



## COMMUNITY DEVELOPMENT

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

# Notice of Decision

## Site Plan Review

SP-18-18

June 21, 2018

### Application Information

Proposal:	Site Plan Review for a residential accessory structure (30-foot by 36-foot work shop with 14-foot walls)
Review Body:	Staff (Type I-L review)
Property Owner:	Adam and Kathleen Leisinger; 130 Onyx Street NE; Albany, OR 97322
Address/Location	130 Onyx Street NE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-03B; Tax Lot 1700
Zoning:	Residential Medium Density (RM) District

On June 21, 2018 the City of Albany Community Development Director **approved** the application described 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. For more information, please contact Project Planner **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 Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal not later than 21 days after the Director's notice of decision is mailed [ADC 1.330(5)(a)]. 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 expires in three years unless the final plat has been submitted to the City's Planning Division for review and approval.

*Signature on file*

Community Development Director

**Appeal Deadline: July 11, 2018**

**Approval Expiration Date (if not appealed): June 21, 2019**

Attachments: Information for the Applicant

[cd.cityofalbany.net](http://cd.cityofalbany.net)



## Conditions of Approval

### General

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.

## Information for the Applicant

Please read 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 Municipal Code (AMC) or Development Code (ADC) regulations or administrative policies of the Planning, Engineering, 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 assure compliance with all applicable regulations.

### Planning

1. The use must substantially conform to the site plan that was submitted for review subject to the Conditions of Approval. Planning staff must approve any changes to the plans.
2. Land use approval does not constitute Building or Public Works permit approvals.

### Building Division

**Date:** June 13, 2018

**File:** SP-0018-18

**Property Owner:** Adam Leisinger

Applicant: Same

**Applicant Rep:** Same

**Address:** 130 NE ONYX ST

**Project:** Construct a 1080 square foot accessory structure pole shop.

**Building Division Comments** have been provided by Gary Stutzman. 541-917-7626.

### Permits

1. Obtain Building Permits prior to any construction.
2. Erosion Sediment Control Permits are required by Public Works prior to construction for any project affecting more than 2,000 square feet of ground area.

### 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 [plans@cityofalbany.net](mailto:plans@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)

### Engineering

5. Pole sheds are considered irregular construction by the **Oregon Residential Specialty Code (ORSC) Section R301.2.2.2.5**, and as such, the building is required to be a fully engineered building with all calculations performed and drawings created by an Oregon registered architect or engineer.

6. The State of Oregon has produced several ready-build plans that may be applicable for your project. If applicable it would avoid any further engineering and any additional building plan review charges. It would be required to have a building permit and inspections and have a Land Use review and meet Land Use regulations.

### Drainage

7. All under floor, gutter, roof, and lot surface drainage must terminate in the street or a pre-approved drainage system.

### Occupancies

8. The **ORSC** applies to one and two-family dwellings classified as Group R3 occupancies and their accessory structures classified as Group U occupancies.

Typical Group U includes barns, carports, greenhouses, livestock shelters, private garages, and sheds.  
**Oregon Structural Specialty Code (OSSC) Section 312**

9. The residential shop/garage is not to be used for commercial purposes unless meeting the setbacks and other Code requirements for commercial buildings. The minimum setback from property lines for commercial shop buildings is 10 feet per **OSSC Table 602**.
10. No living quarters will be allowed in the building unless the building meets all Building Code and Land Use requirements. As an example: All mixed occupancy buildings containing a residential unit and any other type of commercial space will be required to be protected with fire sprinklers.

### Allowable Area

11. Private Group U garages are limited to 1000 square feet in area. They may be increased to 3000 square feet where only private- or pleasure-type motor vehicles are stored and there is no repair work completed, and where there is no dispensing of fuel in the building. **OSSC 406.1.2**

### Inadequate Fire Approach and Access to Water Supply

12. 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 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).

## 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 in our records.