



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

# Staff Report

## Site Plan Review

SP-16-24

July 1, 2024

### Application Information

Proposal:	To construct a new 1,728-square-foot accessory structure.
Review Body:	Staff (Type I-L review)
Applicant/Property Owner:	Daniel and Marilyn Hill; 1812 NW Sunny Ln, Albany, OR 97321
Address/Location:	1812 NW Sunny Ln, Albany, OR 97321
Map/Tax Lot:	Benton County Tax Assessor's Map No. 10S-04W-35AD Tax Lot 00200
Zoning:	Residential Single Dwelling (RS-10)
Overlay Districts:	None
Total Land Area:	2 Acres
Existing Land Use:	Residential
Neighborhood:	North Albany
Surrounding Zoning:	North: Residential Single Dwelling (RS-10) East: RS-10 South: RS-10 West: RS-10
Surrounding Uses:	North: Single-dwelling unit residential East: Single-dwelling unit residential South: Single-dwelling unit residential West: Single-dwelling unit residential

### Summary

On May 22, 2024, the applicant submitted a Site Plan Review application to construct a residential accessory structure on the subject improved residential property identified as 1812 NW Sunny Ln, Albany, OR 97321 and Benton County Tax Assessor's Map No. 10S-04W-35AD Tax Lot 00200. The proposed accessory structure is a 1,728-square-foot, one-story structure with a wall height of 14 feet and an overall height of approximately 18.5 feet (Attachment C). The proposed structure will have a metal siding and roof.

The property is zoned Residential Single Dwelling (RS-10). Accessory buildings in residential districts that are 750 square feet or larger, or have walls taller than 12 feet, are allowed outright in the RS-10 zone if they meet compatibility standards in Section 3.080(9) of the Albany Development Code (ADC). If the compatibility standards are not met, approval of a Site Plan permit is required.

The subject parcel is residential improved; however, because the size and height of the proposed structure exceed the maximum wall height and square footage allowed outright, the proposed accessory structure is required to be evaluated for conformance with the applicable Site Plan Review criteria in Section 2.450 of the ADC.



The analysis in this report finds that all applicable standards and criteria for a Site Plan Review permit are satisfied as conditioned.

## Notice Information

A notice of filing was mailed to property owners located within 100 feet of the subject property on June 10, 2024. No comments were received regarding the proposed accessory structure.

## Analysis of Development Code Criteria

Section 2.450 of the ADC includes the following review criteria that must be met for this application to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

### Criterion 1

**The application is complete in accordance with the applicable requirements.**

#### Findings of Fact

- 1.1 In accordance with the applicable requirements, the application was deemed complete on June 10, 2024.

#### Conclusion

- 1.1 This criterion is met without conditions.

### Criterion 2

**The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.**

#### Findings of Fact

- 2.1 The applicant proposes to construct a 1,728-square-foot accessory building to be used as a detached garage and shop.
- 2.2 Per ADC Table 3.190-1, the maximum front setback is 20 feet. Per ADC Table 3.230-1, the minimum interior setback for detached structures with walls greater than eight feet tall is five feet.
- 2.3 The submitted site plan (Attachment B) indicates the proposed accessory building will meet the minimum front setback of 20 feet and the interior setback of five feet. Eventually, Birmingham Ave will be extended across the north side of this property. Property owners have assumed 50 feet of right-of-way plus the 20 feet required setback. The proposed shop will be located a total of 70 feet from the north property line.
- 2.4 The lot dimensions do not change with the proposed accessory structure.
- 2.5 Per ADC Table 3.190-1, the total lot coverage allowed in the RS-10 zone is 50 percent. Lot coverage for detached single-dwelling development only includes the area of the lot covered by buildings or structures. The subject property is 2 Acres with an existing dwelling at 1,512 square feet and 2 existing sheds and a garage totaling 1,049 square feet. Lot coverage will be a total of three percent.
- 2.6 Per ADC Table 3.190-1, the maximum height allowed in the RS-10 zone is 30 feet. ADC 22.400 "Height of Building" defines the height of a pitched roofed building as the average height of the highest gable of a pitched roof. The total height of the proposed structure is approximately 18.5 feet and a wall height of 14 feet.

#### Conclusion

- 2.1 The proposed development meets all current provisions, including setbacks, lot coverage, lot dimensions, building height, and other applicable standards.
- 2.2 This criterion is met without any conditions.

### Criterion 3

**Activities and developments within special purpose districts comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.**

#### Findings of Fact

- 3.1 *Article 4 Airport Approach district:* According to Figure 4.410-1 of the ADC, the subject property is not located within the Airport Approach district.
- 3.2 *Article 6 Steep Slopes, Comprehensive Plan Plate 7:* According to Plate 7 of the Comprehensive Plan, the subject property is not located in the Hillside Development overlay district.
- 3.3 *Article 6 Wetlands, Comprehensive Plan Plate 6:* according to Plate 6 of the Comprehensive Plan, the subject property is not located within a jurisdictional wetland.
- 3.4 *Article 7 Historic Districts, Comprehensive Plan Plate 9:* According to Plate 9 of the Comprehensive Plan, the subject property is not located in one of Albany's Historic Districts. There are no known archaeological sites on the property.
- 3.5 *Article 6 Floodplains, Comprehensive Plan Plate 5:* The applicable Flood Insurance Rate Map (FIRM) for the subject site is Community Panel No. 41043C0218G, dated September 29, 2010. Based on this FIRM, the subject property is not located within the floodway or the flood fringe.

#### Conclusion

- 3.1 The subject property is not located within a special purpose district.

### Criterion 4

**The application complies with all applicable Design Standards of Article 8.**

#### Findings of Fact and Conclusions

- 4.1 The proposed accessory structure does not have applicable design standards.
- 4.2 The review criterion is not applicable.

### Criterion 5

**The application complies with all applicable Design Standards of Article 10.**

#### Findings of Fact and Conclusions

- 5.1 Article 10 pertains to manufactured homes, manufactured home parks, and RV parks. These uses do not pertain to the proposal.
- 5.2 This review criterion is not applicable.

### Criterion 6

**The application complies with all applicable On-Site Development and Environmental Standards of Article 9.**

#### Findings of Fact

- 6.1 The standard parking requirement for a single-dwelling unit residence does not apply to this proposed structure.
- 6.2 The landscaping requirement does not apply to this proposed structure.
- 6.3 The tree protection requirement does not apply to this proposed structure.
- 6.4 The fencing requirement does not apply to this proposed structure.
- 6.5 As the use is a residential accessory structure, the environmental requirement does not apply to this proposed structure.

#### Conclusion

- 6.1 This criterion is not applicable.

## Criterion 7

**The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.**

### Findings of Fact

#### *Sanitary Sewer*

- 7.1 City utility maps show a 10-inch public sanitary sewer in Sunny Ln NW.
- 7.2 The development will have no impact on the public sanitary sewer system.

#### *Water*

- 7.3 City utility maps show an eight-inch water main in 1812 Sunny Ln NW that is located along the East property line of the subject property. The subject property is currently connected to the public water system.
- 7.4 The proposed development will not negatively affect the public water system.

#### *Storm Drainage*

- 7.5 City utility map shows public drainage facilities in the right-of-way of Sunny Ln NW. Sunny Ln NW is not built to City standards. Additionally, there is a drainage channel running along the eastern boundary line.
- 7.6 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection of the public system must be reviewed and approved by the City of Albany's Engineering Division.
- 7.7 ADC 12.530 states that a development will be approved only where adequate provisions from storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer. Also, no storm water may be discharged to the public sanitary sewer system.
- 7.8 The applicant is required to submit a drainage plan, including support calculations, as defined in the City's Engineering Standards. The applicant is responsible for making provisions to control and/or convey storm drainage runoff originating from, and/or draining to, any proposed development in accordance with all City standards and policies as described in the City's Engineering Standards.
- 7.9 Surface water drainage patterns and proposed storm drainage must be shown on every development proposal plan. Before beginning work, the applicant must submit to the Public Works Engineering Division a storm drainage plan for the site that shows the proposed slope of the lot and how storm drainage will be collected and routed to a public storm drain system. If storm drainpipes are planned, indicate the size and slope of each pipe. The city does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the driveway must be at the property line so that all on-site drainage is collected within the applicant's property. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer (ADC 12.530).

### Conclusions

- 7.1 The proposed development will have no adverse impact on public water, sewer, or storm systems.
- 7.2 The applicant must include a detailed storm drainage plan with building permit submittal. The drainage plan shall show how the roof drains from the proposed structure will be discharged to a location approved by the Engineering Department and Building Division.

## Condition

Condition 1: Prior to the issuance of a building permit, the property owner shall include a detailed storm drainage plan for the residential accessory building. The drainage plan shall show how the roof drainage from the proposed structure will be discharged to a point approved by the Engineering Department.

## Criterion 8

**The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.**

### Findings of Fact

8.1 The applicant proposed to construct an accessory structure on a parcel of land. Birmingham Street, located at the northwest corner of the property, will eventually be extended across the subject property. The proposed accessory structure will need to be setback off this future street right-of-way. Birmingham Street shall have a 50-foot right of way located on this subject property. The proposed accessory structure does not require transportation improvements.

### Conclusion

8.1 The proposed accessory structure will be setback 20-foot from the required 50-foot right of way.

## Criterion 9

**The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.**

### Findings of Fact

9.1 See Findings under Site Plan Criterion 7 (above) related to stormwater quality standards in response to this review criterion. These findings are incorporated here by reference.

### Conclusion

9.1 The proposed development will have no impact on the public sanitary sewer and/or water systems.

## Criterion 10

**The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.**

### Findings of Fact

10.1 There are no prior land use decisions on the subject parcel.

### Conclusion

10.1 This criterion is not applicable.

## Criterion 11

**Sites that have lost their nonconforming status must be brought into compliance, and may be brought into compliance incrementally in accordance with Section 2.330**

### Findings of Fact

11.1 The subject parcel is a conforming parcel and development.

### Conclusion

11.1 This criterion is not applicable.

## Overall Conclusion

This report evaluates the applicant's application for the proposed residential accessory structure that is a 1,728-square-foot, one-story structure with a wall height of 14 feet and an overall height of 18.5 feet. The proposed development meets all applicable Site Plan Review criteria when the following condition is met.

## Condition of Approval

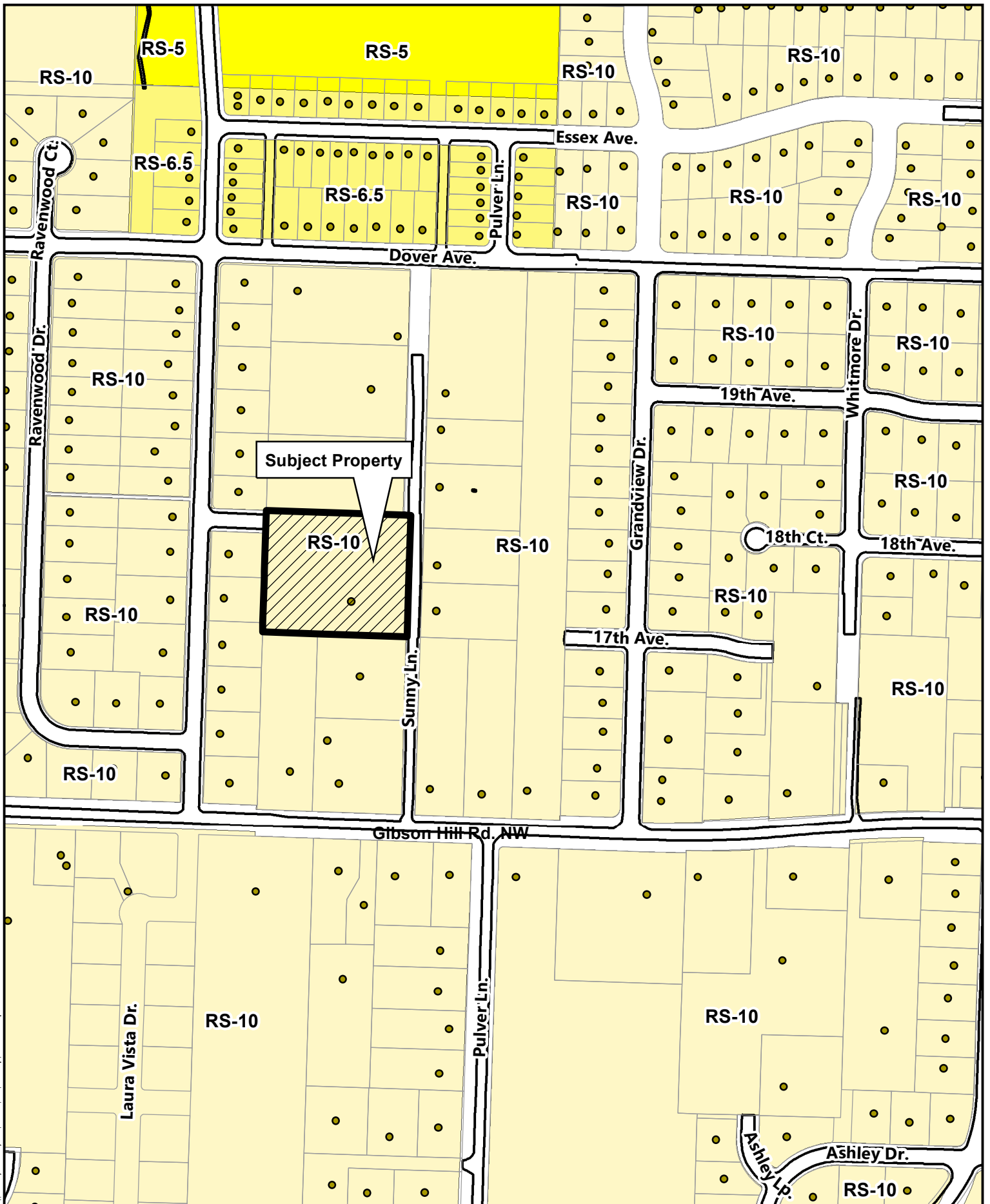
- Condition 1 Prior to the issuance of a building permit, the property owner shall include a detailed storm drainage plan for the residential accessory building. The drainage plan shall show how the roof drainage from the proposed structure will be discharged to a point approved by the Engineering Department.
- Condition 2 Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval and shall comply with all applicable state, federal, and local laws.

## Attachments

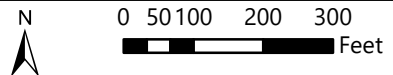
- A. Location Map
- B. Site Plan
- C. Elevation Drawing
- D. Applicant's Compatibility Worksheet

## Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
RS	Residential Single Dwelling Zoning District
SP	Site Plan Review



\\oc.cityofalbany.net\homes\lzo\Desktop\Location Map.mxd



Date: 5/22/2024 Map Source: City of Albany

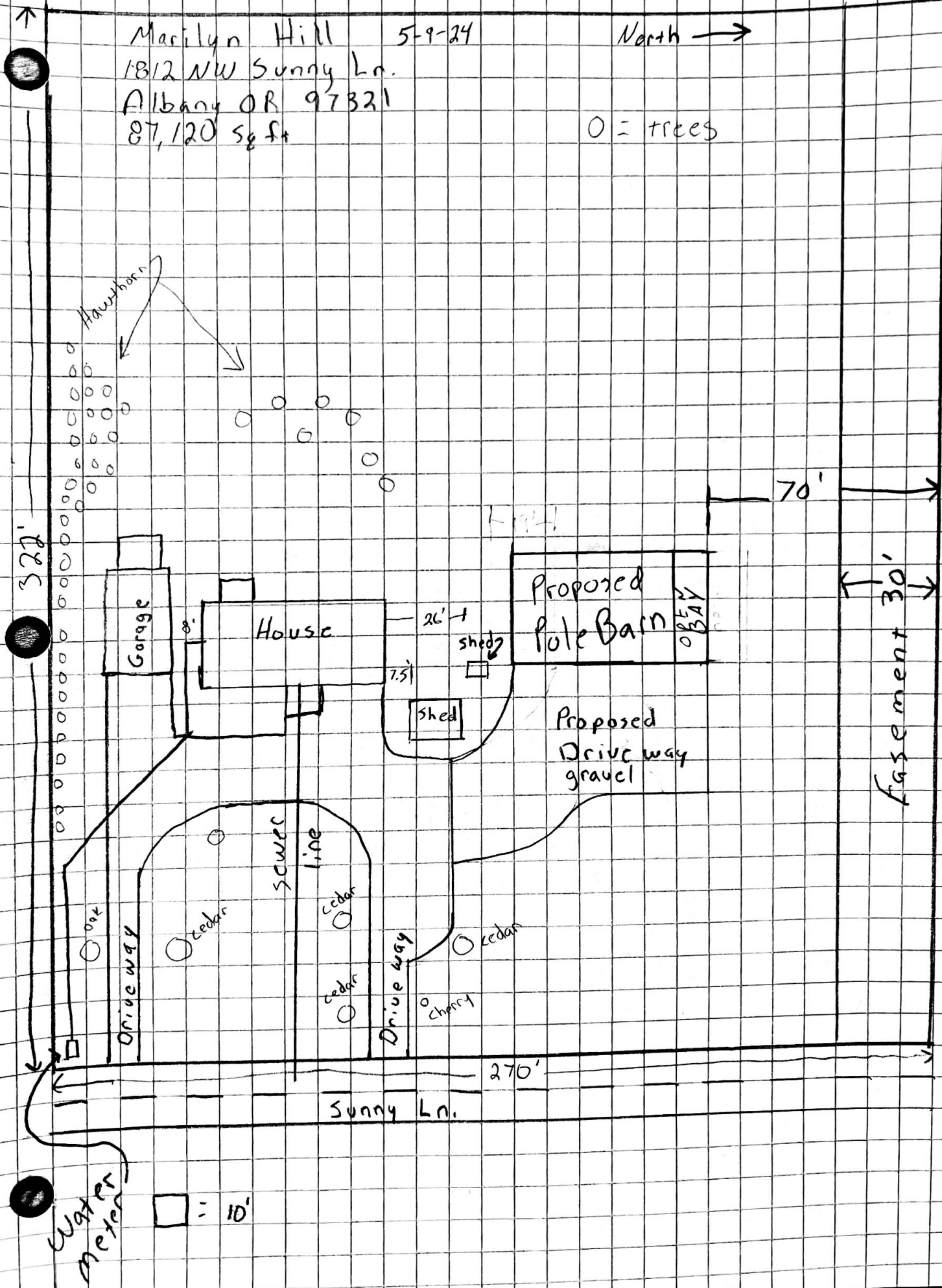
**1812 Sunny Lane NW**

Location / Zoning Map

Marilyn Hill 5-9-24  
1812 NW Sunny Ln.  
Albany OR 97321  
87,120 sq ft

North →

O = trees



Hawthorn

Garage

House

shed

Proposed Pole Barn

shed

Proposed Driveway gravel

Driveway

sewer line

Cedar

Cedar

Cedar

Driveway

Cedar

Cherry

270'

Sunny Ln.

70'

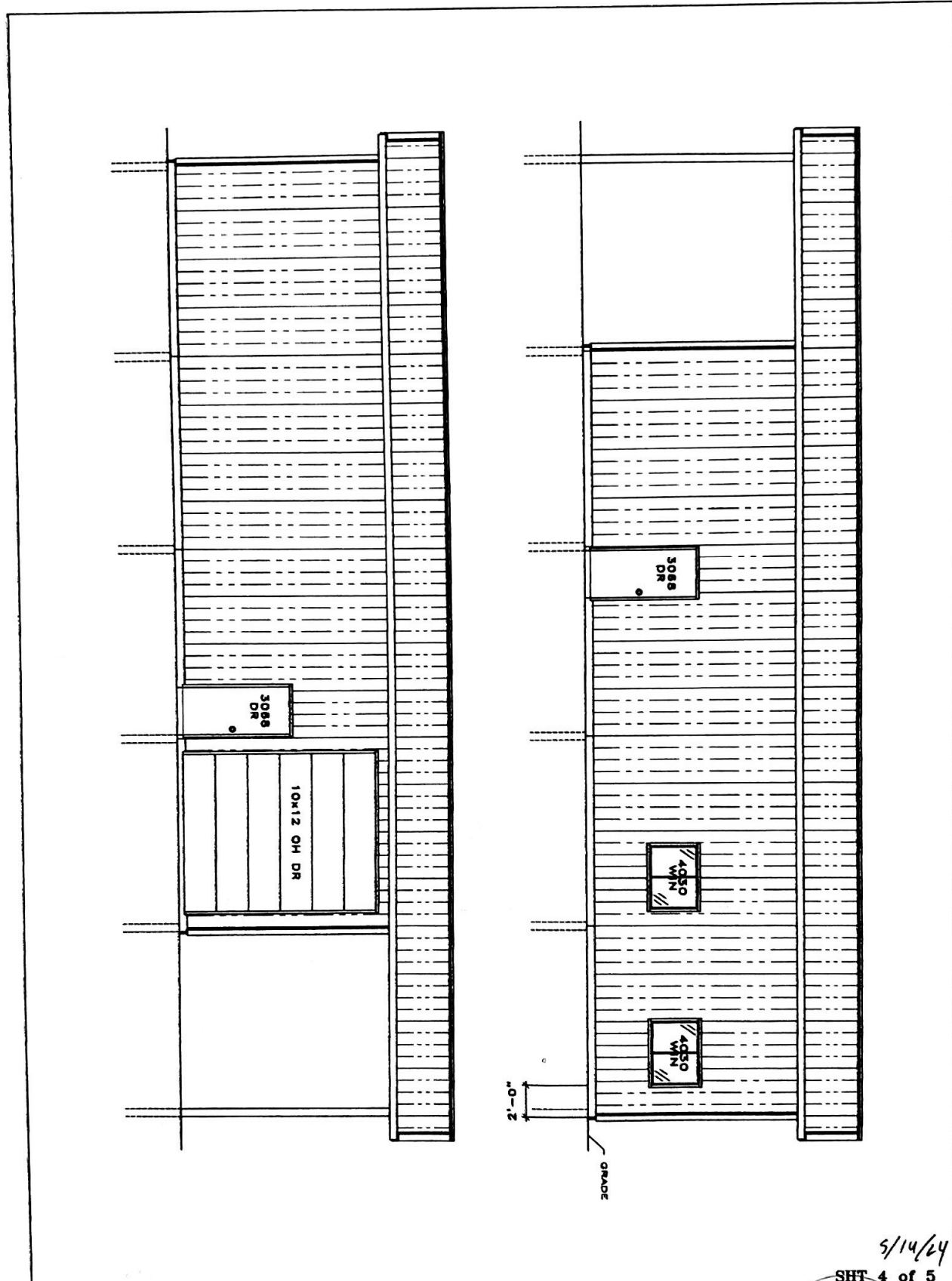
Fence 30'

322'

□ = 10'

Water Meter



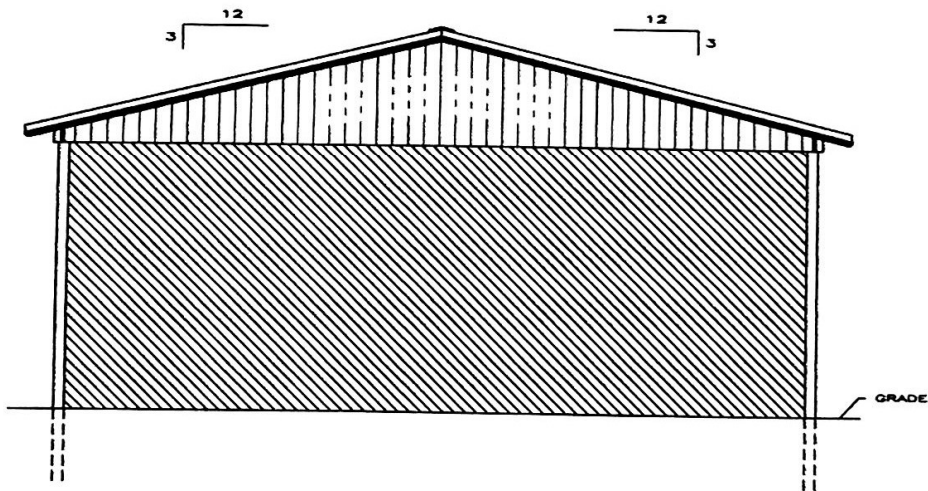
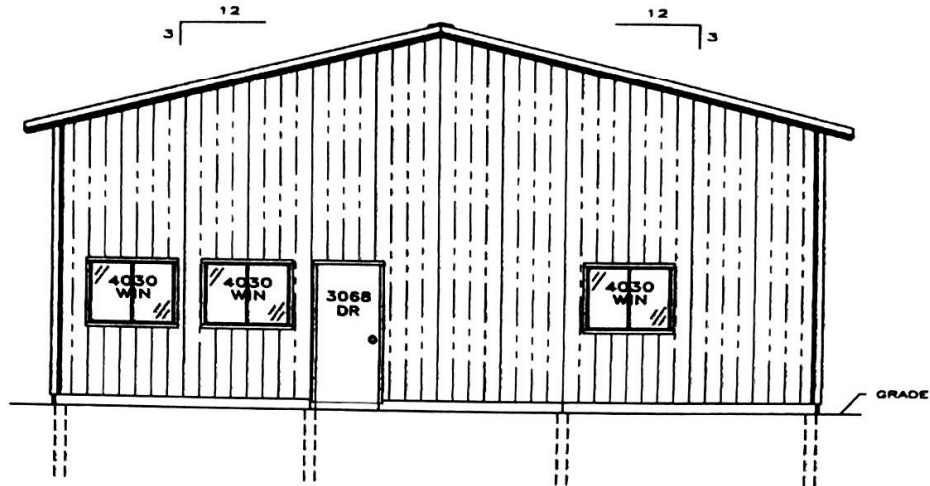


**M & W BUILDING SUPPLY**  
 CORNER POLE BUILDING  
 38' WIDE x 80' LONG x 16' EAVE  
 ROOF LOAD: LIVE 25 PSF  
 DEAD LOAD: 3 PSF  
 WIND LOAD: 96 MPH EXP. C  
 SEISMIC ZONE: D  
 FOUNDATION PRESSURE: 1600 PSF  
 LAT. SOIL BEARING: 100 PSF  
 BUILDING DESIGN: 9921 L.B.C.  
 CLOSED BUILDING

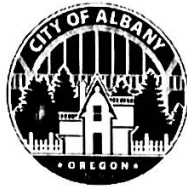
**JASON HILL**  
 1812 N.W. SUNNY LN.  
 ALBANY, OREGON  
 OWNER: BENTON  
 ENGINEER'S DESIGN RESPONSIBILITIES ARE LIMITED EXCLUSIVELY TO THOSE DOCUMENTS BEARING HIS SEAL AND SIGNATURE. ANY ALTERATIONS TO THESE DOCUMENTS OR THE PHYSICAL STRUCTURE BY ANY PERSON OR AGENCY SHALL VOID SAID DOCUMENTS AND RELIEVE DESIGNER OF DESIGN RESPONSIBILITY, AND MAY CREATE LIABILITY ISSUE FOR THEMSELVES. DRAWINGS ARE FOR STRUCTURAL COMPLIANCE ONLY. THEY ARE NOT TO BE CONSIDERED AS HAVING BEEN PREPARED FOR BUILDING USE. OCCUPANCY AND/OR FIRE & LIFE-SAFETY REQUIREMENTS OF LOCAL CODES OR AGENCIES. SLAB & RAFTERS SHOWN FOR CONSTRAINT ONLY. DESIGN MIX. THICKNESS, C.F.S., & REINFORCEMENT BY OTHERS. THIS STRUCTURE HAS NOT BEEN DESIGNED FOR USE WITH INTERIOR FINISH MATERIALS SUBJECT TO BRIDGE OR FAILURE DUE TO LATERAL MOVEMENT

**22175 S. HWY. 98E**  
 CARBY, OREGON 97013  
 (503) 266-6953  
 (503) 266-7102 (FAX)  
 SCALE: NONE  
 RDO/BB 5/9/24  
 BUILT MW24116

5/14/24  
 SHEET 4 of 5  
  
 EXPIRES: 12/16/24



<p><b>M &amp; W BUILDING SUPPLY</b> CUSTOM POLE BUILDINGS</p> <p>36' WIDE x 60' LONG x 14' EAVE</p> <p>ROOF LOAD: LIVE 25 PSF DEAD LOAD: 3 PSF WIND LOAD 88 MPH EXP. C SEISMIC ZONE: D FOUNDATION PRESSURE: 1500 PSF LAT. SOIL BEARING: 100 PSF BUILDING DESIGN: 2021 I.B.C. CLOSED BUILDING</p>	<p><b>JASON HILL</b> 1812 N.W. SUNNY LN. ALBANY, OREGON</p> <p>ENGINEER BENTON</p> <p>ENGINEER DESIGN RESPONSIBILITIES ARE LIMITED EXCLUSIVELY TO THESE DOCUMENTS BEARING HIS SEAL AND SIGNATURE. ANY ALTERATIONS TO THESE DOCUMENTS OR THE PHYSICAL STRUCTURE BY ANY PERSONS OR AGENCY SHALL VOID SAID DOCUMENTS AND RELIEVE ENGINEER OF DESIGN RESPONSIBILITY, AND MAY CREATE LIABILITY ISSUE FOR THEMSELVES. DRAWINGS ARE FOR STRUCTURAL COMPLIANCE ONLY. THEY ARE NOT TO BE CONSTRUED AS HAVING BEEN PREPARED FOR BUILDING USE, OCCUPANCY AND/OR FIRE &amp; LIFE-SAFETY REQUIREMENTS OF LOCAL, CODES OR AGENCIES. SLAB &amp; RAFTING SHOWN FOR CONSTRAINT ONLY. DESIGN WTR, THICKNESS, C.P.#, &amp; REINFORCEMENT BY OTHERS. THIS STRUCTURE HAS NOT BEEN DESIGNED FOR USE WITH INTERIOR FINISH MATERIALS SUBJECT TO DAMAGE OR FAILURE DUE TO LATERAL MOVEMENT</p>	<p>22125 E. 85TH AVE CANBY, OREGON 97013 (503) 263-8853 (503) 266-7182 (FAX)</p> <p>SCALE: NONE RDD/BB 5/9/24 BUILT MVB4/16</p>	<p>5/14/29 SHT 5 of 5</p> <p>REGISTERED PROFESSIONAL ENGINEER 86435PE OREGON SEPT 14, 2024 JAMES C. LOUGHRY EXPIRES: 12/31/24</p>
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## COMMUNITY DEVELOPMENT

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

## Residential Accessory Structure Compatibility Worksheet

For proposed detached structures 750 sq. ft. or larger and/or with walls taller than 12 feet.

This handout addresses land use planning issues. Building permits are required for any residential accessory structure larger than 200 square feet.

Property Owner (print): Marilyn HillProperty Address: 1812 NW Sunny Ln Albany, OR 97321Assessor's Parcel Map No: 016380 Tax Lot(s): 1Zoning District: Albany - RS-10 - Residential Single FamilyIntended Use of the Structure: shop to be used for storing personal items + working on projects.

The Albany Development Code (ADC) allows attached additions to a residence without limiting size or wall height outright; subject to meeting the applicable development standards (see Table 3.190-1).

A detached accessory structure also is allowed outright if it can meet the applicable development standards (see Table 3.230-1) and the total square footage of the proposed structure is less than 750 square feet and the wall height does not exceed 12 feet. If the size were larger or the walls taller, the structure may be allowed without a land use review, if it meets all of the established compatibility thresholds listed below. [ADC 3.080(9)]

**Other considerations related to an accessory structure include** the location of existing easements, septic tanks, drain fields, wells; access (existing and proposed); and whether trees would be removed (number and diameter of the trunks). You must include information about these items on a site plan drawing submitted with this worksheet.

**Don't Forget!** To support the information below, attach a scaled drawing of your property showing and labeling the location of all existing and proposed buildings and a scale drawing of each elevation of the proposed building. Include distances (in feet) between all structures and property lines.

**Fill in the explanation area after each question below.** If you answer "no" to Questions 1, 2, or 3, or "yes" to Questions 4 or 5, the structure will not be considered compatible. Question 6 calls your attention to special construction standards that will apply in all cases if the property is in a Special Purpose District, such as the 100-year floodplain. In addition to answering the questions, you must attach a site plan of the property and elevation drawings of the proposed building to the worksheet.

**If the structure cannot meet all the compatibility standards,** you may either alter the building to meet them or submit a Site Plan Review Accessory Building application to the Planning Division. This plan review typically takes six to eight weeks to process and requires additional paperwork and a non-refundable review fee. A notice of filing will be sent to property owners within 100 feet of your property giving them an opportunity to comment on the project. Filing an application does not guarantee approval.

**Question 1:** Will the roof and siding materials and colors on the proposed building be similar to those on the primary residential structure on the site? Yes  No

- Fill out (a) and (b) to demonstrate this standard would be met:

The building materials and colors of the proposed accessory building will be:Materials: Siding: metal Roof: metalColors: Siding: blue with white trim Roof: whiteThe building materials and colors of the primary residential structure on the property are (or will be as part of this project):

Materials: Siding: vinyl Roof: composite  
Colors: Siding: white with blue trim Roof: Grey

**Question 2:** If the proposed accessory building were built, would the percentage of lot coverage be similar to or less than the percentage allowed in the applicable zoning district? (See Table 3.190-1)  
Yes  No  (you may not exceed the lot coverage threshold by Site Plan Review.)

• Fill out a. through d. to demonstrate this standard would be met:

a. The maximum lot coverage allowed in the RS-10 zoning district is 50 percent.

Total land area of the property is 87,120 sq. ft.

The foundation (footprint) size of each building on the property is:

Primary residence: 1512 sq. ft.

Proposed building: 1728 sq. ft.

Other structures: Garage - 808 sq. ft., Shed #1 - 192 sq. ft., Shed #2 - 49 sq. ft.

Total foundation area of all structures on the property: 2561 sq. ft.

Percentage of building coverage on this lot after construction of the proposed accessory building would be percent.  
(To calculate this percentage, divide the total foundation area of all structures (c) by the total land area of the property (b). This number cannot be larger than (a).)

**Question 3:** Will the proposed accessory building meet the minimum setback requirements for the primary residential structure? (see Table 3.190-1) Yes  No

• Fill out a. and b. to demonstrate this standard would be met:

a. The minimum setbacks from property lines for the primary structure in this zone are:

Front: 20' ft. Sides and rear, single-story: 5' ft., or two-story: 8' ft.

The setbacks from the property lines for the proposed accessory building are:

Front: 20' ft. Sides and rear, single-story: 5' ft., or two-story 8' ft.

**Question 4:** Will the proposed building be taller than the tallest building on adjacent property?

Yes  No  (Height in this case is measured to the highest point on the structure. "Adjacent" means any property bordering the property on which the accessory structure would be built or across an adjacent street.)

• Fill out a. through c. and attach a drawing showing the location of the tallest building on adjacent property in relation to your property.

a. The total height of the proposed accessory building is 18.5' feet.

b. The wall height of the proposed accessory building is 14' feet.

c. The height of the tallest building on adjacent property is 21' feet, and it is located at (address) 1809 NW Sunny Ln.

**Question 5:** Will the area of the proposed building's foundation be larger than the area of the foundation of the largest building on adjacent property? Yes  No

• Fill out a. and b. to demonstrate this standard would be met:

a. The area of the proposed accessory building's foundation is 1728 sq. ft.

The area of the foundation of the largest building on adjacent property is 2009 sq. ft.

(include attached garages). The address of this building is 1780 NW Sunny Ln;

currently occupied by Mr./Ms. Kevin Marshall, phone 571-409-4510