



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: March 29, 2018
FILE: SP-02-18
TYPE OF APPLICATION: Site Plan Review (Type I-L application) for new construction of a 3,200-square-foot residential accessory structure with a 14-foot wall height.
REVIEW BODY: Staff (Type I-L process)
PROPERTY OWNER/APPLICANT: Shelbey Coulter; 3480 Earl Avenue NE, Albany, OR 97322
ADDRESS/LOCATION: 3480 Earl Avenue NE, Albany, OR 97322
MAP/TAX LOT: Linn County Assessor's Map No. 10S-03W-33DC; Tax Lot 7300

On March 29, 2018, the City of Albany Community Development Director granted **APPROVAL** 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 **Laura LaRoque, Project Planner** at 541-917-7640 or Bob Richardson, Planning Manager, at 541-917-7555.

The City's decision may be appealed to the State Land Use Board of Appeals (LUBA) if a person with standing files a completed Notice to Appeal application and the associated filing fee no later than 21 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.

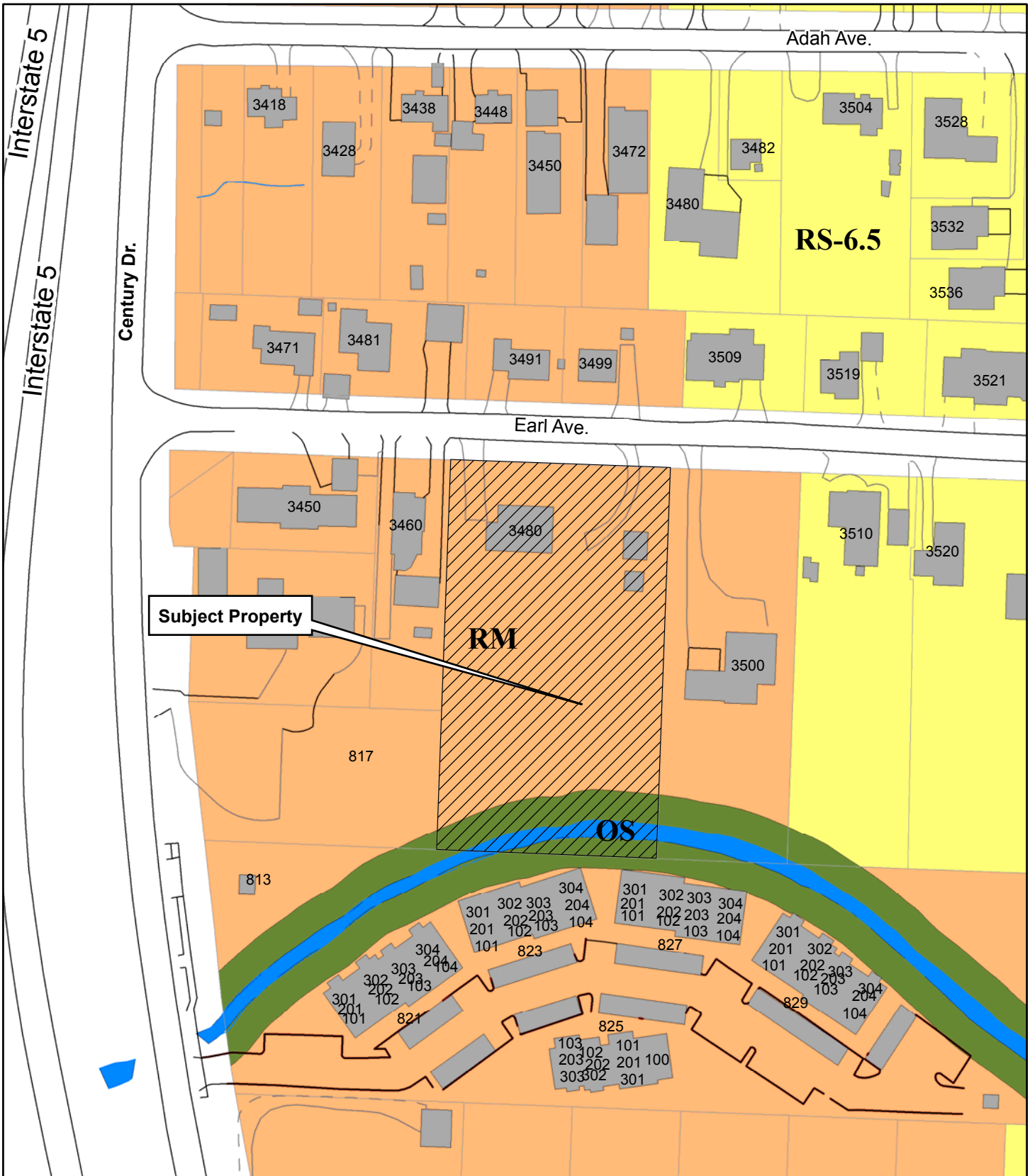
This approval shall expire three years from the date of approval unless the applicant has installed all of the required public infrastructure related to the development and the infrastructure has been accepted by the city, or the applicant has provided financial assurance for all required public infrastructure 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

Community Development Director

Attachments: Location Map, Information for the Applicant

Appeal Deadline: April 19, 2018
Approval Expiration Date (If not appealed): March 29, 2021



Location Map: 3480 Earl Avenue NE, Albany, OR 97322

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 of the data provided represents current information in a readily available format. While the data provided is generally believed to be accurate, occasionally it proves to be incorrect; thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the material provided, it is specifically advised that you independently field verify the

0 25 50 100 150 200 Feet

February 2, 2018

Planning Division

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

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 comply with state, federal, and local law. 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 ensure compliance with all applicable regulations.

PLANNING

Land use approval does not constitute Building or Public Works permit approvals.

BUILDING DIVISION

PERMITS

1. Obtain Building Permits prior to any construction.
2. Erosion Sediment Control Permits are required by Public Works prior to construction.

PLAN REVIEW FOR PERMITS

3. All plans submitted for review for building permits will need to be submitted electronically. Contact the Building Division front counter at explans@cityofalbany.net for details and instructions prior to submittal.

CODES

4. The current residential building codes are:
 - a. The 2017 Oregon Residential Specialty Code (ORSC)
 - b. The 2017 Oregon Energy Efficiency Specialty Code (OEESC),
 - c. The 2017 Oregon Plumbing Specialty Code (OPSC) based on the 2011 OPSC.
 - d. The 2017 Oregon Fire Code (OFC) based on the 2012 International Fire Code (IFC)
 - e. The 2017 National Electrical Code (NEC) with Oregon amendments.
 - f. The 2014 Oregon Structural Specialty Code (OSSC)

SOILS

5. At the time of or prior to application 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**

UTILITIES

6. Each parcel must be served by its own, 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

7. 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 a pre-approved system or area.

SEPARATION AND ALLOWABLE AREA

8. Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than a 1-hour fire-resistive construction per **ORSC R302.3**.
9. Garage shall be separated from dwelling units per **ORSC Table R302.6**.
10. Exterior walls of any residential accessory structures must be at least 3-foot from a property line or be protected as per **ORSC Table R302.1** but must also meet minimum building setbacks required per zoning regulations.
11. Residential associated accessory buildings are limited by ORSC R328.4 to **3,000** square feet. The building's square footage may be increased to 3,500 square feet when it has a 5-foot minimum setback to the property lines.
12. Fire resistance ratings of exterior walls of buildings used for commercial purposes shall be as per **2014 Oregon Structural Specialty Code (OSSC) Table 601 and 602** with openings protection as per **OSSC 705.8.1 through 705.8.6 and OSSC Table 705.8**. **The proposed building would need to be provided with 10-foot or more setbacks to the property lines** to avoid fire rated walls per Table 602 and parapet walls as per **OSSC 705.11**.

INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY

13. 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 Alterate 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 building 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-resistance 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 coverings 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).

WETLANDS

14. In the event of wetlands are on the property, the City will require Notice of Land Use and Future Development to be made to any State and Federal Agency with jurisdiction, such as DSL. Additional delineation, mitigation and permits will be required and proof submitted, before building permits can be issued.

FIRE DEPARTMENT

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. No dwelling unit will be allowed unless the following requirements are met:
Residential developments/projects of one or two-family dwellings where the number of dwellings exceeds 30 shall be provided with at least two means of fire apparatus access. These access points shall

be remotely separated by at least ½ the length of the maximum overall diagonal dimension of the property or area served. (OFC Appendix D107.1)

The proposed project will bring the number of homes served by one access to thirty-four (34 - conservative number).

For mitigation, Albany Fire will accept an Emergency Vehicle Access from Century Drive to within 150 feet of the farthest portion of the new structure. 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.**
- 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.**

The following items apply to the proposed accessory structure whether there is a dwelling unit or not:

2. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the new created lot as measured by an approved route of travel around the exterior of the structure with dead-end lengths not exceeding 150 feet long unless an approved turnaround is provided. (OFC 503.1.1, OFC 503.2.5 and OFC, Appendix D 103.4).
3. 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 0103.4)
4. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section 8102 and this area is currently served by a public water system. The Fire Flow required for shall be as specified in Appendix B of the fire code. (OFC 507.3).
5. The location and spacing requirements for fire hydrants are based on four project-specific criteria:
 - a. The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
 - b. The calculated "fire flow" of the proposed building(s)
 - c. The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the property.
 - d. The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.
6. All portions of buildings constructed or moved into the City shall be located within 400 feet (600 feet for residential and fire sprinkler-protected buildings) of a fire hydrant located on a fire apparatus access road using an approved route of travel. (OFC 508.5.1)

The proposal does not meet this requirement, so the new structure is limited to not more than 3,600 square feet.

PUBLIC WORKS - ENGINEERING

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