



ORDINANCE NO _____

AN ORDINANCE AMENDING ORDINANCE NO 4441, WHICH ADOPTED THE CITY OF ALBANY DEVELOPMENT CODE, BY AMENDING THE ALBANY DEVELOPMENT CODE TEXT AND ADOPTING FINDINGS AND DECLARING AN EMERGENCY

WHEREAS, on October 15, 2018, the Albany Planning Commission held a public hearing and deliberated on proposed text amendments to the Albany Development Code relating to the siting and design of accessory dwelling units (City of Albany Planning Files DC-04-18 & DC-05-18), and

WHEREAS, on October 15, 2018, the Planning Commission recommended that the City Council approve the proposed text amendments with modifications as identified in the October 30, 2018, staff memorandum to City Council This recommendation was based on evidence presented in the staff report and consideration of public testimony during the public hearing; and

WHEREAS, the Albany City Council held public hearings on the proposal on November 7, 2018, and January 23, 2019, and reviewed the findings of fact and conclusions included in the staff report and testimony presented at the public hearing and then deliberated, and

WHEREAS, the text amendments to the Albany Development Code considered by the Planning Commission and City Council are presented as an attachment to this Ordinance as Exhibit A

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS

Section 1 The text of the Albany Development Code is hereby amended as shown in Exhibit A of this Ordinance

Section 2 A copy of this Ordinance shall be filed in the Office of the City Clerk of the City of Albany and these changes shall be made in the official City of Albany Development Code.

Section 3 As applicable, a copy of this Ordinance shall be filed with the Linn and Benton County Assessors' Office within 90 days of the effective date of this Ordinance

Section 4. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany, or to facilitate the prompt and timely completion of important City business, an emergency is hereby declared to exist; and this ordinance shall take effect and be in full force and effect when signed by the Mayor

Passed by the Council. _____

Approved by the Mayor _____

Effective Date _____

Mayor

ATTEST

City Clerk



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Mayor

ATTEST

City Clerk

SAMPLE MOTIONS

CITY COUNCIL, PLEASE SELECT ONE OF THE FOLLOWING MOTIONS

DC-04-18 and/or DC-05-18 (ACCESSORY DWELLING UNITS)

MOTION TO ADOPT STATE MINIMUM STANDARDS (DC-04-18) AND DENY DC-05-18

I move that City Council adopt an ordinance that would amend the Albany Development Code related to accessory dwelling units (planning file DC-04-18). This motion is based on findings and conclusions in the staff report and findings in support of the amendments made during deliberations on this matter. I further move that City Council deny the amendments that exercise local discretion (planning file DC-05-18). This motion is based on findings made during deliberations on this matter.

OR

MOTION TO ADOPT MORE EXTENSIVE STANDARDS (DC-05-18) AND DENY DC-04-18

I move that City Council adopt an ordinance that would amend the Albany Development Code related to accessory dwelling units (planning file DC-05-18), including the revisions recommended by the Planning Commission and staff as described in the October 30, 2018 memorandum to Council. This motion is based on findings and conclusions in the staff report and findings in support of the amendments made during deliberations on this matter. I further move that City Council deny the amendments that only comply with State law (planning file DC-04-18). This motion is based on findings made during deliberations on this matter.

OR

MOTION TO ADOPT MORE EXTENSIVE STANDARDS (DC-05-18) AS MODIFIED AND DENY DC-04-18

I move that City Council adopt an ordinance that would amend the Albany Development Code related to accessory dwelling units (planning file DC-05-18), as modified by Council, with the addition of _____ and/or the removal of _____ including the revisions recommended by the Planning Commission and staff as described in the October 30, 2018 memorandum to Council. This motion is based on findings and conclusions in the staff report and findings in support of the amendments made during deliberations on this matter. I further move that City Council deny the amendments that only comply with State law (planning file DC-04-18). This motion is based on findings made during deliberations on this matter.

OR

MOTION TO DENY

I move that City Council deny the proposed amendments to the Albany Development Code related to Accessory Dwelling Units (planning files DC-04-18 and DC-05-18) subject to the adoption of revised findings and conclusions that support the denial.

SAMPLE MOTIONS

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