of approval are attached to this notice. For more information, please contact **David Martineau, Project Planner**, at 541-917-7561, or Bob Richardson, Planning Manager, at 541-917-7555.

The City's decision may be appealed to the Albany City Council, if a person with standing files a completed Notice to Appeal application and the associated filing fee no later than 10 days from the date the City mails the Notice of Decision. The applicants may proceed, at their own risk, prior to the end of the appeal period, provided they sign a Release and Indemnity Agreement with the City.

This approval shall expire three years from the date of approval unless the applicant has installed all of the required public infrastructure related to the development and the infrastructure has been accepted by the city, or the applicant has provided financial assurance for all required public infrastructure per Albany Development Code Section 12.600, or if the development did not require public infrastructure, a valid building permit exists for new construction or improvements and work has commenced.

Signature on file

Planning Commission Chair

Appeal Deadline: July 28, 2018
Approval Expiration Date (If not appealed): July 18, 2021

Attachments: Location Map and Tentative Partition Plat

CONDITIONS OF APPROVAL

Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval, and shall comply with all applicable state, federal and local laws.

1. **Ridgeview Lane.** Prior to recordation of the final plat map, the applicant shall dedicate 27 feet of public right-of-way along the west boundary of the site along Ridgeview Lane.
2. **Ridgeview Lane.** Prior to recordation of the partition plat, the applicant shall provide a Petition for Improvement – Waiver of Remonstrance for participation in an assessment district for the improvement Ridgeview Lane.
3. **Ridgeview Lane.** Prior to recordation of the partition plan, the applicant shall construct a 20-foot-wide, all-weather access road along the west boundary of the site along Ridgeview Lane, approved by City staff, and remove the speed bump. *[Added by the Planning Commission on July 16, 2018].*
4. **Utility Easements.** Before the City will sign the final partition plat, the applicant must show that the existing and proposed public water system facilities (mains, services, meters, etc.) either lie within the proposed right-of-way dedication, or additional public utility easements shall be provided as needed to cover these facilities.
5. **Geotechnical Evaluation.** At the time of issuance of building permits or prior to setback and footing inspections, the developer shall provide a letter of approval to specialinspections@cityofalbany.net from a qualified engineer registered in Oregon which stipulates that the “excavated site” complies with the recommendations in the “Preliminary Geotechnical Evaluation,” prepared by Mel McCracken, of FEI Testing and Inspection, Inc., dated April 20, 2018.
6. **Geotechnical Evaluation.** All recommendations of the geotechnical report shall be followed during all phases of subdivision construction.
7. **Grading Permit.** Prior to any ground disturbing activity, a grading permit shall be obtained from the City of Albany Public Works Department if more than 50 cubic yards of material are to be excavated or filled on slopes steeper than 12 percent.

The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to assure compliance with all applicable regulations.

INFORMATION FOR THE APPLICANT

Please read through the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or Albany Development Code (ADC) regulations or administrative policies of the Planning, Public Works, Fire, or Building Departments that you must meet as part of the development process. You must also comply with state, federal, and local law.

PLANNING

1. Land use approval does not constitute Building or Public Works permit approvals.
2. **To complete the land division process and create the new parcels:**
 - a. **Satisfy the conditions of approval and submit a final partition plat to the City Planning Division for review and approval. The final plat must be accompanied by a completed Final Plat application and final plat review fee.** A paper draft copy of the plat may be submitted with the application. The final plat application is available on the City's website.

Note: The County Surveyor also needs to review the final plat. These reviews should be done concurrently. Contact the County Surveyor's to learn about their current processes, fees, and possible other expenses (property taxes must be current, for example).

- b. The survey and final plat must be prepared by a registered professional land surveyor (Oregon Revised Statutes).
- c. If applicable, pay or segregate any existing City liens on the property and pay or finance any other fees due as a result of the land division. Contact the Finance Department (541-917-7533) to make these arrangements.
- d. After the City signs the final plats, they will be returned to the applicant for recording.
- e. **After recording, and before the City will accept a permit application** to develop either parcel, the property owner must:
 - (i) Return one copy of the recorded final plat to the Albany Planning Division; **and**
 - (ii) Provide the Building Division with a copy of County's Tax Assessor paperwork that assigns the new map and tax lot identification numbers to each new parcel.

PUBLIC WORKS – ENGINEERING

The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.

BUILDING DIVISION

These comments are informational only and not intended to provide a complete code compliance review, nor are permission to begin work. Please contact the Building Division for applications to submit plans for Plan Review.

CODES

The current codes governing residential building in the City of Albany are:

- a. The Oregon Building Code
- b. The City of Albany Development Code (ADC)
- c. The City of Albany Municipal Code (AMC)

REQUIREMENTS

1. You must comply with state, federal, and local laws. It is the applicant's responsibility to contact the appropriate agency to assure compliance with applicable regulations.
2. Obtain Building Permits prior to any construction.

UTILITIES

Residential structures on each parcel must be served by its own sewer, water, and other utilities. Easements or covenants that run with the land must be provided between the parcels where utility lines cross property lines, for vehicle parking and access, and to allow Fire Department access.

DRAINAGE

Provide a complete drainage plan for all hard surface drainage areas. Shape the lot to facilitate surface, gutter, and under-floor drainage to the street or an approved system or area.

SOILS REPORT

At the time of or prior to applying for a building permit or prior to setback and footing inspections, a letter of approval from a qualified engineer registered in Oregon shall be submitted to the Building Division which stipulates the "excavated site" meets all of the building design requirements to support the proposed structure as required by State Building Code. **ORSC R401.4**

HILLSIDE DEVELOPMENT

For any development subject to the applicability criterion in **Albany Development Code (ADC) 6.180 (over 12 percent slopes)**, **ADC 6.200** requires a **Geotechnical Report** that identifies:

- a. All geologic and soils hazards and certify that the site and each individual lot, if land division is proposed, are suitable for the proposed development.
- b. Area(s) suitable for building and describe how slopes will be stabilized.
- c. Suitable building footprints(s) for development on each lot.
- d. Any requirement that must be met from the time construction begins to the time construction is completed.
- e. Any requirement that must be met after construction is completed (e.g., maintenance requirements for continued slope stabilization).

INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY

Should the Fire Official determine that an inadequate fire apparatus approach and/or inadequate access to water supply condition exists for one or more parcels of a proposed partition, the Building *Official shall require the installation of an NFPA Standard 13D fire suppression system* to address the inadequacies pertaining to structures built on affected parcel(s) in lieu of having to provide adequate fire apparatus approach (turn-around) and water supply (hydrant). This is in conformance to the standards set forth in **OAR 918-480-0125**, the Uniform Alternate Construction Standard for One and Two Family Dwellings.

DEMOLITION

ASBESTOS SURVEY REQUIRED – OAR 340.248 DEQ Asbestos Survey rules

Prior to the demolition of any building built before January 1st, 2004 an asbestos survey is required to be performed by an accredited inspector. For buildings within Benton and Linn Counties, contact the State of Oregon Department of Environmental Quality (DEQ) at the Salem Office: 503-378-5086 or the Asbestos Program' at www.oregon.gov

Albany Municipal Code Chapter 18.16

Demolition of any structure requires a permit, unless waived by the Building Official. All Utility companies such as telephone, power, water, sewer, gas and TV, shall be notified by the applicant to disconnect all of such services from the main lines to the building and inspections called for. All debris, stumps, broken concrete, brick, and other material shall be completely removed from the premises, and ground surfaces shall be raked and graded evenly within 30 days of completion of demolition. The permit holder must commence and complete the work within 180 days of permit issuance or request an extension.

MOVING BUILDINGS

AMC 18.18.010 Permit – Required.

A building permit is required for moving any building regulated by the State Building Code, per **ORS 455.410**

MOVING BUILDINGS (Continued)...

ORS 455.410 Relocating buildings; substantial compliance required; permits.

- (1) Existing buildings or structures which are removed from their foundation and relocated to another site within the state shall be in substantial compliance as defined in subsections (2) and (3) of this section.
- (2) “Substantial compliance” means compliance with the local construction codes in effect as of the original permit date of the building or structure, or where there was no permitting required at the time of original construction, with the basic health and safety standards, as described in the closest dated *Uniform Housing Code*, as published by the International Conference of Building Officials as of the date of construction. Only the insulation, overhead and underneath the structure, shall be upgraded to the current insulation requirements of the *State Building Code*, or to the maximum extent possible subject to the design of the structure. Nothing in this statute shall be construed to mean that all heating, plumbing and electrical systems shall be replaced with systems meeting current standards for new construction, except that any life-threatening deficiencies in those systems shall be repaired, notwithstanding that the cost of rehabilitation may exceed 50 percent of the value of the structure before rehabilitation.
- (3) All foundation and basement construction on the structure, and any remodeling at the new location, shall be constructed subject to all applicable, local, current building and safety codes, or where none exist, with the applicable standards as described in the *Uniform Housing Code* described in subsection (2) of this section.
- (4) All moved houses shall be provided with either battery-operated or hard-wired smoke detection devices located in accordance with the provisions of the *State Building Code*.
- (5) Nothing in this section is intended to permit any person to move a structure unless the person first consults the appropriate building inspection authority and obtains all required permits.

FIRE DEPARTMENT

Fire Department Comments provided by Lora Ratcliff, Senior Deputy Fire Marshal. 541-917-7728.

The fire department has reviewed the above project for conformance to the 2014 Oregon Fire Code (OFC) per your request and has the following comments:

1. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4). This applies to the flag lots with long driveways.

The proposed project will require an approved fire apparatus turnaround due to the fire access being greater than 150'. Future plans shall indicate fire apparatus access roads and the required turnaround. If access/turnaround will be an issue, see number 2 below for alternative options.

Since you're going to use another property as part of your Emergency Vehicle Access, before the City will approve issuance of a building permit for this parcel, the applicant must provide the Building Official with evidence that the following will occur before construction materials are brought on to the site (OFC 503):

a. An Emergency Vehicle Access Easement recorded on the affected parcels identifying that said easement shall be maintained by the owners and for purposes of ingress and egress to provide, without limitation, fire protection, ambulances and rescue services and other lawful governmental or private emergency services to the premises, owners, occupants and invitees thereof and said easement shall be made part of any submittal. If there is an existing Emergency Vehicle Access Easement then please provide a copy.

b. A "no-parking" restriction must be placed over the private access road and any additional areas on the property the Fire Marshal determines must be restricted for fire apparatus access.

2. The fire apparatus roadways for this project accessing the site from the public way and serving two or more residential structures are required to be provided and maintained with a minimum 20 feet wide improved surface. (OFC 503.2.1)

Due to the substandard width and quality of Ridgeview, fire department access is severely inadequate. One of the options below, a-f, will be required on all new structures:

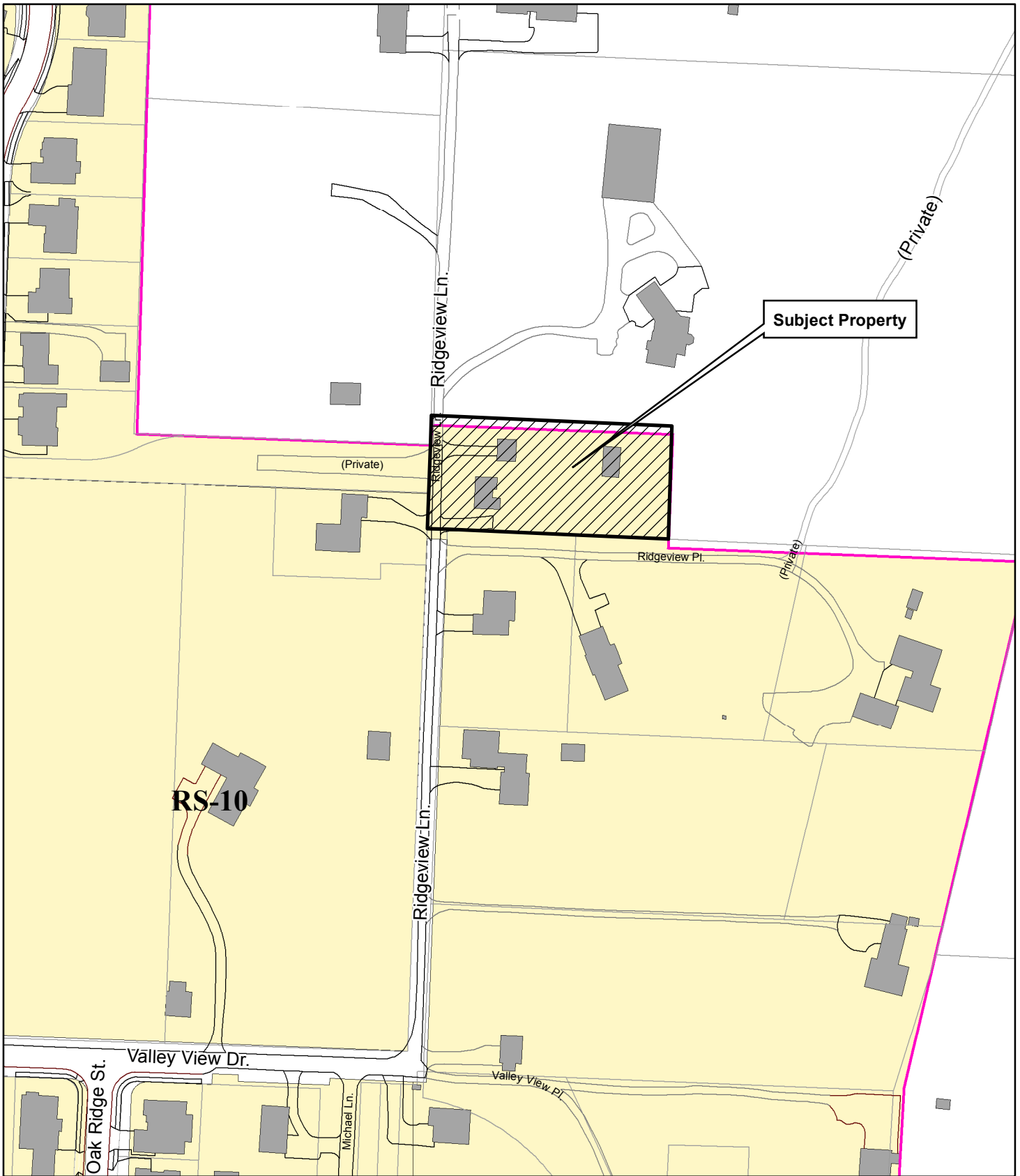
INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY

If the Fire Official determines that there is an inadequate fire apparatus access condition or an inadequate fire water supply for one or more parcels of the proposed division, in Lieu of providing adequate fire apparatus access or supply and acting in conformance to the standards set forth in OAR 918-480-0125, the Uniform Alternate Construction Standard for One and Two Family Dwellings, the Building Official, will select one or more of the following standard(s) to address the inadequacies pertaining to structures built on the affected parcels. The first choice is to have the buildings on the lots affected, protected by a NFPA 13D fire suppression system.

- a. Installation of an NFPA Standard 13D fire suppression system;
- b. Installation of a partial NFPA Standard 13D fire suppression system;
- c. Installation of additional layers of 5/8 inch, Type-X gypsum wallboard;
- d. Installation of fire-resistive compartmentalization of dwellings to limit the spread of fire by use of fire-resistant building elements, components or assemblies. Fire resistance ratings shall be determined in accordance with the Oregon Structural Specialty Code;
- e. Installation of fire-resistive exterior wall covering and roofing components; or
- f. Provide fire separation containment in accordance with the default standards as set forth in the Wildland-Urban Interface rules adopted by the Oregon Department of Forestry (See OAR 629-044-1060).

3. The proposed project is located within an "Unprotected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102, the maximum allowable fire flow of any one or two-family residential structure for this project is 1,500 gpm from approved water source (e.g. fire hydrants). This maximum fire flow limits the size

of the structures to a maximum of 3,600 sq. ft. Residential structures in excess of 3,600 sq. ft. may be constructed if they are provided with acceptable mitigation such as an approved fire sprinkler system. (ORS 479.200, OFC 508 and Appendices B & C)



Location Map: 3271 NW Ridgeview Lane

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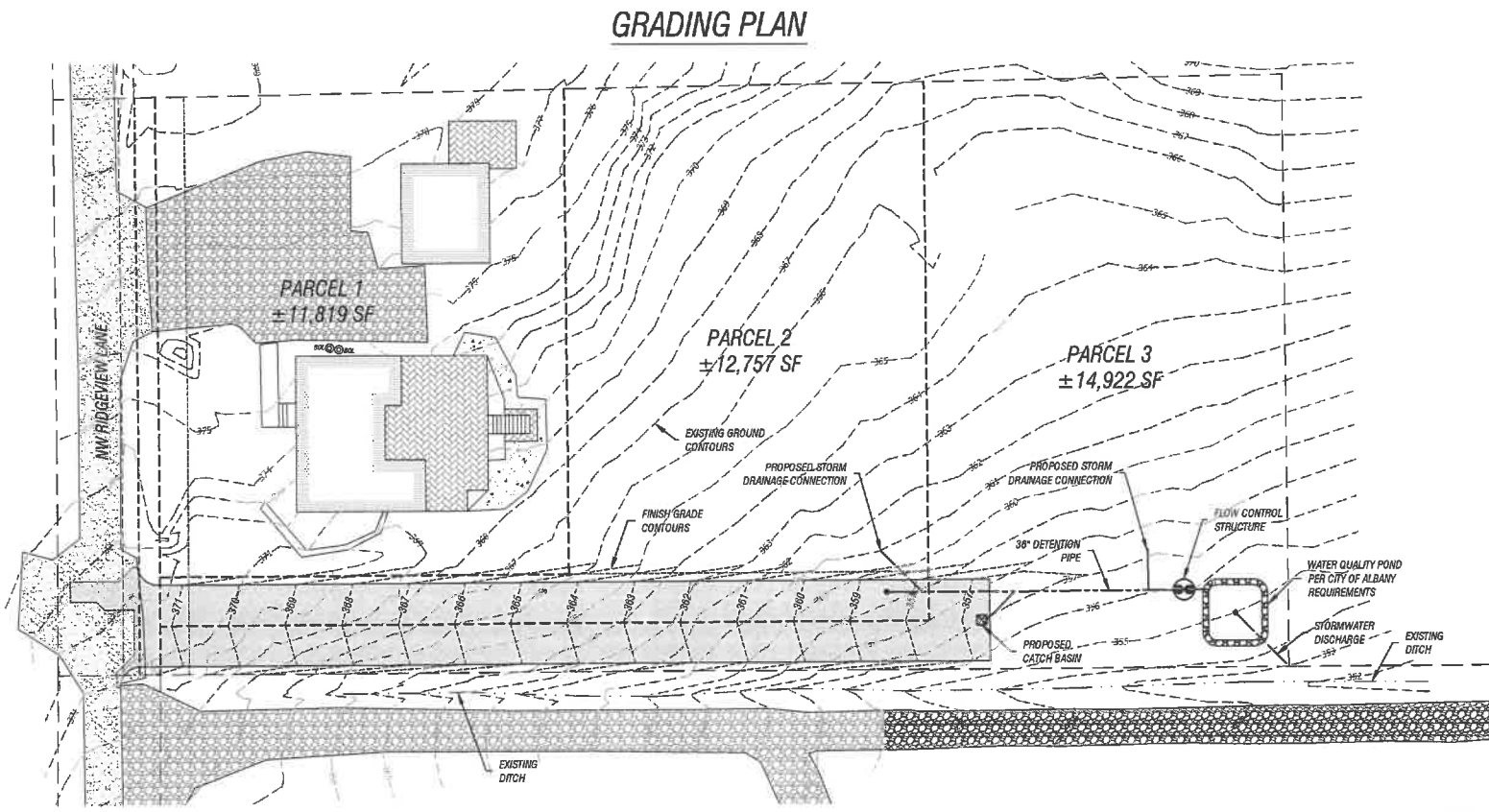
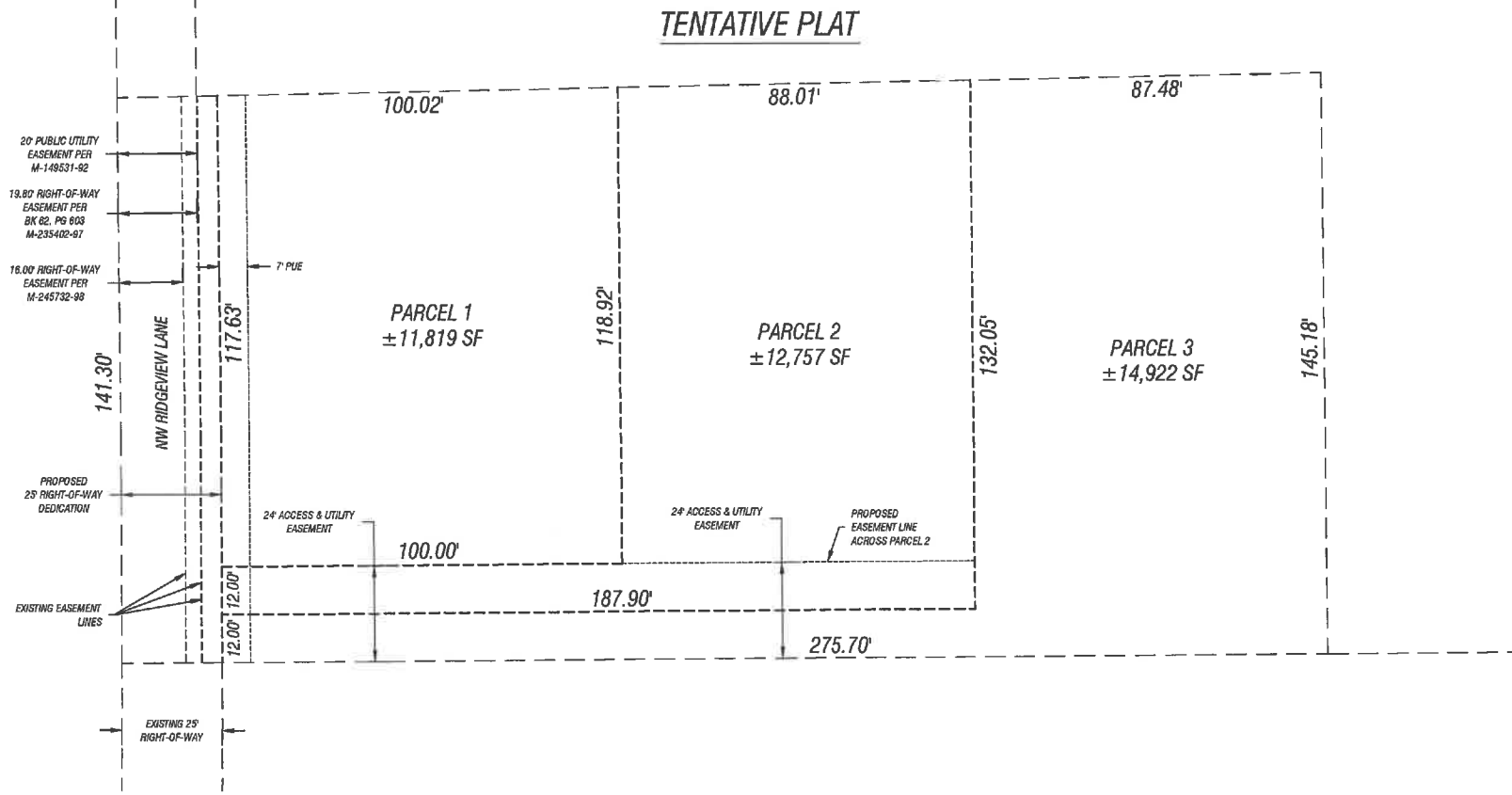
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May 7, 2018

Planning Division

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7550



TENTATIVE PLAT

GRADING PLAN

TKP ENGINEERING
P.O. BOX 374
Corvallis, OR 97339
Phone (541) 760-7205
Fax (866) 861-5704



TENTATIVE PLAT &
GRADING PLAN

RIDGEVIEW PARTITION
PREPARED FOR:
CHRISTOPHER J. ALLEN
LIVING TRUST



DATE 3/21/2018
PROJECT 17-007
DWG 17-007.DWG

REVISION	DATE

SHEET P.102

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