Staff Report

Land Division – Tentative Partition Plat

PA-05-20

July 10, 2020

Application Information

Proposal: Tentative Partition Plat to divide one parcel into two parcels including a flag lot.

Review Body: Staff (Type I-L review)

Property Owner/Applicant: James Thompson; PO Box 2752 Albany, Oregon 97321

Engineer: Reece and Associates Inc; 321 First Avenue NE Suite 3A, Albany, Oregon 97321; 541-926-2428; haydenw@raengineering.com

Address/Location: 1946 Jackson Street Albany, Oregon 97321

Map/Tax Lot: Linn County Tax Assessor’s Map No(s).: 11S-03W-07DC Tax Lot 2200

Zoning: Residential Single-Family RS-6.5

Existing Land Use: Vacant

Parcel Size: 20,908 square feet (.48 acres)

Neighborhood: Sunrise

Surrounding Zoning: North: Residential Single-Family RS-6.5
East: Residential Medium Density (RM)
South: Residential Single-Family RS-6.5
West: Residential Single-Family RS-6.5

Surrounding Uses: North: Quad Plex (Middle Housing)
East: Single-Family Residence
South: Vacant
West: Single-Family Residence

Prior History: Prior land use history could not be located.

Summary

A Tentative Partition Plat is proposed for the property addressed 1946 Jackson Street and identified as Linn County Tax Assessor’s Map No. 11S-03W-07DC Tax Lot 2200. The property is located west of the intersection between 20th Avenue and Jackson Street. The proposal will divide a 0.48-acre (20,908 square feet) parcel of land into two parcels. As shown on the applicant’s Tentative Partition Plat (Attachment B), Parcel One will be
7,500 square feet and is vacant. Parcel Two is proposed to be a 12,500-square-foot flag lot and will be developed with a single-family residence.

Land Division criteria contained in Albany Development Code (ADC) 11.180 and 11.090 are addressed in this report. The criteria must be met to grant approval of the application.

Staff Decision
The tentative partition plat application referenced above is APPROVED with CONDITIONS as described in this staff report.

Notice Information
A Notice of Filing was mailed to property owners identified within 100 feet of the subject properties on June 25, 2020, in accordance with ADC 1.330. At the time the comment period ended on July 9, 2020, the Albany Planning Division received one written comment from neighboring property owners, Matthew and Marcia Morse.

The comment expressed concerns over drainage issues on the subject property. Requirements pertaining to drainage are addressed under Criterion 5 of this staff report.

Analysis of Development Code Criteria
The ADC includes the following review criteria for a Tentative Plat (ADC 11.180), which must be met for these applications to be approved. Code criteria are written in bold followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Tentative Plat Review Criteria
Criterion 1
The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.

Findings of Fact
1.1 A Tentative Partition Plat is proposed for the property addressed 1946 Jackson Street SE and identified as Linn County Tax Assessor’s Map No. 11S-03W-07DC Tax Lot 2200 (Attachment A).
1.2 The subject lot is located in the Residential Single Family 6.5 (RS 6.5) zoning district.
1.3 The proposal will divide a .48-acre (20,908 square feet) parcel into two parcels. As proposed, Parcel 1 will be a 12,500-square-foot flag lot and Parcel 2 will be 7,500 square feet. Both parcels are currently vacant and will be developed with single family residences.
1.4 The minimum lot size for the RS-6.5 zone for a detached single-family residence is 6,500 square feet. As shown in the applicant’s tentative partition plat, both lots meet the minimum lot size. Likewise, the RS-6.5 zone requires a minimum lot width of 60 feet and a minimum lot depth of 80 feet. Both proposed parcels meet this standard.
1.5 In any single-family residential land division, lots and blocks shall conform to standards listed in ADC 11.090 and other applicable provisions of the Development Code. Standards relevant to this proposed partition are addressed below.
   a. ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all proposed lots in compliance with the requirements of the Development Code.
As discussed under finding 1.3, above, the proposed parcels comply with the minimum requirements of the underlying zoning. The parcels’ sizes and dimensions will allow for setbacks to be met while providing an adequate building envelope. Therefore, there will be no foreseeable difficulties in obtaining building permits for the parcels within the proposed partition. This criterion is met.

b. According to ADC 11.090(2), when lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. All proposed parcels are less than double the minimum lot size for the RS-6.5 zoning district. Therefore, this standard is not applicable.

c. ADC 11.090(3) states that double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector or arterial street status or to overcome specific disadvantages of topography and/or orientation. None of the proposed parcels are double-frontage lots. This standard is not applicable.

d. ADC 11.090(4) states that side yards of lots shall run at right angles to the street the property faces. Parcel 1 is proposed in a “flag lot” configuration, so the side yards do not abut the public street. Parcel 2 will have side yards running at a right angle to Jackson Street. Therefore, this standard is met.

e. According to ADC 11.090(5), block dimensions shall be determined by existing street and development patterns, connectivity needs, topography, and adequate lot size. The average block length shall not exceed 600 feet unless adjacent layout or physical conditions justify a greater length. Block length is defined as the distance along a street between the centerline of two intersecting through-streets. Physical conditions may include existing development, steep slopes, wetlands, creeks, and mature tree groves. The proposed partition does not create any new streets and, therefore, does not create any new blocks. This standard is not applicable.

f. ADC 11.090(6) states that off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible. All lots will have direct access to a public street, and no off-street pedestrian pathways are proposed or required with this partition. Therefore, this standard is not applicable.

g. ADC 11.090(7) and (8) regards standards for access to arterial streets and standards related to cul-de-sacs. Access to an arterial street is not proposed and the application does not involve a cul-de-sac. Therefore, these standards are not applicable.

h. ADC 11.090(9) states that flag lots are discouraged and allowed only when absolutely necessary to provide adequate access to buildable sites, and only where the dedication and improvement of a public street cannot be provided. The minimum width for a flag lot is 22 feet, except when the point of access is shared by an access and maintenance agreement in which case each lot shall have a minimum width of 12 feet and a combined minimum of 24 feet.

Parcel One is proposed in a “flag lot” configuration. Access to Jackson Street will be provided to Parcels One and Two via a shared access over the 25-foot wide flag stem portion of Parcel One, as shown on the tentative plat (Attachment B).

The existing lot is large enough to accommodate a two-lot division with a standard lot configuration. However, an existing power pole is located near the northern portion of the center of the property and connects to another power pole near the northeastern corner of the property. The existing power infrastructure would severely limit the buildable area of a standard configured lot. Therefore, a flag lot is “absolutely necessary” to provide a buildable site.
Conclusions
1.1 The proposal meets the standards of the underlying zoning district.
1.2 There are no foreseeable difficulties in securing building permits to build on the proposed lots.
1.3 The proposed flag lots are absolutely necessary to provide a buildable site.
1.4 The flag lot will have access to a public street.
1.5 This criterion is met without conditions.

Criterion 2
Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Findings of Fact
2.1 The proposal will divide a single 20,908-square-foot lot into two parcels. Parcel 1 would be 12,500 square feet. Parcel 2 would be 7,500 square feet.
2.2 The proposed partition would divide the entire parcel owned at this location by James Thompson.
2.3 None of the lots can be further divided.

Conclusions
2.1 The site is currently owned by a single property owner. There is no other remainder of property under the same ownership to consider with this application.
2.2 This criterion is met without conditions.

Criterion 3
Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

Findings of Fact
3.1 This review criterion has been interpreted by the City Council to require only that adjoining land either have access, or be provided access, to public streets.
3.2 ADC 12.060 requires that development must have frontage on or approved access to a public street currently open to traffic. As shown on Attachment B, both parcels will have access to, and frontage along, a public street currently open to traffic.
3.3 Adjoining properties have access to public streets through the existing transportation system and the proposed partition will not remove that access.

Conclusions
3.1 The subject property has adequate access to and from the existing street system.
3.2 Adjoining lands currently have direct access to public streets and the proposed partition will not impact that access.
3.3 This criterion is met without conditions.
Criterion 4

The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.

Findings of Fact

3.1 The development will divide one parcel of land into two parcels. Both parcels will be vacant and can be developed with single-family homes.

3.2 The development is located on the west side of the street at 1946 Jackson Street.

3.3 Jackson Street is classified as local street and is not constructed to city standards. The street is constructed to rural county standards and does not have curb, gutter, or sidewalk. The right-of-way width is 55 feet across the frontage of this site and 70 feet to the north. Pavement width is about 22 feet and provides for a vehicle travel lane in each direction. The road is not improved with curb and gutter across the parcels immediately north or south of the development.

3.4 The tentative plat map provided by the applicant proposes dedication of 15 feet of public street right-of-way across the frontage of the site in order to align the right-of-way with the parcel to the north.

3.5 Both parcels being created are intended to be developed with single family homes. Based on ITE trip generation rates, single family homes generate 9.55 vehicle trips per day. This development can therefore be expected to ultimately result in the addition of just under 20 average daily vehicle trips on the public street system.

3.6 Albany’s Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.

3.7 Section 12.060 of the Development Code requires that public streets within and adjacent to a development be improved to city standards. When the City Engineer determines that improvement of the street is not timely, the City may accept a Petition for Improvement/Waiver of Remonstrance for participation in a future assessment district.

Conclusions

3.1 The proposed development will ultimately result in just under 20 average daily trips on the public street system.

3.2 Albany’s Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.

3.3 The development has frontage on an existing street not constructed to city standards. Due to the small nature of the development and the lack of adjoining city standard street improvements, the City Engineer had determined it is not timely for this development to improve its street frontage to city standards and an improvement assurance should instead be provided.

3.4 The applicant has proposed dedication of 15 feet of public street right-of-way across the site’s frontage on Jackson Street in order to match the right-of-way alignment of the property to the north.

3.5 This criterion can be met with the following conditions.

Condition

Condition 1 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 of Jackson Street.

Condition 2 The applicant shall dedicate 15 feet of public street right-of-way across the site’s frontage on Jackson Street with the partition plat map.
Criterion 5

The location and design allow development to be conveniently served by various public utilities.

Findings of Fact

Sanitary Sewer

5.1 City utility maps show an eight-inch public sanitary sewer main in Jackson Street. A previous residence on the site was connected to the public sanitary sewer system. There is one existing sewer service lateral to the subject property.

5.2 The applicant’s proposal shows the existing lateral to the property being used to serve Parcel 2, and a new sewer lateral being installed to serve Parcel 1.

5.3 Each separate lot must have its own distinct sewer service lateral.

5.4 Installation of the new sewer service lateral for Parcel 1 may be deferred until development on the parcel occurs.

Water

5.5 City utility maps show an eight-inch public water main in Jackson Street. The property has never been connected to the public water system, and the previous residence on the site was served by a private well. There is one existing water service to the subject property which was installed in 2004 with a public water line project.

5.6 ADC 12.410 requires all new development to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main.

5.7 Each separate lot must have its own distinct water service. The applicant’s proposal shows Parcel 2 being served by the existing water service to the site, and Parcel 1 being served by a new service located along the frontage (“flag pole”) of that lot.

5.8 Installation of the new water service for Parcel 1 may be deferred until development on the parcel occurs.

5.9 The property has never been connected to the public water system, nor has it been assessed or previously contributed to the cost of the water facilities along its frontage.

5.10 A connection charge shall be due and payable when accessing the City’s water distribution facilities from or for the benefit of any real property against which no assessment has previously been levied or for which the cost of constructing the water facilities has not been paid by the property owner or predecessor thereof (AMC 15.30.010).

5.11 If the sanitary sewer, water distribution facility, storm drain, and/or improved street is to be utilized pursuant to any activity involving a land division, the amount of the applicable connection charge shall be paid, in full, prior to the signing of the final plat (AMC 15.30.020).

Storm Drainage

5.12 City utility maps show a 10-inch public storm drainage main on the east side of Jackson Street. Jackson Street is not improved with curb and gutter and has no discernable ditch or other stormwater drainage facilities.

5.13 It is the property owner’s responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. Private drainage systems crossing multiple lots will require reciprocal use and maintenance easements and must be shown on the final plat. In addition, any proposed drainage systems must be shown on the construction drawings. The
type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany’s Engineering Division.

5.14 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer and/or the Building Official. Also, no storm water may be discharged to the public sanitary sewer system.

5.15 Roof drainage from single-family houses on improved streets typically are connected to the adjacent street gutter through the curb. Jackson Street is not improved to city standards as it lacks curb and gutter. There does not appear to be any drainage facilities in Jackson Street along the property’s frontage.

5.16 Upon development of either proposed lot, the developer must show how roof drainage will be accommodated according to Building Codes and without impacting adjacent properties.

5.17 AMC 12.45.030 requires that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development. (Ord. 5841 § 3, 2014).

5.18 The subject property is less than one acre; therefore no stormwater quality facilities are required for this development.

Conclusions

5.1 City sanitary sewer and water facilities are available and adequate to serve the subject property. A public water main extension is required for the property’s frontage on 19th Avenue.

5.2 According to the applicant’s submittal Parcel 2 will be served by the existing sewer lateral and water service on the site. Upon development of Parcel 1, the developer must have new and separate utility services installed to serve Parcel 1.

5.3 There are no public storm drainage facilities in Jackson Street adjacent to the subject property.

5.4 When future development occurs on either lot, the developer must identify how roof drainage will be routed to an approved discharge point.

5.5 No post-construction stormwater quality facilities will be required for the proposed development.

5.6 This Criterion is met with the following condition.

Condition

Condition 3 Before the City will approve the final partition plat, the applicant must pay a water connection charge for the public water facilities along the property’s Jackson Street frontage.

Criterion 6

Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Findings of Fact

6.1 Article 4: Airport Approach. Figure 4-1 of ADC Article 4 shows that the subject property is not located in the Airport Approach District.

6.2 Article 6 Steep Slopes, Comprehensive Plan Plate 7: According to Plate 7 of the Comprehensive Plan, the subject property is not located in the Hillside Development district.

6.3 Article 6 Floodplains, Comprehensive Plan Plate 5: FEMA/FIRM Community Panel No. 41043C0526G dated September 29, 2010, shows that the entirety of the subject property is located outside the 100-year floodplain.
6.4 *Article 6 Wetlands, Comprehensive Plan Plate 6*: does not show any wetlands on the subject site. The National Wetlands Inventory Map does not show wetlands on the subject site.

6.5 *Article 6*: The subject property is not located in the Willamette River Greenway, Open Space Zoning, Riparian, or Habitat overlay district.

6.6 *Article 7 Historic Districts, Comprehensive Plan Plate 9*: shows the subject property is not in a historic district. There are no known archaeological sites on the property.

**Conclusions**

6.1 The site is not located in the Airport Approach District, Historic District, or a Natural Resource District.

6.2 This Criterion is not applicable.

**Overall Conclusion**

As proposed and conditioned, the application for Tentative Partition Plat for a two-lot partition satisfies all applicable review criteria as outlined in this report.

**STAFF DECISION**

APPROVAL with CONDITIONS of the Tentative Partition Plat application. The approval is subject to the following conditions.

**Conditions of Approval**

**Condition 1**  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 of Jackson Street.

**Condition 2**  The applicant shall dedicate 15 feet of public street right of way across the site’s frontage on Jackson Street with the partition plat map.

**Condition 3**  Before the City will approve the final partition plat, the applicant must pay a water connection charge for the public water facilities along the property’s Jackson Street frontage.

**Attachments**

A. Location Map  
B. Proposed Tentative Partition Plat  
C. Applicant’s Findings Narrative

**Acronyms**

ADC  Albany Development Code  
AMC  Albany Municipal Code  
FEMA  Federal Emergency Management Agency  
FIRM  Flood Insurance Rate Map  
ITE  Institute of Transportation Engineers (Trip Generation)  
PA  Partition  
RM  Residential Medium Density District  
RS-6.5  Single Family Residential District (Average Minimum Lot Size of 6,500 square feet)  
TSP  Transportation System Plan
Jackson Street Partition

Tentative Partition Plat Application

Prepared for:
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Submitted to:

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April 30, 2020
Project Summary

| Request: | This tentative partition application is for a two-lot partition intended for residential, single-family development. |
| Location: | 1946 Jackson Street SE<br>Albany, Oregon 97321<br>Linn County Tax Lot 2200, Map 11s03w07DC |
| Applicant/Owner: | Jim Thompson<br>P.O. Box 2752<br>Albany, Oregon 97321<br>541-979-1956<br>Leethompson_assoc@comcast.net |
| Engineer/Planner: | **Reece & associates, Inc.**<br>321 1st Avenue Suite 3A<br>Albany OR 97321<br>541-926-2428<br>Engineer: David J. Reece, PE dave@r-aengineering.com<br>Planner: Hayden Wooton haydenw@r-aengineering.com |

Exhibits:
A – Linn County Tax Map 11s03w07DC  
B – Aerial Photograph  
C – City of Albany Zoning Map  
D – ADC Figure 4-1  
E – Comprehensive Plan Plate 7  
F – National Wetlands Inventory  
G – FIRM No. 41043C0526G  
H – Comprehensive Plan Plate 9

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Applicable criteria of the Albany Development Code will appear in *italics* followed by the applicants’ responses in regular font.
I. **Project Description**

The subject property can be identified by its address, 1946 Jackson Street SE, or as Linn County Tax Assessor’s Map 11s03w07DC, Lot 2200. The proposed partition will create two lots intended for detached, single-family dwellings. Lot One is a flag lot with an area of approximately 12,500 square feet. Lot Two will have an area of approximately 7,500 square feet. The subject property has a zoning designation of RS-6.5. Currently, the property is lightly forested and undeveloped.

The proposed development conforms to all applicable sections of the Albany Development Code (ADC). This application narrative provides findings of fact that demonstrate conformance with all applicable sections of the ADC.

Adjacent zones and land uses (Exhibit B for aerial photograph and Exhibit C for City of Albany zoning map):

- **North:** Duplex development zoned Residential Single-Family (RS-6.5) by the City of Albany.
- **South:** Undeveloped parcel zoned Residential Single-Family (RS-6.5) by the City of Albany.
- **East:** Single-family home zoned Residential Medium Density (RM) by the City of Albany.
- **West:** Single-family home zoned Residential Single-Family (RS-6.5) by the City of Albany.

II. **Tentative Plat Review Criteria**

Approval of a tentative partition is based upon compliance with the applicable decision criteria outlined in ADC Section 11.180, Tentative Plat Review Criteria. The applicant has provided findings of fact for these criteria:

1. **The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.**

   The proposed partition’s ability to comply with the standards of its underlying zoning district are addressed in “Section V – ADC Compliance Article 3 Residential Zoning Districts,” and its ability to comply with the applicable lot and block standards are addressed in “Section IV – ADC Compliance Lot and Block Standards.” Findings and conclusions from the above-mentioned sections are incorporated herein by reference. The proposed partition complies with this criterion.

2. **Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.**

   All the property included in this partition is under the same ownership, and there is no remainder of land to consider with this application. The proposed partition complies with this criterion.
(3) Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

All adjoining parcels have already experienced development and have direct access through frontage along public roads. The proposed partition complies with this criterion.

(4) The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.

Presently, the subject property is served by Jackson Street. The proposed partition will not create a new street, because all proposed lots will continue to have access to Jackson Street. Albany’s Transportation System Plan does not identify any capacity problems near the proposed subdivision. The proposed partition complies with this criterion.

(5) The location and design allow development to be conveniently served by various public utilities.

There is an eight-inch waterline, eight-inch sanitary sewer line, and ten-inch stormwater mainline in Jackson Street. Both lots created by this partition will connect to existing public utility infrastructure in Jackson Street.

(6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

The proposed development is not located within any special purpose districts identified by the City of Albany. (Exhibit D for Figure 4-1 of the ADC, Exhibit E for Comprehensive Plan Plat 7, Exhibit F for FIRM Panel No., Exhibit G for National Wetlands Inventory, and Exhibit H for Comprehensive Plan Plat 9.) This criterion does not apply.

III. ADC Compliance – Lot and Block Standards

Tentative Plat Review Criteria 11.180(1) requires a proposed subdivision or partition plat comply with the applicable Lot and Block Standards located in ADC Article 11 – Land Divisions and Planned Development.

(1) Lot arrangement must be such that there will be no foreseeable difficulties, for reason of topography or other condition, in securing building permits to build on all lots in compliance with the requirements of this Code with the exception of lots designated Open Space.

The subject property is not located within a “Hillside – Steep Slopes” designated area (Exhibit E) and does not contain wetlands (Exhibit G). Therefore, topography or any other condition will not hinder development of the proposed lots. The proposed subdivision complies with this standard.

(2) Lot dimensions must comply with the minimum standards of this Code. When lots are more than double the minimum area designated by the zoning district, those lots must be arranged so as to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat.
The proposed partition’s ability to comply with the lot dimension standards are addressed in “Section V – ADC Compliance Article 3 Residential Zoning Districts.” Findings and conclusions from the above-mentioned sections are incorporated herein by reference. The proposed subdivision complies with this standard.

The proposed partition does not include lots more than double the minimum area designated by the RS-6.5 zone. This portion of the standard does not apply.

(3) Double frontage lots shall be avoided except when necessary to provide separation of residential development from streets of collector and arterial street status or to overcome specific disadvantages of topography and/or orientation. When driveway access from arterials is necessary for several adjoining lots, those lots must be served by a combined access driveway in order to limit possible traffic hazards on such streets. The driveway should be designed and arranged so as to avoid requiring vehicles to back unto traffic on arterials. An access control strip shall be placed along all abutting streets requiring access onto the lesser class street where possible.

The proposed partition does not create double frontage lots. This standard does not apply.

(4) Side yards of a lot shall run at right angles to the street the property faces, except that on a curved street the side property line shall be radial to the curve.

Each of the proposed lots have frontage along Jackson Street, and their side yards run at right angles. The subject property’s frontage along Jackson Street is not curved. The proposed subdivision complies with this standard.

(5) Block dimensions shall be determined by existing street and development patterns, connectivity needs, topography, and adequate lot size. The average block length shall not exceed 600 feet unless adjacent layout or physical conditions justify a greater length. Block length is defined as the distance along a street between the centerline of two intersecting through streets (Figure 11-1). Physical conditions may include existing development, steep slopes, wetlands, creeks, and mature tree groves.

The proposed partition will not construct a new street or blocks. This standard does not apply.

(6) Off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible.

Both proposed lots have direct access to a public street. This standard does not apply.

(7) The recommended minimum distance between arterial street intersections is 1800 feet. In order to provide for adequate street connectivity and respect the needs for access management along arterial streets, the Community Development Director/City Engineer may require either a right-in/right-out public street connection or public access connection to the arterial in lieu of a full public street connection. When a right-in/right-out street connection is provided, turning movements shall be defined and limited by raised medians to preclude inappropriate turning movements.
The proposed partition does not create or connect to an arterial street. This standard does not apply.

(8) The minimum frontage of a lot on a cul-de-sac shall be 22 feet as measured perpendicular to the radius.

The proposed partition does not include construction of a cul-de-sac. This standard does not apply.

(9) Flag lots are allowed only when absolutely necessary to provide adequate access to buildable sites and only where the dedication and improvement of a public street is determined by the City Engineer to be not feasible or not practical. The minimum width for a flag is 22 feet, except when access is shared by an access and maintenance agreement in which case each lot shall have a minimum width of 12 feet and a combined minimum of 24 feet.

Pacific Power has existing infrastructure approximately thirty feet south of the property’s northern boundary. If the property is divided into two standard parcels with 50 feet of frontage per the RS-6.5 standards, Pacific Power’s infrastructure would be located in the center of a proposed lot. The existing power poles and lines would prevent the proposed lot from being buildable.

Dividing the property into a standard lot and a flag lot will allow both proposed parcels to be unaffected by the power facilities by providing buildable sites towards the southern portion of the property, away from power infrastructure. The proposed flag lot layout is necessary to provide buildable sites. The proposed flag lot has 25 feet of frontage on Jackson Street. The proposed partition complies with this standard.

(10) At all street intersections, an arc along the property lines shall be established so that construction of the street at maximum allowable width, centered in the right-of-way, shall require not less than a twenty-foot radius of the curb line.

The proposed partition does not include construction of a street intersection. This standard does not apply.

IV. ADC Compliance – Article 3 Residential Zoning Districts

Tentative Plat Review Criteria 11.180(1) requires a proposed subdivision or partition plat comply with the applicable standards located in Albany Development Code Article 3 – Residential Zoning Districts.

Schedule of Permitted Uses

As per the “Schedule of Permitted Uses,” single-family dwellings are listed as “allowed without land use review procedures but must meet development standards.” The proposed partition complies with this standard. Although, this standard will again be reviewed and enforced at the time of a building permit application.

1 ADC 3.050
Development Standards

The subject property is zoned Residential Single-Family (RS-6.5). The minimum lot size for a single-family home in the RS-6.5 zone is 6,500 square feet, the minimum lot width is 50 feet, and the minimum lot depth is 80 feet.

The proposed partition will create two lots. Lot One is a flag lot with an area of approximately 12,500 square feet. Lot Two is 7,500 square feet, 75 feet wide, and 100 feet deep. Setbacks and lot coverage standards will be reviewed at the time of building permit. The proposed subdivision complies with these standards.

Minimum Space Requirements

The ability of the proposed development to satisfy the applicable off-street parking space requirements is covered in the section of this application narrative titled, “On-Site Development and Environmental Standards – Section V.”

Landscaping

The ability of the proposed development to satisfy the applicable landscaping requirements is covered in the section of this application narrative title, “On-Site Development and Environmental Standards – Section V.”

V. ADC Compliance – Article 9 On-Site Development and Environmental Standards

Albany Development Code Standards 3.350 Minimum Space Requirements and 3.360 Landscaping both refer to standards located Article 9 – On-Site Development Environmental Standards.

Space Requirements

Off-Street parking stall requirements are provided in Table 9-1 of the Albany Development Code. As Per Table 9-1 “Parking Requirements,” two parking spaces are required per single-family unit. Adequate driveway stalls will be placed on each lot in order to provide adequate parking spaces. The proposed development satisfies the space requirement standard. Although, this standard will be again be reviewed and enforced at the time of a building permit application.

Landscaping Requirements

The proposed development will provide one six-foot-tall tree and four one-gallon shrubs every 50 lineal feet of street frontage. The remainder of all landscaped area will be covered with ground cover. This standard will be enforced during review of an occupancy permit or building permit application.

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2 ADC 3.190
3 ADC 3.350
4 ADC 3.360
5 ADC 9.020, Table 9-1
6 ADC 9.140(1)
VI. Conclusion

This application narrative and accompanying plan set demonstrate that all applicable provisions of the City of Albany Development Code are satisfied. We therefore respectfully request approval of this application.
Figure 4-1: Albany Airport Approach District
PLATE 7: Hillsides - Steep Slopes
ORD 5673 (June 27, 2007)
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.
PLATE 9: Historic Districts