

MAYOR'S BUSINESS READY TASK FORCE
JOINT CITY COUNCIL/PLANNING COMMISSION/BUSINESS READY TASKFORCE
Monday, March 4, 2013
4:00-6:00 PM, Council Chambers
Albany City Hall, 333 Broadalbin St. SW, Albany

Agenda

1. Business from the Public
2. Approval of BRTF Minutes from October 23, 2012
3. Discuss detailed summary of proposed code amendments in the BRTF Issue Matrix
4. Give direction to staff on the following:
 - General direction on proposed code revisions in the Issue Matrix (attached)
 - General direction on wall sign allowances, including a recommendation on convening a group to develop a new method for calculating wall sign allowances (see below)
 - Recommendation on group and process to review the detailed code amendment language, e.g., reconvene BRTF or a subgroup, have all review everything or convene groups by subject area, etc. *(Note: There will be about 80 pages of "bold & strike" revisions to review)*
5. Next steps:
 - Complete the detailed revisions to the ADC using the process recommended
 - Complete staff report and ordinance for adopting code amendments
 - Notice to public
 - Conduct first public hearing with Planning Commission
1. Adjourn

MAYOR'S BUSINESS READY TASK FORCE MINUTES
October 23, 2012
2:00 – 4:00 PM, Municipal Court Room
Albany City Hall, 333 Broadalbin St. SW, Albany

Members: Sharon Konopa, Jeff Christman, Oscar Hult, Arthur Meeker, Jessica Pankratz, John Pascone, Dave Reece, Rob Richards, Dala Rouse, Janet Steele

Members

Absent: Ron Reimers, Mark Spence

Staff: Wes Hare, Heather Hansen, Anne Catlin, Kristin Johns

Guests: Steve Lathrup, Albany Democrat-Herald

1. Business From the Public - none
2. Approval of Minutes
 - a. September 11 – John Pascone made motion to accept, Dala Rouse seconded, with correction that Oscar was absent and did not make the motion to accept the July 31 and August 14 minutes.
 - b. October 2 - Dala Rouse made motion to accept, John Pascone seconded, with a correction to the time adjourned to 4:30 p.m.
3. Discussion of temporary signs; multi-tenant signs and planned developments.

A. Temporary signs

Staff reviewed temporary sign standards in other cities and reviewed proposed revisions to address identified issues. Most cities regulate the number of signs per business; however some limit them per property.

A-frame Signs:

Catlin presented the proposed code revisions that would change the number and time allowed for A-frame signs in non-downtown districts. The current standard limits the signs to 60 days per calendar year. The proposed revisions would allow one portable/A-frame per business, year round and city wide. When multiple tenants are on one property, it would require signs to be space 20 feet apart.

Meeker stated that a 20 ft space apart is good and that people don't pay attention to the codes now or get a permit. He does not feel that all businesses will get an A-frame sign. Rouse asked about size and height permitted in the code. Catlin explained 16 square feet with a maximum height of 4 feet.

Steele stated that it is a huge issue for businesses beyond downtown, especially retailers hidden back in. She asked if they can't put the sign on the sidewalk, would they need permission from the

property owner? Hansen explained that they would need permission. Catlin also explained how the downtown district A-frame signs are exempt.

Konopa asked for clarification for hidden buildings. Hansen and Catlin responded that in the proposal each business would be allowed to have one sign.

Hare clarified that no one is to put signs in the right-of-way and we can confiscate those that do. Hansen further explained that sometimes the right-of-way is not obvious. The permit is there to provide definitive distinction when it is not clear.

ACTION ITEM: Staff will follow up with Ron Irish regarding securing signs.

Christman asked why the proposal for A-frame signs included the sign be taken in and out each night. Hult stated that it has helped remind businesses to keep the signs up to date. He counsels business owners downtown to remove the sign during the night so people will know when they are closed. Konopa shared that leaving the sign out all night would then make the sign permanent and become faded, junky along with adding sign clutter. Konopa asked if we allow A-frame signs to become permanent if it had to be secured. Reece responded that it may be difficult if it has to be secured which would add another layer of regulation. Several noted concern requiring signs to be brought in nightly and to change the proposal to encourage signs be brought in at night. It will self-regulate. Hare noted it would be difficult to enforce.

Hare thinks we do pretty good at regulating and thinks that sweeping the community a couple of times of year helps. He is game for the change but also feels it may bring more conflict between business owners. Reece also proposed that permission from the property owner and 20 ft apart should be fine.

Pankratz asked about the sign requirements at North Albany Village and if they have their own regulations. Meeker knows that the businesses rotate banners on the large monument signs and probably do have regulations in place.

Other Temporary Signs

Catlin explained the current regulations for other temporary signs such as banners and secondary signs which have a 60 day per calendar year provision. One proposal would allow new businesses who need longer periods to have the temporary banner for up to a year or until their permanent sign is installed, whichever is sooner. Regarding the time period for banners for existing businesses, currently the code states that the dates can be scattered throughout the calendar year for up to 60 days. Catlin noted she reviewed standards in other cities and asked Meeker for his input and proposed increasing the days per year to 90 or 120 days.

Steele liked increasing the number of days but questioned how we were going to enforce it. Catlin explained the number of days is currently tracked so changing the number of days would not be difficult. She explained that the code allows issuing one permit per year if the applicant can lay out the dates that the temporary signed were posted throughout. Meeker suggested 120 days, 30 days at a time, good for a full year with changing verbiage as long as the banner was the same size and

put in the same location. Christman asked how staff would know and be able to regulate. Hansen explained how enforcement is complaint driven.

Hare shared that part of the purpose of our code is how people view the community along with trying to strike a balance. He thinks we have struck a good balance thus far and have the regulations to enforce it when needed. Christman stated that it creates different classes of business owners based on whether they care or not. He was also concerned about enforcement, noting the standards should be enforced consistently as complaint driven is not good. Hare explained how complaints play key role but staff also notices when out. The goal is to have standards that everyone can buy into.

Hansen gave the example of a recent complaint on Pacific in the right-of-way and how it prompted a sweep with Rob Goings.

Christman wants to be careful not to put something in place that will be harder to regulate and track. Catlin stated that we have had complaints that 60 days per calendar year is not long enough and something staff is willing to look at but it would not change how we track or enforce.

Konopa thought 120 days would be long for the "blow-up figures". Meeker explained how they are expensive and don't wear well so they should not be something to be concerned with.

In summary, Konopa asked the group if they would like to see 90 or 120 days per calendar year for temporary signs. Most agreed that 120 days would be friendlier for businesses.

Temporary Event Signs

Catlin presented that we currently do not receive sign permit applications for events. The proposal would require one permit per event. Rouse felt permits would tell applicants of the regulations and be informative for proper placement along with approved timelines. Steele and Pankratz both inquired about non-profits along with the Chamber. Steele inquired about the Business Extravaganza which has large signs for the event. Catlin explained that this pertains to small signs stuck in yards and around town. Steele asked if regulating large signs for events was included and then Meeker asked for clarity as to what defines an event. The group asked about big sale events and home show events for profit. Steele stated that they are so important to business. Hare felt that it would cause problems if not regulated. Hansen reminded that we cannot regulate sign based on content per the Supreme Court. Catlin said that staff will work on defining event signs vs. sales, profit vs. non-profit and fundraiser's.

Meeker asked about sign placement and how sometimes you will see five event signs in one spot. Catlin explained that the proposal would state one per property. Reece feels it is problematic that we continue to crack down. Cautioned that we paint ourselves in a corner and that the more we think it through the more prohibitive it will be.

Konopa suggested that we look at one sign per property frontage. Pankratz said that no event is going to put everywhere due to expense and that she does not think we need to regulate them. Meeker gave the example of 15,000 signs for a recent event and Konopa included that they were up

for a long period of time which is why we need to limit the number of event signs and number of days allowed before and after.

Number of signs

Catlin went over the proposed one portable A-frame and one other temporary sign per business located on a site. See table on exhibit (A). Meeker inquired about Walgreens vs. a small building along with multiple frontages. The question arose about what constitutes building frontage vs. business frontage. Catlin then proposed two signs per business except for Downtown where we don't regulate A-frame signs. Meeker likes the idea of allowing two signs. Pankratz along with the others agreed. Konopa asked if staff had enough direction now and Catlin stated yes.

Multi-tenant development signs

Catlin explained that determining the sign allowances is confusing and in some cases limiting. A few changes are proposed to increase the allowance to allow two signs per street frontage rather than per business or property. She reviewed the proposal for multi-tenant buildings and interior businesses. More detailed language is being developed.

Hansen explained that more is happening with businesses within businesses such as banks within a business. Catlin stated that the proposal gives an allowance for those infill businesses and more signs. Meeker liked all of the provisions proposed.

Pascone brought up the issues at the airport with signs and asked that staff address those as well. Catlin informed the group that a meeting is already planned. Konopa asked the group if everyone was comfortable to move forward and the consensus was yes.

B. Planned Developments

Catlin went over the table in the memo (Attachment A, page 3) which lays out current and proposed code that would streamline the process. She explained how the proposed code amendments would change the process from three steps to two and not change the neighborhood meeting requirement. After a brief discussion all were in agreement and moved forward to the next item.

Catlin went over the current open space requirement of 40 percent and what staff found in looking at other communities. (Attachment A, page 4). She proposes a range of 20 to 40 percent in residential zones and 20 percent in mixed use or commercial zones. She also went over the tools to protect natural areas which typically create a nicer development vs. more flexibility.

Rouse started the discussion asking about condos, cluster developments and, therefore, the need for more open space. Konopa noted the great neighborhoods project. Reece stated how developers are looking at the dollar at the end of the day and how to achieve density transfer. He feels that although Planned Developments helps get to the maximum and give back with open space, the current code at 40 percent is hard to achieve. Along with that every time the development changes house types, they have to recalculate which increases cost for plans. Rouse also stated that the 40 percent requirement is tough and maybe why do not get many planned developments. Rouse asked

about common space vs. outdoor and what is our goal. Suggested that if it is just outdoor, then lower the percent for just that. Catlin stated the proposal for what to count as common outdoor space and is proposing a sliding range based on density.

Hansen stated that sometimes planned developments are large in scope with mixed use and change over the duration of the development which is a challenge. Reece suggested allowing future phases to be flexible with the ultimate goals in the approval to make sure they are compatible and consistent. Rouse pointed out some of the issues that could happen if the 3rd phase did not take place. Reece suggested that future owners be accountable. Rouse also stated that the goal is to make sure everyone can go out and enjoy and not count every inch. Hansen asked if areas could be dedicated for future phases. Reece brought up easement issues, non-buildable space, open space and how it would be a tricky to plat it. Developers would love to dedicate open space so the city would own it but then city would have to maintain it as well and cost could be an issue if the city cannot afford it.

At the conclusion of the discussion, Rouse suggested reducing the open space requirement to 25%, Reece liked Catlin's sliding scale and that staff should look at Bend's code. Hansen suggested 20% if close to those other amenities. Catlin said that staff will look at how to phased developments t would work.

Catlin explained how natural features would be set aside in developments. The oak tree at Heritage mall was discussed. The goal is to encourage protection of natural feature and the need to write criteria. Rouse believes it is a good idea and wants to see the wording.

Konopa asked if everyone ok with the proposed planned development standards.

4. Schedule Joint Work Session

Hansen and Konopa reviewed the next step and discussed scheduling a joint work session with the Planning Commission and City Council in February.

5. Other Business

Pascone brought up a complaint about the property at Queen and Hill regarding parking spaces and access barricades. Staff and Hare addressed questions and informed all present that there is a process and our city attorney is looking at it.

6. The meeting adjourned at 4:06 p.m.



TO: City Council
Planning Commission
Mayor's Business Ready Task Force (BRTF)

FROM: Heather Hansen, Community Development Director
Anne Catlin, Lead Long Range Planner

DATE: February 18, 2013

SUBJECT: Review of Albany Development Code (ADC) Revisions

Request for Input and Direction: Staff request input on the following:

- (1) General direction on proposed code revisions in the Issue Matrix (Attachment A)
- (2) General direction on wall sign allowances, including a recommendation on convening a group to develop a new method for calculating wall sign allowances (see below)
- (3) Recommendation on group and process to review the proposed code amendment language, e.g., reconvene BRTF or a subgroup, have all review everything or convene groups by subject area, etc. (*Note: There will be about 65-75 pages of "bold & strike" revisions to review*)

Attachments for Review: The following documents are attached for your review

- (1) *Issue Matrix* – The attached matrix (Attachment A) provides a detailed summary of the proposed revisions to the ADC in response to issues raised by the BRTF, as well as issues brought to the committee by staff.

We had originally intended to bring a full packet of "bold and strike" ADC revisions to you, but it is currently upwards of 60 pages, and would not be conducive to a work session discussion. We would like to propose that the BRTF, or a subgroup, reconvene to slog through the proposed revisions.

- (2) *Sign Examples* – We made a lot of headway on the sign sections of the ADC. But we found that whenever we tried to reorganize, clarify, streamline, or amend portions of it, there were "ripple effects" that required us to delve into new sections. And the fact remains that there are significant sections of the sign code that are unenforceable because they regulate content, which is not allowed. So we may want to do the unthinkable and fix all or most of it now (just a suggestion)!

Then in the midst of it all, we noticed a trend in some recent requests for wall signs that hasn't been addressed by the revisions we were working on – businesses that request a large main wall sign and multiple smaller signs that indicate the types of products they sell or services they provide. These requests cannot be approved because they exceed both the total square footage and the number of allowed signs. A recent example is Sportman's Warehouse (Attachment B). It far exceeds the 100 square foot allowance, and would be considered 3 signs, which is not allowed.

We are exploring a new approach that would enable "scaling" the sign size based on the percent of building façade, up to a particular size limit. And smaller signs, such as the ones for Sportman's Warehouse, could be added as long as they don't exceed the total square footage allowed. We need time and assistance from sign companies to help flesh out this concept. We will bring some examples of this general concept to the work session.

BUSINESS READY TASK FORCE ISSUE MATRIX

	Issue	Code Obstacles	Albany Development Code (ADC) Section and Description of Proposed Amendments	Date Discussed
A	Small-scale manufacturing in mixed use and commercial zones	<p>Current code doesn't directly address small-scale manufacturing. Manufacturing is not an allowed use in most mixed use and commercial zones.</p> <p>There is also no differentiation in the Code between Industrial Office and other Office uses. Industrial Office uses can be compatible with uses allowed in commercial and industrial zones.</p>	<p>ADC 4.050 Schedule of Permitted Uses and 4.060 Special Conditions (8) and (9): Adds the new Small-scale Manufacturing use and allows in zones where the use can be compatible with adjacent uses; and adds Industrial Office in commercial zones where the use can be compatible in the zone.</p> <p>ADC 5.060 Schedule of Permitted Uses: Adds Small-scale Manufacturing and Industrial Office use categories to Schedule of Permitted Uses to permit in some mixed-use zones.</p> <p>ADC 22.045 Use Category Descriptions (new): Adds Small-scale Manufacturing use category for artisan goods or specialty foods up to 10,000 square feet & ADC 22.110 Offices: add Industrial Office use category that would allow industrial uses that are conducted in an office-like setting with no off-site impacts for uses such as computer software designers and engineers; and ADC 22.040(3) Manufacturing and Production: update exception language to reflect new industrial categories.</p>	6/19/12
B	Non-industrial uses in industrial zones	<p>There has been interest in using vacant industrial buildings in the LI zone for commercial uses, but the options are currently very limited. Any ADC revisions need to balance the desire to use vacant buildings with the need to maintain an inventory of industrial properties available for industrial uses.</p>	<p>2.350(2)Non-Conforming Uses: When a site is or was last occupied by a nonconforming use, per Section, the use can change to another nonconforming use (such as commercial uses in industrial zones) through a Nonconforming Review. ADC 2.395 (5)(new) Nonconforming Development Standards (Note: When the use changes to another non-conforming use in an industrial zone this NEW section would apply): Adds standards to ensure use does not preclude an industrial use going back in the building in the future.</p> <p>ADC 4.050 Schedule of Permitted Uses and 4.060 Special Condition (26): Allows retail sales and service uses and traditional office uses in existing LI buildings through a conditional use process as long as additional standards are met, which address neighborhood impacts and ensure the new use does not preclude an industrial use going back on the site.</p>	10/2/12
C	Nonconforming sites and situations; and improving sites incrementally	<p>There is a fair amount of flexibility in the current code (Article 2-Review Criteria) for changes to Nonconforming Situations, but it's rarely been used because the entire Nonconforming Situation section is confusing and difficult to understand when it applies.</p> <p>Many vacant properties have lost their nonconforming status, and the required improvements make it difficult to find tenants.</p> <p>Nonconforming Review is a Type II process, when lesser reviews seem appropriate.</p> <p>Requirements for new development on nonconforming sites "commensurate with development" are confusing, and improvements can be cost-prohibitive.</p> <p>Required parking lot upgrades on nonconforming sites in Section 2.370(2) lots seems excessive.</p> <p>It's unclear what the relationship is between Nonconforming review and Site Plan or Conditional Use review. Are both needed?</p>	<p>Reorganizes the entire Nonconforming section of Article 2. Clarifies when Nonconforming Review is required, and which criteria apply under various circumstances. Adds some situations that allow for Nonconforming Review: (1) Reinstatement of nonconforming status; (2) New construction allowances.</p> <p>ADC 2.340(1) Loss of Nonconforming Status: Adds language to allow for reinstatement of nonconforming status. Uses same criteria in ADC for extending nonconforming status. This will make it easier for nonconforming situations to continue, and extensions of up to 2 years are already available for vacant buildings.</p> <p>ADC 2.390 Procedures: Allows for Type I and I-L review in some cases. Type I (administrative): (1) Changes to uses in the same use category; (2) Nonconforming lots of record; and (3) Nonconforming residential densities. Type I-L (limited land use decision): (1) Sites nonconforming in parking spaces; (2) Required improvements to nonconforming developments. Clarifies situations that require Type II review (bolded items are new): (1) Extension or reinstatement of nonconforming status; (2) Change to use prohibited in the base zone; (3) New construction or structural expansions; (4) Expansion of operations (e.g., hours, staffing, outside storage); (5) Change in use that intensifies off-site impacts.</p> <p>ADC 2.370(2)(a)-(e) Improvements to Nonconforming Development: Modified to require site improvements only when new development requires a building permit and improvements are valued at \$25,000 or more; requires additional 10% toward bringing site into compliance; list is now in priority order: (1) Enhance waterfront in Willamette River Greenway; (2) Front yard landscaping; (3) Buffering and screening; (4) Landscaping in existing setbacks; (5) Travel aisles and parking areas; (6) Interior parking lot landscaping. This will ensure that nonconforming sites are improved gradually over time without requiring unreasonable improvements, and in order of priority related to neighborhood impacts.</p> <p>ADC 2.380 Sites Non-conforming in Parking Spaces: Adds new language to exempt parking lot improvements when only 1 or 2 new spaces are required. Only new parking areas need to be improved.</p> <p>ADC 2.395 Nonconforming Use Review Criteria: Adds criteria that are similar to Site Plan and Conditional Use reviews, but they address neighborhood compatibility and impact more specifically, such as operating characteristics, adequate street capacity through the TSP horizon year, parking, etc.</p>	7/31/12; 10/2/12

BUSINESS READY TASK FORCE ISSUE MATRIX

	Issue	Code Obstacles	Albany Development Code (ADC) Section and Description of Proposed Amendments	Date Discussed
D	Infill & Redevelopment	It can be challenging to meet development standards for infill sites. Add flexibility for infill projects.	<p>ADC 2.080 <u>Adjustment criteria</u>: Adds infill sites < 1 acre as eligible for adjustments and variances (for parking, setbacks, etc).</p> <p>ADC 5.030 <u>Purpose Statements</u>: Modifies some of the mixed-use zoning district purpose statements to encourage infill.</p> <p>ADC 8.325 <u>Commercial and Institutional Site Design Standards (new)</u> and 8.412 <u>Supplemental Standards in Village Centers</u> - Allows adjustment or variance to design standards for Infill sites (< 1 acre with development on both sides) with potential for a fee waiver; Adds flexibility from <u>building orientation in ADC 8.330(1)(a)</u>; and in <u>ADC 8.350(3) Street Connectivity and Internal Circulation</u>: Provides flexibility in locating traffic aisles between the building and the street.</p>	9/11/12; 10/2/12
E	Adaptive reuse and infill downtown	<p>Multi-Family Recreation and Open Space requirements can be challenging to meet in an urban setting; many are in close proximity to paths and parks, and other downtown open space amenities.</p> <p>Multi-Family private open space (balconies or patios) in downtown, may not be compatible infill in historic districts nor work well within an urban setting.</p> <p>Design standards should not apply to upper floor redevelopment within existing buildings.</p>	<p>ADC 8.220 (1) <u>M-F Open Space</u> and (2) <u>Children's Play Area Requirements</u>: Exempts new multi-family in the CB, HD, LE, WF and MUR zones from the current open space formula, but requires 1 "urban amenity" (per new list - common room/kitchen, fitness, lobby, rooftop terrace, etc.).</p> <p>ADC 8.230 <u>M-F Private Open Space</u>: Exempts new multi-family in CB, HD and LE from private open area requirements.</p> <p>ADC 8.250(2) <u>M-F Functional Design and Building Details</u>: Exempts new multi-family in the HD, CB and LE zones and multi-family on upper floors from entrance standards.</p>	9/11/12; 10/2/12
F	Tree cutting on industrial land	The existing tree protection standards are subjective and they provide little flexibility to account for the unique needs of industrial development.	ADC 9.207 <u>(Tree Protection) Applicability</u> : Adds language that would allow the Director, in consultation with the City Forester, to grant exceptions to any of the tree cutting standards for undeveloped industrial properties. (Note: Tree regulations will be revisited in their entirety within the next year.)	9/11/12
G	Minimum Parking Requirements	<p>Some parking requirements are relatively high compared to other cities.</p> <p>Missing parking requirements for several uses leaves it open for interpretation.</p> <p>No clear option is given to present alternative parking demand based on specific experience or other measurement.</p> <p>On-street parking is only allowed for limited uses and zones.</p> <p>Currently there are limited opportunities for parking reductions.</p>	<p>ADC 9.020 <u>Parking Space Requirements</u>: Consolidates parking standards from Article 3, 4, and 5 into Article 9. Changes basis for requirements from gross to net square footage. Relaxes parking requirements for the following uses: Furniture, appliance, etc. sales from 500 to 800 sq ft; Building and farm supplies from 500 to 700 sq ft; Offices from 300 to 400 sq ft; Medical and Dental from 200 to 250 sq ft; Retail from 200/300 to 400 sq ft; Multi-family 3+ bedrooms from 2.25 to 2.0 per unit.</p> <p>ADC 9.020 <u>Parking Space Requirements</u>: Adds parking standards for missing uses and when a use is not listed, the Director will determine if the use is similar in parking needs to a listed use, and if not, may approve an alternative standard.</p> <p>ADC 9.020 (4) <u>Unspecified Uses and Alternative Standards</u>: Enables Director to approve alternative parking standards provided by the applicant from other industry sources, such as other comparable City parking standards or the ITE Parking Generation Manual.</p> <p>ADC 9.025 <u>Parking in the Public Right-of-Way (new)</u>: Reduces required off-street parking by 1 space for every on-street space (=25 ft of street frontage) abutting the development for up to 50 percent of the requirement. Not allowed within 100 feet of a residential zone or the Elm Street zone.</p> <p>ADC 9.030 <u>On-Site Parking Reductions (new)</u>: Adds opportunities to reduce on-site parking: (1) Change of Use: No additional parking will be required when the new use requires no more than two additional vehicle and/or bicycle parking spaces. (2) Tree Preservation: For each tree 8 inches in diameter and larger that is preserved, allow 1 less space up to a maximum of 10 percent of the total parking space requirement. (3) Seasonal Outdoor Seating: Exempts areas up to 500 square feet from parking requirements. (4) Multi-Tenant Developments: Allows a 10% parking reduction. (5) Alternative Modes, Carpooling: For developments with 10 or more employees, parking may be reduced up to 10 percent for listed activities.</p>	10/2/12 10/2/12 10/2/12 7/31/12; 10/2/12 10/2/12

BUSINESS READY TASK FORCE ISSUE MATRIX

	Issue	Code Obstacles	Albany Development Code (ADC) Section and Description of Proposed Amendments	Date Discussed
H	Overflow and Temporary Parking	Some uses require occasional overflow parking and it is costly to develop paved parking lots.	<u>ADC 1.270 When Land Use Applications are Not Required</u> : Adds cross-reference to temporary parking standards.	10/2/12
			<u>ADC 9.120 Parking Area Improvement Standards - (3) Surfacing</u> : Clarifies that only the parking required for the day-to-day use needs to be paved.	
			<u>ADC 9.125 Occasional Overflow Parking (new)</u> : Adds new standards to allow unpaved parking up to 15,000 square feet for occasional overflow needs with some improvements such as buffering and screening to adjacent uses and a 20-foot setback from a right-of-way.	
		The Code does not have a provision for temporary parking needs.	<u>ADC 9.020 Parking Space Requirements</u> . Add note that temporary uses are not required to provide parking spaces.	
I	Temporary Signs	Not enough allowances for temporary signs and difficulty regulating.	<u>ADC 13.680 (1) Temporary Sign Allowances</u> : Increases the number of temporary signs from 1 to 2 per business.	9/11/12; 10/23/12
		All businesses should be allowed an A-frame/sandwich board type sign year round.	<u>ADC 13.680(6) A-frame or Sandwich Board Style Signs (new)</u> : Allows these types of temporary signs year round city wide. Currently they are only allowed year round downtown. Signs should either be secured in place or be brought in.	
		60 days is not a long enough allowance for temporary signs in a calendar year.	<u>ADC 13.680(4) Business Opening Banner or Sign (new)</u> : Creates new temporary sign category to allow new businesses to have temporary signs for up to one year or until a permanent sign is installed, whichever occurs first.	
			<u>ADC 13.680(5) Banners, Inflatable and other Temporary Signs or Displays (new)</u> : Increases the number of days per year from 60 to 120 days.	
		A permit should not be required for every temporary event sign.	<u>ADC 13.680(7) Pennants, Flags and Streamers (new)</u> : Increases the time allowed from 60 days to 90 days per calendar year and exempt those without writing on them. <u>ADC 13.685 Temporary Event Signs (new)</u> : Currently the ADC requires a permit for EVERY temporary event sign; Changes to allow temporary events, such as fund-raisers but excluding sales, to have an unlimited number of signs under one permit. The benefit of requiring a permit is to let event organizers know that they are not allowed in the right-of-way and in clear vision areas. Signs would be allowed for up to 21 days, and the maximum size proposed is 24 inches by 18 inches.	
J	Sign Allowances UNDER CONSTRUCTION	A few definitions are needed for proposed updates.	<u>ADC 13.120 Definitions</u> : Adds definition of Temporary signs and Major Tenant, updates Portable Sign, and combines Major and Minor Integrated Center requirements.	9/11/12; 10/2/12
		Sign allowances are limiting and confusing to calculate.	<u>ADC 13.500 through 13.550 Sign Standards Reorganization</u> : The current Sign Code sections Standards by Sign District (current 13.411 through 13.425, Integrated Business Centers or Industrial Park Areas (current 13.430 through 13.438) and Standards by Sign Type (current 13.510 through 13.560) are being combined and reorganized so that sign allowances will primarily be determined by sign type. Currently, you look at Standards by Sign District to determine aggregate allowances and some standards for signs by type, then you also look at Standards by Sign Type.	
		Total sign allowance confusing and limiting in some districts. UNDER CONSTRUCTION	<u>ADC 13.500 Aggregate Sign Number Allowance</u> : Amends so that the total number of signs allowed per business is two signs per street and building frontage, with a minimum of two signs.	9/11/12; 10/2/12
<u>ADC 13.520 Wall Signs: (1)</u> The allowances for signs in commercial and industrial areas were limited to 2 per property unless in an integrated center. Increases allowance to one wall sign for every business per building or street frontage, or 2 if wall signs are used exclusively. Allows major tenants of 40,000 square feet or larger 2 wall signs. Allows the total wall sign area to be larger for major tenants in (2)(g) to go from 200 square feet to 400 square feet or 3% of the wall area (no change), whichever is less.				

BUSINESS READY TASK FORCE ISSUE MATRIX

	Issue	Code Obstacles	Albany Development Code (ADC) Section and Description of Proposed Amendments	Date Discussed
PROCESS TIME and COSTS				
K	Neighborhood Meetings	<p>Neighborhood meetings should be held at reasonable times and coordinated with staff's schedule.</p> <p>Neighborhood meeting notice area of 300 feet may not be the appropriate notice area (too small or too large) depending on the project.</p>	<p><u>ADC 1.204(1) Neighborhood Meeting Standards</u>: Adds language that requires the applicant to consult with City staff to determine an appropriate meeting time, date and place and availability of staff to attend.</p> <p><u>ADC 1.204(2) Neighborhood Meeting Standards</u>: Modifies the neighborhood meeting notice area to be more flexible and be based on the project size, scale and impacts and the lot size in the surrounding area. Minimum is 300 feet with Director discretion to increase to the area as appropriate. Adds allowance for City to produce the mailing list and adds requirement for City review of lists produced by developers (we've had a few cases lately where the developer didn't provide notice to all residents and owners within 300 feet). Adds business owners to notice requirements.</p>	8/14/12
L	Site Plan Review	<p>Site Plan Review (Type I-L limited land use with property owner notice, appeal to LUBA) seems unwarranted in situations when staff can apply clear and objective standards.</p>	<p><u>ADC 1.051-1.056 Actions included/not included as Land Use Decisions - Definition</u>: Clarifies that administrative actions are not land use decisions and that Limited Land Use Decisions are a land use decision. This section is relocated from Section 1.230-1.280 "Clarification of Land Use Decisions" for better organization and sequence of topics in Article 1.</p> <p><u>ADC 1.065 When Administrative Review is Required</u>: Creates new administrative review section to include actions currently reviewed administratively and include new actions that currently require site plan review, such as some additions and changes of use for existing developments. These changes to reduce staff processing time and costs for the applicant.</p> <p><u>ADC 1.070 When Land Use Review is Not Required</u>: Updates list to remove activities that require a staff-level administrative review (in new ADC Section 1.065).</p> <p><u>ADC 1.320 Type I Procedure</u>: Updates list of examples of applications that can be processed administratively to include some changes of use and non-residential additions. Also includes changes for clarification and consistency.</p> <p><u>ADC 2.425 & 2.430 Site Plan Review</u>: Amendments include changing the level of review for some actions that currently require Site Plan Review (Type I-L process) to an Administrative Review (Type I process) because it would reduce the processing time and costs when full land use review is unwarranted. Amendments are also made to ensure consistency with the new Section 1.065 for Administrative Review.</p>	6/19/12

BUSINESS READY TASK FORCE ISSUE MATRIX

	Issue	Code Obstacles	Albany Development Code (ADC) Section and Description of Proposed Amendments	Date Discussed
M	Planned Developments	Too many steps in the Planned Development (PD) process.	ADC 11.260 Procedure and 11.300 Application Contents: Combines the first and second steps in the process (preliminary review and interim review). After the pre-application, the Planning Commission would review the interim plan. Staff will continue to review final plan.	10/23/12
		When PDs are phased, each phase should not have to meet the standards separately, rather the development overall.	ADC 11.325 Phasing a Planned Development (new): Adds a new section that allows planned developments to be phased and language that allows some flexibility in where amenities are provided: "Each phase shall provide a suitable share of the development facilities and amenities as approved."	
		Too much open space is required, especially in urban areas.	ADC 11.330 (1) PD Standards - Common Open Space and Areas: Reduces the amount of common space required from 40% to 20-30% by zone, with less required in non-residential zones. Additional language is proposed that clarifies what can count towards the open space requirements; and (2) PD Standards - Natural Resources: When natural or cultural resources exist in the PD, they should be protected.	
		The indoor recreation requirement is excessive.	ADC 11.330(2) PD Standards - Indoor Recreation Area Standards: Removes requirement for providing indoor recreation, but it's still an option that counts toward the common area requirements.	
		Density calculation language is confusing	ADC 11.330(4) PD Standards - Density Transfer: Amends to allow the full amount of density to transfer within the development from land dedicated to streets and parks; adds the density maximums by zoning district.	
		Concern that the flexibility allowed within PDs may not be compatible with adjacent uses and the neighborhood.	ADC 11.330(5) to (7) PD Standards Related to Compatibility: Adds standards to address building spacing, location of taller buildings and perimeter compatibility with adjacent properties and neighborhoods.	
N	Expiration of Land Use Approvals	Most land use approvals expire within 3 years, such as Site Plan Review, Subdivisions. Economic or other conditions may warrant an extension.	ADC 1.080 Expiration of Land Use Approvals: Allows a 1-year extension to 3-year approvals with written request. Would be approved if no changes to applicable local, state, federal standards.	9/11/12
FUTURE REVISIONS				
	Home occupation (businesses and hobbies)	We want to encourage and support small home businesses. We also need to be concerned about compatibility with residential neighborhoods. Existing criteria are too subjective.	ADC 3.110 Home Occupations... Will require Measure 56 Notice!! Discuss further.	5/22/12; 6/19/12; 9/11/12
	Landscaping requirements	Buffering and screening, setback areas - Can they be lessened or delayed?	Delayed until Spring 2013 when PW updates stormwater regulations.	
	Tree Standards		Delayed until late 2013 when tree regulations will be reviewed in their entirety.	
	Upkeep of vacant buildings	There are some properties that are run down and they affect the image of the City.	Measure 56 Notice required! Discuss further.	9/11/12

Land Use Procedures: We often mention that a decision is a "Type I," "Type I-L," etc, and I would like to briefly describe the relevance of this.

- *Type I* – An administrative decision without requirements for public notice or hearings. This must be based on clear and objectives standards that leave little room for interpretation.
- *Type I-L* – This is a limited land use decision, which is a staff decision. This requires notice to be sent out so property owners nearby can comment. The staff decision may include conditions that address any issues that may be raised by those who received the notice. The Director may also choose to refer the decision to the Planning Commission or Hearings Board.
- *Type II* – This is also a staff decision, for which notice is sent out, but those who receive the notice may request a hearing.
- *Type III/IV* – Public notice and a hearing are always required.



ATTACHMENT B