



ALBANY CITY COUNCIL
AGENDA

Monday, March 9, 2020

4:00 p.m. Work Session
Council Chambers, City Hall

333 Broadalbin Street SW

- 4:00 p.m. Call to order and roll call
- 4:05 p.m. Business from the public
- 4:10 p.m. Final Downtown Parking Study and Plan – Rick Williams. [Pages 2-65]
Action Requested: Information.
- 4:25 p.m. Reclassification of Accounting Supervisor position – Jeanna Yeager. [Page 66]
Action Requested: Information.
- 4:30 p.m. Ordinances updating the AMC regarding wildlife control, Central Albany parking area, and motor vehicle or recreational and vehicle use for sleeping or housekeeping purposes – Kris Schendel. [Pages 67-73]
Action Requested: Information, discussion.
- 4:40 p.m. COVID-19 update – Chuck Perino
Action Requested: Information.
- 4:45 p.m. Draft amendments to tree regulations – Jeff Blaine. [Pages 74-96]
Action Requested: Information, discussion, direction.
- 5:45 p.m. Business from the council
- 5:50 p.m. City manager report
- 6:00 p.m. Adjournment

The location of this meeting is accessible to the disabled. If you have a disability that requires accommodation, please notify the City Clerk in advance of the meeting: cityclerk@cityofalbany.net | 541-917-7532 or 541-917-7565.



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager  3/4

FROM: Seth Sherry, Economic Development Manager

DATE: February 27, 2020 for the March 9, 2020 City Council Work Session

SUBJECT: Final Report: Downtown Parking Study and Plan

Action Requested:

Receive the Downtown Parking Study and Plan outlining recommendations for parking management in the downtown area.

Discussion:

In January 2019, Rick Williams Consulting (RWC) was retained by the Albany Revitalization Agency to conduct an evaluation of its downtown parking system and to develop a comprehensive Parking Management Plan.

Below are three key takeaways:

1. The “85% Rule” is an operating principle and parking industry standard. When occupancy rates routinely reach 85 percent in the peak hour, more *intensive and aggressive* parking management strategies are called for. Data collection and analysis revealed that the City of Albany has an adequate supply of parking both on and off-street to meet the needs of regular visitors, customers, and employees downtown. The highest peak for on-street use is 43 percent; off-street peak use reaches 48 percent. Overall, parking is not constrained; with low levels of use for both the on and off-street supplies when measured against industry standards for performance. Where constraints do occur, there is more than adequate supplies of parking adjacent to the constraint or within a convenient walking distance.
2. Downtown Albany is an active and vital commercial and visitor district experiencing increasing pressure on its parking supply. Growth over time will require more strategic coordination of the parking system. Overall, the strategies in this report are designed to “get the right vehicle to the right parking spot.” As we facilitate new projects and approach 85 percent, this plan will provide the City Council and staff with a framework for addressing new needs. Individual strategies may be chosen for implementation when the time is right. A total of 30 strategies are recommended, spanning the topics of policy and code, management and administration, improving on-street parking, improving off-street parking, improving access and integration with other modes, residential parking, and new capacity. Where possible, cost estimates are provided, but only within the framework of planning.

3. This plan also includes tasks in the immediate and short term to improve our system now: clarify code, modify times and limits, amend reporting, create uniform lots with clear logos and signage, striping, appearance, etc. upgrade payment system, rename lots, identify shared use opportunities, update website and several more found in the attached report.

Budget Impact:

None at this time. Final costs of individual strategy implementation would require additional evaluation, scoping, and estimating.

SD:ss

Attachment



2019

City of Albany, Oregon Downtown Parking Study and Plan

PROJECT SUMMARY AND RECOMMENDATIONS FOR PARKING MANAGEMENT

FINAL REPORT
February 26, 2020



RIK WILLIAMS CONSULTING
Parking & Transportation

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I. INTRODUCTION

Rick Williams Consulting (RWC) was retained by the City of Albany to examine parking management issues for both the on- and off-street systems in its downtown. The project's goals as outlined in the scope of work were to ensure:

- ◆ Available parking spaces for customers enjoying downtown.
- ◆ Available and affordable parking for employees of downtown.
- ◆ Parking availability and processes to be able to accommodate anticipated growth.
- ◆ A clear understanding of occupancy, utilization, opportunities, and constraints.
- ◆ A parking management system that meets current best practices.



The City of Albany, Oregon has seen vibrant community growth over recent decades, with a current population around 53,000. It is located in the Willamette Valley at the confluence of the Calapooia River and the Willamette River in both Linn and Benton counties, just east of Corvallis and south of Salem. Albany is rich in both its history and its scenic beauty. Residents and visitors come to experience an environment that is unique, active, and diverse.

Downtown Albany is a special place. It is the heart of the city and provides a high quality of life to its employees, residents and visitors. This thriving local economy presents a unique opportunity to reexamine the parking system. Parking will play a key role in balancing broader community goals for development, growth, and vitality with the preservation of downtown Albany's charm.

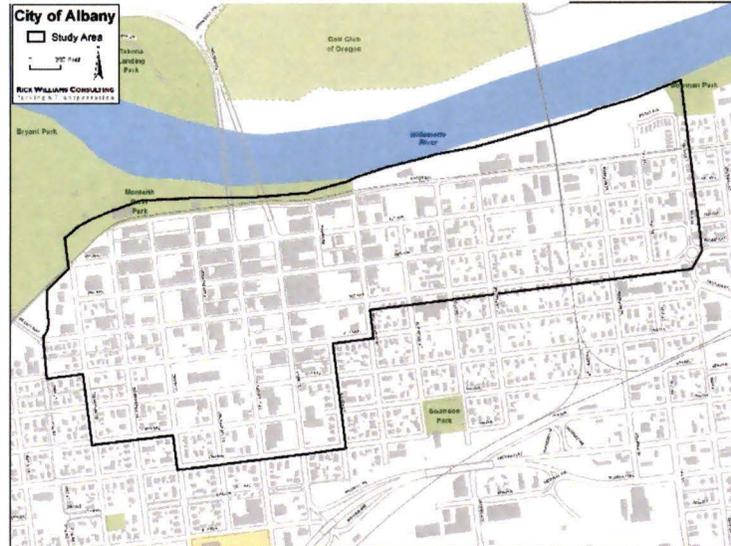


This report examines how the parking system is currently functioning and makes recommendations that will help Albany continue to flourish. These recommendations are sensitive to the historic, pedestrian-friendly nature of downtown and recognize the importance of economic growth. The report also provides a basis for community discussion on enhancing the downtown parking system and experience. The information and recommendations in this report are intended to complement broader transportation and economic development efforts.

II. EXECUTIVE SUMMARY

RWC was retained by the City of Albany to conduct an evaluation of its downtown parking system and to develop a comprehensive Parking Management Plan. Actual-use dynamics and access characteristics of the on- and off-street parking supplies in downtown Albany were studied to create an objective data set. All recommended strategies have been informed by this data, as well as in-depth discussions and work sessions with the Downtown Stakeholders Advisory Community and community input gathered through an online forum. The findings create the foundation for a comprehensive and strategic parking management plan that responds to the unique environment, goals, and objectives of downtown Albany.

2019 – Downtown Parking Study Boundary



Strategies proposed for consideration by the City of Albany and its stakeholders are outlined below. More detailed descriptions of each strategy, including narrative, timeline, and estimated cost are discussed in **Section III**.

A. Findings – Public Outreach

The consultant team worked with a Downtown Stakeholder Advisory Committee throughout the project. The Advisory Committee met three times during key milestones of the project (in May, July, and November 2019) to provide oversight and review and to assist the consultant to frame and prioritize the key challenges and potential improvements for the parking experience in Downtown Albany. Each Advisory Committee meeting was coordinated with the Central Albany Revitalization Area (CARA) Board meetings. This allowed additional input into the process and findings by CARA Board members. All the Advisory Committee meetings were open to the public.

Finally, an online survey was developed and launched during the month of December 2019 to elicit input from the broader community on the strategies recommended in this plan.

Based on stakeholder and community input, if parking downtown is to be successful, the parking management plan will need to make the parking system:

- Convenient and welcoming
- Well signed and safe
- Fair and equitable
- Forward thinking and responsive
- Viable
- Consensus based

B. Findings – Topic Reports

In advance of this report, three sub-reports were produced and submitted to the City. These reports were structured to directly address parking issues raised by City staff or the Stakeholder Advisory Committee. Each report provided a thorough evaluation of the topic issue from the perspective of existing conditions in downtown Albany, data derived from measurement of the downtown parking system and industry best practices. Advisory committee meetings were structured to allow members to understand each issue, provide input on the topic and determine a common approach for addressing these issues through the strategies recommended in this plan. **For readers desiring a more detailed review of specific topic areas; all of the sub-reports are available online at the City’s website :** <https://www.cityofalbany.net/departments/ecodev/cara>.

◆ *Report #1: 2019 Albany Parking Inventory Summary – dated March 20, 2019 (v1)*

All on and off-street parking was catalogued in February 2019. For the on-street system, this was accomplished through a block by block count of each on street parking stall, by location and type. For the off-street system, all facilities were located, and stalls were counted. The off-street inventory included both private and publicly owned facilities.

Within the study zone, there are a total of 5,010 parking stalls. Of this total, 2,205 stalls are located on-street and 2,738 stalls are located off-street in 131 unique sites. Within the off-street supply, the City owns/controls six lots, totally 377 stalls (about 14% of the off-street inventory).

2019 Inventory of supply (by type of stall)

Use Type	All	% of Total	Signed	Signed Or by Permit
10 Minutes	13	< 1%	13	0
30 Minutes	28	1.3%	28	0
3 Hours	301	13.7%	292	9
All Day Customer Parking Employee Permit Parking	194	8.8%	0	194
Authorized Vehicle Only	8	< 1%	8	0
ADA accessible	32	1.5%	32	0
No Limit	1,627	73.8%	1627	0
Reserved	2	< 1%	2	0
<i>On-Street Subtotal</i>	<i>2,205</i>	<i>100%</i>	<i>2,002</i>	<i>203</i>
<i>Off-Street Subtotal (131 sites)</i>	<i>2,738</i>	<i>100%</i>		
Combined Supply	5,010	100%		

◆ *Report #2: Proposed Guiding Principles for Downtown Parking – dated June 4, 2019 (v1)*

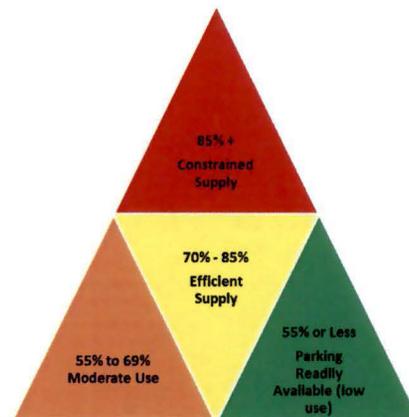
This report outlines a recommended draft set of Guiding Principles for the management of parking in downtown Albany. The document represents recommendations developed by the Stakeholder Advisory Committee in a work session with the consultant. Its aim is to ensure that the proposed Guiding Principles reflect the intent, purpose, and priorities of the Stakeholder Advisory Committee for managing parking in the downtown. Guiding Principles are established to address seven key areas of parking management, which include:

- Priority Users
- Active Capacity Management
- Information Systems
- Integration with Other Modes
- Planning for Future Supply
- Financial Viability
- Roles and Coordination

◆ *Report #3: Technical Memorandum: Task 3 – Data Summary Report (dated July 3, 2019)*

This memorandum provides a summary of findings for occupancy, turnover, duration of stay, and hourly patterns of activity for both the on- and off-street parking systems. All findings were derived from two separate days of data collection; on Saturday, April 20th and Thursday, May 16th, 2019.

The data collection effort revealed that the City of Albany has an adequate supply of parking both on- and off-street to meet the needs of regular visitors, customers and employees downtown. The highest peak for on-street use is 43%; off-street peak use reaches 48%.



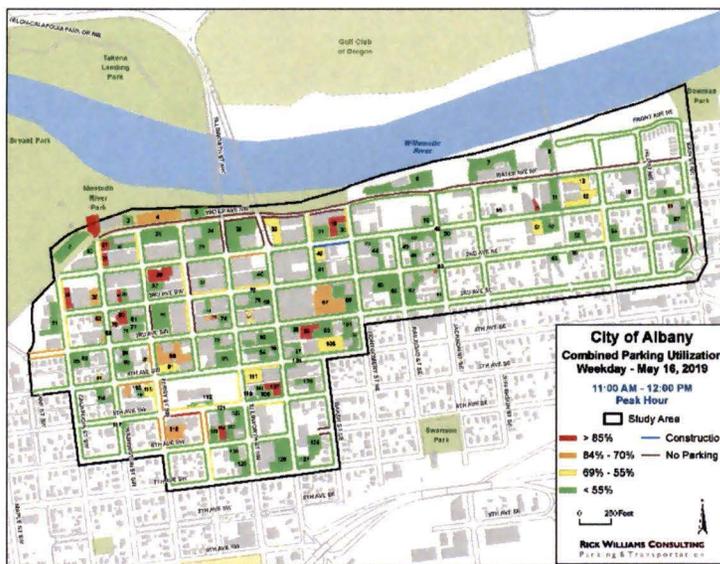
The number of empty parking stalls in off-street facilities during the peak hour ranges from 1,358 (weekday) to 2,041 (weekend). Of these totals, 152 (11%) of 1,358 empty stalls are in six City lots during the weekday peak hour. On Saturday, 199 of 2,041 empty off-street stalls are in City lots. The overwhelming supply of privately controlled parking is largely underutilized; creating a significant opportunity.

Overall, parking is not constrained; with low levels of use for both the on and off-street supplies when measured against industry standards for performance.

Where constraints do occur, there is more than adequate supplies of parking adjacent to the constraint or within a convenient walking distance.

Key parking metrics show that current time limited stalls are providing enough time for on-street visitors, and those stalls are being used efficiently.

There may be a need to increase the number of 3 Hour stalls to facilitate visitor access and turnover in the future. This would be triggered by observed occupancies in existing 3 Hour stalls reaching 80% - 85%, allowing for a phased transition of No-Limit stalls to 3 Hours.



Violation rates are very low, indicating that current enforcement levels are more than adequate and very efficient. As occupancies increase over time, a targeted approach to vehicles re-parking should be considered.

C. Synopsis - Strategy Considerations

The strategies summarized below support solutions that grew from discussions among the City staff, the CARA Board, stakeholders, surveys, public input and the consultant team. All strategies are informed by study data and the agreed-upon Guiding Principles. Each strategy is presented with steps to be taken in the near-, mid- and long-term. Several strategies mutually and logically support one another.

A total of 30 strategies are recommended for implementation by the City of Albany. Successfully completed, these strategies will improve the efficiency of the City’s parking system and provide a solid foundation for decision-making and accommodating future growth. The fully detailed recommended parking management strategy list begins in **Section II** on page 9. **Attachment A** at the end of this document provides a useful summary matrix of all strategies.

Policy and Code

- Formalize the Guiding Principles as policies for decision-making.
- Adopt the 85% Rule as the standard for measuring performance of the parking supply and triggering specific management strategies and rate ranges.

- Prohibit employee or residential on-street parking within the parking study area - unless through an *interim* program.
- Clarify existing code guidelines related to shared parking opportunities that could impede efficiencies for allowing non-accessory access in existing and new off-street parking.

Management & Administration of the Parking System

- Establish a Parking Working Group (PWG). The PWG would consist of downtown stakeholders, staff and City leadership to assist in implementation of the Parking Management Plan.
- Track parking expenses and revenues.
- Augment staff time to effectively manage the parking system and implement new programs identified in the downtown Recommended Parking Strategies.
- Publish an annual Parking Performance Status Report.
- Develop a reasonable schedule of data collection to routinely assess performance of the downtown parking supply and support 85% occupancy standard for decision-making.
- Upgrade current handheld equipment and supporting software.

Improve On-Street Parking

- Reduce the number of No-Limit stalls, particularly on commercial streets¹, and balance them with exclusive timed stalls (3-Hour) and/or timed stalls that allow employee permits in underused areas.
- Allow a controlled number of employees to park within the on-street system in areas with demonstrated peak hour occupancies of less than 55%. Price on-street permits at a premium compared to off-street lots.
- Create criteria and standards for allowing and locating high turnover stalls.
- Better integrate on and off-street parking. Consider incorporation of new brand/logo into on-street signage. See Signage/Logo strategy.

Improve Off-Street Parking

- Upgrade online permit/payment system to create greater internal capacity and growth potential in permit program.

¹A commercial street is defined here as any block face frontage that is primarily in a business use (e.g., retail, restaurant, office, grocery, bank, etc.).

- Refine the current parking logo/brand and integrate it throughout all City controlled parking systems (on-street, lots, and communications materials). Coordinate with current wayfinding system in place.
- Rename all publicly owned/controlled lots by address.
- Bring all city-owned parking lots up to a uniform standard for paving, striping, appearance, lighting, and signage.
- Routinely calibrate current pricing of off-street parking, hourly and monthly (for employees), based on demand (e.g., 85% Rule).
- Confirm that all city-owned off-street facilities are compliant with ADA parking requirements.
- Identify off-street shared use opportunities based on data from the 2018 parking study. Establish goals for transitioning employees (e.g., 50 employees), begin outreach to opportunity sites, negotiate agreements, and assign employees to facilities.
- Update Park Wise website with information for visitors and employees pending implementation of new parking strategies in this plan.

Improve Access and Integration with Other Modes

- Expand bike parking network to create connections between parking and the downtown to encourage employee bike trips and draw customers to downtown businesses. Consider strategically locating bike corrals at intersections where better pedestrian visibility is needed.
- Consider initiating a pilot program to test feasibility/viability of an e-bikeshare or e-scooter program in the downtown.
- Partner with the business community to expand incentives that encourage use of alternative modes (e.g., transit, bike and walk). The City should take a leadership role in implementing and/or augmenting its employee mode program at a level that transcends the status quo.

Residential Parking

- Conduct outreach and information efforts in neighborhoods to explain the parking management plan and how the City intends to preserve residential parking in neighborhoods affected by any type of commercial parking spill over.
- Expand future parking data collection efforts to include residential areas that abut the downtown, ensuring objective information on the impacts of possible commercial district spillover.

New Capacity

- Understand the cost associated with new parking supply and clarify the City' role in participating in and/or building new parking.

- Explore and develop funding options for maintaining the existing parking supply and funding future capacity growth.
- Initiate new capacity expansion (as necessary and feasible).

D. Summary

Downtown Albany is an active and vital commercial and visitor district experiencing increasing pressure on its parking supply. This will require more strategic coordination of the parking system. Overall, the strategies are designed to “get the right vehicle to the right parking spot” in a manner that supports the Guiding Principles developed as a part of this plan.

Moving forward, as City Council considers adoption of this plan, understanding City staffing impacts and roles/responsibilities and need resources derived from the recommended strategies may merit further exploration.

III. PARKING MANAGEMENT STRATEGIES

Desired Outcomes

Strategies presented for consideration are intended to accomplish specific desired outcomes that were identified at the outset of the downtown parking study and in the Guiding Principles. Success of the strategies will be measured against their role in making the Albany parking system more:



Convenient and welcoming

- Create a parking system that lets users find a convenient space and take advantage of downtown's walkable environment to easily connect to stores, restaurant, business, and recreational destinations.

Well signed and safe

- Clearly communicate how and where to find appropriate and available parking; make parking understandable and quickly recognizable
- Make it easy for users to park and get to their destination.

Fair and equitable

- Parking management should entail reasonable options for users; strategies should be affordable for all users.
- Ensure that the community understands and recognizes that all users are beneficiaries of parking.

Forward thinking and responsive

- Anticipate and respond to increasing demands for access to a growing downtown (downtown is a work in progress).
- Continue to monitor on and off-street parking levels to adjust to community changes and needs.

Viable

- Maximize the use of existing parking resources and, if necessary, construct additional parking in ways that are financially viable and maintain downtown's character and appeal.
- Ensure parking decisions are supportive of the downtown community.

Consensus based

- Provide for an integrated on- and off-street system that works for all users and supports and encourages successful public/private partnerships.
- Ultimately, the plan will need to have community buy-in and support.

Strategy Format

The solutions outlined below further support recommendations that grew from discussions among the City, Stakeholder Advisory Committee, and from input received through the online survey. They follow a logical progression, in which each action provides a foundation for subsequent actions, in phases ranging from near- to long-term. Where possible, cost estimates are provided, but only within the framework of planning. Final costs would require additional evaluation, scoping, and estimating.

Overall, the implementation schedule is flexible, and the order of projects may be changed as opportunities and resources are identified. All strategies will require a level of support, coordination, commitment, and resource identification that goes well beyond what is currently in place.

The proposed parking strategies for Downtown Albany will include Immediate (0 – 12 months), Short (12 – 24 months), Mid (24 – 36 months), and Long-Term (36+ months) strategies to manage parking. The strategies were developed to address the challenges identified in the data collection findings, goals outlined in the Guiding Principles, and to promote best management practices.

A. Policy and Code (Strategies 1 – 5)

STRATEGY 1

Formalize Guiding Principles as policies in the parking and transportation system plan

The Guiding Principles outlined in **Report #2** are based on the premise that growth in the downtown will require an integrated and comprehensive package of strategies to respond to growth, maintain balance and efficiency within the access system and to establish clear priorities necessary to “get the right vehicle to the right parking stall.” These Principles should be formally approved by the City Council within appropriate policy documents related to the City’s role in parking management (e.g., code, transportation system plan, etc.).

TIMELINE: Immediate (0 – 12 months)

The Guiding Principles provide a framework for future decision- making and ensure that strategies implemented support City and community goals and priorities for access. They include the following categories:

- Priority Users
- Active Capacity Management
- Information Systems
- Integration with Other Modes
- Planning for Future Supply
- Financial Viability
- Roles and Coordination

Estimated Costs (STRATEGY 1)

There should be minimal costs associated with this strategy other than staff time required for necessary policy and/or code changes.

STRATEGY 2

Adopt the 85% Rule as the standard for measuring performance of the parking supply and triggering specific management strategies and rate ranges

The 85% Rule is an operating principle and parking industry standard. When occupancy rates routinely reach 85% in the peak hour, more *intensive and aggressive* parking management strategies are called for. The purpose is to provide a specific benchmark of system performance that triggers discussion of on-going strategy implementation.



TIMELINE: Immediate (0 – 12 months)

- Formalize through Council resolution or other action.

Estimated Costs (STRATEGY 2)

There should be minimal costs associated with this strategy other than staff time required for necessary policy and/or code changes.

STRATEGY 3

Prohibit employee or residential on-street parking within the parking study area - unless through an *interim* program

Currently, use of the on-street supply is very low throughout the parking study area. At the peak hour only 42% of the supply is occupied, meaning, at present, it is unlikely that priority parkers are being adversely denied access to on-street spaces. As such, for an *interim period*, the City can use very low use areas of on-street parking to accommodate employees or residents with downtown addresses. This could be accomplished with signage that states 3-Hour or by Permit, allowing use of that stall by a user displaying a valid permit. Location of



these stalls would be strategically targeted to low use areas that will not conflict with access to street level business; particularly in the retail core.

As demand for on-street parking increases, the City should ensure that new development does not become reliant on the on-street system to meet its employee or residential parking need. Per the Guiding Principles, employee and residential parking demand should ultimately be accommodated off-street to mitigate conflicts between customers and downtown employees/residents for on-street parking.

Code language needs to state that the highest and best use of the on-street supply – in commercially zoned areas – is for customer and visitor parking. As such, the City will “prohibit” employee/residential parking on-street except in areas of demonstrated low use for interim periods. This would facilitate implementation of an interim on-street permit program as supported by Strategies 11 and 12 below.

Code language needs to state that the highest and best use of the on-street supply – in commercially zoned areas – is for customer and visitor parking. As such, the City will “prohibit” employee/residential parking on-street except in areas of demonstrated low use for interim periods.

More rigorous management of the on-street system will allow new developments to more aggressively evaluate a “right sized” parking solution for their projects; to adapt to current market conditions and to an incentive alternative modes to improve, upgrade and invest in downtown. The key to such a change is taking control of the on-street system to ensure that developers know that it is not a reliable or long-term source of supply to meet their future employee and/or residential tenant demand.

TIMELINE: Short-term (12 – 24 months)

- Initiate code review
- Complete internal City presentations
- Public process and Council adoption.

Estimated Costs (STRATEGY 3)

There should be minimal costs associated with this strategy other than staff time required for necessary policy and/or code changes.

STRATEGY 4

Clarify existing code guidelines related to shared parking opportunities that could impede efficiencies for allowing non-accessory access in existing and new off-street parking

Most of the off-street parking in Downtown Albany is in private ownership. Sections of Title 9 are unclear as to whether *new* parking facilities built can share parking with *existing* land uses in need of parking. In many cases, conditional use requirements may limit parking to accessory-only access.

Similarly, the code is unclear on whether *existing* privately-owned parking lots can share parking with any user of the downtown.

Accessory parking is defined as limiting parking only to trips generated by the site or land use that the parking directly serves. As such, if an accessory designation is placed on parking, it would not technically be available to other “non-accessory” users during times when empty parking stalls are available. This would be in contradiction of the City’s goal to ensure that any underused parking in the downtown can be used to serve both the demand for parking by the primary site and other demand from land uses nearby (i.e., employees, visitors and residents). The overall outcome would be a fully maximized parking supply operating at optimal efficiency.

Strategy 4 may just be a housekeeping exercise to ensure that the current code is supportive of, and allows, shared use of any underutilized off-street parking in the downtown. The City would not want to have a policy that encourages shared use with a code that does not allow it.

Code language (possibly in 9.020 and 9.080) should be modified to be clear that non-accessory access to all off-street parking is allowed.

Language should note that the City encourages shared use of parking for general purposes, and/or requires shared-use operating plans as a condition of use in new development.

TIMELINE: Short-term (12 – 24 months)

- Initiate code review
- Complete internal City presentations (if necessary)
- Public process and Council adoption (if necessary)

Estimated Costs (STRATEGY 4)

There should be minimal costs associated with this strategy other than staff time required for necessary policy and/or code changes.

STRATEGY 5

Establish a Downtown Parking Working Group (PWG). The PWG would consist of downtown stakeholders, staff and City leadership to assist in implementation of the Parking Management Plan.

Active participation by those affected guarantees an understanding of and consensus on parking management and trigger points for decision-making. This is best accomplished through an established advisory committee or work group that reviews performance, serves as a sounding board for issues, and acts as a liaison to the broader stakeholder community.



The City should develop a process through which a representative cross-section of downtown interests *routinely* assists in the review and implementation of this planning effort. The PWG would meet as necessary (at least once a year) to assist the City in implementing the parking management plan, review parking issues, and advise City Council and other decision-making bodies on strategy implementation. The new Downtown Parking Working Group (PWG) can use the recommendations in this plan as a basis for action, discussion, stakeholder communications, and tracking progress.

TIMELINE: Near-term (0 – 12 months)

- Schedule regular meetings to advocate for, shepherd, track, and communicate the plan.
- Build upon current parking brand.

TIMELINE: Short-term (12 - 24 months)

- Establish business-to-business outreach.
- Facilitate data collection efforts.
- Assess plan progress.
- Advise City Council.
- Coordinate communications with the broader downtown business community.
- Determine and implement action items.

TIMELINE: Mid to Long-term (24 – 36+ months)

- Over time, the work group could evolve into a formal advisory committee to City Council on downtown parking issues and meet on a more frequent schedule.

Estimated Costs (STRATEGY 5)

There should be no additional costs to the City if it can be initiated as a volunteer effort, hosted by the City and/or downtown business interests (e.g., the Albany Downtown Association and/or the Albany Chamber of Commerce)

B. Management and Administration of the Parking System (Strategies 6 – 10)

STRATEGY 6

Track parking expenses and revenues

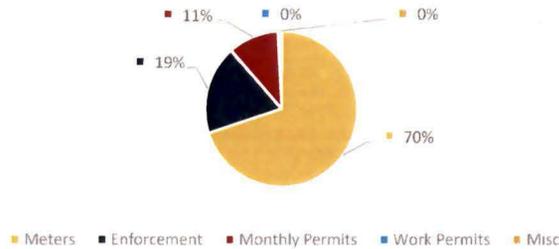
To facilitate informed decision-making and to provide a sound basis for both financial viability of the existing parking program, and funding for future need, a more thorough system of reporting expenses and revenues generated from the parking system should be established.

All parking expense and revenue activity derived from City owned parking assets should be harbored within a parking fund. This would be provided for within the City's contract with Park Wise.

A simple example is provided in the graphic below from a recent RWC client city. This graphic is a summation of eight years of annual reports. The point being to show a very clear picture of revenues generated by type of revenue system (i.e., meters, enforcement, permits) and how those revenues are spent (i.e., on salaries/wages, operations, infrastructure, etc.).

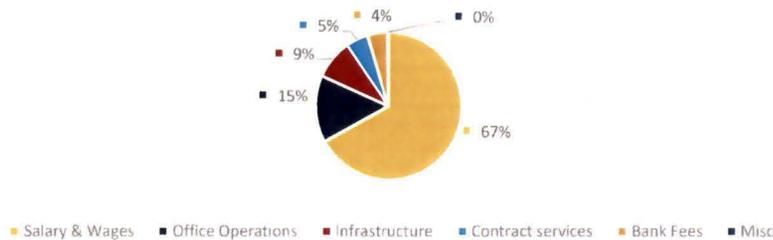
Example of Revenue/Expense Reporting – Example City (RWC Oregon Client)

Gross Revenue Generation (FY 2010/11 through FY 2017/18)



Program	Revenue (2010-2018)	Average Annual	Percentage
Meters	\$4,019,044	\$502,380	70.0%
Enforcement	\$1,066,796	\$133,349	18.6%
Monthly Permits	\$611,413	\$76,426	10.6%
Work Permits	\$24,154	\$3,019	0.4%
Misc.	\$22,744	\$2,843	0.4%
Total	\$5,744,152	\$718,019	

Gross Expenditures (FY 2010/11 through FY 2017/18)



Program	Expenditures (2010-2018)	Average Annual	Percentage
Salary & Wages	\$1,450,346	\$181,293	67.0%
Office Operations	\$317,780	\$39,722	14.7%
Infrastructure	\$188,156	\$23,519	8.7%
Contract Services	\$105,657	\$13,207	4.9%
Bank Fees	\$99,615	\$12,451	4.6%
Misc.	\$2,721	\$340	0.1%
Total	\$2,164,277	\$270,534	

Revenue and expenses within the Albany fund should be separated between direct operations and enforcement and reported annually. This will support future decision-making, particularly as elements within the Parking Management Plan require new resources. This is an industry best practice.

TIMELINE: Immediate (0 – 12 months)

- Reformat current financial reporting to track revenue and expenses by category and begin monthly tracking.

TIMELINE: Short-term (12 – 24 months)

- Publish an annual financial report tracking, at minimum, parking revenue by type and expenses by operational category.

TIMELINE: On-going

- Routine annual reporting

Estimated Costs (STRATEGY 6)

There should be no additional costs associated with this recommendation. This information currently exists with Park Wise but should be reformatted and more routinely communicated.

STRATEGY 7

Augment staff time to effectively manage the parking system and implement new programs identified in the downtown Recommended Parking Strategies

The success of any multi-faceted parking system depends on administration, management, and communication. This includes daily management of facilities, oversight of third-party vendors, financial accounting and reporting, marketing and communications, customer service, and strategic and capital planning. As this plan is implemented and demand for parking grows; management capacity will likely need to be augmented beyond the current status quo approach.

Implementation of the Downtown Parking Plan will likely require levels of staff effort and resources that exceed what is currently in place.

Albany's current system for managing parking is not centralized in a single division or individual at the City level. From a strategic management point of view there is no clear single point of responsibility for guiding the parking system in a manner that gives due diligence to the evolving complexity of the existing system and the level of technical and response capability called for in this Parking Management Plan. The City has a great partner in the Albany Downtown Association and Park Wise, but that relationship is primarily operational rather than long-term strategic.

Centralized management best supports an integrated parking system, as off-street parking, on-street parking, enforcement, and oversight of third-party providers are consolidated and administration and decision-making structured to consider parking assets both individually and as a system. Resources can be managed in a tailored fashion where necessary and leveraged as appropriate and most efficient. As Albany's parking system becomes more sophisticated, the City may wish to employ a "downtown parking coordinator" to direct daily operations, strategic implementation of policies and programs, and planning for growth. This could be accomplished through creating a new position or restructuring a current staff position (possibly a combination of revised roles within the City and Park Wise).

TIMELINE: Immediate (0 – 12 months)

- Clarify internal responsibilities to centralize delivery of parking services (which includes role of City staff and expectations and responsibilities allocated to Albany Downtown Association/Park Wise).

TIMELINE: Short-term (12 – 24 months)

- Identify and/or restructure FTE to create a single position responsible for parking services and implementation of the *Downtown Parking Plan*.

Estimated Costs (STRATEGY 7)

Unknown currently. Could be restructuring of an existing position or adding additional staff and/or augmenting the Albany Downtown Association contract.

STRATEGY 8

Publish an annual Parking Performance Status Report

Coupled with Strategy 6, an annual status and performance report will provide consistent tracking of performance measures (and fund status). An annual report provides transparency within the program and helps inform the PWG and City leadership on opportunities, challenges, strategy implementation progress and system viability. This reinforces and facilitates decision-making.



It is recommended that the City routinely track and report the following performance measures (at minimum):

- City lot locations and stall totals
- Rate schedule
- Number of employee permits sold (average month)
 - o On-street (permits)
 - o Off-street (permits)

- Citations issued
 - o Number of citations issued
 - o Number of citations waived
 - o Number of citations outstanding (unpaid)
- Peak Occupancy (as measured in Strategy 9)²
- Other measures of utilization (as measured in Strategy 9)
- Customer service (Routine tracking and reporting of customer complaints, recommendations and other input from users and stakeholders)

Performance measures should be tracked annually and comparatively to, for instance, the previous three fiscal years.

TIMELINE: Immediate (0 – 12 months)

- Establish internal systems for gather data for identified performance measures.

TIMELINE: On-going

- Routine annual reporting combined with information compiled for Strategy 6.

Estimated Costs (STRATEGY 8)

Responsibility of the duties could be managed by restructuring of an existing position (Strategy 7) or adding additional staff and/or augmenting the Albany Downtown Association contract.

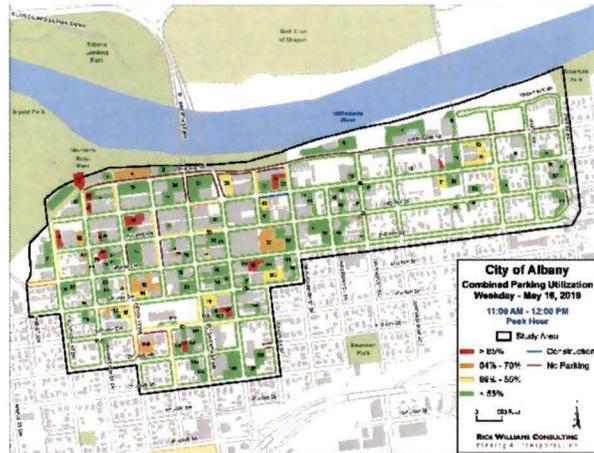
STRATEGY 9

Develop a reasonable schedule of data collection to assess performance

A foundational element of this parking management plan is the facilitation of decision making with accurate data. As such, a system for routine data collection should be established. The system does not need to be elaborate, but it should be consistent and structured to answer relevant questions about occupancy, seasonality, turnover, duration of stay, patterns of use, and enforcement.

² Occupancy and utilization reporting may not occur annually per the scheduled established for Strategy 9.

Parking information can be collected in samples, and other measures of success can be gathered through third-party data collection and/or volunteer processes. Data can be used by the City and stakeholders to inform decisions, track use, and measure success.



TIMELINE: Immediate (0 - 12 months)

- Work with the Downtown Parking Working Group and City staff to develop a data collection schedule to monitor parking

TIMELINE: Short-term (12 – 24 months) and On-going

Conduct routine turnover and occupancy surveys of the on- and off-street systems in downtown at least every two years.

- At minimum, replicate the 2019 RWC study boundary for accurate comparisons.
- Consider adding adjacent residential areas in support of Strategy 26.

Estimated Costs (STRATEGY 9)

The estimated cost of a data inventory and turnover/occupancy study would range from \$25,000 \$30,000 if conducted by a third party. Costs can be minimized in subsequent surveys using the inventory and database already in place (if changes have been minimal) as well as sampling and using volunteers to collect data. Ideally parking fund revenue will contribute (if not fully cover) the cost of updates.

STRATEGY 10

Upgrade Enforcement Technology

Current enforcement technology is Android phone based and is aging. It is recommended that current technology be upgraded as necessary to allow enforcement officers to efficiently check payment/permit status (by license plate) while also checking for time stay violations, potentially increasing the capture rate of violations. The goal is to make existing staff more efficient and increase overall capacity for potentially expanding enforcement boundaries (Strategy 11) and size of an interim on-street permit program (Strategy 14). This can likely be accommodated through the current provider - Clancy.

Staff will need to work closely with Park Wise management and enforcement staff prior to procurement of the technology and in establishing a vendor agreement to ensure enforcement staff levels and training time are adequate to effectively deploy the technology.

TIMELINE: Immediate (0 - 12 months)

- Initiate conversations with Clancy (current vendor) to explore upgrade options to current Android phone-based system.
- Catalogue potential staff efficiencies of upgrade and report to City.
- Summarize cost of upgrades and estimated timeline for implementation and report to City.
- Engage input from other vendors if Clancy system cannot be upgraded.

TIMELINE: Short-term (12 – 24 months)

- Implement/initiate upgrade(s)
- Train and test
- Full deployment

Estimated Costs (STRATEGY 10)

Increased staff time to coordinate with technology vendor, train staff, and manage any new technology system. Costs of equipment to be determined.

C. Improve On-street Parking (Strategies 11 -14)

STRATEGY 11

Reduce the number of No-Limit stalls, particularly on commercial streets³, and balance them with exclusive timed stalls (3-Hour) and/or timed stalls that allow employee permits in underused areas

There are currently 1,627 No-Limit stalls within the 2019 Parking Study boundary. The No-Limit designation means that these stalls allow anyone to park for an unlimited period. At present, usage is about 40% in the peak hour.

Though underutilized, it will be important to ensure that No-Limit stalls are not located in front of commercial businesses, which need a 3-Hour parking limit to support customer access and turnover. The City,

Visitor parking (3-Hours) should be the priority at the curb in front of any downtown business. At present, there is more than adequate parking available for employee use (on and off-street) in less utilized areas that would minimize conflicts for access between visitors and employees.

³ A commercial street is defined here as any block face frontage that is primarily in a business use (e.g., retail, restaurant, office, grocery, bank, etc.).

working with the Downtown Parking Working Group, should evaluate existing No-Limit stalls and convert them to a more efficient balance of 3-Hour only and 3-Hour “or by permit” (coordinated with Strategy 4 and 12). This will ensure customer access and, through the employee permit program, minimize conflicts between employees and customers.

TIMELINE: Short-term (12 - 24 months)

- Use data from the 2019 downtown parking study to locate No-Limit stalls and evaluate whether to convert to 3-Hour only or 3-Hour “or by permit” based on the adjacent land use (commercial or residential).
- Finalize listing of stalls to transition.

Estimated Costs (STRATEGY 11)

Based on information from other cities, estimated per unit costs for signage upgrades would be:

- A standard signage package would have two poles with blade signs per block face – one at each end of the block with arrows pointing inward.

Unit Costs- Signage

- Pole unit cost = \$470
- Blade sign unit cost = \$30
- [Note: Only material costs are provided in these estimates, no labor]

STRATEGY 12

Allow a controlled number of employees to park within the on-street system in areas with demonstrated peak hour occupancies of less than 55%. Price on-street permits at a premium compared to off-street lots.

Coupled with Strategy 11, this strategy fully utilizes on-street space, while ensuring customer priority is always preserved. The program will be *interim* by code and will use the 85% Rule to “size” the number of permits allowed. As visitor demand for on-street parking grows, the program can be reduced or eliminated.

Eligible on-street areas should have low use verified through data collection to ensure there are no conflicts between employees and customers. This allows the City to better utilize on-street supply and support a transition of new development to structured parking and alternative modes of access. It will be important to communicate to all users that these are temporary programs and that they could change as the 85% rule takes effect.

TIMELINE: Short-term (12 - 24 months)

- Communicate on-street permit parking option (for employees) at completion of Strategies 4 and 12.
- Initiate interim permit sales in areas signed "3-Hour or by Permit".

TIMELINE: On-going

- Monitor sales and occupancies in 3-Hour or by Permit areas.
- Calibrate number of passes sold appropriate to 85% rule
- Reduce and/or terminate on-street permit sales as occupancies reach or exceed 85%.

Estimated Costs (STRATEGY 12)

Enhances current program and protocols. The program would be revenue positive per permit pricing.

STRATEGY 13

Create criteria and standards for allowing and locating high turnover stalls

Currently there are thirteen 10-Minute and twenty-eight 30-Minute stalls in the downtown. 2019 data collection indicates that these stalls are significantly underutilized; with peak occupancies under 40%. In the future, during periods of constraint, providing too many of these stall types can take parking access away from the typical customer whose average duration of stay approaches 3 hours (which is the base time standard for signed and time-limited visitor parking in the downtown).

It is recommended that the City eliminate existing 10-minute stalls and either convert them to 30-minute stalls (if they are necessary for street level businesses) or 3-Hour parking. Similarly, reduce the number of 30-minute stalls because of their low occupancies/use.



Example Sign: 30 minutes

Exceptions Process Assessment Criteria

The strength of Albany's current base time standard (3-Hours) is to simplify the on-street parking system for customers and visitors, providing a consistent message for how long they can park on-street in the downtown. However, the base standard may not always be the right time standard for certain types of businesses, particularly those that rely on very high customer turnover. For these businesses, such as coffee shops, dry cleaners, and courier services, a shorter time stay may be necessary. An exceptions process for granting exceptions to the base standard is outlined below. Criteria for evaluating high turnover spaces (as exceptions to the 3-Hour base standard) would include:

- **High turnover exception spaces will be located at ends of blocks (next to intersections)** to simplify signage and provide easy access (via convenient crosswalks) to all surrounding businesses.
- **High turnover exception spaces are limited to 30 minutes in the 3 Hour Base Zone (downtown study boundary).** It is important to limit the number of exceptions to the base standard.
- **High turnover exception spaces will be used for specific types of business.** Business type must have a documented high percentage of short transactions. Examples are dry cleaners, banks, bakeries, one-hour photo, and ticket agents. A more detailed list of businesses that have such high turnover needs should be established through a collaborative process between the City and the Downtown Parking Working Group and be reflective of business types unique to downtown Albany and business types as suggested above.
- **High turnover exception spaces are not encouraged where private parking spaces are available.** High turnover spaces will be limited or not approved for businesses that have adjacent off-street private parking lots or private garage spaces for short-term customers.
- **High turnover exception spaces will be used where on-street parking occupancy exceeds 85%.** Utilization data show that occupancy exceeds 85% during the peak hour on block faces adjacent to business, justifying a reduced base time-stay standard.
- **High turnover exception spaces will be converted to the base standard where citation data indicate these spaces are not used for short stays.** If citations increase at the location of an exception space, the space is needed for longer-term stays and may be better served at the base standard.

Clarify "rules of use" for 10 and 30-Minute parking stalls.

As on-street signage upgrades occur (see Strategy 14), repost these signs with added language noting that the time limits are only in place between 8AM and 5PM Monday through Friday. This will communicate to customers that these stalls would be available for longer term parking during any of the non-posted hours (i.e., evenings, weekends). The overall capacity of the on-street system would improve with this clarification.

TIMELINE: Immediate 0 - 12 months)

- Identify locations of current 10-minute and 30-minute stalls.
- Evaluate their need per "exceptions criteria" above

TIMELINE: Short-term (12 – 24 months)

- Coordinate new signage with Strategy 14
- Produce new signage
- Install appropriate signage

Estimated Costs (STRATEGY 13)

Staff time to develop and codify criteria and standards. Re-signing estimates of cost are \$30 per sign. It is assumed no cost for signage poles, reusing existing.

STRATEGY 14

Better integrate on and off-street parking. Consider incorporation of new brand/logo into on-street signage. See Signage/Logo strategy 16.

A new brand/logo can be incorporated into the on-street system as a means of integrating the on and off-street systems. This would require coordinating changes in the on-street system to the branding listed under Signage/Logo Strategy 16. Example city is Springfield, Oregon (at right).

TIMELINE: Short-term (12 – 24 months)

- Identify locations
- Produce new signage
- Install



Estimated Costs (STRATEGY 14)

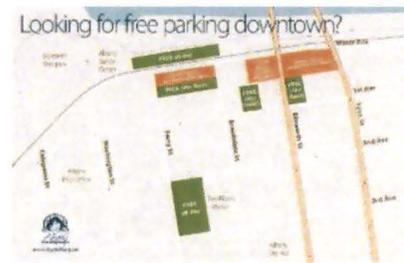
See costs associated with Strategy 11. Unit costs would need to be calibrated to numbers of signs needed; identified through a signage inventory.

D. Improve Off-street Parking (Strategies 15 - 22)

STRATEGY 15

Upgrade online permit/payment system to create greater internal capacity and growth potential in permit program.

The ability for customers to be able to purchase, renew, and receive parking permits is a growing customer convenience within best practices in parking management. A multitude of technologies are available that improve customer service, reduce internal administration and management costs, and, provide a foundation to issue virtual permits when coupled with license plate reader capability (see Strategy 10). A virtual parking permit would eliminate any physical sticker or hangtag by the user, thereby reducing cost and waste. In short, this will improve both internal capacity for growth and added convenience for users.



At present, customer payments can be made online, but the system is cumbersome and still requires a great deal of manual management. For instance, all monthly invoices are currently handled through QuickBooks and there is not an interactive system in place to search particular metrics. There are upgrade options through the current software provider (Clancy) that should be evaluated and priced first.

TIMELINE: Immediate (0 - 12 months)

- Initiate conversations with Clancy (current vendor) to explore upgrade options associated with on-line payments and improvements to handheld technologies per Strategy 10.
- Catalogue potential staff efficiencies of upgrade and report to City.
- Summarize cost of upgrades and estimated timeline for implementation and report to City.
- Engage input from other vendors if Clancy system cannot be upgraded.

TIMELINE: Short-term (12 – 24 months)

- Implement/initiate upgrade(s)
- Train and test
- Full deployment

Estimated Costs (STRATEGY 15)

Increased staff time to coordinate with technology vendor, train staff, and manage any new technology system. Costs of equipment to be determined.

STRATEGY 16

Refine the current parking logo/brand and integrate it throughout all City controlled parking systems (on-street, lots and communications materials). Coordinate with current wayfinding system in place.

Guiding Principle C.1. encourages the City to *“Build upon Albany’s wayfinding system for the downtown to link parking assets and provide directional guidance, preferably under a common brand or logo.”*



The current Park Wise logo is excellent, but it is not consistently applied within the public on and off-street system. It is recommended that the stylized “P” from the Park Wise brand be extended throughout the public parking system (on and off-street).

This brand can then be used at parking sites and, ideally (with minor alteration), as part of the existing wayfinding system throughout the downtown. It can also be incorporated into on-street meter/pay station signage (see Strategy 14), as well as downtown marketing and communications such as maps,

websites, etc. Upgrading the current brand will reinforce a unique and interesting parking logo, improve and augment existing signage and integrate the “brand” at all levels of parking management. It should be reiterated that the brand/logo needs to be consistently applied throughout the system, with no variations in appearance, font, or color.

TIMELINE: Short-term (12 – 24 months)

Engage a design firm to develop a parking brand for use at all of Albany’s public on-street system, off-street facilities, and any shared-use facility that offers customer access.

The design firm would:

- Work with the City and stakeholders to upgrade and standardize the City’s current Park Wise brand/logo.
- Develop options and recommend a final brand/logo.
- Develop cost estimates for creation and placement of branded signage at all City-owned parking assets.
- Assist in creation of signage.

TIMELINE: Mid-term (24 – 36 months)

- Install in lots (and possibly on-street)

Estimated Costs (STRATEGY 16)

Engaging an outside firm could cost up to \$15,000; however, the City’s own design staff has the ability to complete this work in house. *If the design were carried out in house, costs would be significantly minimized.*



STRATEGY 17

Rename all publicly owned/controlled lots by address

The name of parking facilities is extremely important in messaging. The name of the lot must communicate directional information to users, particularly those who are less than familiar with the downtown. Industry best practices for naming off-street parking facilities suggest using an address or intersection associated with the main auto ingress point to a facility.

Portland, Oregon and Boulder, Colorado are two cities which provide simple, yet easily recognizable parking brands that identify facilities by location—names like 10th & Walnut or 4th & Yamhill (see photo at right). These signs intuitively communicate not just a location, but, coupled with the system logo, a brand that can be integrated into web communications, apps, way finding, and other materials.



Boulder, CO



Portland, OR

Albany's current facility naming/identification format is not customer friendly or informative. The City should consider renaming its facilities as part of a broader effort to make the parking system more intuitive and easier to use. As shared use facilities are developed and integrated into the City system, they can be added to the naming system.

TIMELINE: Immediate (0 – 12 months)

- Coordinate with branding and logo development (Strategy 16)
- Create budget package for installing new signage at all City owned/controlled lots

TIMELINE: Short-term (12 – 24 months)

- Install new signage
- Coordinate new messaging into all communications (maps, app, webpage, etc.)

Estimated Costs (STRATEGY 17)

Initial costs would involve changing existing signage and integration in marketing and promotional materials, estimated to range between \$5,000 and \$10,000.

STRATEGY 18

Bring all city-owned parking lots up to a uniform standard for paving, striping, appearance, lighting, and signage

Given the proximity of the six City-owned parking lots to the downtown core, it is recommended that all lots maintain the same high standards for paving, striping, lighting, signage, and overall appearance. Consistency among the lots will support a positive and convenient user experience and reinforce the logo and branding approach recommended in Strategy 16.

TIMELINE: Short-term (12 – 24 months)

- Evaluate and prioritize City lots for upgrades.
- Determine improvements and budget costs.

TIMELINE: Mid-term (24 – 36 months)

- Implement improvements.

Estimated Costs (STRATEGY 18)

Unknown currently. Estimates could range from \$1,500 to \$3,500 per stall in each city-owned surface lot. This could also be worked into scheduled maintenance to avoid duplicated work and to reduce costs.

STRATEGY 19

Routinely calibrate current pricing of off-street parking, hourly and monthly (for employees), based on demand (e.g., 85% Rule) – “variable rate pricing”

Variable-rate pricing uses rates to influence behavior. Facilities with low demand or in less convenient locations are priced lower than those with high demand or near high traffic destinations. Effective use of variable-rate pricing results in better distribution of users across facilities, particularly those that are underused. This is a method to strategically manage the off-street facilities for employees.

TIMELINE: Short-term (12- 24 months)

- Price off-street parking based on demand; varying rates as necessary
- Determine whether additional data collection is necessary to inform baseline pricing
- Market program to local businesses and employees

TIMELINE: On-going

- Routinely assess demand at each off-street parking facility and adjust rates accordingly

Estimated Costs (STRATEGY 19)

Rate systems are intended to generate revenue to cover cost to operate and administer. This strategy would be revenue neutral or positive.

STRATEGY 20

Confirm that all City-owned off-street facilities comply with ADA parking requirements

All City-owned off-street facilities should be compliant with ADA parking requirements. This may require additional designated ADA stalls, depending on the facility's size, slope, access route planning, signage, and number of stalls. Additional information regarding design, placement and number of required stalls can be found at:



https://www.ada.gov/restriping_parking/restriping2015.html

<https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/chapter-5-parking>.

As a community leader downtown, City-owned facilities should be of the highest quality; setting the standard for accessibility. Key factors to evaluate, include:

- Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance.
- When accessible parking spaces are added in an existing parking lot, locate the spaces on the most level ground closest to a pedestrian entry/exit point.
- Internally, an accessible route must always be provided from the accessible parking to the pedestrian entrance/exit.
- Accessible parking spaces may be clustered in one or more lots if equivalent or greater accessibility is provided in terms of distance from the accessible entrance, parking fees, and convenience.

TIMELINE: Short-term (12 – 24 months)

- Assess compliance with federal and state requirements for ADA parking.
- Assign to ADA Parkwise staff or City engineer to conduct assessment.

Estimated Costs (STRATEGY 20)

Costs associated with this strategy are related to research of requirements as well as painting, signage, and maintenance of any new ADA-compliant stalls in off-street facilities.

STRATEGY 21

Identify off-street shared use opportunities based on data from the 2019 parking study. Establish goals for transitioning employees (e.g., 50 employees), begin outreach to opportunity sites, negotiate agreements, and assign employees to facilities.

Most of the parking in the downtown is off-street in privately owned assets. Of the 2,607 stalls on 130 individual lots in the study area, just 377 on six lots are owned and/or controlled by the City. In other words, 86% of the off-street supply is privately controlled. Per the 2019 downtown parking study, there are significant surpluses in the off-street supply.

The number of empty parking stalls in off-street facilities during the peak hour ranges from 1,358 (weekday) to 2,041 (weekend).⁴ This presents an opportunity for Albany as this unused supply is a resource that could be captured to manage and support future parking demand growth. The opportunity to direct downtown employees into these parking facilities would have a significant impact on on-street occupancies, particularly in areas where employees are using the on-street system and thereby denying patrons use of the on-street supply.

The number of empty off-street stalls ranges from 1,358 (weekday) to 2,041 (weekend). Most of this supply is in private control. A shared use program to capture portions of this supply is one of the most critical strategies in this plan to alleviate what many stakeholders indicated was a frustration with the current parking situation in downtown Albany.

Off-Street empty stalls by the hour are summarized in the table below.

2019 Data Findings: Public and Private Off-street stalls: empty (by hour of day / day of week)

Empty Stalls	8AM	9AM	10AM	11AM	12PM	1PM	2PM	3PM	4PM	5PM
Thursday	1,689	1,556	1,413	1,358	1,371	1,400	1,376	1,439	1,577	1,960
Saturday	2,370	2,255	2,151	2,067	2,041	2,078	2,099	2,153	2,140	2,172

As the City has no control over how private lots are operated or made available (or not) to general public users, it is recommended that the City initiate a shared-use parking program in the downtown. This would entail matching downtown employee parkers to underutilized private parking lots. Numerous cities have implemented such programs successfully. Such a program would require a partnership with the Albany Downtown Association and/or Chamber of Commerce to conduct outreach and negotiations with owners of private parking lots.

⁴ Of these totals, 152 (11%) of 1,358 empty stalls are in City lots during the weekday peak hour. On Saturday, 199 of 2,041 empty off-street stalls are in City lots. The overwhelming supply of privately controlled parking is largely underutilized; creating a significant opportunity.

TIMELINE: Near-term (0 - 12 months)

- Use data from the 2019 downtown parking study to identify facilities that could serve as shared-use opportunity sites. Criteria might include proximity to employers, a meaningful supply of empty stalls, pedestrian/bike connectivity, walking distance/time, safety and security issues, etc.
- Based on the above, develop a short list of opportunity sites and identify owners.
- Establish a target goal for the number of downtown employees to transition into opportunity sites.

TIMELINE: Short-term (12 – 24 months)

- Begin outreach to owners of private lots.
- Negotiate shared-use agreements.

TIMELINE: Mid-term (24 – 36 months)

- Obtain agreements from downtown businesses to participate in the employee assignment program.
- Implement program.

Estimated Costs (STRATEGY 21):

It is estimated that costs associated with this strategy would be mostly expended in efforts of existing staff and/or partners to identify opportunity sites and conduct outreach to potential private-sector participants. Planning may determine that funds are needed to create incentives and/or improve the condition of facilities and bike/pedestrian connections.

STRATEGY 22

Update Park Wise website with information for visitors and employees pending implementation of new parking strategies in this plan

Communication with the public, including locals, visitors, and employees, will be critical to the success of management strategies. Parking locations, rates, hours of operation, connections to transportation options, etc. should be marketed and communicated via a continually updated City website. The more information people have when it comes to parking, the better. Piggybacking on Strategy 16, the City's parking logo and brand should be incorporated on the website. This continues to improve the user experience and better identify where parking is available, particularly off-street.

TIMELINE: Short-term (12 - 24 months)

- Working with stakeholders and City staff, refine and relaunch the website

TIMELINE: On-going

- Keeping website information current

Estimated Costs (STRATEGY 22)

Costs associated with design and deployment of a coordinated and well-maintained webpage are estimated at \$5,000 - \$7,500. The City has a web designer on staff that could assist in any needed updates. *If the design were carried out in house costs would be significantly minimized.*

E. Improved Access & Integration with Other Modes (Strategies 23 - 25)

STRATEGY 23

Continue to expand Albany’s bike parking network to create connections between neighborhoods, parking locations, and the downtown to encourage employee bike commute trips and draw customers to downtown businesses. Consider strategically locating bike corrals at intersections where better pedestrian visibility is needed.

When we talk about parking management, we’re not just talking about cars. Communities throughout Oregon support bicycling as a key sustainable transportation strategy. Albany can become a city that encourages a “park once” philosophy, where people park their vehicles and then bike or walk to shop, dine, and recreate in the downtown. Providing adequate bicycle parking can also expand the capacity of the overall parking supply, particularly when an employee trip removes a vehicle from the supply.



“Zagster” Bike Share – Bend, OR

Bike racks are a visible indicator of a bike and visitor-friendly community. Current low parking occupancy of the on-street stalls provides a low risk opportunity to use bike corrals in front of retail and restaurant businesses. Adding high-visibility bike parking throughout downtown, encourages visitors to stop and shop all the downtown.

It is recommended that the City expand its approach to bike parking to deliver a four-strategy approach. Bike parking efforts in the downtown should be coordinated with, and integrated into, on-

going bike planning within the City's Transportation Systems Plan and work with the Bike and Pedestrian Advisory Commission.

The four-strategy approach includes:

- a) *Sidewalk bike parking*
Identify locations for added bike parking in pedestrian amenity zones.
- b) *Bike corrals*
Identify locations for bike corrals on-street and in plaza areas adjacent to high-traffic businesses. Also consider bike corrals at intersections where better visibility is needed.
- c) *Bike parking on private property*
Identify areas on private property for bike parking improvements, especially for employees, e.g. interior bike cages, wall rack locations, & other secure areas.
- d) *Identify funding/incentives*
Assemble funding sources necessary to implement a) – c).



Example: Art Rack Baker City,

OR

TIMELINE: Short-term (12 – 24 months)

- Identify on- and off-street locations for bike racks, bike boxes, and bike corrals
- Add high-visibility bike parking throughout downtown, encouraging customers to stop and shop all the downtown

TIMELINE: Mid-term (24 – 36 months)

- Consider using bike corrals or clusters in parking areas to maximize bike parking, particularly in the warmer months⁵
- Add racks and amenities as appropriate and as opportunities arise

Estimated Costs (STRATEGY 23)

The cost of inventorying potential bike parking locations could be incorporated into the data collection portion of Strategy 9 above. Site identification could also be done through volunteer efforts and by working with downtown stakeholders and bike advocates. Costs are likely minimal.

⁵ Cities like Bozeman, MT and Bend, OR provide for temporary bike corrals that are used in fair weather months, then disassembled and converted back to parking (or snow storage) in winter months.

Estimated unit costs⁶ for actual bike infrastructure:

Infrastructure ID	Infrastructure Description	Cost Range
B1	Staple or inverted U racks ⁷	\$150-\$200
B2	Wall-mounted racks	\$130-\$150
B3	Bike corral	\$1,200 ⁸
B4	Art rack	Variable based on design

STRATEGY 24

Consider initiating a pilot program to test feasibility/viability of an e-Bikeshare or e-Scooter program in the downtown

The City should take the lead to partner with a new technology vendor to evaluate market readiness of a lower cost mobility option for the downtown. Current data suggests such technologies are not yet market viable in Albany due to its size and densities. A pilot allows the City to test specific user and viability assumptions through a partnership between the City and a vendor. Such a program would require some level of public subsidy to attract a vendor partner.



e-Scooters

TIMELINE: Short-term (12 – 24 months)

- Engage in discussions with a new mobility vendor (e.g., e-bike or e-scooter)
- Negotiate a pilot project (cost, term and measures of success)
- Identify locations for installation
- Develop communications plan

TIMELINE: Mid-term (24 – 36 months)

- Roll out
- Monitor use and program success measures.

⁶ Does not include the cost of installation.

⁷ The consultant discourages the use of "wave" racks, as they are more difficult to get a bike in and out of and do not provide two points of contact, which makes bicycles more prone to falling over.

⁸ Based on City of Portland cost estimate for six staple racks (12 bike parking spaces), striping, bollards, and installation.

TIMELINE: Long-term (36+ months)

- Consider long-term investment and/or continuation of program

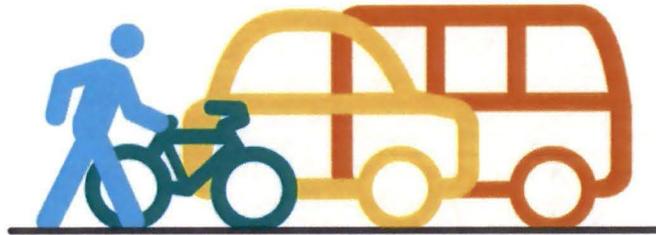
Estimated Costs (STRATEGY 24)

Unknown currently. Ideally the cost of a pilot would be shared between the City and an interested vendor. Private contributions to the pilot should also be considered. As with Strategy 23, this could be a project recommended to the Bike and Pedestrian Advisory Commission.

STRATEGY 25

Partner with the business community to expand incentives that encourage use of alternative modes (e.g., transit, bike and walk). The City should take a leadership role in implementing and/or augmenting its employee mode program at a level that transcends the status quo.

One of the most effective ways to create parking capacity is to increase the number of commuters and long-term visitors using alternative modes. Every parking space freed up by an employee using an alternative mode creates capacity for up to five customer/visit trips a day. The most cost effective way to build access capacity is to ensure that those coming downtown have a range of access options, not just parking. Stakeholder interviews indicated that alternative modes (transit, bike, and walk) are not being leveraged to a high degree as a commute option.



The City should also take a leadership role in implementing and/or augmenting its employee mode program at a level that transcends the status quo. *The City, as one of the largest employers downtown, can have a significant impact on parking if it transitions its employees to non-auto modes, while serving as a model for the private sector.*

It is recommended that the City use the PWG to explore innovative and cost effective ways to work with the business community to encourage employee transit, bike, and walk trips.

TIMELINE: Mid-term (24 - 36 months)

- Establish a goal for the number of employees to transition to an alternative mode.
- Work with the PWG to explore and discuss reasonable and feasible programs, strategies, and incentives that businesses would be willing to pilot to encourage employees to use transit, biking or walking to get to work.

- Partner with Albany Transit and the Bike and Pedestrian Advisory Commission to integrate parking management into a broader community perspective on accessing downtown for employees, residents and visitors.
- Develop an action plan for implementing and communicating the alternative mode goal.

TIMELINE: Long-term (18 - 36 months)

- Initiate action plan
- Measure results and communicate back to City Council, PWG, and the community

Estimated Costs (STRATEGY 25)

Minimal staff costs associated with coordinating with local and regional transit agencies. Costs related to increases in service are not known at this time but would be the outcome of this strategy.

F. Residential (Strategies 26 - 27)

STRATEGY 26

Conduct outreach and information efforts in neighborhoods to explain the parking management plan and how the City intends to preserve residential parking in neighborhoods affected by any type of commercial parking spill over

Changes to parking management in the commercial zone of the downtown could cause issues related to more employees seeking parking in residential areas. In anticipation of this, the City and PWG should begin an outreach and education process to residents and businesses in adjacent neighborhoods.



The purpose of this is to raise awareness and understanding of programs being developed, and to begin framing possible mitigation strategies and solutions if new parking systems in the downtown exacerbate parking problems in neighborhoods.

TIMELINE: Immediate to Short-term (0 – 24 months)

- Work with neighborhoods abutting the downtown and local businesses to inform residents of new downtown parking strategies

TIMELINE: Mid-term (24 - 36 months)

- Consider developing a framework policy and implementing criteria for formation of residential parking permit districts

Estimated Costs (STRATEGY 26)

Administrative staff time and efforts made through the PWG process.

STRATEGY 27

Expand future parking data collection efforts to include residential areas that abut the downtown, ensuring objective information on the impacts of possible commercial district spillover

The 2019 parking data collection effort did not extensively sample any parking in residential areas adjacent to the downtown study zone. In public comment, minimal issues were raised regarding any current overspill of commercial parking demand into neighborhoods. As a strategy to address future issues related to downtown growth, it is recommended that future data collection efforts related to Strategy 9 incorporate residential areas abutting downtown. This would ensure that the City has an accurate and responsive data base of information about parking surpluses and constraints in abutting areas should overspill become an issue in the future.

TIMELINE: Mid-term and On-Going (24 – 36+ months)

- Incorporate data collection for neighborhood areas within the context of Strategy 9.

Estimated Costs (STRATEGY 27)

This could be absorbed into the routine data collection strategy discussed above under Management and Administration of the Parking System.

G. New Capacity (Strategies 28 - 30)

STRATEGY 28

Understand the cost associated with new parking supply and clarify City' role in participating in and/or building new parking

As evidenced by the 2019 study, Albany's on-street parking supply in the downtown core is not constrained at this time. Peak occupancies on and off-street are less than 50%. We believe as well that implementation of the strategies recommended in this plan will likely mitigate parking constraints that could occur in both the near and mid-term.

The City will be more successful in building new parking supply in the future if there is a clear understanding of the realities of parking development and the City's role in efforts to add new parking supply to the downtown.

As such, this provides opportunity (and time) for the City, staff and the community to engage in discussion and planning for new supply in the future.

Critical to this discussion are the following key elements:

- (a) a clear understanding of the realities of parking development cost,
- (b) how such development is funded in cities like Albany, and
- (c) a clear statement by the City of its role in efforts to add new supply to the downtown in the future.

This will require active participation and planning by City leadership to determine appropriate funding tools, management strategies, locations and potential private sector partners. The intent of this strategy is to put the City in a position to be responsive to parking demand growth in the future rather than reactive. As development proposals come before the City, it should know its role in partnering and have available an already identified package of supporting policy and funding to move projects forward.

Costs of a new parking garage are high. Albany should investigate all scenarios to determine the most beneficial and cost-effective formats for increasing capacity downtown. Estimated costs for new parking supply will range by type of supply. Estimates from projects recently completed in the Pacific Northwest are provided below.

Infrastructure ID	Infrastructure Description	Cost Range per Stall*
P1	Structured Underground	\$45,000 - \$65,000
P2	Structured Above Ground	\$32,000 - \$45,000
P3	Surface Lot	\$5,000 - \$7,000

** Does not include operating cost or full cost of land*

TIMELINE: Short- to Mid-term (12 - 36 months)

- Establish parking need, beginning with future land use forecasts based on anticipated, planned or desired development
- Evaluate downtown locations where new parking is possible
- Evaluate and prioritize remote parking sites that could be connected via transit/shuttle
- Evaluate public/private partnerships
- Coordinate with the Chamber of Commerce to develop contacts with potential partners in the private sector
- Engage local developers in the evaluation process
- Narrow to feasible site(s)

TIMELINE: Long-term (36+ months)

Develop cost forecasts and feasible financing methods (see Strategy 29) for preferred parking supply.

Estimated Costs (STRATEGY 28):

Administrative staff time and efforts made through the PWG process.

STRATEGY 29

Explore and develop funding options for maintaining the existing parking supply and funding future growth

A wide range of funding sources and revenue streams could be used to implement an enhanced parking management plan and develop new parking in Albany. Given the costs of new infrastructure, considering new funding mechanisms is prudent.

The list of potential sources here is not exhaustive, nor are these sources mutually exclusive. Funding for parking facilities, particularly garages, in emerging urban areas generally requires multiple sources. Some funding sources may already be in place in Albany.

The use of fees continues to evolve as various State laws or City ordinances are authorized. Implementation of fees should be reviewed by the City Attorney to determine their feasibility considering applicable laws.

The funding options provided below assume a more detailed discussion of the role of the City in future funding of parking and transit, and public discussion regarding use of public funds to build and operate new systems.

Options Affecting Customers

User Fees

Many cities collect revenue through parking meters and/or sale of permits and direct it to parking or transportation development enterprise funds. Transit or shuttle riders pay in the form of fares. These funds can be used to construct or bond for additional parking or transit capacity.

Event Ticketing Surcharges

Surcharges may be imposed in conjunction with local and regional facilities (e.g., performing arts, sports, and concert arenas) to support development of access systems. Fees are generally applied to ticket costs.

Parking Fines

Revenues are collected for parking violations and a portion directed to parking development enterprise funds.

Options Affecting Businesses

Parking and Business Improvement Area or District (BIA or BID)

An assessment on businesses rather than property owners; these can be based on assessed value, gross sales, square footage, number of employees, or other factors established by the local legislative authority. Salem, Oregon assesses a fee on businesses in its downtown Parking District to support parking services and future supply. Portland assesses a business income tax through the State of Oregon to support transit.

Options Affecting Property Owners

Special or Local Improvement District (SID/LID)

A SID or LID is a property tax assessment that requires buy-in by property owners within a specifically identified boundary. LIDs usually result from a petition process requiring a majority of owners to agree to an assessment for a specific purpose—in this case, a parking facility or transit infrastructure improvement.

Options Affecting Developers

Fee-in-Lieu

Developers may be given the option to pay a fee in lieu of providing parking with a new private development. Fee-in-lieu fees provide the developer access entitlements to public parking facilities near the development site.

Fees-in-lieu can be assessed up to the full cost of parking construction. Generally, these do not provide enough revenue to fully fund parking facilities and are combined with other revenue sources.

If a fee-in-lieu is considered as a realistic funding source for new parking supply, there needs to be clarity and consensus on the intent and purpose of the fee and its use in increasing capacity either through new parking supply or through enhancement of alternative mode programs. Lack of specificity in this regard limits discussion of the type of fee, the rate, and the programs and strategies that would need to be in place to implement desired outcomes. A useful guide to the diversity of cash-in-lieu programs and their advantages and disadvantages is Donald Shoup, *Journal of Planning and Education Research*, 18:307-320, 1999.

Public/Private Development Partnerships

Development partnerships are generally associated with mixed-use projects in which parking is used to reduce the cost of private office, retail, or residential development. Public/private development can occur through a variety of arrangements, including:

1. Public acquisition of land and sale or lease of land/air rights not needed for parking to accommodate private use.

2. Private development of integrated mixed-use development with sale or lease-back of the public parking portion upon completion.
3. Responsibility for public sector involvement directly by the City, through a public development authority or other special purpose entity, such as a public facility district created for the project district or downtown area.

Options Affecting the General Public

General Obligation (GO) Bonds

Local jurisdictions may issue voted or non-voted bonds to develop parking or transit infrastructure, subject to overall debt limit requirements. With GO bonding, the municipality pledges its full faith and credit to repayment of the debt from general fund resources. In effect, general fund revenues would be reserved to repay debt that could not be supported by parking or transit revenues alone. Again, there may be imposed limits on the municipality for voter-approved or non-voted debt.

Refinancing GO Bonds

This involves refinancing existing debt at lower rates and pushing the savings from the general fund to debt coverage for new infrastructure. In these times of lower interest rates, the City of Albany may have already maximized this option.

Revenue Bonds

Revenue bonds dedicate parking fees and other designated revenue sources to the repayment of bonds, but without pledging the full faith and credit of the issuing authority. Revenue bonding is not appropriate in situations where a local jurisdiction's overall debt limit is a factor and projected revenues are insufficient to cover required debt service.

63-20 Financing

A potential alternative to traditional GO bonds, revenue bonds, and LID bond financing, 63-20 financing allows a qualified non-profit corporation to issue tax-exempt bonds on behalf of a government. Financed assets must be capital and must be turned over free and clear to the government by the time bonded indebtedness is retired. When a municipality uses this technique to finance a public facility, it can contract for the services of a non-profit corporation (as the issuer) and a builder. The issuer acts on behalf of the municipality but has no real business interest in the asset being acquired.

State and Federal Grants

In the past, a variety of state and federal grant programs have been applied to funding parking and transit infrastructure in business districts. In the current environment of more limited government funding, there may no longer be readily identifiable programs suitable for parking facility development, though transit may be more feasible.

General Fund Contribution

Local jurisdictions may make either one-time capital or ongoing operating contributions to a downtown parking or transit/shuttle program.

TIMELINE: Immediate- to Short-term (0 - 24 months)

- Establish parking need, coordinated with Strategy 28.
- Evaluate all potential funding options as provided herein for appropriateness to Albany, feasibility and timing necessary to initiate.

TIMELINE: Mid-term (24 – 36+ months)

- Narrow to a workable and implementable funding package to support Strategy 30 below.

TIMELINE: On-going (36+ months)

- Respond to parking development opportunities

Estimated Costs (STRATEGY 29):

This is very much a process task, requiring research and conversations with City policy- and decision-makers and legal counsel, and discussion with a range of potentially affected stakeholders. Existing staff time to would be needed to vet feasible funding options (e.g., Fee-in-lieu, urban renewal, local improvement districts, capital funds, bonds, etc.).

For the purposes of this discussion, it is assumed that costs would be absorbed internally by the City and through the parking management plan implementation process. These include:

- Internal legal review and recommendation
- Downtown Parking Advisory Committee consideration and recommendation
- Public review and input
- City Council approval

STRATEGY 30

Expand capacity as necessary and feasible

Successful completion of previous tasks related to site identifications (for remote and new parking supply), costing, partnerships, and funding sources will inform this strategy and support its ability to strategically respond to new capacity demand.

TIMELINE: Long-term (36+ months)

- Build new capacity (parking, transit, alternative modes or combination)

Estimated Costs (STRATEGY 30):

Parking garage development will require sophisticated infrastructure and are very costly. It will be important for Albany to give adequate time and effort to determine the most beneficial and cost-effective formats for increasing the capacity of the downtown access system. Planning for, and finding funding for, new capacity is time-consuming. Focused and objective evaluation will greatly facilitate decision-making before access constraints create adverse impacts on the downtown.

IV. SUMMARY

At present, the City's parking system is operating at a low level of use, in both the on and off-street systems. As such, the data would suggest that there are plenty of opportunities for users to park within close proximity to any destination in the downtown.

The low level of use suggests that major changes to the system are not urgent as conflicts between users are likely minimal. Further supporting this assumption is data that shows high compliance by users of timed parking stalls.

To this end, the strategies outlined in this report recommend that the City consider moderate upgrades to the system to:

- a) Put in place periodic oversight/review into the program at a level greater than status quo.
- b) Support policy and code (85% Rule and development standards) that support good decision-making and supports growth in demand and new development.
- c) Improve the quality of appearance of the existing system and establishes a long-term brand for parking that can grow with the City.
- d) Provide reasonable technology upgrades to support efficient operations.
- e) Establish more active efforts to promote alternative modes and encourage reductions in drive alone employee trips.
- f) Continue reasonable and periodic data collection in the downtown and in adjacent neighborhoods.
- g) Establish process and evaluation of the implications of new (future) parking supply – it's cost and the City's role in providing.

Albany is in a great position for the future as the parking supply is not constrained at this time and a strong system of parking management is already in place through the Park Wise brand and with the Albany Downtown Association. Albany should take this opportunity to strengthen the system and prepare now to be able to anticipate rather than react to potential constraints in the future.

ATTACHMENT A: STRATEGY MATRIX

The matrix below summarizes the strategies recommended in Section III. This summary can be used as a concise outline of all recommendations and as a checklist of actions for a possible Downtown Parking Working Group.

Policy and Code (Strategies 1 – 4)

Strategy 1: Guiding Principles

Action:	Formalize the Guiding Principles as policies for decision-making.
Purpose:	The Guiding Principles provide a framework for future decision-making and ensure that strategies implemented support City and community goals and priorities for access. This could be accomplished by Council resolution.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Staff time to coordinate needed policy and code related changes.

Strategy 2: 85% Rule

Action:	Adopt the 85% Rule as the standard for measuring performance of the parking supply and triggering specific management strategies and rate ranges.
Purpose:	To provide a specific benchmark of system performance that triggers discussion of on-going strategy implementation and provide an objective data driven standard for decision-making.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Staff time to coordinate needed policy and code related changes.

Strategy 3: Parking Code – Use of on-street supply

Action:	Prohibit employee or residential on-street parking within the parking study area - unless through an <i>interim</i> program.
Purpose:	Currently, use of the on-street supply is very low throughout the parking study area. As demand for on-street parking increases, the City wants to ensure that new development does not become reliant on the on-street system to meet its employee or residential parking need. Employee and residential parking demand should be accommodated off-street to mitigate conflicts between customers and downtown employees/residents for on-street parking.

	<p>Code language needs to state that the highest and best use of the on-street supply – in commercially zoned areas – is for customer and visitor parking. As such, the City will “prohibit” employee/residential parking on-street except in areas of demonstrated low use for interim periods. This would facilitate an interim on-street permit program.</p> <p>More rigorous management of the on-street system will allow new developments to more aggressively evaluate a “right sized” parking solution for projects, more reliance on market forces and an incentive for alternative modes to improve, upgrade and invest in downtown. The key to such a change is taking control of the on-street system to ensure that developers know that it is not a reliable or long-term source of supply to meet their future employee or residential tenant demand.</p>
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Staff time to coordinate needed policy and code related changes.

Strategy 4: Parking Code – Shared Use

Action:	Clarify existing code guidelines related to shared parking opportunities that could impede efficiencies for allowing non-accessory access in existing and new off-street parking.
Purpose:	<p>Most of the off-street parking in Downtown Albany is in private ownership. Sections of Title 9 are unclear as to whether <i>new</i> parking facilities built are allowed to share parking with <i>existing</i> land uses in need of parking. In many cases, conditional use requirements may limit parking to accessory-only access. Similarly, the code is unclear on whether <i>existing</i> privately-owned parking lots can share parking with any user of the downtown.</p> <p>Accessory parking is defined as limiting parking only to trips generated by the site or land use that the parking directly serves. As such, if an accessory designation is placed on parking, it would not technically be available to other “non-accessory” users during times when empty parking stalls are available.</p> <p>This may just be a housekeeping strategy, but it is critical to ensure that all barriers to shared use of <i>any</i> underutilized off-street parking in the downtown are removed.</p> <p>Code language (possibly in 9.020 and 9.080) should be modified to be clear that non-accessory access to all off-street parking is allowed. Language should note that the City encourages shared use of parking for general purposes, and/or requires shared-use operating plans as a condition of use in new development.</p>
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Staff time to coordinate needed policy and code related changes.

Management & Administration of the Parking System (Strategies 5 – 10)

Strategy 5: Stakeholder Input

Action:	Establish a Parking Working Group (PWG). The PWG would consist of downtown stakeholders, staff and City leadership to assist in implementation of the Parking Management Plan.
Purpose:	The PWG would meet as necessary (at least once a year) to assist the City in implementing the parking management plan, review parking issues, and advise City Council and other decision-making bodies on strategy implementation.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	There should be no additional costs associated with this recommendation if it can be initiated as a volunteer effort, hosted by the City and/or downtown business interests through a downtown business association.

Strategy 6: Financial Reporting

Action:	Track parking expenses and revenues
Purpose:	All parking expense and revenue activity derived from City owned parking assets should be harbored within a parking fund. This would be provided for within the City's contract with Park Wise. Revenue and expenses within the fund should be separated between direct operations and enforcement. This will support future decision-making, particularly as elements within the Parking Management Plan require new resources. This is an industry best practice.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	There should be no additional costs associated with this recommendation.

Strategy 7: Day-to-Day Management

Action:	Augment staff time to effectively manage the parking system and implement new programs identified in the downtown Recommended Parking Strategies.
Purpose:	Maintain a well-managed parking system to support the goals for Downtown and ensure timely and cost-effective strategy implementation. New strategies in this plan and on-going growth in parking demand will put additional pressure on current Park Wise staff capacity. Increases in staffing may be necessary to fully support a more sophisticated parking program.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing

Costs:	Unknown currently. Could be restructuring of an existing position or adding additional staff and/or augmenting the Albany Downtown Association contract.
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Strategy 8: Performance Reporting

Action:	Publish an annual Parking Performance Status Report.
Purpose:	An annual status and performance report will provide consistent tracking of performance measures (e.g., occupancy, permit sales) and fund status. An annual report provides transparency within the program and helps inform the recommended PWG and City leadership on opportunities, challenges, strategy implementation progress and system viability. This reinforces and facilitates decision-making.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term Ongoing
Costs:	Staff time to coordinate, compile, and publish. Cost could be included in augmented staffing recommended above.

Strategy 9: Data Collection

Action:	Develop a reasonable schedule of data collection to routinely assess performance of the downtown parking supply and support 85% occupancy standard for decision-making.
Purpose:	Objective, up-to-date data on occupancy, seasonality, turnover, duration of stay, patterns of use, and enforcement will help the City and stakeholders make better-informed decisions as the downtown grows. Conduct routine turnover and occupancy surveys of the on- and off-street facilities in downtown at least every two years.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	It is estimated that a data inventory and turnover/occupancy study would range from \$25,000-\$30,000 if conducted by a third-party consultant. Costs can be minimized in subsequent surveys through use of the inventory/database already in place, as well as through sampling and possible use of volunteers to collect data. Ideally parking fund revenue will contribute (if not fully cover) the cost of updates.

Strategy 10: Upgrade Enforcement Technology

Action:	Upgrade current handheld equipment and supporting software
Purpose:	Current enforcement technology is Android phone based and aging. It is recommended that current technology be upgraded as necessary to allow enforcement officers to efficiently check payment/permit status (by license plate) while also checking for time stay violations, potentially increasing the capture rate of violations. The goal is to make existing staff more efficient and increase overall capacity for potentially expanding

enforcement boundaries (Strategy 11) and size of an interim on-street permit program (Strategy 14). This can likely be accommodated through the current provider (i.e., Clancy).

Staff will need to work closely with Park Wise management and enforcement staff prior to procuring the technology and establishing a vendor agreement to ensure enforcement staff levels and training time are adequate to effectively deploy the technology.

Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Increased staff time to coordinate with technology vendor, train staff, and manage any new technology system. Costs of equipment to be determined.

Improve On-Street Parking (Strategies 11 – 14)

Strategy 11: Increase Visitor Opportunity

Action:	Reduce the number of No-Limit stalls, particularly on commercial streets⁹, and balance them with exclusive timed stalls (3-Hour) and/or timed stalls that allow employee permits in underused areas.
Purpose:	<p>There are currently 1,627 No-Limit stalls within the 2019 Parking Study boundary. The No-Limit designation means that these stalls allow anyone to park for an unlimited period. At present, usage is about 40% in the peak hour.</p> <p>Though underutilized, it will be important to ensure that No-Limit stalls are not located in front of commercial businesses, which need a 3-Hour parking limit to support customer access and turnover. The City, working with the Downtown Parking Working Group, should evaluate existing No-Limit stalls and convert them to a more efficient balance of 3-Hour only and 3-Hour “or by permit” (coordinated with Strategy 12). This will ensure customer access and, through the employee permit program, minimize conflicts between employees and customers.</p>
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	<p>Based on information from other cities, estimated per unit costs for signage upgrades would be:</p> <ul style="list-style-type: none"> • <i>A standard signage package would have two poles with blade signs per block face – one at each end of the block with arrows pointing inward.</i> <p><u>Unit Costs- Signage</u></p> <ul style="list-style-type: none"> • <i>Only material costs are provided in these estimates.</i> • <i>Pole unit cost = \$470</i>

⁹ A commercial street is defined here as any block face frontage that is primarily in a business use (e.g., retail, restaurant, office, grocery, bank, etc.).

- Blade sign unit cost = \$30
- Unit cost for poles (\$470) include hole boring and the pole

Strategy 12: Employee Parking

Action:	Allow a controlled number of employees to park within the on-street system in areas with demonstrated peak hour occupancies of less than 55%. Price on-street permits at a premium compared to off-street lots.
Purpose:	Fully utilizes on-street space, while ensuring customer priority is preserved. Uses 85% Rule to “size” the number of permits allowed. Program is <i>interim</i> and will be reduced/eliminated as on-street visitor demand grows. Eligible on-street areas should have low use verified through data collection to ensure there are no conflicts between employees and customers. This allows the City to better utilize on-street supply and support a transition of new development to structured parking and alternative modes of access. It will be important to communicate to all users that these are temporary programs and that they could change as we deal with 85% rule.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term Ongoing
Costs:	Enhances current program and protocols. Program would be revenue positive per permit pricing.

Strategy 13: High-Turnover Stalls

Action:	Create criteria and standards for allowing and locating high turnover stalls.
Purpose:	Currently there are thirteen 10-Minute and twenty-eight 30-Minute stalls in the downtown. 2019 data collection indicates that these stalls are significantly underutilized; with peak occupancies under 40%. In the future, during periods of constraint, providing too many of this stall type can take parking access away from the typical customer whose average duration of stay approaches 3 hours.
Timeline:	Immediate Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Staff time to develop and codify criteria and standards. Re-signing estimates of cost are \$100 per sign.

Strategy 14: Branding & Wayfinding

Action:	Better integrate on and off-street parking. Consider incorporation of new brand/logo into on-street signage. See Signage/Logo strategy.
Purpose:	A new brand/logo can be incorporated into the on-street system as a means of integrating the on and off-street systems. This would require coordinating changes in

	the on-street system to the branding listed under Signage/Logo Strategy. Example city is Springfield, Oregon.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Unit costs would need to be calibrated to numbers of signs needed; identified through a signage inventory.

Improve Off-Street Parking (Strategies 15 - 22)

Strategy 15: Upgrade Pay-online function/technology

Action:	Upgrade online permit/payment system to create greater internal capacity and growth potential in permit program.
Purpose:	Currently, payments can be made online, but the system is cumbersome and still requires a great deal of manual management. For instance, all monthly invoices are currently handled through QuickBooks and there is not an interactive system in place to look up what is due. There are upgrade options through the current software provider (Clancy) that should be evaluated and priced. This will improve both internal capacity for growth and added convenience for users.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	TBD

Strategy 16: Signage/Logo

Action:	Refine the current parking logo/brand and integrate it throughout all City controlled parking systems (on-street, lots and communications materials). Coordinate with current wayfinding system in place.
Purpose:	Creates a unique and interesting parking logo, improves and augments existing signage and integrates "brand" at all levels of parking management.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	It is estimated that engaging a design firm to carry out the tasks identified above would range from \$10,000 - \$15,000. If the design were carried out in house costs would be significantly minimized.

Strategy 17: Lot Identification

Action:	Rename all publicly owned/controlled lots by address.
Purpose:	Industry best practices for naming off-street parking facilities suggest using an address or intersection associated with the main auto ingress point to a facility. For instance, identifying facilities by location—such as 10 th & Walnut or 4 th & Yamhill—easily and

	intuitively communicate where visitors may find parking. This can be integrated into web communications, apps, way finding, and other materials.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Initial costs would involve changing existing signage and integration in marketing and promotional materials, estimated to range between \$5,000 and \$10,000.

Strategy 18: Presentation

Action:	Bring all city-owned parking lots up to a uniform standard for paving, striping, appearance, lighting, and signage.
Purpose:	Creates consistency within the public system and ensures a positive and convenient user experience. This would include consistency in design, signage, and equipment.
Timeline:	Immediate Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Unknown currently. Estimates could range from \$1,500 to \$3,500 per stall in each city-owned surface lot. This could also be worked into scheduled maintenance to avoid duplicated work and reduce costs.

Strategy 19: Pricing

Action:	Routinely calibrate current pricing of off-street parking, hourly and monthly (for employees), based on demand (e.g., 85% Rule) – “variable rate pricing.”
Purpose:	Creates a varied system of pricing on parking lots that charge a premium for higher demand locations and lower rates for less used locations.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Rate systems intended to generate revenue to cover cost to operate and administer.

Strategy 20: ADA Compliance

Action:	Confirm that all city-owned off-street facilities are compliant with ADA parking requirements.
Purpose:	A quick “housekeeping” review of existing public facilities to confirm compliance with federal and state requirements for ADA parking.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Cost associated with painting, signage, and maintenance of any new ADA-compliant stalls.

Strategy 21: Shared Parking

Action:	Identify off-street shared use opportunities based on data from the 2019 parking study. Establish goals for transitioning employees (e.g., 50 employees), begin outreach to opportunity sites, negotiate agreements, and assign employees to facilities.
Purpose:	<p>Reduces on-street employee parking demand by redirecting them into empty (privately controlled) off-street stalls.</p> <p>Most of the off-street parking in the downtown is located in <i>privately-owned</i> parking assets. The 2019 parking study indicates the number of empty parking stalls in existing private off-street facilities during the peak hour ranges from 1,423 (weekday) to 2,140 (weekend). This presents an opportunity for Albany as this unused supply is a resource that could be captured to manage and support future parking demand growth.¹⁰</p>
Timeline:	Immediate Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Staff and volunteer time expended in efforts to review and identify opportunity sites and conduct outreach to potential private sector participants. Planning in this regard may determine that funds are needed to create incentives and/or improve the condition of lots or pedestrian/bike connections.

Strategy 22: Website Communication

Action:	Update Park Wise website with information for visitors and employees pending implementation of new parking strategies in this plan.
Purpose:	Continues to improve the user experience and better identify where parking is available, particularly off-street.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Costs associated with design and deployment of a coordinated and well-maintained webpage are estimated at \$5,000 - \$7,500. If the design were carried out in house costs would be significantly minimized.

¹⁰ The opportunity to direct downtown employees into these parking facilities would have a significant impact on on-street occupancies, particularly in areas where employees are using the on-street system and thereby denying patrons use of the on-street supply.

Improved Access & Integration with Other Modes (Strategies 23 - 25)

Strategy 23: Bike Parking

Action:	Continue to expand the bike parking network to create connections between neighborhoods, parking locations, and the downtown to encourage employee bike commute trips and draw customers to downtown businesses. Consider strategically locating bike corrals at intersections where better pedestrian visibility is needed.
Purpose:	Provides a more reliable and safe option for bicycle access and parking/storage. Providing adequate bicycle parking will expand the capacity of the overall parking supply downtown. Current low occupancy of on-street provides a low risk opportunity to use bike corrals in front of retail and restaurant businesses. Adding high-visibility bike parking throughout downtown, encourages visitors to stop and shop all the downtown.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	This could be a project recommended to the Bike Commission. Consultant or staff costs associated with collecting data on the inventory and location of bike parking in downtown. Cost of purchase and installation of new secure bike parking. <ul style="list-style-type: none"> • Staple or U racks: \$110 - \$160 • Wall Mounted racks: \$130 - \$150 • Bike Corral \$1,200¹¹

Strategy 24: New Mobility Option

Action:	Consider initiating a pilot program to test feasibility/viability of and e-Bikeshare or e-scooter program in the downtown.
Purpose:	To partner with a new technology vendor to evaluate market readiness of a lower cost mobility option for the downtown. Current data suggests such technologies are not yet market viable in Albany due to its size and densities. A pilot allows the City to test specific user and viability assumptions through a partnership between the City and a vendor. Such a program would likely require some level of public or private subsidy to attract a vendor partner.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Unknown currently. Ideally the cost of a pilot would be shared between the City and an interested vendor. Private contributions to the pilot should also be considered. As with Strategy 23, this could be a project recommended to the Bike and Pedestrian Advisory Commission.

¹¹ Based on City of Portland, Oregon cost estimate for 6 staple racks (12 bike parking spaces), striping, bollards and installation.

Strategy 25: Encourage Alternative Modes

Action:	Partner with the business community to expand incentives that encourage use of alternative modes (e.g., transit, bike and walk). The City should take a leadership role in implementing and/or augmenting its employee mode program at a level that transcends the status quo.
Purpose:	One of the most effective ways to create parking capacity is to increase the number of commuters and long-term visitors using alternative modes. Every parking space freed up by an employee using an alternative mode creates capacity for up to five customer/visit trips a day. The most cost-effective way to build access capacity is to ensure that those coming downtown have a range of access options, not just parking. Stakeholder input indicated that alternative mode commute options are not being leveraged to a high degree. Use of alternative modes reduces parking demand. This would be coordinated with employee permit and demand pricing strategies.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Minimal staff costs associated with coordinating with local and regional transit agencies. Costs related to increases in service are not known at this time but would be the outcome of this strategy.

Residential (Strategies 26 - 27)

Strategy 26: Neighborhood Outreach

Action:	Conduct outreach and information efforts in neighborhoods to explain the parking management plan and how the City intends to preserve residential parking in neighborhoods affected by any type of commercial parking spill over.
Purpose:	Changes to parking management in the commercial zone of the downtown could cause issues related to more employees seeking parking in residential areas. In anticipation of this, the City and PWG should begin an outreach and education process to residents and businesses in adjacent neighborhoods. The purpose of this is to raise awareness and understanding of programs being developed, and to begin framing possible mitigation strategies and solutions if new parking systems in the downtown exacerbate parking problems in neighborhoods.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Administrative staff time and efforts made through the PWG process.

Strategy 27: Data in Neighborhoods

Action:	Expand future parking data collection efforts to include residential areas that abut the downtown, ensuring objective information on the impacts of possible commercial district spillover.
Purpose:	To determine whether high numbers of downtown users are parking in residential areas and whether such behavior is adverse to residents.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	This could be absorbed into the routine data collection strategy discussed above under Management and Administration of the Parking System.

New Capacity (Strategies 28 - 30)

Strategy 28: Costing New Supply

Action:	Understand the cost associated with new parking supply and clarify City' role in participating in and/or building new parking.
Purpose:	Conduct cost to build/finance models for review by City leadership and clarify the City's intended role in new parking facilities in the future.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Garage (Above Ground): \$35,000-\$45,000 per stall Surface Lot: \$6,000 - \$12,000 per stall

Strategy 29: Funding for New Capacity

Action:	Explore and develop funding options for maintaining the existing parking supply and funding future capacity growth.
Purpose:	There are a wide range of potential funding sources and revenue streams that could be used to support implementation of an enhanced parking management plan in the Albany downtown as well as to plan for and support development of new parking (or transit/shuttle capacity) in the future. If new capacity is a City goal, then initiating a process to ensure that funding is available when preferred capacity options are ready for implementation is essential.
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Existing Staff time to vet feasible funding options (e.g., Fee-in-lieu, urban renewal, local improvement districts, capital funds, bonds, etc.). <ul style="list-style-type: none"> • Internal legal review and recommendation • Downtown Parking Advisory Committee consideration and recommendation • Public review and input • City Council approval

Strategy 30: Build New Capacity

Action:	Initiate new capacity expansion (as necessary and feasible).
Purpose:	Once the City clarifies its role in future parking growth, it will be ready to move to new opportunities as demand for parking grows and the market environment necessary to finance parking evolves. This is likely a long-term outcome (5 – 7 + years)
Timeline:	Immediate – Short-Term – Mid-Term – Long-Term – Ongoing
Costs:	Parking garage development requires sophisticated infrastructure and is very costly. It will be important for Albany to give adequate time and effort to determine the most beneficial and cost-effective formats for increasing the capacity of the downtown access system. Planning for, and finding funding for, new capacity is time-consuming, so focused and objective evaluation will greatly facilitate decision-making before access constraints create adverse impacts on the downtown.

ATTACHMENT B: STRATEGY & GUIDING PRINCIPLES MATRIX

The table below correlates recommended strategies to the Guiding Principles.

	A.1 On-Street (Visitors)	A.2 Off-Street (All Users)	B.1 Optimize Utilization	B.2 Shared Off-Street Parking	C.1 Branding & Wayfinding	C.2 Monitor & Report Utilization	D.1 Travel Demand Management	E.1 Code & Regulation	E.2 Funding	F.1 Fiscal Stewardship	G.1 Primary Role (City)	G.2 Primary Role (Private Sector)	G.3 Stakeholder Support
1 Guiding Principles	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2 85% Rule	✓		✓			✓							
3 Parking Code – Use of on-street supply			✓					✓					
4 Parking Code – Shared Use			✓	✓				✓					
5 Stakeholder Input												✓	✓
6 Financial Reporting								✓		✓			
7 Day-to-Day Management			✓	✓		✓				✓	✓		
8 Performance Reporting			✓			✓					✓		✓
9 Data Collection			✓			✓							✓
10 Upgrade Enforcement Technology	✓		✓								✓		
11 Increase Visitor Opportunity	✓		✓								✓		
12 High-Turnover Stalls	✓		✓								✓		
13 Branding & Wayfinding	✓		✓		✓								
14 Employee Parking			✓									✓	
15 Upgrade online payment			✓							✓			
16 Signage/Logo	✓				✓								
17 Lot Identification		✓			✓								
18 Presentation					✓			✓			✓		
19 Pricing	✓		✓						✓	✓			
20 ADA Compliance								✓			✓		
21 Shared Parking			✓	✓								✓	
22 Website Communication					✓								
23 Bike Parking							✓						
24 New Mobility Option							✓						
25 Encourage Alternative Modes			✓				✓						
26 Neighborhood Outreach		✓	✓			✓					✓		
27 Data in Neighborhoods		✓	✓			✓					✓		
28 Costing New Capacity									✓	✓			
29 Funding New Capacity									✓	✓			
30 Build New Capacity									✓				



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Jeanna Yeager, Finance Director

DATE: March 3, 2020, for the March 9, 2020, City Council Work Session

SUBJECT: Reclassification of Accounting Supervisor position

Action Requested:

Receive information related to the request for reclassification of the Accounting Supervisor position to Finance Manager, based on the current scope of responsibilities, retroactively to July 1, 2019. The incumbent has been performing the duties since that time, but the reclassification was delayed pending an evaluation of the needs of the finance department. This item will be on the March 11, 2020, meeting agenda for approval.

Discussion:

The finance and human resources departments have reviewed the position and determined that in order to provide equitable compensation commensurate with the position's level of responsibility and scope of work, reclassification is required. Additional information regarding this reclassification can be found below:

As several staff members have resigned or moved to other departments, we have been taking a close look at the needs of the finance department. One Accounting Supervisor position was downclassified to a Senior Accountant position, and the Payroll Supervisor was downclassified to a Payroll Administrator. Both positions are lead workers and no longer have supervisory duties.

As a result, the remaining Accounting Supervisor has taken on those supervisory duties and is now responsible for payroll, as well as treasury functions. Additionally, this position will also be coordinating and/or completing ongoing Munis maintenance.

Budget Impact:

The budget impact is estimated to be an increase of approximately \$6,500 in each fiscal year. This impact will be offset by cost savings realized through the reclassification of other positions.

JLY:hr

c: Danette Jamison, Human Resources Director



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE (AMC) TITLE 6 BY THE CREATION OF SECTION 6.16 TITLED WILDLIFE CONTROL.

WHEREAS, the City of Albany is adding AMC Chapter 6.16, Wildlife Control, to address wildlife populations within the city; and

WHEREAS, the feeding of wildlife is extremely disruptive to the natural feeding habits of wildlife; and

WHEREAS, the intentional feeding of wildlife not only attracts predators, feeding wildlife can result in wildlife being concentrated at artificial feeding areas making them more susceptible to disease transmission; and

WHEREAS, wildlife accustomed to being fed become habituated to human-provided food and alter their foraging behavior; and,

WHEREAS, wildlife concentrated at artificial feeding areas constitute a public nuisance; and

WHEREAS, an ongoing condition exists with respect to populations of wild turkeys within the city, the public's welfare requires that this public nuisance must be abated and this ordinance take effect immediately upon approval,

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

Amending AMC Title 6, Animals. AMC Title 6 is hereby amended to add Section 6.16 titled Wildlife Control:

Sections:

- 6.16.010 Definitions**
- 6.16.020 Feeding of Wildlife Prohibited**
- 6.16.030 Abatement**
- 6.16.040 Penalties**
- 6.16.050 Severability**

6.16.010 Definitions.

As used in this ordinance, the following terms shall have the meaning indicated:

“City” – City of Albany

“Songbirds” – Any of many bird species in which the vocal organ is developed in such a way as to provide various sound notes commonly known as bird song.

“Waterfowl” – Any bird that frequents the water or lives around rivers, lakes, and other bodies of water, including, but not limited to, ducks, geese, swans, and herons.

“Wildlife” – Shall include any animal that is not normally domesticated including, but not limited to, nutria, coyotes, deer, foxes, groundhogs, opossums, raccoons, skunks, and turkeys.

6.16.020 Feeding of Wildlife Prohibited.

Feeding of wildlife within the city limits of Albany is declared a public nuisance and shall be prohibited at all times. Feeding of wildlife includes any manner by which a person allows food or other attractants to be given with the intent of attracting and/or feeding wildlife. Nothing contained in this ordinance shall prohibit the feeding of songbirds or waterfowl provided that the feed shall be contained in receptacles which are reasonably designed to avoid access by wildlife.

6.16.030 Abatement.

In the event that any part of the city is experiencing the presence of wildlife populations that threaten the health and welfare or endanger the property of Albany citizens, the City may take those steps authorized by the appropriate regulatory agency to disperse or otherwise control the offending wildlife.

6.16.040 Penalties.

Violation of this section shall be an infraction.

6.16.050 Severability.

Every section of this ordinance or subdivision or separate part thereof shall be considered a separate provision to the intent that if any portion shall be declared unconstitutional, it shall not affect the remaining parts of this ordinance.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE (AMC) TITLE 13 BY THE CREATION OF SECTION 13.21.112 TITLED CENTRAL ALBANY PARKING AREA.

WHEREAS, the City of Albany is adding AMC Chapter 13.21.112, Central Albany Parking Area, to address areas within the city unlawful activity has increased; and

WHEREAS, these specific areas attracting unlawful activity and pose health and welfare hazards to the public; and

WHEREAS, creating a central Albany parking area will allow law enforcement personnel to more readily address the unlawful activity.

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

Amending AMC Title 13, Vehicles and Traffic. AMC Title 13 is hereby amended to add Section 13.21.112 titled Central Albany Parking Area:

Sections:

13.21.112 Central Albany Parking Area.

(1) It is unlawful for any vehicle to park on the public streets, listed below, without a valid Central Albany Parking Area permit.

(a) Area.

- (i) 11th Avenue SE, west of Jackson Street SE to Montgomery Street SE.**
- (ii) Montgomery Street SE, west of 11th Avenue SE to 13th Avenue SE.**
- (iii) 13th Avenue SE, west of Jackson Street SE to Industrial Way SW.**
- (iv) Howard Drive SE, north of 13th Avenue SE to dead end.**
- (v) Industrial Way SW, south of 13th Avenue SE to Queen Avenue SW.**

(2) Enforcement.

(a) Any enforcement actions described in this section shall be in line with or in addition to other sections of AMC 13.21.

(b) Upon first offense of the Central Albany Parking Area a parking citation, as laid out in AMC 13.21.155, shall be issued.

(i) If the operator of the vehicle is contacted upon issuance of the parking citation, the vehicle shall be removed immediately from the Central Albany Parking Area.

(ii) If the operator of the vehicle is not contacted upon issuance of the parking citation, the vehicle shall be removed from the Central Albany Parking Area within 24 hours.

(iii) If the vehicle is not removed within the time allotted, the vehicle shall be towed pursuant to AMC 13.70.040.

(c) Upon any additional violation of the Central Albany Parking Area by any vehicle, the vehicle shall be towed pursuant to AMC 13.70.040.

(3) Permits.

(a) All Central Albany Parking Area permits shall be the sole property of the City of Albany.

(b) Upon initial implementation of the Central Albany Parking Area, each business shall be given one parking permit per employee working at the local office, free of charge. Each business will also be given, free of charge, visitor parking permits equal to 15 percent of their employee permits. If the final number is uneven, the number shall be round up to the next number.

(i) Any additionally needed parking permits, employee or visitor, shall be obtained at the cost of \$5.00 per permit.

- (ii) The number of employee parking permits shall not exceed the number of employees on the payroll.
- (iii) The number of visitor parking permits shall not exceed 30 percent of the number of employees on the payroll.
- (iv) Additional permit requests shall be made through the Albany police records division.
- (v) All permits shall be the sole property of the City of Albany and may be revoked for any misuse.
- (c) Locations with addresses in the Central Albany Parking Area may apply to the Albany Police Department for a group parking permit exemption during special events or construction. These exemptions may be removed for any misuse.
- (4) Records.
 - (a) It shall be the responsibility of each business to keep a record of permit issuance. These records shall include:
 - (i) Employee name.
 - (ii) Permit number issued.
 - (b) It shall be the responsibility of the business to retrieve any permits issued when an employee no longer works for them.
 - (i) In cases of an employee refusing to return a permit, said permit shall be filed as stolen with the Albany Police Department.
 - (c) It shall be the responsibility of the business to report any lost or stolen permits to the Albany Police Department. This report shall be made as soon as possible and within reason.
 - (i) Replacement of lost or stolen permits shall cost \$5.00.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

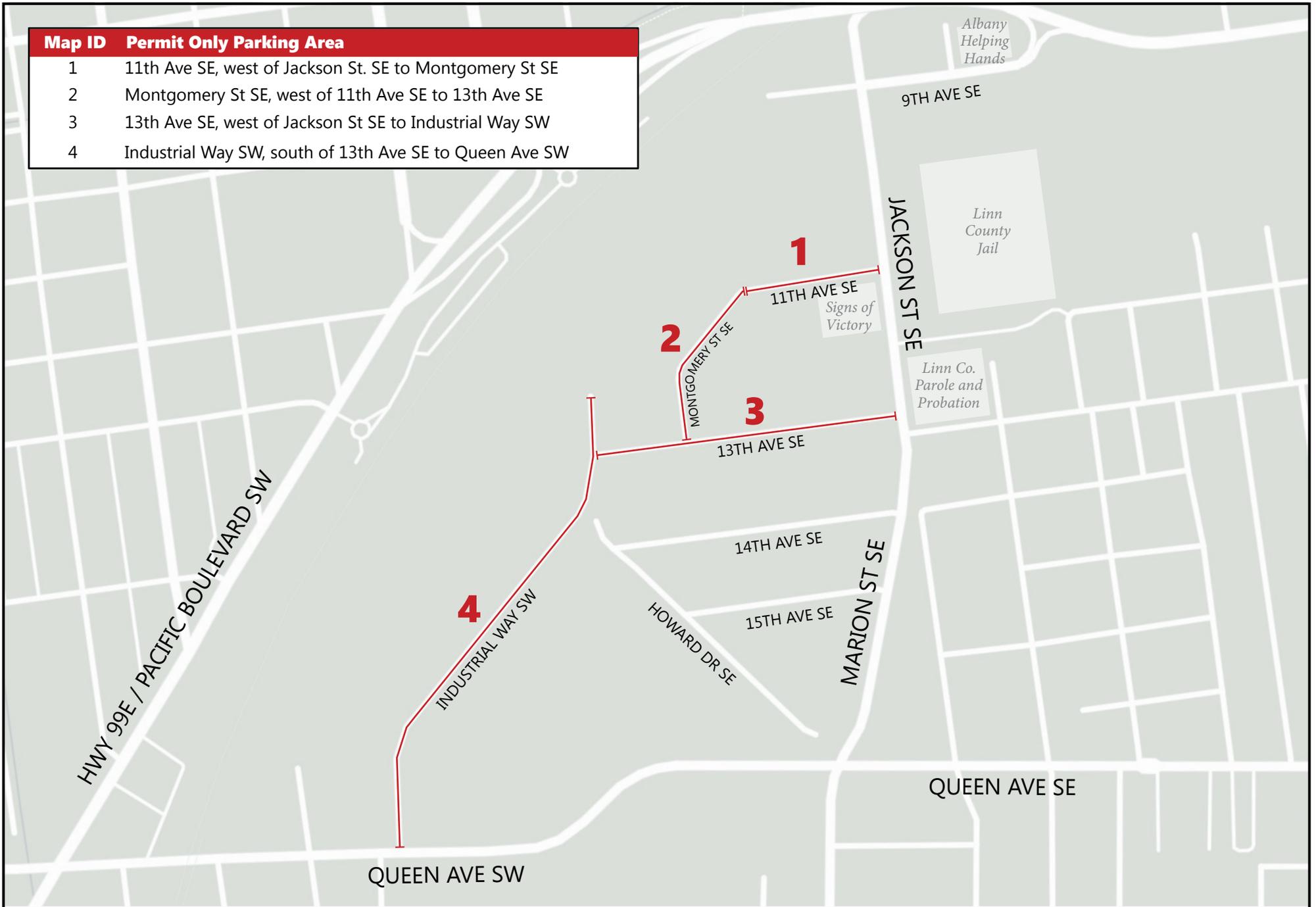
Mayor

ATTEST:

City Clerk

Map ID Permit Only Parking Area

- 1 11th Ave SE, west of Jackson St. SE to Montgomery St SE
- 2 Montgomery St SE, west of 11th Ave SE to 13th Ave SE
- 3 13th Ave SE, west of Jackson St SE to Industrial Way SW
- 4 Industrial Way SW, south of 13th Ave SE to Queen Ave SW



Date: 03/05/2020

Permit Only Parking Areas

Central Albany



ORDINANCE NO. _____

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE (AMC) SECTION 13.36.180, MOTOR VEHICLE OR RECREATIONAL VEHICLE USE FOR SLEEPING OR HOUSEKEEPING PURPOSES AND RELATED PARKING RESTRICTIONS

WHEREAS, the City of Albany is amending AMC Chapter 13.36.180, Motor vehicle or recreational vehicle use for sleeping or housekeeping purposes and related parking restrictions; and

WHEREAS, the use of any number of vehicles is limited to not more than seven days in any 90-day period; and

WHEREAS, extended use of vehicles for housekeeping purposes often leads to sewage, trash and electrical hazard exposures; and

WHEREAS, the private property owner faces no recourse for allowing such actions to occur on their property; and

WHEREAS, if the private property owner stood possible recourse, the violation may be abated faster.

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

Amending AMC Title 13, Vehicles and Traffic. AMC Chapter 13.36.180 Motor vehicle or recreational vehicle use for sleeping or housekeeping purposes and related parking restrictions, is hereby amended to add:

It is unlawful, within the City limits, for any person to use, **allow to use, or permit to use on their private property** a motor vehicle or recreational vehicle for sleeping or housekeeping purposes except as follows:

- (1) Within an approved recreational vehicle park;
- (2) On the premises of a private residence and with the consent of the occupant of the residence provided that such use by any number of vehicles is limited to not more than seven days in any 90-day period;
- (3) Within a required front yard setback, as established by the Albany Development Code, parking of such vehicles is limited to not more than 48 hours;
- (4) Within a public right-of-way, parking of self-contained recreational vehicles is limited to 48 hours with the consent of the adjacent property owner. In addition, parking of any such vehicle is further limited by the provisions of AMC Section 13.21.030 and all other regulations pertaining to the parking of vehicles;
- (5) With the consent of the property owner and all adjacent property owners, the City Manager may approve a special temporary use permit for recreational vehicle use of up to 90 days duration in order to alleviate a temporary housing hardship which cannot otherwise be satisfied within a recreational vehicle park. Such approval may be subject to any conditions which the City Manager deems appropriate to maintain public safety and community aesthetics. In addition, any such permit may be revoked by action of the City Council.
 - (a) It is unlawful for any person to discharge wastewater from a recreational vehicle to a storm sewer, sanitary sewer, street, or upon private property except at an approved holding facility or dump station.
 - (b) No utility connections shall be made across public right-of-way to a vehicle except by temporary permit issued by the Building Official. (Ord. 4816 § 1, 1988; Ord. 4171, 1978).

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

JB 3/4

FROM: Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*
Rick Barnett, Parks and Facilities Maintenance Manager

DATE: March 3, 2020, for the March 9, 2020, City Council Work Session

SUBJECT: Draft Amendments to Albany's Tree Regulations

Relates to Strategic Plan theme: Great Neighborhoods, An Effective Government

Action Requested:

Staff recommends Council provide direction regarding draft amendments to Albany's tree regulations.

Discussion:

Background

Albany's Development Code (ADC) is the primary tool used to implement community visions while facilitating development. Staff has been working with community partners on proposed amendments to the code that are intended to remove unnecessary barriers, create flexibilities, and provide certainty for developers without compromising those visions.

A significant portion of the scope of work includes creating clear and objective (C&O) standards for needed housing. Besides being a regulatory requirement, adopting C&O standards for needed housing has the overall benefit of providing clarity and certainty for developers, community members, and staff. Council may recall that "needed housing" is any housing that is proposed on residentially zoned land. In other words, it presumes that if the land has been annexed and zoned for residential use that agencies have determined there is a need for it.

Amendments are required throughout the ADC to move towards C&O standards, however, at the March 9th work session, council will focus only on the City's tree regulations. Albany's tree regulations currently include subjective review criteria that staff has been legally required to omit when reviewing needed housing projects. This has led to frustration and controversy for the public, staff, the Tree Commission, Planning Commission, and City Council.

Trees in Albany are also regulated through Albany Municipal Code (AMC) provisions. The primary distinction between the two sets of regulations is the number and size of trees to be removed. The two codes are intended to work together but amendments are necessary to provide that clarity. Providing this clarity was identified as a need in the City's code audit but wasn't a high priority since the system was generally working. However, as we consider C&O tree regulations it makes sense to also provide the desired clarity.

Urban Forestry is managed by the City's Parks and Recreation Department, whereas the Community Development Department manages development. Applying tree regulations, and therefore considering code amendments, requires close coordination between the two departments where planning staff manages

procedural elements of development code provisions and urban forestry staff manages the AMC and provides overall technical review for ADC provisions. The City's tree commission provides support and recommendations to the urban forestry program.

Proposed Amendments

Albany's existing tree regulations have served the community well. The City's code audit incorporated feedback from the development community, staff, planning commission, and city council and there was no need identified for a complete overhaul. Consequently, the scope of proposed amendments is limited to developing C&O standards and improving compatibility between the AMC and ADC. Staff observes that the current regulations have not led to denying many requests, but they have been successful in encouraging developers to work with staff and/or concerned members of the community to consider design alternatives that retain significant trees. In other words, the existing language has been effective in preserving trees without being a barrier to development. The proposed amendments being considered at the March 9th work session are meant to retain that outcome.

Amended tree regulations are proposed in three sections, each of which are discussed separately below. Once council's direction has been incorporated, these amendments will be incorporated into the larger ADC amendment package that the planning commission and city council will consider through public hearings in the coming months.

ADC - ARTICLE 9 AMENDMENTS (Attachment A – Amendments shown in bold-underline/strike)

1) *Clear and Objective Review Criteria* – The most significant amendment proposed in Article 9 is the incorporation of a C&O path for needed housing projects. Staff's approach was to retain the existing criteria that are currently working and create a new, optional, C&O path for needed housing projects. The benefit of this approach is that it retains existing criteria for all projects that aren't needed housing, it is regulatory compliant, and if a developer finds the C&O path undesirable they can fall back to our existing discretionary criteria.

The C&O path can be summarized as outright allowing removal of trees that are impacted by proposed development but prohibiting removal of those that aren't. Amendments in other sections of the ADC and AMC are intended to work in concert with this section to incentivize tree retention.

2) *General Cleanup* – Several amendments are proposed as general housekeeping items. The most significant of which is the removal of language for protecting residual trees during construction. Staff does not believe the ADC is the appropriate location for this language and has proposed relocating it to the AMC verbatim.

3) *Oregon White Oak Removal* – Oregon White Oaks are native to the Willamette Valley and have experienced significant decline due to urbanization, agriculture, and impacts from invasive plant species. These trees are historically relevant due to the role they played supporting the Kalapuya Indians. They also provide favorable habitat for a variety of wildlife species. Oak forests are believed to have greater diversity in species than similarly situated conifer forests.

Oregon White Oaks are generally slow growing in both height and diameter. Given their many benefits and slow growing nature, protecting mature Oregon White Oaks continues to be a priority expressed by urban forestry staff, the tree commission, planning commission, and members of the public. When reviewing the proposed code amendments, Council will notice references to an Oregon White Oak Removal Fee. This concept reflects the priority placed on Oregon White Oaks and is discussed in more detail as part of the proposed AMC revisions.

ADC - ARTICLE 11 AMENDMENTS (Attachment B - Amendments shown in bold-underline/strike)

1) *Cluster Development* – Cluster Development is a development method that provides for the long-term protection of natural resources. In exchange for these protections, a developer is allowed to transfer densities to other portions of their project. As an example, a developer could be allowed smaller lot sizes in the unprotected areas of their project such that the resource is protected but the developer is able to create the same number of lots as if it wasn't; the objective being to not penalize a developer financially for protecting resources.

This is an over-simplified explanation of cluster development as a whole but helps to describe the intent of proposed amendments. The existing code allows for cluster development to be applied in South Albany where oak trees were identified in the South Albany Area Plan. However, South Albany is not the only portion of town where preserving Oregon White Oaks is important. The proposed amendments are intended to expand the applicability of cluster development to all mature Oregon White Oaks and work in concert with Article 9 amendments and the Oregon White Oak Removal Fee concept to encourage preservation. While these amendments are not all dependent on each other, they are intended to support each other and strengthen the likelihood of realizing desired outcomes.

AMC – CHAPTER 7.98 AMENDMENTS (Attachment C - Amendments shown in bold-underline/strike)

1) *Clarifications* – Language has been added to clarify that trees approved for removal through the ADC do not also require a permit through the AMC.

2) *General Cleanup* - Several amendments are proposed as general housekeeping items; these include the relocation of guidelines for protecting residual trees as mentioned above.

3) *Establishing Oregon White Oak Removal Fee* – As previously discussed, Oregon White Oaks are an important community amenity and their preservation should be encouraged. However, it is understood that preservation is not always possible or desirable for development. The incorporation of an Oregon White Oak Removal Fee for large, mature, trees is intended to encourage avoidance and provide for compensating Urban Forestry support/enhancement when removal is not practical or desired. The proposed language makes clear that hazard, dead, or dying trees are not subject to the removal fee.

It is important to recognize that the proposed amendments are only creating the authority to charge a fee. Whether council later chooses to adopt a resolution setting a fee, and if so, what that fee would be, is a topic for future discussion. If this structure is ultimately adopted, urban forestry staff would return to a future council work session to discuss potential fee amounts. While staff and the City's tree commission recommend implementation of a fee, adopting the proposed structure is recommended regardless of whether that ultimately occurs.

Budget Impact:

There is no budget impact at this time.

JJB:ss

Attachments (3)

c: Kim Lyddane, Parks and Recreation Director (via email)
David Martineau, Planning Manager (via email)
Tree Commission (via email)
Cathy Corliss, Angelo Planning Group (via email)

**ARTICLE 9
ON-SITE DEVELOPMENT AND ENVIRONMENTAL STANDARDS**

TREE PROTECTION

9.205 Purpose. Trees of significant size represent a visual and aesthetic resource to the community. Trees provide benefits including shading, reduction in excess stormwater runoff, erosion control, and wildlife habitat. These standards are intended to balance the preservation of significant trees as a benefit to the community with the individual right to use and enjoy property.

[Ord. 5445, 4/12/00; Ord. 5764, 12/1/11]

9.206 Definitions. For the purposes of the following sections, these definitions apply:

(1) Critical Root Zone: The area around a tree where roots are critical to a tree's survival. For the purposes of this section, the critical root zone is estimated and expressed as a circle around the center of a tree's trunk, where the radius is calculated by adding 1 foot for every 1-inch of trunk diameter plus the tree trunk's radius; where all tree measurements are consistent with those for establishing Tree Circumference. For example, a tree with a Tree Circumference of 6.5 feet would have a trunk radius of 1.0 feet and diameter of 25 inches. The critical root zone would be a circle with a radius of 26 feet (1 ft + (25 in * 1 ft/in)) from the center of the tree's trunk and have a total diameter of 52 feet.

(2) Fell: To remove or sever a tree or the intentional use of any procedure the natural result of which is to cause the death or substantial destruction of the tree. Fell does not in any context include normal pruning of trees.

(3) Tree: A living, standing, woody plant. [Ord. 5764, 12/1/11]

(4) Tree Circumference: The circumference of a tree is measured at 4-1/2 feet above mean ground level from the base of the trunk. To obtain the circumference of a tree with multiple trunks, add the individual trunk circumferences, which are greater than 6 inches in circumference. [Ord. 5445, 4/12/00]

9.207 Applicability. Site Plan Review approval is required for the felling of 5 or more trees larger than 25 inches in circumference (approximately 8 inches in diameter) on a lot or property in contiguous single ownership in excess of 20,000 square feet in any zone. [Ord. 5767, 12/7/11]

The following activities are exempt from site plan review for tree felling if they meet the applicable requirements of the Significant Natural Resource overlay districts in Article 6: [Ord. 5764, 12/1/11]

(1) The action of any City official or of any public utility necessary to remove or alleviate an immediate danger to life or property; to restore utility service or to reopen a public street to traffic.

(2) Felling of any tree that is defined as a nuisance under the Albany Municipal Code.

(3) Any felling necessary to maintain streets or public or private utilities within a public right-of-way or utility easement provided the Tree Commission or City Forester approved the proposed tree felling. [Ord. 5445, 4/12/2000]

(4) Felling of trees planted as Christmas trees. [Ord. 5635, 1/11/06]

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- (5) Felling of trees on property under a Forest Stewardship Plan approved by the Oregon Department of Forestry. [Ord. 5635, 1/11/06]

9.208 Tree Felling Criteria. Except as provided in Section 9.209, the following review criteria replace the Site Plan Review criteria found elsewhere in this code for the purpose of reviewing tree felling. A Site Plan Review for tree felling subject to these criteria will be processed as a Type I-L land use decision.

Commented [C1]: This will be a Type II once we amend Art. 1

- (1) The Community Development Director or his/her designee shall approve a Site Plan Review for tree felling when the applicant demonstrates that the felling of the tree(s) is warranted because of the condition of the tree(s) with respect to disease, hazardous or unsafe conditions, danger of falling, proximity to existing structures or proposed construction, or interference with utility services or pedestrian or vehicular safety. The Director, in consultation with the City Arborist, may also grant an exception to any of the tree cutting standards for industrial development on industrially zoned land. The Director may require the applicant to provide a Certified Arborist's report. [Ord. 5767, 12/7/11; Ord. 5832, 4/9/14]
- (2) For property where a site plan review, conditional use or land division application has been approved or is currently under review for development of the property, the Community Development Director or his/her designee, ~~City Forester, or his/her designee~~ shall approve site plan review for tree felling when the applicant demonstrates that all of the following review criteria are met:

~~(1)(a)~~ (a) It is necessary to fell tree(s) in order to construct proposed improvements in accordance with an approved site plan review or conditional use review, or to otherwise utilize the applicant's property in a manner consistent with its zoning, this code, applicable plans adopted by the City Council, or a logging permit issued by the Oregon Department of Forestry.

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~~(2)(b)~~ (b) The proposed felling is consistent with ~~State standards~~, City ordinances including tree regulations in the Albany Municipal Code (such as payment of the Oregon White Oak Removal Fee), and the proposed felling does not negatively impact the environmental quality of the area, including but not limited to: the protection of nearby trees and windbreaks; wildlife; erosion; soil retention and stability; volume of surface runoff and water quality of streams; scenic quality, and geological sites.

~~(3)(c)~~ (c) The uniqueness, size, maturity, structure, and historic value of the trees have been considered and all other options for tree preservation have been exhausted. The Director may require that trees determined to be unique in species, size, maturity, structure, or historic values are preserved.

~~(4)(d)~~ (d) Tree felling in Significant Natural Resource Overlay Districts meets the applicable requirements in Article 6. [Ord. 5764, 12/1/11, Ord. 5767, 12/7/11]

- (3) For property where tree felling is proposed and there is has not no been approved or concurrent as part of a site plan review, conditional use, or land division application, for development of the property, the Community Development Director or his/her designee shall approve a site plan review application for tree felling permit, when the applicant demonstrates that if all the review criteria in (2) above are met, and the following additional criteria are met:

- (a) Trees shall be retained in significantly large areas and dense stands so as to ensure against wind throw.
- (b) Wooded areas that will likely provide an attractive on-site amenity to occupants of future developments shall be retained.
- (c) Wooded areas associated with natural drainage ways and water areas will be maintained to preserve riparian habitat and minimize erosion. The wooded area to be retained shall be at least 10 feet in width or as required elsewhere in this Code.
- (d) Wooded areas along ridges and hilltops will be retained for their scenic and wildlife value.

- (e) Tree felling on developable areas will be avoided to retain the wooded character of future building sites and so preserve housing and design options for future City residents.
 - (f) Wooded areas along property lines shall be retained at a minimum width of ten feet to provide buffers from adjacent properties.
 - (g) The plan for tree felling shall be consistent with the preservation of the site's future development potential and zoning. [Ord. 5767, 12/7/11]
- (4) The Director may attach conditions to the approval of the tree felling permit to ensure the replacement of trees and landscape or otherwise reduce the effects of the felling, and may require an improvement assurance to ensure all conditions are met. [Ord. 5767, 12/7/11]
- ~~(5) Precautions shall be made to protect residual trees and tree roots from damaging agents during and after the removal process. The following tree protection specifications should be followed to the maximum extent feasible for all projects with protected existing trees:~~
- ~~(a) Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.~~
 - ~~(b) Prior to and during construction, an orange fence shall be erected around all protected existing trees that is a minimum of 4 feet tall, secured with metal T posts, no closer than six feet from the trunk or within the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone. [Ord. 5764, 12/1/11]~~
 - ~~(c) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil, or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.~~
 - ~~(d) No damaging attachment, wires, signs or permits may be fastened to any protected tree.~~
 - ~~(d) Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be "ribboned off," rather than erecting protective fencing around each tree as required in subsection (5)(b) above. This may be accomplished by placing metal T post stakes a maximum of 50 feet apart and tying ribbon or rope from stake to stake along the outside perimeters of such areas being cleared.~~
 - ~~(e) The installation of utilities, irrigation lines or any underground fixture requiring excavation deeper than six inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of 24 inches. The auger distance is established from the face of the tree (outer bark) and is sealed from tree diameter at breast height as described in Table 9-3 below. [Ord. 5445, 4/12/00]~~

TABLE 9-3. Auger distances for installation of utilities.

Tree Diameter at Breast Height (inches)	Auger Distance from Face of Tree (feet)
8-9	5
10-14	10
15-19	12
Over 19	15

9.209 Clear and Objective Criteria for Tree Felling associated with the Development of Housing. For property where a building permit, site plan review, subdivision, or partition application has been approved or is currently under review for the development of housing on a property, the applicant proposing the felling of trees may choose to meet the criteria in Section 9.209 rather than the criteria in Section 9.208. A Site Plan Review application for tree felling subject to the criteria in Section 9.209 will be processed as a

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Type I land use decision. The Community Development Director, City Forester, or his/her designee shall approve the site plan review application when the applicant demonstrates that all of the following review criteria are met:

- (1) Each tree to be felled is no more than 5 feet of from proposed roads, driveways, utilities, and required site improvements or 10 feet from proposed residential building pads.
- (2) The proposed felling is consistent with other applicable section of the development code (such as Article 6, Significant Natural Resource Overlay Districts) and City ordinances, including tree regulations in the Albany Municipal Code (such as payment of the Oregon White Oak Removal Fee).

Trees that do not meet criterion (1) shall be preserved (see AMC 7.98.215 for recommended methods for protecting residual trees).

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**ARTICLE 11
LAND DIVISIONS AND PLANNED DEVELOPMENTS**

CLUSTER DEVELOPMENT

- 11.400 Purpose. Cluster development is intended to protect and/or restore natural and other special features in the development of a site. In return, the more flexible standards found in this section may supersede other stricter standards of this Code. Cluster developments may provide greater flexibility, reduced and/or varied lot sizes, and more variety in permitted uses. Residential density may be transferred within the development in exchange for restoring degraded or marginal quality resources located in a Significant Natural Resource overlay district or for protecting natural or other special features of the site. Developments must satisfy high-quality master planning and design requirements. [Ord. 5923, 2/8/19]
- 11.405 Optional Nature. Cluster development is an optional form of development. Cluster development proposals are reviewed as part of the land division, site plan, or conditional use application processes.
- 11.410 Eligibility. To be eligible to apply for cluster development, all of the following are required:
- (1) Residential Zoning. The site must be located in a residential zoning district.
 - (2) Natural and Other Special Features. The site must contain one or more of the features listed in Section 11.460
 - (3) Professional Designer. An applicant for cluster development approval must certify in writing that a certified landscape architect, site planner, or landscape designer, approved by the Director, will be used in the planning and design process for the proposed development. [Ord. 5668, 4/11/07]
- 11.420 Relationship to Other Regulations. If the applicant chooses the cluster development option, and the site is deemed eligible by the City, these standards will supplement other provisions of this Code. For example, a subdivision proposed as a cluster development is also subject to other provisions of Article 11 of the Development Code. Other types of residential development are subject to site plan review or conditional use review. These provisions apply to issuance of building permits in a cluster development and to ongoing uses and activities in a cluster development. [Ord. 5562, 10/10/03; Ord. 5668, 4/11/07]
- 11.430 Procedure. Cluster development proposals are reviewed as a Type III procedure. [Ord. 5562, 10/10/03; Ord. 5668, 4/11/07]
- 11.440 Review Criteria. The review criteria for a cluster development are those that apply to a particular type of development. For example, the tentative plat criteria in Article 11 apply to cluster land divisions. (See Section 11.420 for relation to the other requirements.) Also, the review body must find that the application meets the following additional criterion:
- (1) The proposed development meets all of the requirements for cluster development.
 - (2) The proposed development preserves or restores natural or other special features as identified and prioritized in ADC 11.460. [Ord. 5562, 10/10/03; Ord. 5668, 4/11/07; Ord. 5764, 12/1/11; Ord. 5923, 2/8/19]
- 11.450 Natural Area Requirements. Cluster developments must provide a minimum of 20 percent of the site as permanent natural areas. Land designated as Open Space on the Comprehensive Plan or Zoning maps may not be used to fulfill this requirement.

[Ord. 5562, 10/10/03; Ord. 5668, 4/11/07; Ord. 5764, 12/1/11]

11.460 Designation of Permanent Natural Area. The required natural area may be public or private. The minimum 20 percent of the gross acreage of the development site set aside as natural area in a cluster development should be designated in the following priority order:

- (1) The first priority for natural area designation is significant tree groves identified on the South Albany Area Plan Organizational Framework map in the Comprehensive Plan (Figure 1), and ~~Oregon White Oak (Quercus garryana) oak trees citywide in the South Albany Area Plan boundary~~ ever equal to or greater than six and one-half feet in circumference (approximately 25-inches in diameter) measured at 4.5 feet from the ground as defined in Article 9.206(4). For individual trees, the natural area boundary is defined as the critical root zone (as defined in Article 9.206(1)) plus a ten-foot buffer. [Ord. 5801, 2/13/13]
- (2) The second priority for natural area designation is natural resources within the Significant Natural Resource overlay districts that are of degraded or marginal quality and subsequently restored to good quality in accordance with the quality levels in ADC Section 6.410(5). This priority shall be satisfied in the following order:
 - (a) Habitat for western painted and northwestern pond turtles within the Habitat Assessment Overlay (/HA), as identified by a turtle habitat assessment, that is restored to good quality.
 - (b) Wetland within the Significant Wetland overlay district (/SW) that is restored to good quality.
 - (c) Riparian area within the Riparian Corridor overlay district (/RC) that is restored to good quality.
- (3) The third priority for natural area designation is protection of other environmentally sensitive areas, natural and scenic features of the site. This priority shall be satisfied in the following order:
 - (a) Good quality habitat for western painted and northwestern pond turtles near Thornton Lakes within the Habitat Assessment overlay (/HA) as identified by a turtle habitat assessment.
 - (b) Good quality wetland within the Significant Wetland overlay district (/SW).
 - (c) Good quality riparian area within the Riparian Corridor overlay district (/RC).
 - (d) Other wetlands not within the Significant Wetland overlay district, as shown on the City's Local Wetland Inventories, or by a delineation approved by the Oregon Department of State Lands.
 - (e) Existing channels identified in the most current version of the City of Albany Storm Water Master Plan.
 - (f) Springs.
 - (g) Land with natural slopes 12 percent or greater as designated by the Hillside Development overlay district (/HD).
 - (h) Wooded area with five or more healthy trees over 25 inches in circumference (approximately 8 inches in diameter) as defined in Article 9.206(4) measured 4½ feet from the ground, if approved by the City Forester.
 - (i) Land that provides bike or walking trails that connect to existing or proposed parks or trails, inventoried natural features, or areas zoned Open Space; or areas otherwise protected as permanent natural areas.
 - (j) Incorporate public parks, trails, trailheads or open space designated in the Parks, Recreation and Open Space Plan, the North Albany Refinement Plan, and the South Albany Area Plan. [Ord. 5801, 2/13/13]
 - (k) Other features of the site unique to Albany, if approved by the Director.
- (4) The fourth priority for natural area designation is to create “open spaces” in and around neighborhoods. This priority is satisfied by any of the following:

- (a) Continuity of adjacent open space corridors or parkways.
- (b) A network of interconnected open space corridors.
- (c) A buffer between neighborhoods.

11.470 Creation of Permanent Natural Areas.

- (1) Natural areas in a cluster development may be set aside and managed in one or more of the following ways:
 - (a) Portions of one or more individual lots; or
 - (b) Common ownership by residents of the development; or
 - (c) Third party (non-profit organization) whose primary purpose is to hold or manage the open space, subject to a reversionary clause in the event of dissolution of the non-profit organization; or
 - (d) Dedicated to City of Albany, if the City agrees to accept ownership and maintain the space.
- (2) Except for Subsection (1)(d) above, natural areas shall be subject to restrictive covenants and easements reviewed by the Community Development Director and recorded and filed when the subdivision plat for the project area is recorded. Except when allowed in 11.480, an easement shall include permanent provisions prohibiting the placement of structures or impervious surfaces, alteration of the ground contours, or any other activity or use inconsistent with the purpose of these provisions. [Ord. 5562, 10/10/03; Ord. 5668, 4/11/07]

11.480 Protection of Permanent Natural Areas.

- (1) If any applicable overlay districts allow it, the development may encroach into permanent natural areas, only under the following circumstances:
 - (a) Meets the requirements of all overlay districts in Articles 4, 6 and 7; and
 - (b) The encroachment is necessary to meet transportation, utility infrastructure requirements, or post construction stormwater quality requirements; or
 - (c) The encroachment is necessary to provide bike or walking trails that connect to existing or proposed parks or trails, inventoried natural features, or areas zoned Open Space or otherwise protected as permanent natural areas. [Ord. 5801, 2/13/13; Ord. 5842, 1/01/15]
- (2) Permanent alteration by grading may be authorized for the purpose of natural resource enhancement, such as wetland, riparian, or wildlife habitat restoration.
- (3) Significant wetlands, riparian corridors, and intermittent streams preserved as natural areas in a cluster development may be used for conveyance of storm waters only when the applicant has demonstrated that the discharge is compatible with the protection of the natural resource. These natural features shall not be used for drainage improvements, such as detention or retention ponds, or any other utility improvement necessary for development of the lots.
- (4) Areas set aside for permanent natural areas in a cluster development cannot be further subdivided.
- (5) Fences are permitted in and around the natural areas if consistent with the expressed purpose of the natural areas.
- (6) Provisions must be established to ensure the continued maintenance of areas designated as natural areas through Cluster Development. See Section 11.470. [Ord. 5562, 10/10/03; Ord. 5668, 4/11/07]

11.490 Permitted Uses. The uses allowed within cluster developments outside the permanent natural areas are determined by the underlying zoning district standards in Section 3.050, with the following exceptions:

- (1) On development sites greater than 20 acres, up to 20 percent of the housing units in RS-6.5 and RS-10 may be attached single-family or condominium housing.
- (2) On development sites greater than 50 acres, up to two acres may be developed with neighborhood commercial uses through a conditional use review. The maximum building footprint of commercial or office uses shall be 3,000 square feet. Commercial and office uses shall be limited to restaurants with no drive-through service, and convenience-oriented and personal service-oriented uses as described in Article 22.
- (3) Within the South Albany Area Plan boundary, attached single-family and duplexes will be permitted in the RS-5, RS-6.5 and RS-10 zoning districts for up to 25 percent of the total units provided when transferring density within the Oak Creek Transition Area or when transferring density of the area necessary to preserve significant tree groves identified on the South Albany Area Plan Organizational Framework map in the Comprehensive Plan (Figure 1), and oak trees over 25-inches in diameter measured at 4.5 feet from the ground. Developments may not exceed the maximum density by zoning district in 11.495 and must meet all applicable standards in the Code. [Ord. 5801, 2/13/13]

11.495 Development Standards. In a cluster development, the following development standards in Table 11-2 supersede the same standards in Section 3.190, Table 1. The number of allowable dwelling units is based on the maximum density for the zone as specified in the following table. [Ord. 5923, 2/8/19]

TABLE 11-2. Allowable dwelling units in density ranges per zone.

Standard	RS-10	RS-6.5	RS-5	RM	RMA
Max. dwelling units per gross acre	4	6	8	25	35
Minimum Lot Size (1)	None	None	None	None	None
Minimum Lot Width	None	None	None	None	None
Minimum Lot Depth	None	None	None	None	None
Minimum front setback (2)	15 ft.	10 ft.	10 ft.	10 ft.	10 ft
Maximum Lot Coverage (3)	70%	70%	70%	70%	75%

- (1) Lots on the perimeter of the cluster development shall meet the standards in 11.500.
- (2) Except, when lots are adjacent to existing development on the same side of the street, the setback shall be within 5 feet of the adjacent house(s) setback(s).
- (3) The maximum lot coverage may be up to 100 percent for lots that provide land only for the building footprint. [Ord. 5801, 2/13/13]

11.500 Perimeter Lot Compatibility. The following standards and exceptions will apply to the lots on the perimeter of a proposed cluster development.

- (1) Standards. The term “standard minimum lot size” as used in this section, means the minimum lot size allowed in the underlying base zone without any reductions in size allowed elsewhere in this Code.
 - (a) When the proposed cluster development abuts developed property in a lower density residential zoning district, the size of lots on the perimeter of the proposed cluster development shall be at least the standard minimum lot size allowed in the zone underlying the cluster development.

Example:

<p>Proposed Cluster Development RS-6.5 <i>Perimeter lots must be at least 6,500 sf</i></p>	<p>Abutting Property w/ Lower Density Residential RS-10 Zoning</p>
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- (b) When the proposed cluster development abuts developed property in the same residential zoning district as the proposed cluster development, the size of lots on the perimeter of the cluster development shall be at least 70 percent of the standard minimum lot size of the underlying zoning district.

Example:

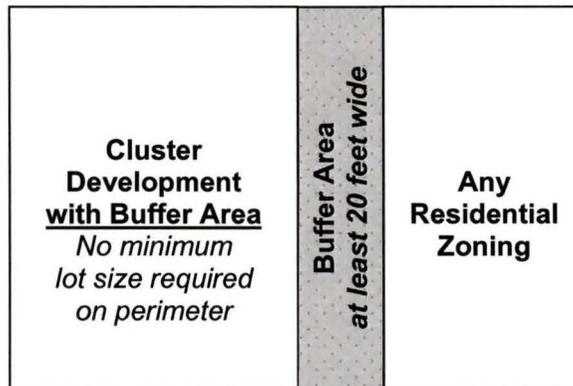
<p>Proposed Cluster Development <u>RS-10.0</u> <i>Perimeter lots must be at least 7,000 sf (70% of minimum lot size for underlying zoning)</i></p>	<p>Abutting Property w/ Same Residential Zoning: <u>RS-10</u></p>
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(2) Exceptions. The Perimeter Lot Compatibility standards do not apply in the following cases:

- (a) Perimeter lots that are adjacent to land that is zoned for higher density housing, mixed-use or non-residential uses, or to residentially zoned property not in residential use (such as educational, institutional, religious or park uses).
- (b) Where the same property owner owns the property abutting the proposed cluster development or when the perimeter lots share a property line with the Urban Growth Boundary.
- (c) If a buffer area is created as a separate property along the perimeter and is at least 20 feet wide, the buffer area shall become a permanent natural area and shall meet the provisions in Sections 11.470 and 11.480.

Example:



(d) Cluster developments abutting property that is at least 1 acre in size. [Ord. 5668, 4/11/07]

11.510 Permitted Uses. The uses allowed within cluster developments outside the permanent natural areas are determined by the underlying zoning district standards in Section 3.050, with the following exceptions:

- (1) On development sites greater than 20 acres, up to 20 percent of the housing units in RS-6.5 and RS-10 may be attached single-family or condominium housing.
- (2) On development sites greater than 50 acres, up to 2 acres may be developed with neighborhood commercial uses through a conditional use review. The maximum building footprint of commercial or office uses shall be 3,000 square feet. Commercial and office uses shall be limited to restaurants with no drive-through service, and convenience-oriented and personal service-oriented uses as described in Article 22. [Ord. 5562, 10/10/03; Ord. 5668, 4/11/07]

11.520 Street Standards for Cluster Development. Local streets in a cluster development may be constructed to the Residential Street Design for Constrained Sites as described in Section 12.122(6). If the City subsequently adopts street standards specifically designated for cluster development, those standards shall supersede and replace this section.

11.530 South Albany Connectivity. Developments within the South Albany Area Plan boundary shall provide a connected street and pathway network. [Ord. 5801 2/13/13]

Albany Municipal Code - Chapter 7.98

TREE REGULATIONS

Sections:

7.98.010 Purpose.

7.98.020 Definitions.

7.98.030 Prohibited activities.

7.98.040 Permits required.

7.98.050 Street trees – Classification and spacing.

7.98.060 Distance between curb and sidewalk.

7.98.070 Distance from street corners and fire hydrants.

7.98.080 Planting in roadways having no gutter or curb.

7.98.090 Tree topping.

7.98.100 Exemptions.

7.98.110 Private utility tree policy.

7.98.120 Heritage trees.

7.98.130 Pruning, corner clearance.

7.98.140 Dead or dangerous tree removal on private property.

7.98.150 City's power and authority is permissive, not mandatory.

7.98.160 Arborist certification.

7.98.170 Permit approval.

7.98.180 Tree removal permit criteria.

7.98.200 Conditional permit approval.

7.98.205 Permit fees.

7.98.210 Appeals.

7.98.220 Penalties.

7.98.010 Purpose.

The following chapter is established by the Albany City Council to promote and protect the public health, safety, and general welfare of the citizens of Albany by providing for the regulation of the planting,

maintenance, and removal of trees in the City of Albany. Trees of significant size possess considerable environmental and aesthetic qualities beneficial to the community. These standards are intended to balance the preservation of significant trees as a benefit to the community with the individual right to use and enjoy property. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993).

7.98.020 Definitions.

- (1) “Certified arborist” means a person certified by the International Society of Arboriculture as having specialized knowledge, experience, and training related to arboriculture.
- (2) “City Forester” means the person designated by the ~~Public Works~~Parks and Recreation Director to be the authorized representative in matters concerning the urban forest of the City of Albany.
- (3) “Critical root zone” means the area around a tree where roots are critical to a tree’s survival. The critical root zone is estimated and expressed as a circle around the center of a tree’s trunk, where the radius is calculated by adding 1 foot for every 1-inch of trunk diameter plus the tree trunk’s radius; where all tree measurements are consistent with those for establishing Tree Circumference. For example, a tree with a Tree Circumference of 6.5 feet would have a trunk radius of 1.0 feet and diameter of 25 inches. The critical root zone would be a circle with a radius of 26 feet (1 ft + (25 in * 1 ft/in)) from the center of the tree’s trunk and have a total diameter of 52 feet. the distance extending out from and surrounding a tree trunk. The critical root zone distance is calculated by multiplying the diameter of the tree, in inches, measured at four and one-half feet above the mean ground level, by 18. For example, a tree with a diameter of two inches would have a critical root zone of 36 (2 x 18) inches all around the tree.
- (4) “Hazardous or dangerous tree” means a tree that is classified as a hazardous or dangerous tree by the City Tree Commission.
- (5) “Person” means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns.
- (6) “Public trees” means trees located on property designated as a public park and trees located in public right-of-way not defined as street right-of-way.
- (7) “~~Public Works~~Parks and Recreation Director” means the person designated by the City Manager to supervise the ~~Public Works~~Parks and Recreation Department and who is charged with certain duties and responsibilities by this chapter, or the duly authorized representative.
- (8) “Remove or removal” means to fell or sever a tree or the intentional use of any procedure, the natural result of which is to cause the death or substantial destruction of the tree. Removal does not in any context include normal pruning of trees.
- (9) “Significant tree” means:
 - (a) Any heritage, rare, threatened, or endangered tree of any size as defined or designated under State or Federal law; or

(b) Any tree designated as significant by the City Tree Commission by virtue of heritage parameters or size.

(10) “Street trees” means trees located in public rights-of-way within the City.

(11) “Tree” means a self-supporting, perennial woody plant characterized by one main trunk or in some cases multiple trunks, and one main canopy of leaves, usually growing to a height of 15 feet or higher.

(12) “Tree circumference” means the distance measured around the trunk of a tree at four and one-half feet above the mean ground level from the base of the trunk. The circumference of a tree with multiple trunks is determined by adding together the individual trunk circumferences greater than six inches. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993).

7.98.030 Prohibited activities.

(1) It shall be unlawful for any person to remove, destroy, break, or injure any street tree or public tree.

(2) It shall be unlawful for any person to attach or keep attached to any street or public tree or to the guard or stake intended for the protection of such tree, any rope, wire, chain, sign, or other device whatsoever, except as a support for such tree.

(3) During the construction, repair, alteration or removal of any building or structure it shall be unlawful for any owner or contractor to leave any street tree or public tree in the vicinity of such building or structure without a good and sufficient guard or protectors as shall prevent injury to such tree arising out of or by reason of such construction or removal.

(4) Excavations shall not occur within 10 feet of any street tree or public tree without approval of the City Forester, applying criteria developed by the City Tree Commission. Utility pole installations are exempted from the requirements set forth in this subsection. During such excavation or construction, any such person shall guard any street tree or public tree within 10 feet thereof.

(5) All building material or other debris shall be kept at least four feet from any street tree or public tree.

(6) Unless removal is expressly authorized by a land use action or approval issued by the City of Albany, it shall be unlawful to remove any tree larger than or equal to six and one-half feet in circumference (approximately 25 inches in diameter), public or private, within the City of Albany city limits without first making application to the City of Albany and obtaining a permit or as otherwise authorized by this code. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.120).

7.98.040 Permits required.

(1) A permit shall be obtained from the City Forester, applying criteria developed by the City Tree Commission, before planting, pruning, or otherwise affecting a street tree.

(2) A permit shall be obtained from the City Forester, applying criteria contained in AMC 7.98.180, for the removal of individual trees equal to or greater than six and one-half feet in circumference on all property within the city limits of the City of Albany.

(3) With a permit, adjacent property owners may plant street trees so long as the selection, location, and planting of such trees is in accordance with this chapter.

(4) Any street tree planted that does not comply with this chapter may be removed by the City at the direction of the City Tree Commission. The cost of such removal will be borne by the person or persons who planted the tree.

(5) Permits shall be valid for a period of 180 days following the date of issuance. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.090).

7.98.050 Street trees – Classification and spacing.

(1) The City Tree Commission shall develop and maintain a list of approved trees for planting along streets. The trees will be listed in three size classes based on mature height: small (under 30 feet); medium (30 to 50 feet); and large (over 50 feet). Lists of trees not suitable for planting will also be created by the City Tree Commission.

(2) The City Tree Commission shall develop criteria on the spacing of street trees. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.030).

7.98.060 Distance between curb and sidewalk.

The distance street trees may be planted from curbs or curblines and sidewalks will be in accordance with the three size classes listed in AMC 7.98.050(1). No tree may be planted in a planting strip with a width of less than the following: small trees, three feet; medium trees, five feet; and large trees, eight feet. The exception to this rule shall be when curb and sidewalk are protected by a chemical or mechanical barrier approved by the City Forester. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993).

7.98.070 Distance from street corners and fire hydrants.

The City Tree Commission shall establish standards for planting street trees in vision clearance areas. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993).

7.98.080 Planting in roadways having no gutter or curb.

No trees, shrubs, or plantings more than 18 inches in height above the adjacent grade shall be planted in the public right-of-way abutting roadways having no established curb or gutter, unless approved by the City Engineer. (Ord. 5841 § 2, 2014; Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.130).

7.98.090 Tree topping.

It shall be unlawful for any person to top any street tree, public tree, or heritage tree. Topping shall be defined as the cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal top. Trees severely damaged by storms or other causes or certain trees under utility wires or other obstructions where normal pruning practices are impractical may be exempted at the determination of the City Forester. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.140).

7.98.100 Exemptions.

(1) In the event of a storm, freeze, or other environmental event resulting in damage to street and public trees, the City Manager may declare an emergency suspension of the permit requirements for the removal and pruning of trees set forth in this chapter. Such declaration shall prescribe dates during which permits are not required, but in no event may any single declaration exceed 21 days. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.150).

(2) Additional tree removal permits are not required for any trees that have been authorized for removal in an approved site plan review processed in accordance with the Albany Development Code. However, Oregon White Oak Removal Fees as required under 7.98.206 still apply.

7.98.110 Private utility tree policy.

Upon obtaining a permit from the City Forester, a private utility maintaining its utility system in a street may prune or cause to be pruned, using proper arboricultural practices in accordance with said permit, any tree located in or overhanging the street that interferes with any light, pole, wire, cable, appliance or apparatus used in connection with or as a part of the utility system; but no tree shall be pruned without the consent of the abutting owner until the utility shall have given a written, printed, or verbal notice to the owner or occupant of the premises. The City Forester must be notified before any work proceeds. In cases of emergency, the consent of the abutting property owner may not be required, but notification of any work completed must be reported to the City Forester. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.040).

7.98.120 Heritage trees.

The City Tree Commission may designate certain trees as “heritage trees” within the City with the consent of the owner(s) of record. The purpose of the heritage tree designation is to recognize, foster appreciation of, and protect trees having significance to the community. The City Tree Commission shall have the authority to determine, select, and identify such trees that qualify as heritage trees. Once a tree is designated as a heritage tree, it will remain so unless it becomes necessary to classify it as a dangerous tree and removed as such. Heritage trees may not be removed without the express consent of the City Tree Commission. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.050).

7.98.130 Pruning, corner clearance.

Every owner of any tree, located on private property, overhanging any street or right-of-way within the City shall prune the branches so the branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection, traffic sign, or traffic control device, and so that there shall be a clear space of 14 feet above street surface, and eight feet above the sidewalk surface. Said owner shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs that constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the light from any street lamp, or interferes with visibility of any traffic control device or sign or vision clearance area at intersections and driveways. Tree limbs that grow within 10 feet of high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements and AMC 7.98.110, Private utility tree policy. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.080).

7.98.140 Dead or dangerous tree removal on private property.

The City Tree Commission shall have the right to cause the pruning or removal of any dead or dangerous trees on private property within the City, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute an imminent threat to other trees within the City. The City Manager or his designee will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 30 days after the date of service of notice. The failure of the property owner to prune or remove said dead or dangerous tree within 30 days of the delivery of notice shall be deemed a violation of the Albany Municipal Code, and, in addition to prosecution of said violation, the City Manager or his authorized representative may at any time thereafter prune or remove said dead or dangerous tree and assess the cost against the property as provided hereafter.

(1) **Deadline to Remove Dead or Dangerous Trees.** Within 30 days after the date of service of the notice, the owner of the property shall cause the tree determined to be dead or dangerous to be removed.

(2) **Requested Removal by City.** At the request of the owner, the City Manager or his/her designate will cause said dead or dangerous tree to be removed for a fee sufficient to cover the direct cost plus 30 percent for administrative overhead with a minimum fee.

(3) **Removal by City.** The City Manager or his/her designate may cause to be removed any tree determined to be dead or dangerous at any time following the deadline for removal set forth at subsection (1) of this section. The cost of the removal of said dead or dangerous tree shall be as calculated in subsection (2) of this section and will be a charge to the owner of the property and will become a lien against the property.

(4) **Right to Enter.** In the event that it becomes necessary for the City Manager or his/her designate to undertake the removal of the said dead or dangerous tree from any private property within the City, the designate of the City Manager shall have the right at reasonable times to enter into or upon said property to remove said dead or dangerous tree.

(5) **Cost to Become a Lien.** Upon completion of the removal of a dead or dangerous tree under these provisions and in the event that the fee is not paid within 30 days thereafter, the City Manager or his/her designate shall file with the City Recorder and thereafter present to the City Council an itemized statement of the cost thereof. After providing the notice and hearing set forth below, the City Council shall, by ordinance, determine the reasonableness of said statements of costs and adjust the same, and thereupon the amount of said statements as approved by the City Council shall be an obligation owed to the City of Albany by the owner or owners of the real property involved, and the City shall have a lien upon said real property for such sum and the lien shall be entered in the lien docket and enforced against said property in the same manner provided for the enforcement of City liens.

(6) **Notice and Hearing.** Prior to the adoption of the ordinance referred to above, the City Manager or his/her designate shall cause a notice to be mailed by registered or certified mail, postage prepaid, to the record owner or owners of any real property upon which the City proposes to impose a lien for the costs of the removal of a tree determined to be dead or dangerous. This notice shall be mailed to the owner or owners of the real property in question at the address designated on the Linn or Benton County real property tax assessment rolls. An error in the name of the property owner or owners shall

not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void and any lien imposed pursuant to this section shall be a valid lien against the property. The notice shall contain a summary of the costs which are proposed to be assessed against the owner's property and shall advise of the City's intent to assess said costs against the real property upon which the work was performed and shall further advise the owner or owners of their right to a hearing before the City Council concerning the proposed assessment and the date and time of said hearing.

(7) Summary Abatement. The procedure provided by in this section is not exclusive but is in addition to abatement procedure provided by other ordinances. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.1100, 7.98.110).

7.98.150 City's power and authority is permissive, not mandatory.

Under no circumstances shall this chapter obligate the City of Albany, or any employee or agent thereof, to undertake any particular action to enforce any of the terms of this chapter. All authority granted to the City, its agents and employees, shall be permissive and not mandatory, and the City, its agents and employees shall have complete discretion to determine whether or not enforcement action of any type should be undertaken and if so, the nature of the enforcement action itself. The remedies provided in these regulations shall be cumulative and in addition to any and all remedies available at law or equity. (Ord. 5495 § 1, 2001; Ord. 5181 § 1, 1995. Formerly 7.98.105).

7.98.160 Arborist certification.

A tree contractor shall have on staff an arborist certified by the International Society of Arboriculture to be qualified to prune, treat, or remove street or public trees within the City. The certified arborist must oversee all pruning work and certify that all work meets the City's pruning specifications. If a certified arborist is not on the staff of the contractor, the City Forester, applying criteria developed by the City Tree Commission, must approve the tree service contractor before the work begins. In cases where the professional opinion of a certified arborist differs from that of the City Forester, the City Forester may refer the matter to the City Tree Commission for a decision. Nothing in this section shall prevent the employees of public agencies who are not certified arborists from pruning trees on the grounds of those public agencies.

(Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993).

7.98.170 Permit approval.

The Public Works Parks and Recreation Director or designee shall approve or conditionally approve permits when it has been demonstrated that one or more criteria in AMC 7.98.180 have been met, and when applicable, the Oregon White Oak Removal Fee has been paid. (Ord. 5495 § 1, 2001).

7.98.180 Tree removal permit criteria.

(1) Tree removal will be approved when:

(a) It has been determined by the City Forester or by a certified arborist, without objection from the City Forester, that a tree is hazardous, dangerous, or significantly impacted by aggressive pests or pathogens,

with a potential to spread and no other viable options are reasonably available to minimize hazard or alleviate risk of pest or pathogen to spread; or

(b) A logging permit issued by the Oregon Department of Forestry has been submitted to the City Forester; or

(c) Trees are overcrowded and it is determined by the City Forester ~~or a certified arborist~~ that removal will have a positive impact on the overall site and will not compromise the health of residual trees; or

(d) When necessary pursuant to a building permit for an improvement for which a site plan approval is not required; or

(e) Variance Clause. When unique circumstances specific to the applicant's situation have been expressed in writing with the application and the City Tree Commission has approved removal. Unique circumstances that could allow for a variance may include but are not necessarily limited to:

(i) A tree that is causing significant negative impacts to improvements or personal property;

(ii) Personal health reasons such as severe allergic conditions; or

(iii) The tree is invasive, having significant negative impact to surrounding vegetation.

(2) In all other cases, a tree removal permit shall be denied. (Ord. 5495 § 1, 2001).

7.98.200 Conditional permit approval.

The City Forester may specify conditions to the approval of tree removal. Such conditions may include, but not necessarily be limited to, [the methods for protecting residual trees identified in 7.98.215 and/or](#) a requirement for certified arborist oversight during construction activities, specific construction methods such as critical root zone protection and protective fencing, post-removal site cleanup, maintenance of replacement trees, and/or post-construction evaluation of tree health.

(Ord. 5495 § 1, 2001).

7.98.205 Permit fees.

[\(1\) Permit application Fees](#) for removal permits shall be established by Council resolution. (Ord. 5495 § 1, 2001).

7.98.206 Oregon White Oak Removal Fee.

[\(1\) Removal of any Oregon White Oak \(Quercus Garryana\) equal to or greater than six and one-half feet in circumference requires payment of an Oregon White Oak Removal Fee. The fee shall be established by Council resolution and fee revenues shall be dedicated to the urban forestry program.](#)

[\(2\) The Oregon White Oak Removal Fee is not applicable to the removal of those trees permitted under 7.98.180 \(1\)\(a\), \(c\), or \(e\); or those trees that received site plan approval for tree felling because they met the criteria in Albany Development Code 9.208\(1\) related to disease, hazardous or unsafe conditions, or danger of falling.](#)

7.98.210 Appeals.

Any person who is denied a permit or is granted a permit with conditions may appeal the denial or imposition of condition by filing a written notice of appeal to the City Forester. The notice must be received within 15 calendar days of the date of denial or the date of issuance of the permit with conditions imposed. The appeal must describe in writing the specific basis upon which the appellant asserts that the decision was in error. The specific basis may include but not necessarily be limited to private need, which is unique to the property owner’s circumstances as stated in AMC 7.98.180(1)(e). The City Tree Commission will review all appeals. Appeals of decisions made by the City Tree Commission are made to the City Council in accordance with AMC 2.23.060. (Ord. 5495 § 1, 2001).

7.98.215 Protecting Residual Trees

When removing trees under a permit or site plan approval, precautions shall be made to protect residual trees and tree roots from damaging agents during and after the removal process. The following tree protection specifications should be followed to the maximum extent feasible for all projects with protected existing trees.

- (1) Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
- (2) Prior to and during construction, an orange fence shall be erected around all protected existing trees that is a minimum of 4 feet tall, secured with metal T-posts, no closer than six feet from the trunk or within the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone.
- (3) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil, or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
- (4) No damaging attachment, wires, signs or permits may be fastened to any protected tree.
- (5) Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be “ribboned off,” rather than erecting protective fencing around each tree as required in subsection (2) above. This may be accomplished by placing metal t-post stakes a maximum of 50 feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
- (6) The installation of utilities, irrigation lines or any underground fixture requiring excavation deeper than six inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of 24 inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the table below.

Auger distances for installation of utilities.

<u>Tree Diameter at Breast Height (inches)</u>	<u>Auger Distance from Face of Tree (feet)</u>
<u>8-9</u>	<u>5</u>

<u>10-14</u>	<u>10</u>
<u>15-19</u>	<u>12</u>
<u>Over 19</u>	<u>15</u>

7.98.220 Penalties.

(1) Any person violating any of the provisions of this code relating to the planting, pruning, trimming, or removal of trees shall be strictly liable for such violations and punished under the general penalty provided for in Chapter 1.04 AMC. Proof of a specific criminal intent shall not be required. Any violation of this chapter which affects an individual tree shall be a separate offense. (Ord. 5712 § 1, 2009; Ord. 5495 § 1, 2001;

(2) Administrative Fines. In addition to the general penalty in (1) above, if the Parks and Recreation Director finds that an Oregon White Oak (Quercus garryana) equal to or greater than six and one-half feet in circumference has been removed without a permit and/or payment of the Oregon White Oak Removal Fee, the Director may fine the property owner. The amount of such administrative fine shall be the sum of the current permit fee and three times the current removal fee.