



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Planning & Building 541-917-7550

Staff Report

Site Plan Review and Tentative Replat

SP-29-24 & RL-06-24

January 30, 2025

Application Information

Proposal:	Site Plan Review to establish a vocational school upon the subject property and a replat to consolidate two units of land.
Review Body:	Staff (Type I-L review)
Property Owner:	Albany Industrial, LLC; C/O Freddie Hines III; 8625 Evergreen Way, Suite 200, Everett, WA 98208
Applicant:	Simone Duley; 4875 SW Griffith Drive, Suite 300, Beaverton, OR 97005
Address/Location:	112 and 124 41st Avenue SE
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-19A Tax Lots 01700 and 01800
Zoning:	Light Industrial (LI)
Comprehensive Plan:	Light Industrial (LI)
Overlay:	None
Total Land Area:	3.83 acres
Existing Land Use:	Industrial Offices and Gravel lot
Neighborhood:	South Albany
Surrounding Zoning	North: Light Industrial (LI) East: Light Industrial (LI) South: Light Industrial (LI) West: Light Industrial (LI)
Surrounding Uses:	North: Industrial East: Industrial South: Industrial/Open Space West: Industrial
Prior History:	SP-01-03: Change of industrial uses (manufacturing of Recreational Vehicles); SP-29-88: Established the manufacture and refabrication of Automobile Parts.

Summary

On November 15, 2024, the applicant submitted a Site Plan Review to operate a trade school on the subject property. On November 25, 2024, the applicant submitted a Tentative Partition application to consolidate two existing lots into one parcel. Final payment was received on December 13, 2024. The applications were deemed complete on December 13, 2024.

A portion of the subject property is developed with an animal feed manufacturing business with the remainder of the subject property undeveloped.

Site Plan Review criteria for this application can be found in Sections 2.450 and 2.455 of the Albany Development Code (ADC) and are addressed in this report. The Tentative Partition criteria for this application can be found in ADC 11.180 and are addressed in this report. These criteria must be satisfied to grant approval for this application.

Staff Decision

The applications for a Site Plan Review and Replat referenced above are **Approved with Conditions** as described in this staff report.

Notice Information

A notice of filing was mailed to property owners located within 300 feet of the subject property on January 7, 2025. Property owners were given 14 days to respond to the notice. No comments were received by surrounding property owners.

Analysis of Development Code Criteria

Sections 2.450 and 11.180 of the Albany Development Code (ADC) include the following review criteria, which 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.

ADC 2.450 Review Criteria-All Site Plan Review Applications

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 December 13, 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 establish a Commercial Driver License (CDL) vocational school. The applicant proposes all the book work be located at a separate location within the city. The proposed development will include the permitting of an existing manufactured office building, a parking lot for students, on-site storage of the semi-trucks used for educational training, and the creation of on-site circulation for educational purposes.
- 2.2 Table 4.050-1 contains the “Schedule of Permitted Uses” for commercial, office, and industrial zoning districts. Based upon Table 4.050-1, a vocational school may be allowed in the LI zoning district subject to a Site Plan Review.
- 2.3 ADC Table 4.090-1 contains the Commercial and Industrial District Development Standards. The subject property is located within the Light Industrial (LI) district, which has a minimum front setback of 15 feet, and does not contain a minimum interior setback for development abutting non-residential zoning districts. The LI zoning district does not have a maximum building size, lot size, height, or lot coverage standard. In addition to the maximums, the LI zone does not have minimum lot size, lot width, or lot depth.
- 2.4 The subject property is located within the LI zoning district and is surrounded by properties located within the LI zoning district. Based upon the submitted site plan the applicant proposes one accessory

structure and a restroom facility. Both structures will meet the front setback requirement of 15 feet. The application meets this criterion.

Conclusions

- 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 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 does not appear to contain wetlands.
- 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. 41043C0526G, dated September 29, 2010. Based on this FIRM, the subject property is located within the unshaded zone X, also known as not located within the SFHA.

Conclusion

- 3.1 This review criterion is met without conditions.

Criterion 4

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

Findings of Fact and Conclusions

- 4.1 The proposed vocational school is an institutional use pursuant to Table 4.050-1. The proposed site improvements will include two structures, a restroom facility and a storage building. The on-site instructional portion of the vocational education is located surrounding and within the semi-trucks that are stored on-site. Based upon the nature of the on-site instruction upon the subject property, the design standards of Article 8 are not applicable.

Conclusions

- 4.1 This criterion is met without conditions.

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 *Parking.* The City of Albany does not require on-site parking. If on-site parking is provided, it cannot exceed the maximum number of parking spaces and must comply with all parking requirements in the Albany Development Code Article 9. The applicant proposes to provide nine on-site parking spaces located approximately 38 feet from the north, front, property line.
- 6.2 When parking is provided at least one standard-sized parking space must be reserved for carpool/vanpool parking, or 10 percent of employee-use parking space provided, whichever is greater. The carpool/carpool parking spaces must be closer to the employee entrance of the building, except for Americans with Disabilities Act (ADA) accessible parking spaces and must be clearly marked “Reserved-Carpool/Vanpool Only”. The submitted site plan shows the location of one dedicated Carpool/Vanpool space to be provided and is preferentially located near the building’s entrance. This standard is met.
- 6.3 When parking is provided, space(s) compliant with the ADA and must be provided in accordance with ORS 477.233. The submitted site plan indicates one ADA complaint space is to be provided.
- 6.4 Pursuant to ORS 455.417, electrical service capacity sufficient for a level 2 electric vehicle charging station must be provided for no less than 20 percent of all new vehicle parking spaces for non-residential developments. In addition to ORS 455.417, 25 percent of ADA and Carpool/Vanpool spaces must contain electrical vehicle charging capacity in non-residential developments. The applicant proposes providing a total of nine off-street parking spaces, two of which must be provided with level 2 electrical vehicle charging service capacity. The submitted site plan did not include the location of the parking spaces which will be serviced. As a condition of approval, prior to the commencement of on-site activities, the electrical service capacity must be installed to serve at least two parking spaces, one of which must be the ADA compliant space.
- 6.5 Parking areas must comply with the *Parking Area Improvement Standards* in ADC 9.100. The standards require that all parking areas must have a durable, dust-free surface; provide a drainage system to dispose of the runoff generated by the impervious surface; perimeter curbing at least six inches high; wheel bumpers; travel aisle(s) and/or turnaround area(s); striping; landscaping; and pedestrian access.
- 6.6 Based upon the submitted site plan (Attachment B) the applicant proposes to develop the parking lot with an asphalt surface, permanent striping, six-inch-high perimeter curbing, wheel bumpers, pedestrian connections to the public right-of-way, and travel aisles to prevent the backing movements or other maneuvering in a street right-of-way. The submitted application materials included a preliminary stormwater management report accounting for the surfaced on-site parking and maneuvering areas.
- 6.7 ADC 9.120 contains *Off-Street Parking Lot Design and Circulation* standards intended to ensure that on-site vehicle circulation is clearly identifiable, safe, and pedestrian-friendly. The applicant proposes to construct two separate two-way driveways into the site, each of which are greater than 24 feet in width. Each driveway is shown to have raised curb with the main driveway (easternmost) containing a pedestrian facility with a five-foot-wide sidewalk the entire length of the driveway. Bordering each driveway is a six-foot-wide landscape strip which includes trees to visually narrow the driveway. The proposed driveways are not located between the building and the sidewalk and there are no pedestrian intersections with the proposed driveways and drive aisles.
- 6.8 The proposed parking lots consists of 9, 90-degree parking stalls, each of which are 8 feet and 8 inches in width by 18.5 feet in length with approximately 3 feet of bumper overhang, and an aisle width of 40 feet. The provided ADA van accessible parking space is proposed at nine feet in width, 18.5 feet in length with an 8-foot-wide access aisle and in accordance with OSSC 1106.2.
- 6.9 ADC 9.133 *Street, Bicycle, and Pedestrian Connectivity* standards emphasize the importance of connections and circulation between uses and properties by multiple modes. Due to the existing development and

- the nature of the development surrounding the proposed development is not proposing or is required to provide street or driveway stubs, reciprocal access easements to, and for, adjacent properties.
- 6.10 The subject property is served by 41st Avenue, an improved city right-of-way, which contains an existing sidewalk along the frontage of the subject property. The submitted site plan contains a direct and convenient hard surfaced pedestrian route from the existing sidewalk and the development's vehicular and bicycle parking area. The proposed development does not include a primary building but includes an accessory building and a restroom facility. The provided pedestrian connection connects the two proposed buildings to the right-of-way.
- 6.11 *Bicycle Parking:* ADC 9.030 requires sheltered bicycle parking to be provided for all new developments and changes of use. Pursuant to Table 9.030-1, the institutional use of educational uses requires the greater of two spaces or one space per five students based on the design capacity of the facility. The applicant's narrative (Attachment A) states there will be nine students, therefore two bicycle parking spaces are provided. The submitted site plan (Attachment B) shows the location of the bicycle parking spaces. The provided materials did not provide details of the covered structure. As a condition of approval, prior to commencement of on-site activities the construction details ensuring compliance with ADC 9.030(4) for the covered bicycle structure must be provided.
- 6.12 *Loading:* ADC 9.060 requires all uses except office and residential uses to provide off-street loading spaces. The required loading areas must not be less than 10 feet wide, 25 feet long and shall have an unobstructed height of 14 feet. The proposed development consists of two structures consisting of less than 10,000 square feet combined; therefore, this standard is not applicable.
- 6.13 *Landscaping:* ADC 9.140 requires all front and interior setbacks (exclusive of accessways and other permitted intrusion) must be landscaped, or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued. The subject property is located within the LI zoning district which does not have an interior setback; therefore, interior landscaping is not required for this development. The applicant provided a landscaping plan which meets the front setback landscaping standards.
- 6.14 ADC 9.150 *Parking Lot Landscaping* requires all parking lots over 1,000 square feet to be landscaped. The parking lot landscaping includes all planter bays, and entryways. The applicant submitted a landscaping and irrigation plan meeting all required landscaping standards.
- 6.15 *Buffering and Screening.* The proposed development of an institution use with surrounding light industrial development does not require any buffering or screen standards.

Conclusions

- 6.1 The proposal shows the proposed development will meet the minimum on-site development and environmental standards of Article 9.
- 6.2 The submitted site plan did not provide the location or the details of the required electric charging capacity. As a condition of approval, the applicant shall provide additional information addressing this standard prior to commencing activities upon the subject property.
- 6.3 The submittal materials did not include details of the required bicycle shelter. As a condition of approval, the applicant must submit the construction details of the required bicycle shelter.
- 6.4 The applicant's narrative indicates no additional buffering is proposed or required.

Condition

- Condition 1: Prior to the commencement of on-site activity, the electrical service capacity must be installed to serve at least two parking spaces, one of which must be the provided ADA space.
- Condition 2: Prior to the commencement of on-site activities, the construction details of the covered bicycle structure must be provided and meet the requirements of ADC 9.030(4).

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 an 8-inch public sanitary sewer in 41st Avenue with service laterals to tax lots 1700 and 1800. The subject properties are currently connected to the City sanitary sewer system.
- 7.2 AMC 10.01.010(1) states that the objective of the Albany Municipal Code requirements pertaining to public sanitary sewers is to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system.
- 7.3 ADC 12.470 requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line.
- 7.4 The proposed site plan and consolidation of tax lots will not impact the public sanitary sewer system for this development.

Water

- 7.5 City utility maps show a 12-inch in 41st Avenue that runs along the subject properties' frontages. Tax lot 1700 is not currently connected to City water. While not shown on the application's submitted preliminary plans, tax lot 1800 is connected to City water and both existing buildings are metered.
- 7.6 ADC 12.410 requires all new developments to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main.
- 7.7 The proposed site plan review and property consolidation will not impact the public water access for this development.

Storm Drainage

- 7.8 City utility maps show an 18-inch public storm drainage system in 41st Avenue along the frontages of tax lots 1700 and 1800, and a 24-inch storm drainage system along the western property line of tax lot 1700. Forty-first Avenue is improved to city standards with curb and gutter.
- 7.9 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 to the public system must be reviewed and approved by the City of Albany's Engineering Division.
- 7.10 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer.
- 7.11 AMC 12.45.030 requires that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development, where 5,000 square feet or more of impervious surfaces will be created or replaced. (ORD 6012 § 2, 2023; ORD 5841 § 3, 2014).
- 7.12 ADC 12.560 states that where it is anticipated by the City Engineer that the additional run-off resulting from the development will overload an existing drainage facility, the review body will not approve the development until provisions have been made for improvement of the potential problem. 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. In most circumstances, detention will be required unless it can be satisfactorily demonstrated by the applicant that there is no adverse impact.

- 7.13 The applicant has submitted a preliminary drainage plan for an onsite dry pond for stormwater treatment and detention of the development and is to be connected to the public storm drainage system via lift station on the west side of the site. Final design details for these storm drainage facilities will be reviewed in conjunction with the required stormwater quality permit. The applicant's preliminary drainage memorandum indicates that this project will not create any impervious surfaces and has adequate detention capacity for this new development. Because this project will not create more than 5,000 square feet of impervious area. No stormwater quality facilities are required for this project.

Conclusions

- 7.1 Public sanitary sewer, water, and storm drainage facilities are in place and adequate to serve the proposed development.
- 7.2 The applicant must provide stormwater quality and detention facilities for the proposed development. The applicant shall model their detention system with no prior development on the existing properties.
- 7.3 Before the applicant can make a new storm drainage service connection to the public storm drainage system, an Encroachment Permit must be obtained from the Public Works Department.

Conditions

- Condition 3: Before the applicant can make a new storm drainage service connection to the public storm drainage system, an Encroachment Permit must be obtained from the Public Works Department.
- Condition 4: Prior to the commencement of onsite activities, the applicant must obtain a stormwater quality permit through the City's Public Works Department and construct stormwater quality and detention facilities meeting the City's Engineering Standards.

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 project is located at 112 and 124 41st Avenue. The project will construct a small accessory building, restroom building, and on-site parking for a vocational school.
- 8.2 ADC 12.290 requires new development to install public sidewalk improvements on all public streets within and adjacent to the development.
- 8.3 Forty-first Avenue is classified as a local street and is, with the exception of sidewalks, improved to city standards along the frontage of the development site. Improvements include curb and gutter, a vehicle travel lane in each direction; and on-street parking along both sides of the street.
- 8.4 The site currently has a driveway off 41st Avenue. Access to the site will be provided by the existing driveway and a new driveway to 41st Avenue.
- 8.5 The applicant did not submit a trip generation estimate or Traffic Impact Analysis (TIA) with the application. Albany's threshold for submittal of a trip generation estimate is 50 peak hour trips. Developments that generate 100 or more peak hour trips are required to submit a TIA.
- 8.6 Staff have estimated site trip generation based on the Institute of Transportation Engineers (ITE) trip generation rates. Trip generation for the proposed use was estimated by using ITE trip rates for category 540 "Junior/Community". That also includes technical schools. The proposed vocational school estimates 9 students on site. The proposed use was estimated to generate 1 trip during the peak PM traffic hour, and 0.11 trips per student during the PM peak hour.

- 8.7 Albany's Transportation System Plan (TSP) does not identify any congestion or capacity issues occurring along the frontage of the site.

Conclusions

- 8.1 With the exception of sidewalks, the site's street frontage along 41st Avenue is improved to city standards.
- 8.2 Access to the site will be provided by the existing and a new driveway.
- 8.3 Based on ITE trip generation rates the proposed development will generate one trip during peak PM traffic hour.
- 8.4 The development is not projected to generate sufficient trips to require submittal of a trip generation estimate or TIA. Albany's TSP does not identify any congestion or capacity issues occurring adjacent to the site.

Condition

- Condition 5: Prior to commencement of activities of the site, the applicant shall install public sidewalk to city standards along the frontage of the site on 41st Avenue as generally shown on the submitted site plan.

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 Seven (above) related to stormwater quality standards in response to this review criterion. These findings are incorporated here by reference.

Conclusions

- 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 The subject properties have previous land use decisions consisting of SP-29-88 and SP-01-03.
- 10.2 The overall development is in the process of complying with conditions of approval, as the development has not received all final approvals. The applicant does not request any modification of conditions of approval with this application.

Conclusion

- 10.1 This criterion is met.

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 development upon the subject property is not a nonconforming use or within a nonconforming status.

Conclusion

- 11.1 This criterion is not applicable.

ADC 2.455: Additional Criteria for Non-Residential Applications

Criterion 1

The transportation system can safely and adequately accommodate the proposed development.

Findings of Fact and Conclusions

- 1.1 Transportation findings and conclusions under Site Plan Review Criterion 8 (above) are incorporated here by reference.
- 1.2 Based on the findings and conclusions under Site Plan Review Criterion 8, the existing transportation system can safely and adequately accommodate the proposed development. This criterion is met.

Criterion 2

Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.

Findings of Fact and Conclusions

- 2.1 Findings related to parking area, traffic access, and sidewalks for pedestrian safety are provided under Site Plan Review Criterion 8 and 9. Those findings and conclusions are included here by reference.
- 2.2 Based on these observations, parking areas, and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion. This criterion is met.

Criterion 3

The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.

Findings of Fact and Conclusions

- 3.1 The applicant proposes to establish a vocational school upon the subject property. The vocational school will focus upon the driving and maneuvering portion of the Commercial Driver License training. The proposed on-site development consists of an accessory building and a restroom facility, on-site parking for students, storage of large trucks (semis), and paved areas for maneuvering practice.
- 3.2 Nearby properties are zoned Light Industrial and are developed with industrial uses. The surrounding uses hours of operation are typically 5:00 a.m. to 10:00 p.m., Monday through Friday, with some minor hours of operation on the weekends.
- 3.3 The proposed development is considered institutional, but the on-site operations are more associated with warehousing and distribution, of an industrial use. The proposed hours of operation and use of the property is comparative with the existing surrounding development and land use. The proposed development satisfies this criterion.

Tentative Plat Review Criteria

Criterion 1

The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this section.

Findings of Fact

- 1.1 The applicant proposes to consolidate two units of land into one property.
- 1.2 The subject properties include lots 10 and 11 of the Marion Industrial Park. The subject properties are identified on Linn County Assessor Map No. 11S-03W-19A Tax Lots 01700 and 01800 (Attachment A). The sites have been assigned addresses of 112 and 124 41st Avenue.
- 1.3 The underlying zoning district of the subject property is Light Industrial (LI). The LI district is intended primarily for light manufacturing, high-tech, research and development, institutions, and offices in a quality environment.
- 1.4 The development standards of the LI zoning district are addressed in Criterion One of the Site Plan Review and are contained within by reference.
- 1.5 In any land division for single-dwelling unit residential or middle housing development, lots and blocks shall conform to standards listed in ADC 11.090. The proposed consolidation is located within the LI zoning district and is not subject to the Lot and Block standards.

Conclusions

- 1.1 The proposal meets the standards of the underlying zoning district.

- 1.2 The proposal meets the underlying development of the LI zoning district.
- 1.3 This criterion is satisfied without conditions.

Criterion 2

Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Findings of Fact

- 2.1 The proposed replat would consolidate two existing lots. The consolidated lots are developed and can be further developed in accordance with this Code.

Conclusion

- 2.1 The above criterion is satisfied.

Criterion 3

Adjoining land can be developed, or is provided access that will allow its development, in accordance with this Code.

Findings of Fact

- 3.1 This review criterion has been interpreted by the city council to require only that adjoining land either has access, or be provided with access, to public streets.
- 3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.
- 3.3 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve, or avoid, access deficiencies on adjacent or nearby properties.
- 3.4 The subject properties and all adjoining lots have access to public streets. No new streets are proposed by this application.

Conclusions

- 3.1 All the adjoining land has, and will continue to have, access to public streets.
- 3.2 This criterion is met without conditions.

Criterion 4

The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.

Findings of Fact

- 4.1 ADC 12.060 requires public streets adjoining new development be improved to City standards. No new development is proposed as part of this replat.
- 4.2 No new or interior streets are proposed with the replat.

Conclusions

- 4.1 No new development or new interior streets are proposed with the replat.
- 4.2 This criterion is satisfied without conditions.

Criterion 5

The location and design allow development to be conveniently served by various public utilities.

Findings of Fact

- 5.1 This criterion is addressed in Criterion Seven of the Site Plan Review and is addressed here by reference.

Conclusions

- 5.1 The proposed replat will have no adverse impact on public utility services to the subject properties.

5.2 This criterion is satisfied with conditions as referenced in Condition Seven of the Site Plan Review.

Criterion 6

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

Findings of Fact

6.1 This criterion is addressed in Criterion 6 of the Site Plan Review and is addressed here by reference.

Conclusions

6.1 No development is proposed that would impact special purpose overlay districts.

6.2 This criterion is met without conditions.

Overall Conclusion

As proposed, the application for Site Plan Review and Replat to establish a vocational school, associated site improvements, and a replat to consolidate lots 11 and 12 of the Marion Industrial Subdivision. The proposed development meets all applicable Site Plan Review and Replat criteria when the following conditions are met.

Conditions of Approval

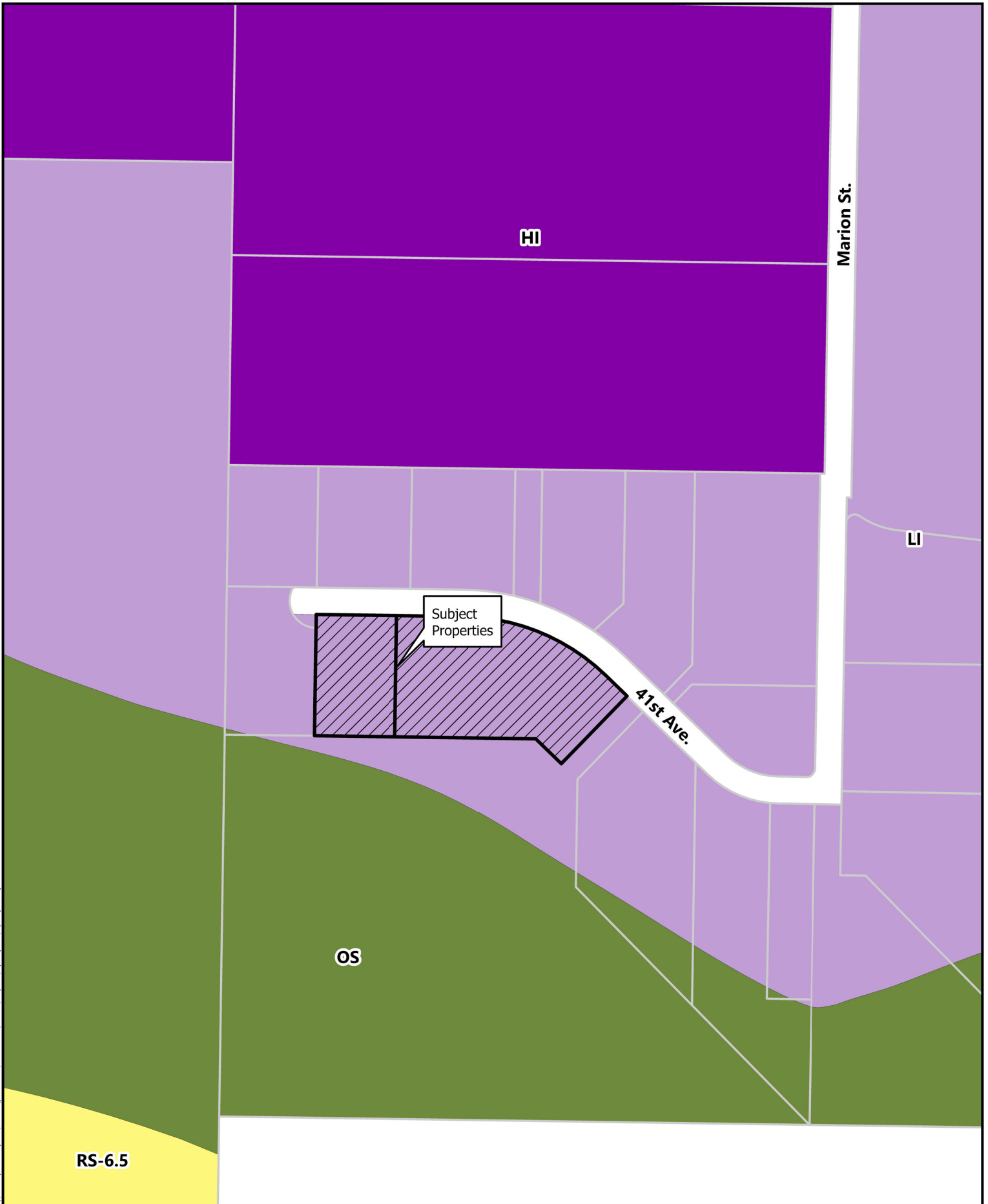
- Condition 1: Prior to the commencement of on-site activity, the electrical service capacity must be installed to serve at least two parking spaces, one of which must be the provided ADA space.
- Condition 2: Prior to the commencement of on-site activities, the construction details of the covered bicycle structure must be provided and meet the requirements of ADC 9.030(4).
- Condition 3: Before the applicant can make a new storm drainage service connection to the public storm drainage system an Encroachment Permit must be obtained from the Public Works Department.
- Condition 4: Prior to the commencement of onsite activities, the applicant must obtain a stormwater quality permit through the City's Public Works Department and construct stormwater quality and detention facilities meeting the City's Engineering Standards.
- Condition 5: Prior to commencement of activities of the site, the applicant shall install public sidewalk to city standards along the frontage of the site on 41st Avenue as generally shown on the submitted site plan.

Attachments

- A. Location Map
- B. Site Plans
- C. Applicant's Narrative

Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
CDL	Commercial Driver License
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rating Map
ITE	Institute of Transportation Engineers
LI	Light Industrial
RL	Replat
SP	Site Plan Review
TIA	Traffic Impact Assessment
TSP	Transportation Systems Plan



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0 50 100 200
 Feet

Date: 11/20/2024 Map Source:

112 41st Avenue

Location Map



4875 SW GRIFFITH DRIVE, SUITE 300
BEAVERTON, OREGON 97005
0 | 503.244.0552

CDL DRIVING SCHOOL

112 41ST AVENUE

ALBANY, OREGON

ZONING ANALYSIS

JURISDICTION
CITY OF ALBANY, OREGON

ARTICLE 4 - COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS
ZONING - LI - LIGHT INDUSTRIAL

ARTICLE 4.050 PERMITTED USED FOR LI
EDUCATIONAL INSTITUTION, PERMITTED UNDER SPECIAL CONDITION
VOCATIONAL OR TRADE SCHOOLS ALLOWED IN LI ZONE THROUGH SITE PLAN REVIEW.

ARTICLE 4.090 DEVELOPMENTAL STANDARDS FOR LI
LOT AREA : NONE
LOT WIDTH : NONE
LOT DEPTH : NONE
FRONT SETBACK : 15'-0"
INTERIOR SETBACK, ABUTTING NON-RESIDENTIAL : NONE
BUILDING HEIGHT MAX : NONE
LOT COVERAGE MAX : NONE

CHAPTER 16.94.020 - VEHICLE PARKING
EDUCATION : SUBJECT TO LAND USE REVIEW

DIMENSIONS, 2-WAY, 90-DEG:
9'-0" W x 18'-6" L, 26.0' AISLE, 3.0' BUMPER OVERHANG

CHAPTER 16.94.020 - BICYCLE PARKING
EDUCATION :
MIN 2 OR 1 PER 5 STUDENTS = 2
DIMENSIONS:
2.0' W x 6.0' L

VICINITY MAP



SHEET INDEX

NUMBER	SHEET NAME	SITE PLAN REVIEW
01 GENERAL		
A0.0	COVER SHEET	■
02 CIVIL		
C100	CIVIL SITE PLAN	■
03 LANDSCAPE		
L1.0	LANDSCAPE PLAN AND SPECS	■
05 ARCHITECTURAL		
A1.0	SITE SURVEY AND EXISTING CONDITIONS	■
A1.1	SITE PLAN	■
A1.3	SITE DETAILS	■

PROJECT SUMMARY

PROJECT DESCRIPTION

THE PROPOSED DEVELOPMENT SCOPE CONSISTS OF SITE WORK AND TWO BUILDINGS FOR THE CDL DRIVING SCHOOL. THE SITE IS 3.83 ACRES. PROPOSED ACCESS IS OFF OF 41ST AVENUE SE. THERE WILL BE A STORAGE SHED AND PRE-MANUFACTURED ACCESSIBLE RESTROOM TO SERVE THE SITE. THERE WILL BE 9 PARKING SPACES PROVIDED. THERE WILL BE A RE-PLAT CONCURRENTLY WITH THE PERMITTING TO RELOCATE THE PROPERTY LINE.

LOT DESCRIPTION

MAP & TAX LOT ID #11S03W19A 01700, 11S03W19A 01800
LOTS 10, 11, 12, AND 13, BLOCK 1, MARION INDUSTRIAL PARK, IN THE CITY OF ALBANY, COUNTY OF LINN AND STATE OF OREGON.

PROJECT TEAM

Owner:	Architect / Landscape:
ALBANY INDUSTRIAL LLC 8625 EVERGREEN WAY, SUITE 200 EVERETT, WA 98208 CONTACT PERSON: FREDDIE HINES III EMAIL: FRED3@PCFRE.COM	MDG ARCHITECTURE INTERIORS 4875 SW GRIFFITH DRIVE, SUITE 300 BEAVERTON, OR 97005 VOICE: 503-244-0552 CONTACT PERSON: TUAN Q. LUU, SIMONE DULEY EMAIL: TUAN@MDGPC.COM, SIMONE@MDGPC.COM
Civil Engineer:	Surveyor
CIVIL WEST ENGINEERING 200 FERRY STREET SW ALBANY OR 97321 CONTACT PERSON: KERRY SESSIONS, IAN BAER EMAIL: KSESSIONS@CIVILWEST.NET, IBAER@CIVILWEST.NET	TERRAMARK 8196 SW HALL BLVD, SUITE 201 BEAVERTON, OR 97008 CONTACT PERSON: MIKE HOFFMANN EMAIL: MIKEH@TERRAMARKINC.COM

Client/ Owner:

ALBANY INDUSTRIAL LLC

8625 EVERGREEN WAY
SUITE 200
EVERETT WA 98208

Project:

CDL DRIVING SCHOOL

112 41ST AVENUE SE
ALBANY OR 97322

Sheet Title:

COVER SHEET

Revisions:

#	Description	Date
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Date: 11/15/2024

Job Number: 124030

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Client/ Owner:

ALBANY INDUSTRIAL LLC

8625 EVERGREEN WAY
SUITE 200
EVERETT WA 98208

Project:

CDL DRIVING SCHOOL

112 41ST AVENUE SE
ALBANY OR 97322

Sheet Title:

Civil Site Plan

Revisions:

#	Description	Date

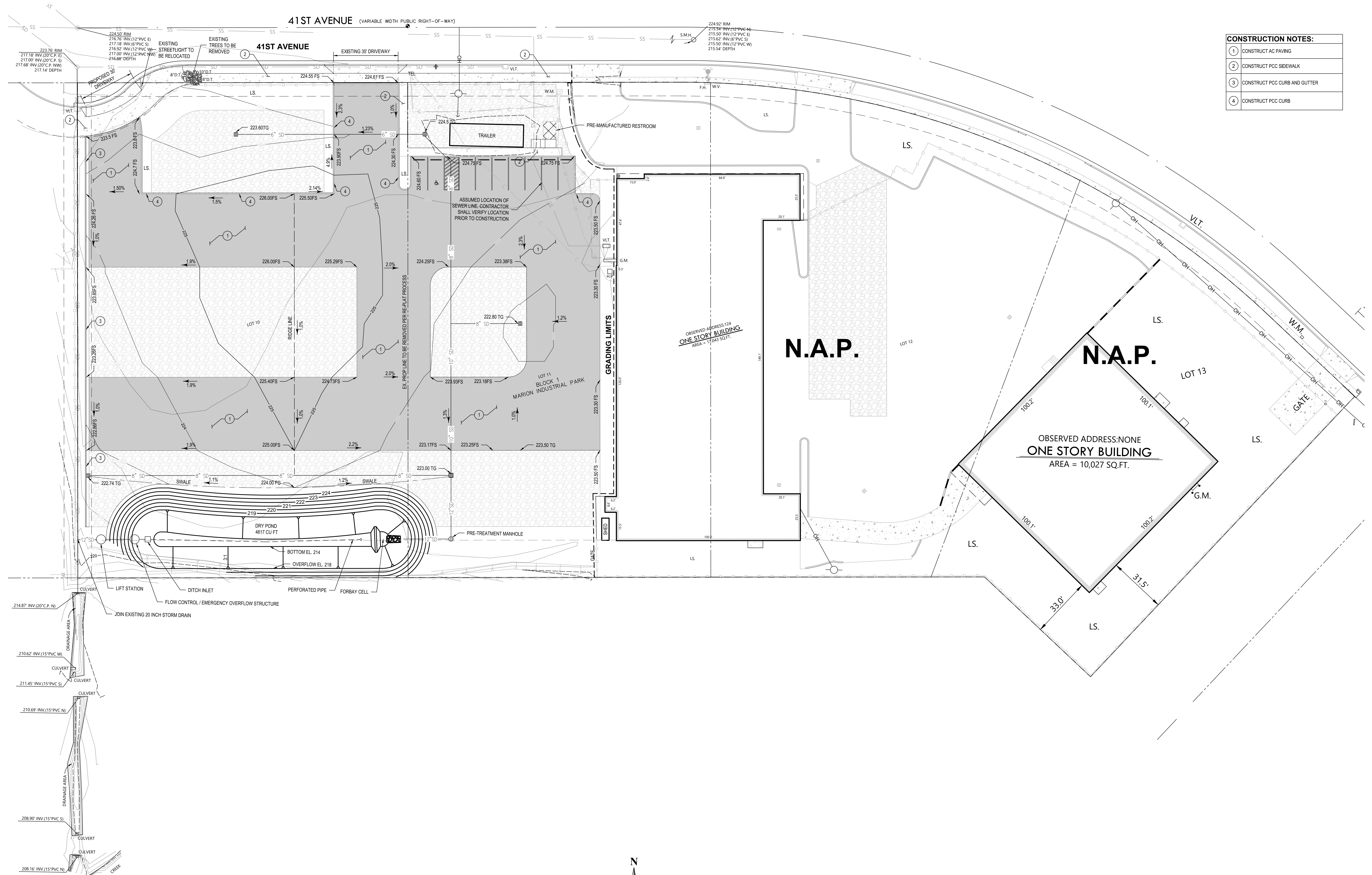
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Date: 11/15/2024

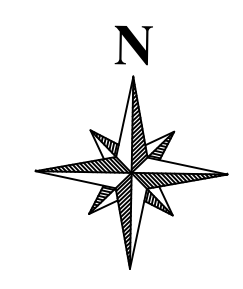
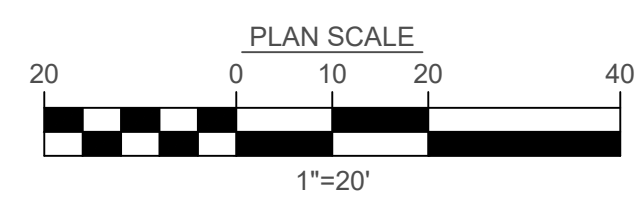
Job Number: 124030

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CONSTRUCTION NOTES:

1	CONSTRUCT AC PAVING
2	CONSTRUCT PCC SIDEWALK
3	CONSTRUCT PCC CURB AND GUTTER
4	CONSTRUCT PCC CURB



LANDSCAPE GENERAL NOTES

- CONTRACTOR TO VERIFY ALL PLANT QUALITIES.
- ADJUST PLANTING IN THE FIELD AS NECESSARY.
- ALL PLANTS ARE TO BE FULLY FOLIAGED, WELL BRANCHED AND TRUE TO FORM.
- CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE OF ANY SITE CHANGES OR UNFORSEEN CONDITIONS THAT MAY BE DETRIMENTAL TO PLANT HEALTH, OR CAUSE FUTURE PROBLEMS TO ANY STRUCTURAL ELEMENTS OF THE PROJECT.
- CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IF SPECIFIED MATERIALS OR METHODS ARE NOT CONSISTENT WITH LOCAL CLIMATE AND/OR PRACTICE.

LANDSCAPE SPECIFICATIONS

QUALITY ASSURANCE AND SITE CONDITIONS

GENERAL: THE APPARENT OMISSION FROM THE SPECIFICATIONS AND PLANS AS TO ANY DETAIL, OR DESCRIPTION CONCERNING ANY POINT, SHALL BE REGARDED AS MEANING THAT ONLY THE BEST GENERAL PRACTICE IS TO PREVAIL AND THAT ONLY MATERIAL AND WORKMANSHIP OF FIRST QUALITY ARE TO BE USED.

LANDSCAPE CONTRACTOR MUST SITE VISIT PRIOR TO BIDDING TO VIEW EXISTING CONDITIONS

PERFORMANCE QUALITY ASSURANCE: USE ADEQUATE NUMBERS OF SKILLED WORKED WHO ARE THOROUGHLY TRAINED AND EXPERIENCED IN THE NECESSARY HORTICULTURAL PRACTICES AND WHO ARE COMPLETELY FAMILIAR WITH THE SPECIFIED REQUIREMENTS AND METHODS NEEDED FOR THE PROPERTY PERFORMANCE OF THE WORK OF THIS SECTION.

NOTIFICATION: GIVE LANDSCAPE ARCHITECT MINIMUM OF 2 DAYS ADVANCE NOTICE OF TIMES FOR INSPECTION. INSPECTIONS AT GROWING SITE DOES NOT PRECLUDE LANDSCAPE ARCHITECT'S RIGHT OF REJECTION OF DEFICIENT MATERIALS AT PROJECT SITE. EACH PLANT FAILING TO MEET THE ABOVE MENTIONED "STANDARDS" OR OTHERWISE FAILING TO MEET THE SPECIFIED REQUIREMENTS AS SET FORTH SHALL BE REJECTED AND REMOVED IMMEDIATELY FROM THE PREMISES BY THE CONTRACTOR AND AT THE CONTRACTOR'S EXPENSE, AND REPLACED WITH SATISFACTORY PLANTS OR TREES CONFORMING TO THE SPECIFIED REQUIREMENTS.

SUBSTITUTIONS: ONLY AS APPROVED BY THE LANDSCAPE ARCHITECT OR THE OWNER'S REPRESENTATIVE

GUARANTEE AND REPLACEMENT: ALL PLANT MATERIAL SHALL BE GUARANTEED FROM FINAL ACCEPTANCE FOR ONE FULL GROWING SEASON OR ONE YEAR, WHICHEVER IS LONGER. DURING THIS PERIOD THE CONTRACTOR SHALL REPLACE ANY PLANT MATERIAL THAT IS NOT IN GOOD CONDITION AND PRODUCING NEW GROWTH (EXCEPT THAT MATERIAL DAMAGED BY SEVERE WEATHER CONDITIONS, DUE TO OWNER'S NEGLIGENCE, NORMAL UNFORSEEN PECuliarities OF THE PLANTING SITE, OR LOST DUE TO VANDALISM). GUARANTEE TO REPLACE AT NO COST TO OWNER. UNACCEPTABLE PLANT MATERIALS WITH PLANTS OF SAME VARIETY, AGE, SIZE, AND QUALITY AS PLANT ORIGINALLY SPECIFIED. CONDITIONS OF GUARANTEE ON REPLACEMENT PLANT SHALL BE THE SAME AS FOR THE ORIGINAL PLANT. LANDSCAPE CONTRACTOR SHALL KEEP AVAILABLE ON SITE ALL RECEIPTS FOR SOIL AMENDMENT AND TOP SOIL DELIVERIES FOR OWNER'S REPRESENTATIVE.

PROTECTION: CALL 811 DIG PRIOR TO DOING WORK A MINIMUM OF 48 HOURS BUT NO LONGER THAN 10 DAYS TO VERIFY LOCATION OF UNDERGROUND UTILITIES. PROTECT EXISTING ROADS, SIDEWALKS, AND CURBS, LANDSCAPING AND OTHER FEATURES REMAINING AT FINAL WORK. INSTALL EROSION CONTROL MEASURES TO PREVENT EROSION, RUN-OFF, OR AIRBORNE DUSTS TO ADJACENT PROPERTIES. REPAIR ANY DAMAGE TO SERVICE LINES, EXISTING FEATURES, ETC. CAUSED BY LANDSCAPING INSTALLATION TO EXISTING CONDITIONS OR BETTER.

PLANT QUALITY ASSURANCE: DELIVER DIRECT FROM NURSERY, MAINTAIN AND PROTECT ROOTS OF PLANT MATERIAL FROM DRYING OR OTHER POSSIBLE INJURY. STORE PLANTS IN SHADE AND PROTECT THEM FROM WEATHER IMMEDIATELY UPON DELIVERY. IF NOT TO BE PLANTED WITHIN FOUR HOURS, ALL PLANTS SHALL CONFORM TO APPLICABLE STANDARDS OF THE LATEST EDITION OF THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS, AND 2001-1973. MEET OR EXCEED THE REGULATIONS AND LAWS OF FEDERAL, STATE AND COUNTY REGULATIONS. REGARDING THE INSPECTION OF PLANT MATERIALS, CERTIFIED AS FREE FROM HAZARDOUS INSECTS, DISEASE, AND NOXIOUS WEEDS, AND CERTIFIED FIT FOR SALE IN WASHINGTON. NURSERY STOCK SHALL BE HEALTHY, WELL BRANCHED AND ROOTED, FORMED TRUE TO VARIETY AND SPECIFIED, FULL FOLIAGES, FREE FROM DISEASE, INJURY, DEFECTS, WEEDS AND WEED ROOTS. TREES SHALL HAVE STRAIGHT TRUNKS, SYMMETRICAL TIPS AND HAVE AN INTACT SINGLE LEADER. ANY TREES WITH DOUBLE LEADERS WILL BE REJECTED UPON INSPECTION. ALL PLANTS: TRUE TO NAME, WITH ONE OF EACH BUNDLE OR LOT TAGGED WITH THE SAME COMMON AND BOTANICAL NAME AND SIZE OF THE PLANTS IN ACCORDANCE WITH STANDARDS OF PRACTICE OF THE NURSERYMEN AND SHALL CONFORM TO THE STANDARDIZED PLANT NAMES, TREES TO BE IDENTIFIED BY THE LANDSCAPE CONTRACTOR. SMALL CONTAINER GROWN PLANTS IN REMOVABLE CONTAINERS SHALL BE WELL ROOTED TO ENSURE HEALTHY GROWTH, AND GROWN IN CONTAINERS A MINIMUM OF ONE YEAR, BARE ROOT STOCK, ROOTS WELL BRANCHED AND FIBROUS, BALLED AND BURLAPPED (B&B) BALL SHALL BE NATURAL SIZE TO ENSURE HEALTHY GROWTH. BALL SHALL BE FIRM AND THE BURLAP SOUND. NO LOOSE OR MADE BALL WILL BE ACCEPTABLE.

SOIL CONDITION: LANDSCAPE CONTRACTOR IS TO SUPPLY AND PLACE 12" OF TOP SOIL IN PLANTING BEDS AND 6" IN LAWN AREAS WHERE SUBGRADE IS COMPRISED OF SOIL MATERIAL, WHERE THE SUBGRADE IS GRAVEL OR CONSTRUCTION DEBRIS. THE MINIMUM TOP SOIL REQUIREMENTS IS 3'-0" FOR TREES, 2'-0" FOR SHRUBS AND 12" FOR GROUND COVER. LANDSCAPE CONTRACTOR IS TO VERIFY WITH THE GENERAL CONTRACTOR IF THE ON-SITE TOPSOIL IS CONDUCTIVE TO PROPER PLANT GROWTH. IF ON-SITE TOPSOIL IS NOT CONDUCTIVE TO PROPER PLANT GROWTH, THE LANDSCAPE CONTRACTOR SHALL IMPORT THE REQUIRED AMOUNT. LANDSCAPE CONTRACTOR TO OBTAIN A SOIL ANALYSIS TEST OF THE TOPSOIL BY A QUALIFIED SOIL TESTING LABORATORY STATING PERCENTAGES OF ORGANIC MATTER; GRADATION OF RECOMMENDED FERTILIZER APPLICATION QUANTITIES AND SOIL AMENDMENTS TO BE ADDED TO PRODUCE TOPSOIL SUITABLE FOR PLANTING.

PLANTING PRODUCTS AND EXECUTION

MANUFACTURED OR IMPORTED TOPSOIL: SOIL PRODUCED OFF-SITE BY HOMOGENEOUSLY BLENDING MINERAL SOILS OR SAND WITH STABILIZED ORGANIC SOIL AMENDMENTS TO PRODUCE TOPSOIL. SHALL BE A SANDY LOAM, FREE OF ALL WEEDS, CHEMICALS AND DEBRIS HARMFUL TO LAWN OR PLANT GROWTH. SOIL TO HAVE A PH RANGE OF 5.5 TO 7, A MINIMUM OF 15% TO 30% ORGANIC MATERIAL CONTENT, 30% - 60% SAND CONTENT, 20% - 40% SILT CONTENT, AND A 5%-20% CLAY CONTENT, FREE OF STONES 1" OR LARGER.

COMPOST: WELL DECOMPOSED, TABLE AND WEED-FREE ORGANIC MATTER, PH RANGE OF 5.5 TO 8. MOISTURE CONTENT 35%-55% WEIGHT, 100% PASSING THROUGH 10" SIEVE. SHALL BE DERIVED FROM: AGRICULTURAL, FOOD, OR INDUSTRIAL RESIDUAL. SHALL CONTAIN NO SUBSTANCES TOXIC TO PLANTS, POSSESS NO OBJECTIONABLE ODOOR, AND NOT RESEMBLE THE RAW MATERIAL FROM WHICH IT WAS DERIVED.

FERTILIZER: COMMERCIAL GRADE COMPLETE FERTILIZER OF NEUTRAL CHARACTER, CONSISTING OF FAST AND SLOW-RELEASE NITROGEN, 50% DERIVED FROM NATURAL ORGANIC SOURCES. IT IS RECOMMENDED THAT MYCORRHIZAL AMENDMENTS AND COMPOST TEA BE USED IN CONJUNCTION WITH COMMERCIAL FERTILIZED AND APPLIED BASED ON SOIL TEST RESULTS. DO NOT APPLY FERTILIZER TO WATER QUALITY SWALE.

LIME: AGRICULTURAL LIMESTONE CONTAINING A MINIMUM OF 80% CALCIUM CARBONATE.

MULCH: DARK, AGED, MEDIUM GRIND FIR OR HEMLOCK BARK.

ROOT BARRIER: WHERE TREES ARE PLANTED 5'-0" OR LESS FROM PAVING OR CURBS, ROOT BARRIER SHALL BE INSTALLED AT THE EDGE OF THE HARD SURFACE. BARRIER SHALL BE A MINIMUM 10'-0" LENGTH CENTERED ON TRUNK AND 18" - 24" DEPTH. INSTALL ACCORDING TO MANUFACTURE'S INSTRUCTIONS AND FLUSH WITH THE SURROUNDING GRADE. INSTALL ROOT BARRIER AS APPROVED BY OWNER AND/PRR REQUIRED BY LOCAL JURISDICTION.

METAL EDGING: 6" METAL EDGING SHALL BE PLACED BETWEEN DIFFERENT SURFACE MATERIALS AND AT THE EDGE OF LAWN AREAS. EDGING SHALL BE SECURED AT REGULAR INTERVALS AND AS RECOMMENDED BY MANUFACTURER WITH 12" STAKES.

SEED: BLUE TAG GRASS SEED CONFORMING TO APPLICABLE STATE LAWS. NO NOXIOUS WEED SEEDS. SUBMIT GUARANTEED ANALYSIS.
• FINE LAWN SEED MIX: TO CONTAIN 50% TOP HAT PERENNIAL RYEGRASS, 30% DERBY SUPREME RYEGRASS, 20% LONGFELLOW CHEWING FESCUE (HOBBS AND HOPKINS PRO-TIME 303 LAWN MIX OR APPROVED EQUIVALENT), SOW SEED AT 5 LBS PER 1,000 SF.
• PERMANENT SEED MIX - UPLAND AREAS WITH 18 - 24 INCHES PRECIPITATION: MIX A' 58% SLENDER WHEATGRASS (N) OR SODAR STREAMBANK WHEATGRASS, 17% HARD FESCUE (H), 17% NATIVE CLOVER SPP. (N) OR MILKVETCH SPP. (N), AND 8% MOUNTAIN BROME (N). APPROX 64 SEEDS PER SF. APPLICATION RATE OF 12 LBS/ACRE.

WEED CONTROL: ALL PLANTING AREAS SHALL BE PREPARED SO THAT THEY ARE WEED AND DEBRIS FREE AT THE TIME OF PLANTING UNTIL THE COMPLETION OF THE PROJECT. WHERE APPLICABLE, MANUAL OR MECHANICAL WEED REMOVAL IS PREFERRED. WHEN NECESSARY, HERBICIDE MAY BE USED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. ONLY USE HERBICIDE SELECTED FOR SPECIES PRESENTED ONSITE.

SOIL PREPARATION: WORK ALL AREAS BY ROTOTILLING TO A MINIMUM DEPTH OF 8". REMOVE ALL STONES OF 1" SIZE, STICKS, MORTAR, LARGE CLUMPS OF VEGETATION, ROOTS, OR CONSTRUCTION DEBRIS. SOIL SHALL BE HOMOGENEOUS FINE TEXTURE, LEVEL, SMOOTH, AND LIGHTLY COMPACT AREA TO PLUS OR MINUS 0.10 OF REQUIRED GRADES. IN GROUND COVER AREAS ADD 2" OF COMPOST AND TILL IN TO THE TOP 6" OF SOIL. FINISHED GRADE TO BE AN EVEN DISTRIBUTION OF TOPSOIL. GRADES AND SLOPES SHALL BE AS INDICATED ON PLANS. PLANTING BED GRADES SHALL BE APPROXIMATELY 3" BELOW ADJACENT WALKS OR PAVING TO ALLOW FOR BARK APPLICATION. FINISH GRADING SHALL REMOVE ALL DEPRESSIONS OR LOW AREAS AND PROVIDE POSITIVE DRAINAGE THROUGHOUT THE AREA.

PLANTING HOLE EXCAVATION: LAY OUT ALL PLANT LOCATIONS AND EXCAVATE SOIL FROM PLANTING HOLES 2 1/2 TIMES THE ROOT BALL OR ROOT SYSTEM WIDTH. LOOSED SOIL INSIDE BOTTOM OF PLANT HOLE AND SCARIFY SIDES IF NEEDED. DISPOSE OF ANY "SUBSOIL" OR DEBRIS FROM EXCAVATION. CHECK DRAINAGE OF PLANTING HOLE WITH WATER, AND ADJUST ANY AREA SHOWING DRAINAGE PROBLEMS. EXCAVATION USING MECHANICAL AUGERS IS NOT ACCEPTABLE.

PREPARE SOIL MIX BACKFILL BY MIXING: 2 PART TOP SOIL, 1 PART COMPOST

FERTILIZER IS TO BE THOROUGHLY MIXED IN PLANTING HOLE AT RATE ACCORDING TO PLANT TYPE AND SIZE. FERTILIZER QUANTITY SHALL BE APPLIED BASED ON RECOMMENDATION FROM SOIL TEST RESULTS. STRICTLY FOLLOW FERTILIZER PRODUCT APPLICATION DIRECTIONS.

PLANTING TREES AND SHRUBS: PLANT UPRITE AND FACE TO GIVE BEST APPEARANCE OR RELATIONSHIP TO ADJACENT PLANTS AND STRUCTURES. PLACE 6" MINIMUM LIGHTLY COMPACTED LAYER OF PREPARED PLANTING SOIL UNDER ROOT SYSTEM. LOOSED AND REMOVE TWINE BINDING AND BURLAP FROM TOP 1/2 OF ROOT BALLS. CUT OFF CLEANLY ALL BROKEN OR FRAYED ROOTS, AND SPREAD ROOTS OUT. STAGGER PLANTS IN ROWS. BACKFILL PLANTING HOLE WITH SOIL MIX WHILE WORKING EACH LATER TO ELIMINATE VOIDS. WHEN APPROXIMATELY 2/3 FULL, WATER THOROUGHLY, THEN ALLOW WATER TO SOAK AWAY. PLACE REMAINING BACKFILL AND DISH SURFACE AROUND PLANT TO HOLD WATER. FINAL GRADE SHOULD BE KEEP ROOT BALL SLIGHTLY ABOVE SURROUNDING GRADE, NOT TO EXCEED 1". WATER AGAIN UNTIL NO MORE WATER IS ABSORBED. INITIAL WATER BY IRRIGATION SYSTEM IS NOT ALLOWED.

STAKING OF TREES: STAKE OR GUY ALL TREES. STAKE SHALL BE 2" X 2" (NOM.) QUALITY TREE STAKES WITH POINT. THEY SHALL BE OF DOUGLAS FIR, CLEAR AND STURDY; STAKE TO BE MINIMUM 2/3 THE HEIGHT OF THE TREE, NOT TO EXCEED 8'-0"; DRIVE STAKE FIRMLY 1'-6" BELOW THE PLANTING HOLE. TREE TIES FOR DECIDUOUS TREES SHALL BE "CHAINLOCK" OR BETTER. STAKING AND GUYING SHALL BE LOOSE ENOUGH TO ALLOW MOVEMENT OF TREE WHILE HOLDING TREE UPRIGHT. TREE STAKES SHALL BE REMOVED AFTER 1 YEAR.

MULCHING OF PLANTINGS: PRIOR TO MULCH INSTALLATION, APPLY GRANULATED PRE-EMERGENT HERBICIDE TO ALL PLANTING AREAS ACCORDING TO MANUFACTURER'S INSTRUCTIONS. MULCH ALL PLANTING AREA WITH DARK, AGED, MEDIUM GRIND FIR OR HEMLOCK BARK (AGES AT LEAST 6 MONTHS) TO A DEPTH OF 2" IN GROUND COVER AREAS AND 1 1/2" IN SHRUB BEDS. APPLY EVENLY, NOT HIGHER THAN THE GRADE OF THE PLANT AS IT CAME FROM THE NURSERY. RAKE TO A SMOOTH FINISH. WATER THOROUGHLY, THEN HOSE DOWN PLANTING AREA WITH A FINE SPRAY TO WASH LEAVES OF PLANTS.

SEEDING: IN FINE LAWN AREA APPLY COMMERCIAL FERTILIZER MIX "B" AT 4.5 LBS PER 1,000 SF AND RAKE INTO SOIL SURFACE. ESTABLISH AN EVEN, FINE TEXTURED SEEDBED MEETING GRADES, SURFACES AND TEXTURE. SOW SEED WITH A MECHANICAL SPREADER AT THE UNIFORM RATE NOTED ABOVE. RAKE SEED LIGHTLY TO PROVIDE COVER. INSTALL EDGING AT LAWN BOUNDARY ACCORDING TO MANUFACTURE'S INSTRUCTIONS. IN ROUGH SEEDING AREA, ESTABLISH AN EVENLY GRADED SEEDBED. SOW SEED WITH A MECHANICAL SPREADER AS NOTED. RAKE SEED LIGHTLY TO PROVIDE COVER. WATER CONSISTENTLY TO MAINTAIN SOIL MOISTURE FOR SEED GERMINATION.

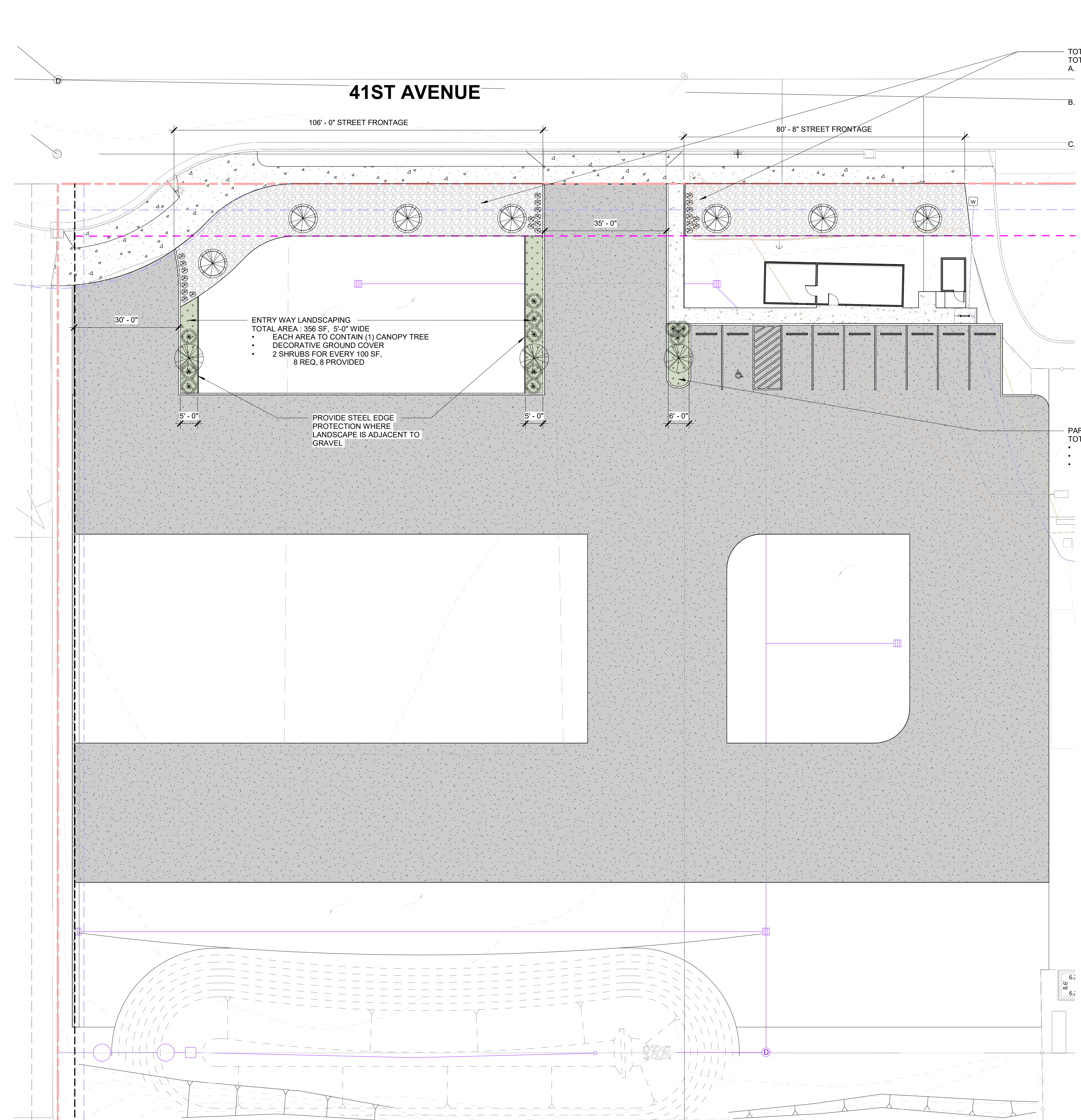
IRRIGATION: PROJECT IS TO BE IRRIGATED BY AN AUTOMATIC UNDERGROUND SYSTEM WHICH WILL PROVIDE FULL COVERAGE FOR ALL PLANT MATERIAL. SYSTEM IS TO BE DESIGNED/BUILD BY LANDSCAPE CONTRACTOR. GUARANTEE SYSTEM FOR MINIMUM ONE YEAR. SHOW DRIP SYSTEM AS ALTERNATE BID ONLY.

MAINTENANCE: PROTECT AND MAINTAIN WORK DESCRIBED IN THE SPECIFICATIONS AGAINST ALL DEFECTS OF MATERIALS AND WORKMANSHIP, THROUGH FINAL ACCEPTANCE. REPLACE PLANTS NOT IN NORMAL HEALTHY CONDITION AT THE END OF THIS PERIOD. WATER, WEED, CULTIVATE, MULCH, RESET PLANTS TO PROPER GRADE OR UPRIGHT POSITION. REMOVE DEAD WOOD AND DO NECESSARY STANDARD MAINTENANCE OPERATIONS. IRRIGATE WHEN NECESSARY TO AVOID DRYING OUT PLANT MATERIALS, AND TO PROMOTE HEALTHY GROWTH. LAWN AREAS SHALL BE MAINTAINED BY WATERING, MOVING, RESEEDING AND WEEDED FOR A MINIMUM OF 60 DAYS AFTER SEEDING. AFTER 30 DAYS, OR AFTER THE SECOND MOWING, APPLY COMMERCIAL FERTILIZER MIX "C" AT 5 LBS PER 1,000 SF. MOW AND KEEP AT 1 1/2" TO 2" IN HEIGHT. REMOVE CLIPPINGS AND DISPOSE OF OFF SITE.

CLEAN-UP: AT COMPLETION OF EACH DIVISION OF WORK, ALL EXTRA MATERIAL, SUPPLIES, EQUIPMENT, ETC SHALL BE REMOVED FROM THE SITE. ALL WALKS, PAVING AND OTHER SURFACES SHALL BE SWEEPED, CLEAN AND MULCH AREA SHALL HAVE DEBRIS REMOVED AND ANY SOIL CLEARED FROM SURFACE. ALL AREAS OF THE PROJECT TO BE KEPT CLEAN, ORDERLY AND COMPLETE.

LANDSCAPE PLANTING LIST

SYMBOL	QNTY	LATIN / COMMON NAME	SIZE	SPACING
SITE TREES				
[Symbol]	9	ZELKOVA SERRATA "JFS-KW1" CITY SPRITE	1.5" CAL.	AS SHOWN
		ZELKOVA		
SHRUBS (WITH MIN. 10" - 12" SPREAD)				
[Symbol]	24	FESTUCA 'BLUE WHISKERS' BLUE WHISKERS FESCUE	1 GAL.	2'-0" O.C.
[Symbol]	11	CALLUNA VULGARIS "SILVER KNIGHT" SILVER HEATHER	1 GAL.	4'-0" O.C.
GROUND COVER				
[Symbol]	2,877 SF	ROCK		
[Symbol]	462 SF	NATIVE MEADOW MIX	SEED	



2 GENERAL DECIDUOUS TREE PLANTING DETAIL
3/4" = 1'-0"

3 SHRUB PLANTING DETAIL
3/4" = 1'-0"

1 ENLARGED LANDSCAPE PLAN
1/16" = 1'-0"

Client/ Owner:
ALBANY INDUSTRIAL LLC

8625 EVERGREEN WAY
SUITE 200
EVERETT WA 98208

Project:
CDL DRIVING SCHOOL

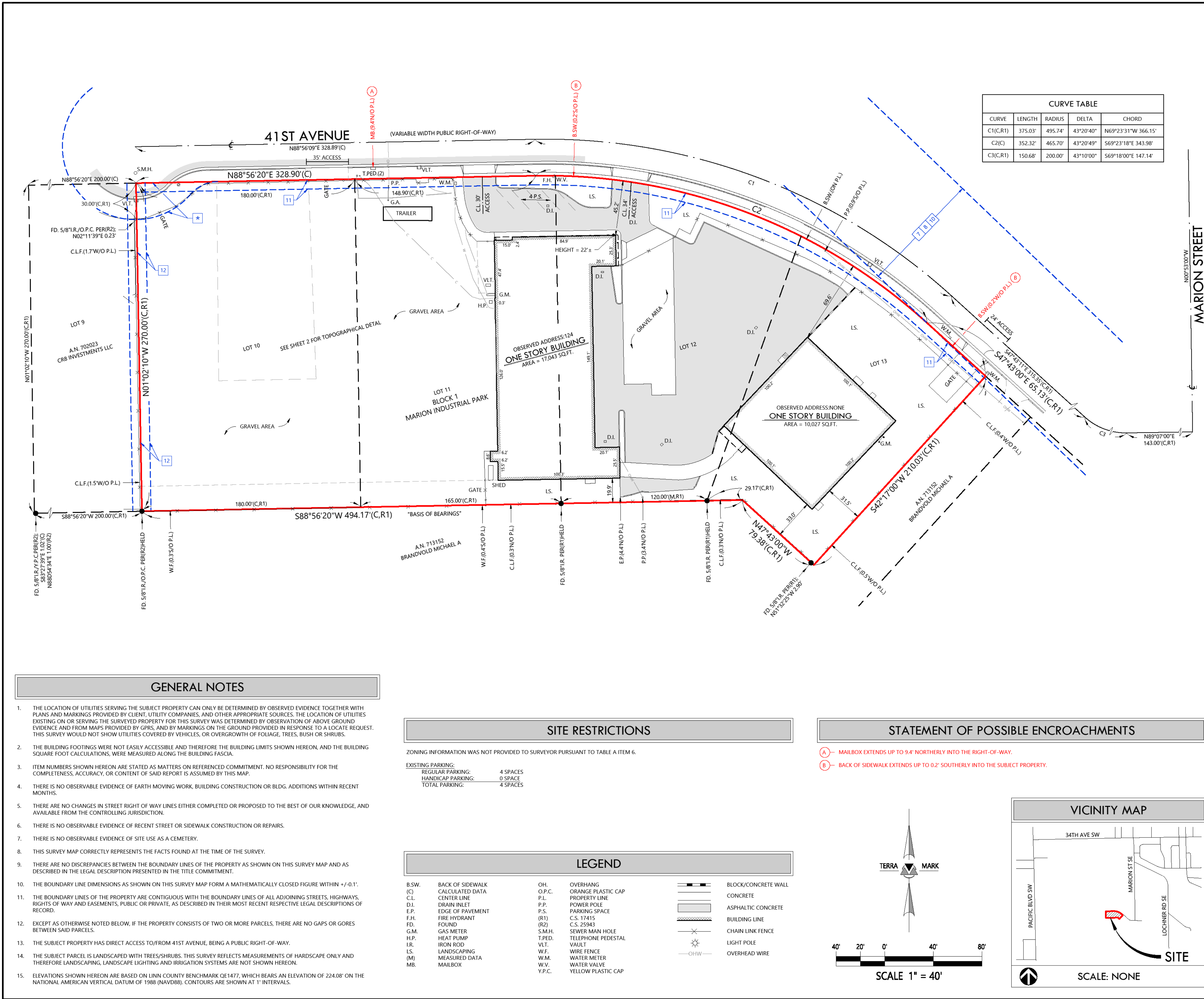
112 41ST AVENUE SE
ALBANY OR 97322

Sheet Title:
LANDSCAPE PLAN AND SPECS

Revisions:
Description Date

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Date: 11/15/2024
Job Number: 124030
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CURVE	LENGTH	RADIUS	DELTA	CHORD
C1(CR1)	375.03'	495.74'	43°20'40"	N69°23'31"W 366.15'
C2(C)	352.32'	465.70'	43°20'49"	S69°23'18"E 343.98'
C3(CR1)	150.68'	200.00'	43°10'00"	S69°18'00"E 147.14'

LEGAL DESCRIPTION

LOTS 10, 11, 12 AND 13, BLOCK 1, MARION INDUSTRIAL PARK, IN THE CITY OF ALBANY, COUNTY OF LINN AND STATE OF OREGON. THE LEGAL DESCRIPTION SHOWN ABOVE DESCRIBES ALL THAT PROPERTY IN THE PRELIMINARY TITLE REPORT IDENTIFIED AS "FIDELITY NATIONAL TITLE COMPANY OF OREGON" ORDER NUMBER 60222104571, WITH AN EFFECTIVE DATE OF MAY 24, 2021.

LAND AREA

THE LAND AREA OF THE SUBJECT PROPERTY IS 166,561 SF (3.82 AC) AS DESCRIBED IN THE LEGAL DESCRIPTION SHOWN HEREON.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF BLOCK 1 AS SHOWN ON MARION INDUSTRIAL PARK, FILED AS CS 17415 IN THE OFFICE OF THE LINN COUNTY SURVEYOR, STATE OF OREGON, BEING NORTH 88°56'20" EAST.

NOTES CORRESPONDING TO SCHEDULE B

- FIDELITY NATIONAL TITLE COMPANY OF OREGON; ORDER NO: 60222104571; EFFECTIVE DATE: MAY 24, 2021.
- THE FOLLOWING SURVEY RELATED ITEMS WERE FOUND IN SAID TITLE REPORT AND ARE REFERENCED ON THIS MAP.
- 7 AN EASEMENT FOR ELECTRIC PURPOSES RECORDED MARCH 18, 1949 AS VOL. 207, PG. 331. SAID ITEM LIES ON THE SUBJECT PROPERTY AND IS SHOWN HEREON.
 - 8 AN EASEMENT FOR ELECTRIC PURPOSES RECORDED MAY 3, 1949 AS BK. 208, PG. 229. SAID ITEM LIES ON THE SUBJECT PROPERTY AND IS SHOWN HEREON.
 - 9 INTENTIONALLY DELETED
 - 10 TERMS AND PROVISIONS OF AN AGREEMENT RECORDED OCTOBER 14, 1980 AS VOL. 273, PG. 742. SAID ITEM LIES ON THE SUBJECT PROPERTY AND IS SHOWN HEREON.
 - 11 UTILITY EASEMENT SHOWN ON THE MAP OF SAID TRACT/PLAT, RECORDED AS SURVEY NO. 17415. SAID ITEM NOTES A 7.5' PUBLIC UTILITY EASEMENT AND IS SHOWN HEREON.
 - 12 DRAINAGE EASEMENT SHOWN ON THE MAP OF SAID TRACT/PLAT, RECORDED AS SURVEY NO. 17415. SAID ITEM NOTES A 15' DRAINAGE EASEMENT AND IS SHOWN HEREON.
 - * A TEMPORARY ROADWAY EASEMENT SHOWN ON THE MAP OF SAID TRACT/PLAT, RECORDED AS SURVEY NO. 17415. SAID ITEM LIES ON THE SUBJECT PROPERTY AND IS SHOWN HEREON.

FLOOD NOTE

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (UNSHADED) OF THE FLOOD INSURANCE RATE MAP NO. 410430526G, COMMUNITY PANEL NO. 410137 (05/01/06) WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 29, 2010. ZONE "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

SURVEYOR'S CERTIFICATION

TO: PCF MANAGEMENT SERVICES, INC.; FIDELITY NATIONAL TITLE COMPANY OF OREGON

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 11, 13, 14, 16, AND 17 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON: 5/31/2024
DATE OF LAST REVISION:

REGISTERED PROFESSIONAL LAND SURVEYOR
MICHAEL A. HOFFMANN, P.L.S. 57847 (OREGON)
EXP. JUNE 30, 2025
MIKE@TERRAMARKINC.COM

6/6/2024
DATE

REGISTRATION NO. 1999
MICHAEL A. HOFFMANN
57847/LS
EXPIRES: 30 JUNE, 2025

TERRAMARK
8196 SW HALL BOULEVARD, SUITE #111
BEAVERTON, OR 97008; PH: 503/860-2255

ALTA/NSPS LAND TITLE SURVEY

MARION INDUSTRIAL PARK
112-124 41ST AVENUE SOUTHEAST
ALBANY, OREGON 97322

DATE: 6/4/2024 DRAWN BY: K.J.M.
SCALE: 1" = 40' CHECKED BY: M.A.H. JOB NO: 20245828 SHEET: 1 OF 2

GENERAL NOTES

- THE LOCATION OF UTILITIES SERVING THE SUBJECT PROPERTY CAN ONLY BE DETERMINED BY OBSERVED EVIDENCE TOGETHER WITH PLANS AND MARKINGS PROVIDED BY CLIENT, UTILITY COMPANIES, AND OTHER APPROPRIATE SOURCES. THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY FOR THIS SURVEY WAS DETERMINED BY OBSERVATION OF ABOVE GROUND EVIDENCE AND FROM MAPS PROVIDED BY GPS, AND BY MARKINGS ON THE GROUND PROVIDED IN RESPONSE TO A LOCATE REQUEST. THIS SURVEY WOULD NOT SHOW UTILITIES COVERED BY VEHICLES, OR OVERGROWTH OF FOLIAGE, TREES, BUSH OR SHRUBS.
- THE BUILDING FOOTINGS WERE NOT EASILY ACCESSIBLE AND THEREFORE THE BUILDING LIMITS SHOWN HEREON, AND THE BUILDING SQUARE FOOT CALCULATIONS, WERE MEASURED ALONG THE BUILDING FASCIAS.
- ITEM NUMBERS SHOWN HEREON ARE STATED AS MATTERS OF REFERENCED COMMITMENT. NO RESPONSIBILITY FOR THE COMPLETENESS, ACCURACY, OR CONTENT OF SAID REPORT IS ASSUMED BY THIS MAP.
- THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BLDG. ADDITIONS WITHIN RECENT MONTHS.
- THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED TO THE BEST OF OUR KNOWLEDGE, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.
- THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY.
- THIS SURVEY MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.
- THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN THE TITLE COMMITMENT.
- THE BOUNDARY LINE DIMENSIONS AS SHOWN ON THIS SURVEY MAP FORM A MATHEMATICALLY CLOSED FIGURE WITHIN +/-0.1'.
- THE BOUNDARY LINES OF THE PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING STREETS, HIGHWAYS, RIGHTS OF WAY AND EASEMENTS, PUBLIC OR PRIVATE, AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.
- EXCEPT AS OTHERWISE NOTED BELOW, IF THE PROPERTY CONSISTS OF TWO OR MORE PARCELS, THERE ARE NO GAPS OR GORES BETWEEN SAID PARCELS.
- THE SUBJECT PROPERTY HAS DIRECT ACCESS TO/FROM 41ST AVENUE, BEING A PUBLIC RIGHT-OF-WAY.
- THE SUBJECT PARCEL IS LANDSCAPED WITH TREES/SHRUBS. THIS SURVEY REFLECTS MEASUREMENTS OF HARDSCAPE ONLY AND THEREFORE LANDSCAPING, LANDSCAPE LIGHTING AND IRRIGATION SYSTEMS ARE NOT SHOWN HEREON.
- ELEVATIONS SHOWN HEREON ARE BASED ON LINN COUNTY BENCHMARK QE1477, WHICH BEARS AN ELEVATION OF 224.08' ON THE NATIONAL AMERICAN VERTICAL DATUM OF 1988 (NAVD88). CONTOURS ARE SHOWN AT 1' INTERVALS.

SITE RESTRICTIONS

ZONING INFORMATION WAS NOT PROVIDED TO SURVEYOR PURSUANT TO TABLE A ITEM 6.

EXISTING PARKING:
REGULAR PARKING: 4 SPACES
HANDICAP PARKING: 0 SPACES
TOTAL PARKING: 4 SPACES

LEGEND

B.S.W. BACK OF SIDEWALK	OH. OVERHANG	—	BLOCK/CONCRETE WALL
(C) CALCULATED DATA	O.P.C. ORANGE PLASTIC CAP	—	CONCRETE
C.L. CENTER LINE	P.L. PROPERTY LINE	—	ASPHALTIC CONCRETE
D.I. DRAIN INLET	P.P. POWER POLE	—	BUILDING LINE
E.P. EDGE OF PAVEMENT	P.S. PARKING SPACE	—	CHAIN LINK FENCE
F.H. FIRE HYDRANT	C.S. 17415	—	LIGHT POLE
F.D. FOUND	C.S. 25943	—	OVERHEAD WIRE
G.M. GAS METER	S.M.H. SEWER MAN HOLE	—	
H.P. HEAT PUMP	T.PED. TELEPHONE PEDISTAL	—	
I.R. IRON ROD	V.T. VAULT	—	
LS. LANDSCAPING	W.F. WIRE FENCE	—	
(M) MEASURED DATA	W.M. WATER METER	—	
MB. MAILBOX	W.V. WATER VALVE	—	
	Y.P.C. YELLOW PLASTIC CAP	—	

STATEMENT OF POSSIBLE ENCROACHMENTS

- (A) MAILBOX EXTENDS UP TO 9.4' NORTHERLY INTO THE RIGHT-OF-WAY.
- (B) BACK OF SIDEWALK EXTENDS UP TO 0.2' SOUTHERLY INTO THE SUBJECT PROPERTY.

VICINITY MAP

SCALE: NONE

TERRAMARK
8196 SW HALL BOULEVARD, SUITE #111
BEAVERTON, OR 97008; PH: 503/860-2255

SCALE: 1" = 40'

Client/ Owner:
ALBANY INDUSTRIAL LLC
8625 EVERGREEN WAY
SUITE 200
EVERETT WA 98208

Project:
CDL DRIVING SCHOOL

112 41ST AVENUE SE ALBANY OR 97322

Sheet Title:
SITE SURVEY AND EXISTING CONDITIONS

Revisions:
Description Date

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Date: 11/15/2024
Job Number: 124030
Sheet

GENERAL NOTES - SITE PLAN

- GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION. CONFLICTS ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE START OF CONSTRUCTION RELATED TO SUCH.
- CONTRACTORS SHALL VERIFY LOCATIONS OF EXISTING UTILITIES. CONTRACTOR RESPONSIBLE FOR DAMAGE TO OR DISTURBANCE OF EXISTING UTILITIES.
- COORDINATE AND INSTALL FOUNDATION DRAINAGE IN ACCORDANCE WITH OWNER'S GEOTECHNICAL REPORT REQUIREMENTS.
- REFER TO CIVIL AND LANDSCAPE DRAWINGS FOR ALL PUBLIC RIGHT-OF-WAY IMPROVEMENTS. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR THE LOCATION OF THE HOOK-UP.
- THE CONSTRUCTION SHALL NOT BE WITHIN 10' OF ANY POWER LINES - WHETHER OR NOT THE POWER LINES ARE LOCATED ON THE PROPERTY.
- DELEGATED DESIGN NFPA 13 FIRE SPRINKLER SYSTEM DESIGNED IN ACCORDANCE WITH OSSC 903.3.1.1 WILL BE A DEFERRED SUBMITTAL.

SITE AREA: 166,834 SF = 3.83 ACRES
 SITE AREA WITHIN SCOPE OF WORK: 75,910 SF = 1.74 ACRES
 BUILDING AREA: 590 SF
 PARKING/PAVING AREA: 32,265 SF
 LOT COVERAGE/IMPERV AREA: 590 SF + 32,265 SF = 32,855 SF
 32,855 SF / 75,910 SF = 43.2 %

REQUIRED LANDSCAPING:
 REQUIRED FRONT SETBACK
 10% OF PARKING AREA
 SEE LANDSCAPE PLAN FOR COMPLIANCE

VEHICLE PARKING:
 9 PARKING SPACES PROVIDED
 PER OSSC TABLE 1106.1, (1) ACCESSIBLE SPACES
 INCLUDING (1) VAN SPACE REQ'D

BICYCLE PARKING:
 EDUCATION 2 >= 2, OKAY

ELECTRIC VEHICLE CHARGING STATION INFRASTRUCTURE
 SHALL BE PROVIDED IN ACCORDANCE WITH DIVISION 460 STRUCTURAL AND ENERGY EFFICIENCY SPECIALTY CODES SECTION 918-460-0200 SUMMARIZED AS FOLLOWS. CONTRACTOR TO VERIFY REQUIREMENTS AND COMPLY WITH MOST CURRENT REQUIREMENTS.
 2A - NO LESS THAN 20%, ROUNDED UP TO THE NEAREST WHOLE NUMBER, OF THE SPACES IN THE GARAGE OR PARKING AREA FOR THE BUILDING; OR
 2B - IF LOCAL JURISDICTION REQUIRES MORE THAN THE QUANTITY NOTED IN ITEM 2A ABOVE, SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION'S REQUIREMENTS.
 3A - PROVISION OF BUILDING ELECTRICAL SERVICE, SIZED FOR THE ANTICIPATED LOAD OF ELECTRIC VEHICLE CHARGING STATIONS (EVCS), THAT HAS OVERCURRENT DEVICES NECESSARY FOR EVCS OR HAS ADEQUATE SPACE TO ADD OVERCURRENT DEVICES;
 3B - A DESIGNATED SPACE WITHIN A BUILDING TO ADD ELECTRICAL SERVICE WITH CAPACITY FOR EVCS; OR
 3C - A DESIGNATED LOCATION ON BUILDING PROPERTY, IN OR ADJACENT TO A LANDSCAPED AREA, FOR INSTALLING REMOTE SERVICE FOR EVCS;
 4 - A CONDUIT SYSTEM INSTALLED FROM THE BUILDING ELECTRICAL SERVICE, OR FROM THE DEDICATED SPACE OR LOCATION FOR A FUTURE ELECTRICAL SERVICE AS DESCRIBED IN SUBSECTION 3B OR 3C TO PARKING SPACES THAT CAN SUPPORT, AT A MINIMUM, ELECTRICAL WIRING FOR INSTALLATION OF LEVEL 2 EVCS. BOTH ENDS OF THE CONDUIT MUST BE LABELED TO SHOW THAT THE CONDUIT IS PROVIDED FOR FUTURE EVCS;
 5 - THE INSTALLATION OF A LEVEL 2 OR BETTER EVCS AT A PARKING SPACE SATISFIES THE INFRASTRUCTURE REQUIREMENTS OF THIS RULE FOR THAT PARKING SPACE.
 6 - ALL ELECTRICAL INSTALLATIONS MUST COMPLY WITH THE PROVISIONS OF THE OREGON ELECTRICAL SPECIALTY CODE.

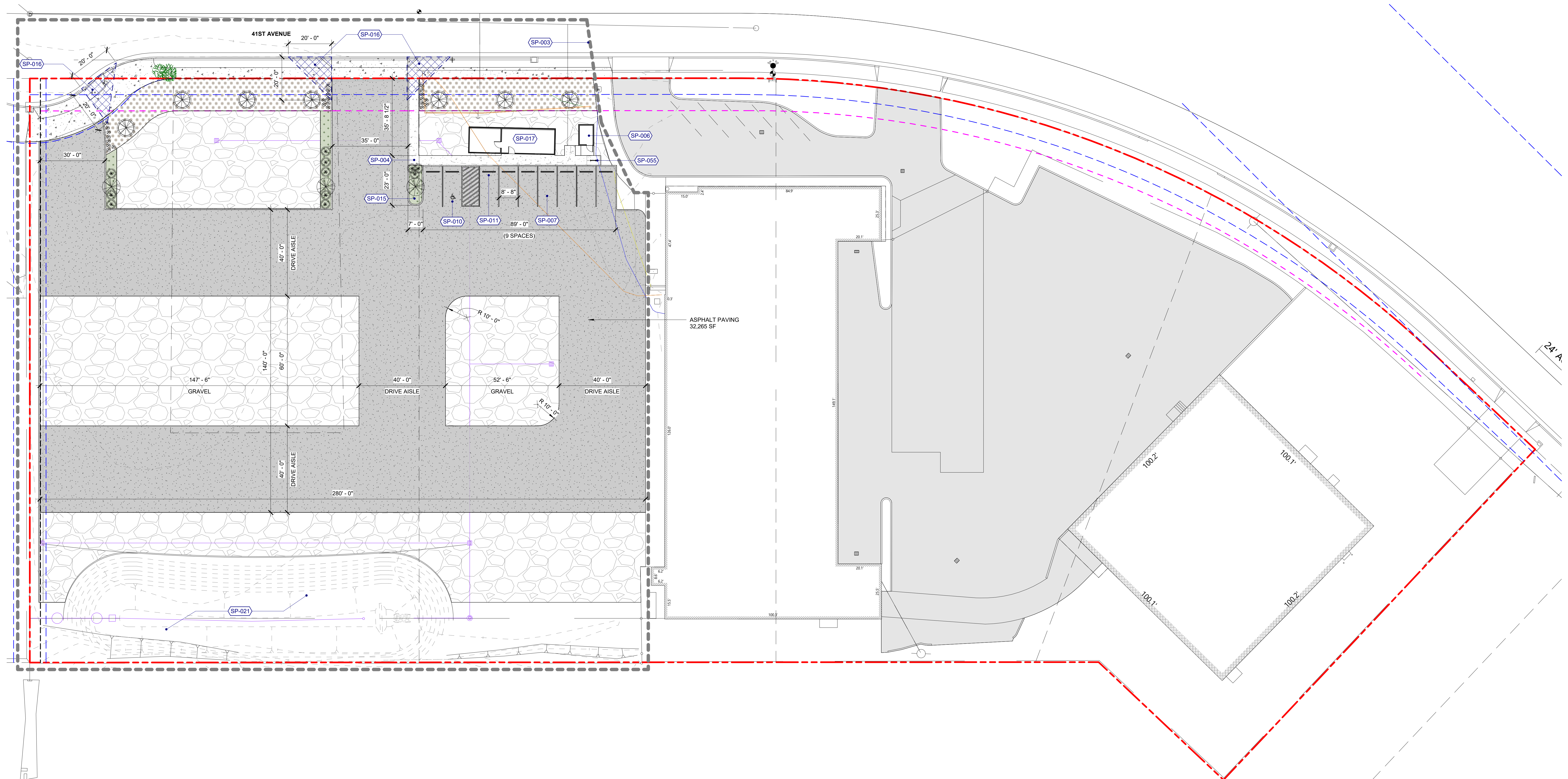
PROPOSED PARKING = 9 STALLS
 TOTAL PARKING = 9 STALLS X 20% = 1.8 => 1.8 EVCS STALLS REQUIRED < 2 PROPOSED, OKAY

KEYNOTES

- SP-003 LIMITS OF WORK
- SP-004 CURB AND SIDEWALK, 6" H
- SP-006 PRE-MANUFACTURED UNISEX ACCESSIBLE RESTROOM AND ACCESSIBLE RAMP
- SP-007 PARKING STALL, 9'-0" W X 18'-0" L, TYP
- SP-010 VAN ACCESSIBLE PARKING SPACE, AISLE, SIGNAGE AND RAMP
- SP-011 CARPOOL/VANPOOL PARKING SPACE, SPACE TO BE CLEARLY MARKED 'RESERVED' CARPOOL/VANPOOL ONLY PER ADC 9.035.
- SP-015 LANDSCAPE ISLAND
- SP-016 VISION CLEARANCE PER ADC 12.180
- SP-017 STORAGE TRAILER
- SP-021 ONSITE STORM FACILITY PER CIVIL
- SP-055 BIKE PARKING, (2) QTY

LEGEND

- AREA OF WORK
- PARKING COUNT SUBTOTAL
- SLOPE DOWN, UNO
- ▨ LANDSCAPE
- ▨ CONCRETE FLATWORK



Client/ Owner:

ALBANY INDUSTRIAL LLC

8625 EVERGREEN WAY
 SUITE 200
 EVERETT WA 98208

Project:

CDL DRIVING SCHOOL

112 41ST AVENUE SE
 ALBANY OR 97322

Sheet Title:

SITE PLAN

Revisions:

#	Description	Date
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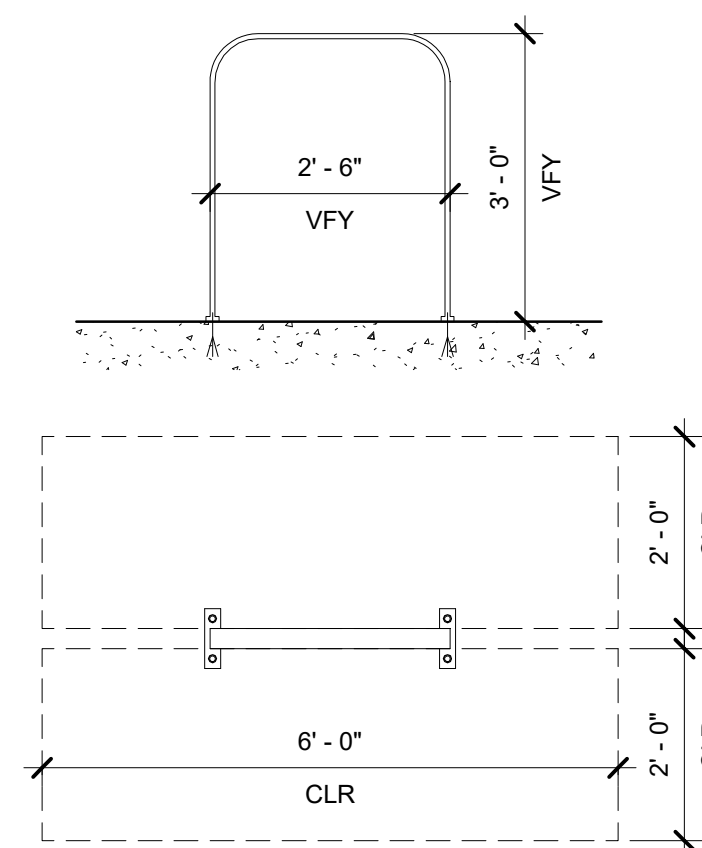
Date: 11/15/2024

Job Number: 124030

Sheet

1 OVERALL SITE PLAN
 1" = 20'-0"





NOTE: INSTALL/ANCHOR PER MANUF REQ'S

1 BIKE RACK
 12" = 1'-0"

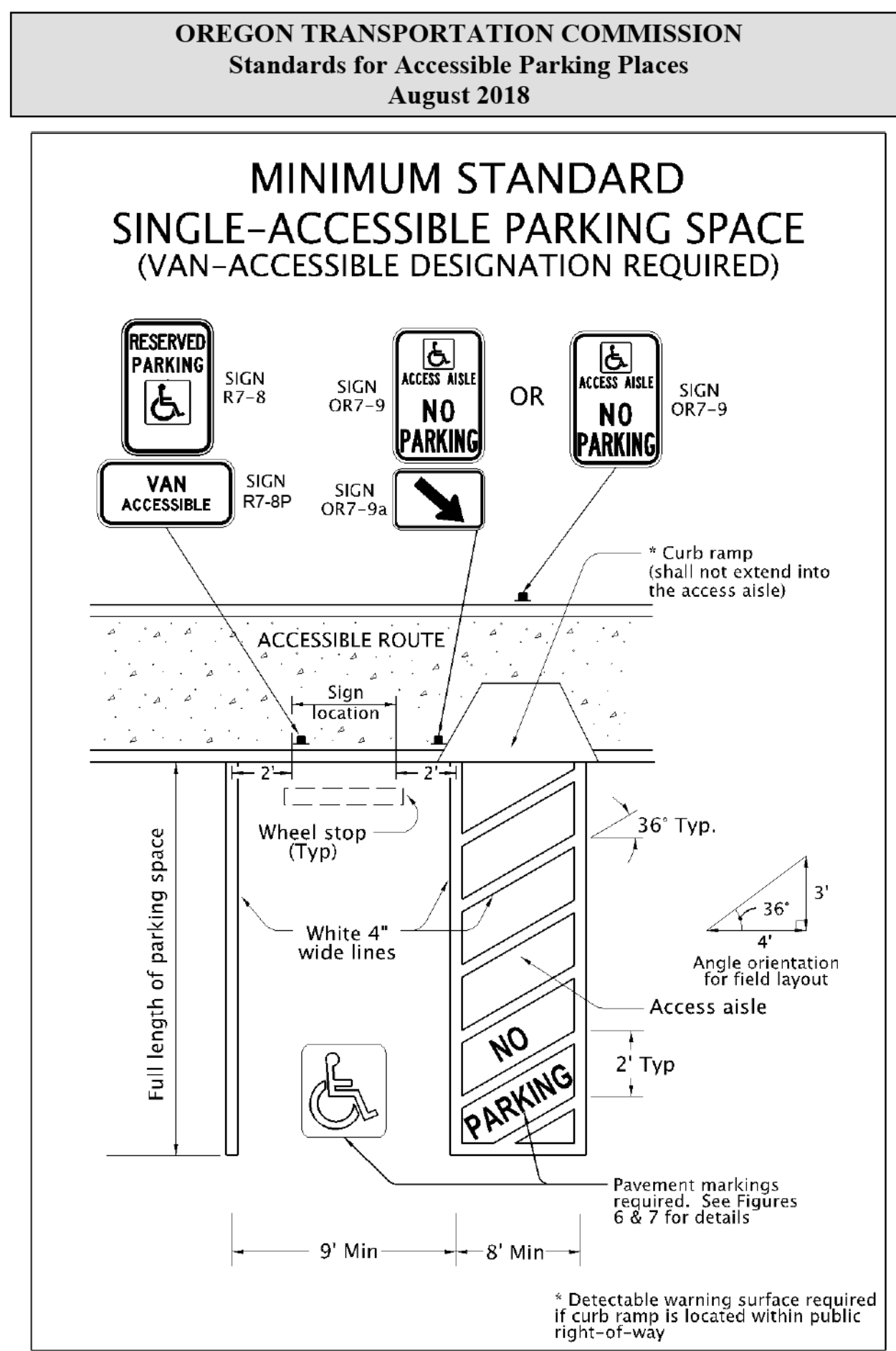


Figure 1

2 ODOT - SINGLE-ACCESSIBLE PARKING SPACE
 12" = 1'-0"

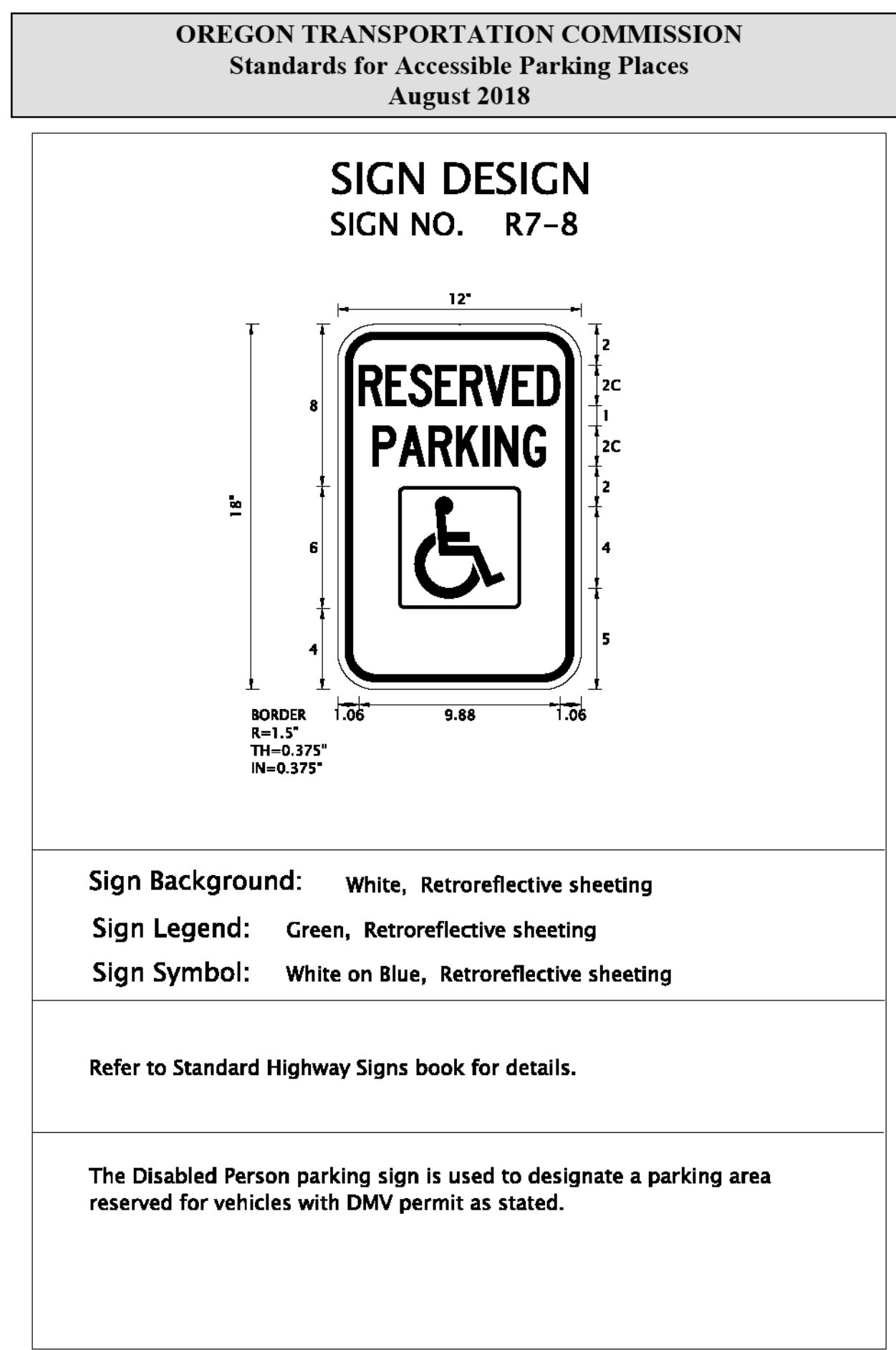


Figure 8

3 ODOT - SIGN R7-8
 12" = 1'-0"

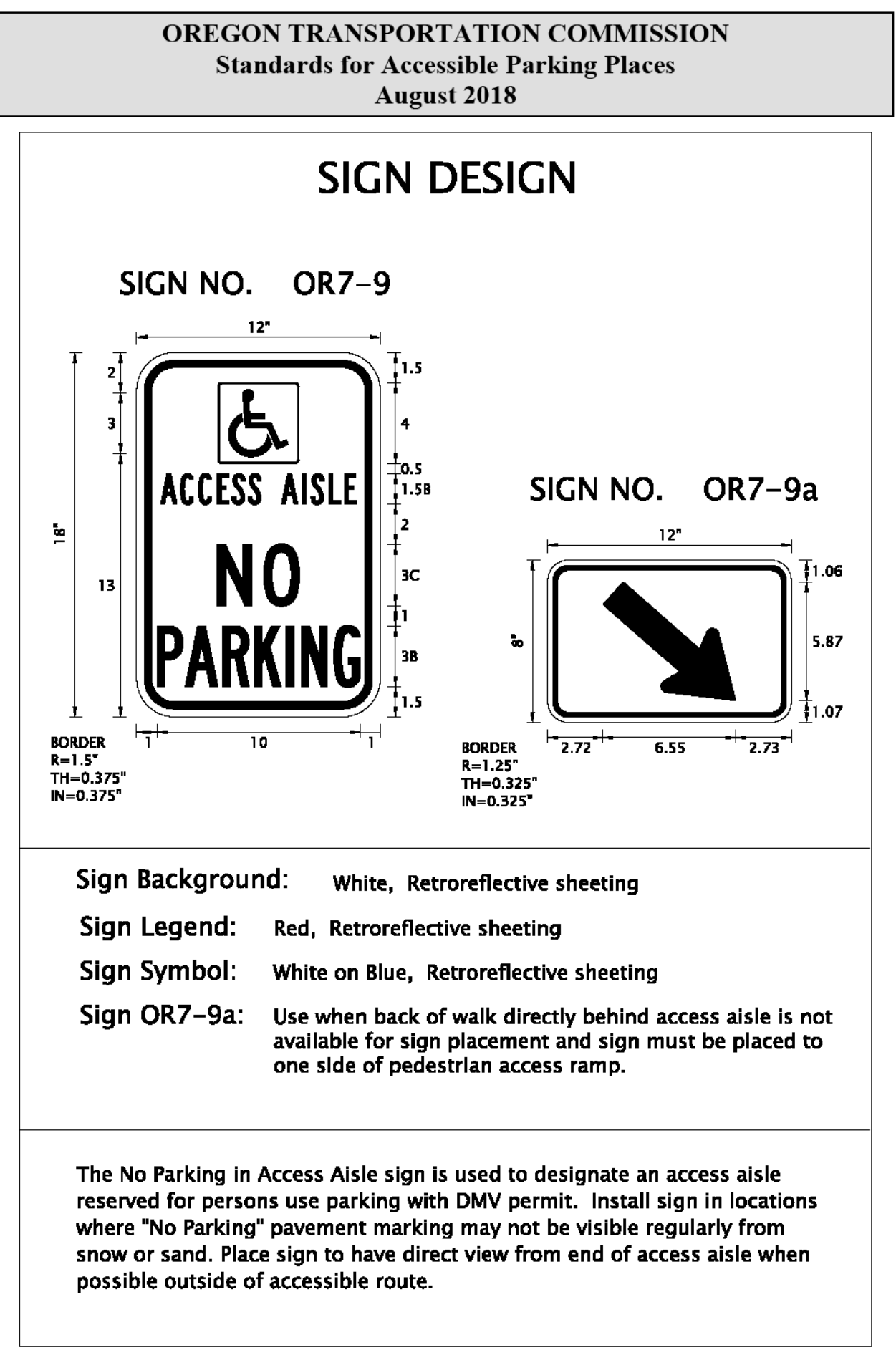


Figure 11

4 ODOT - SIGN OR7-9
 12" = 1'-0"

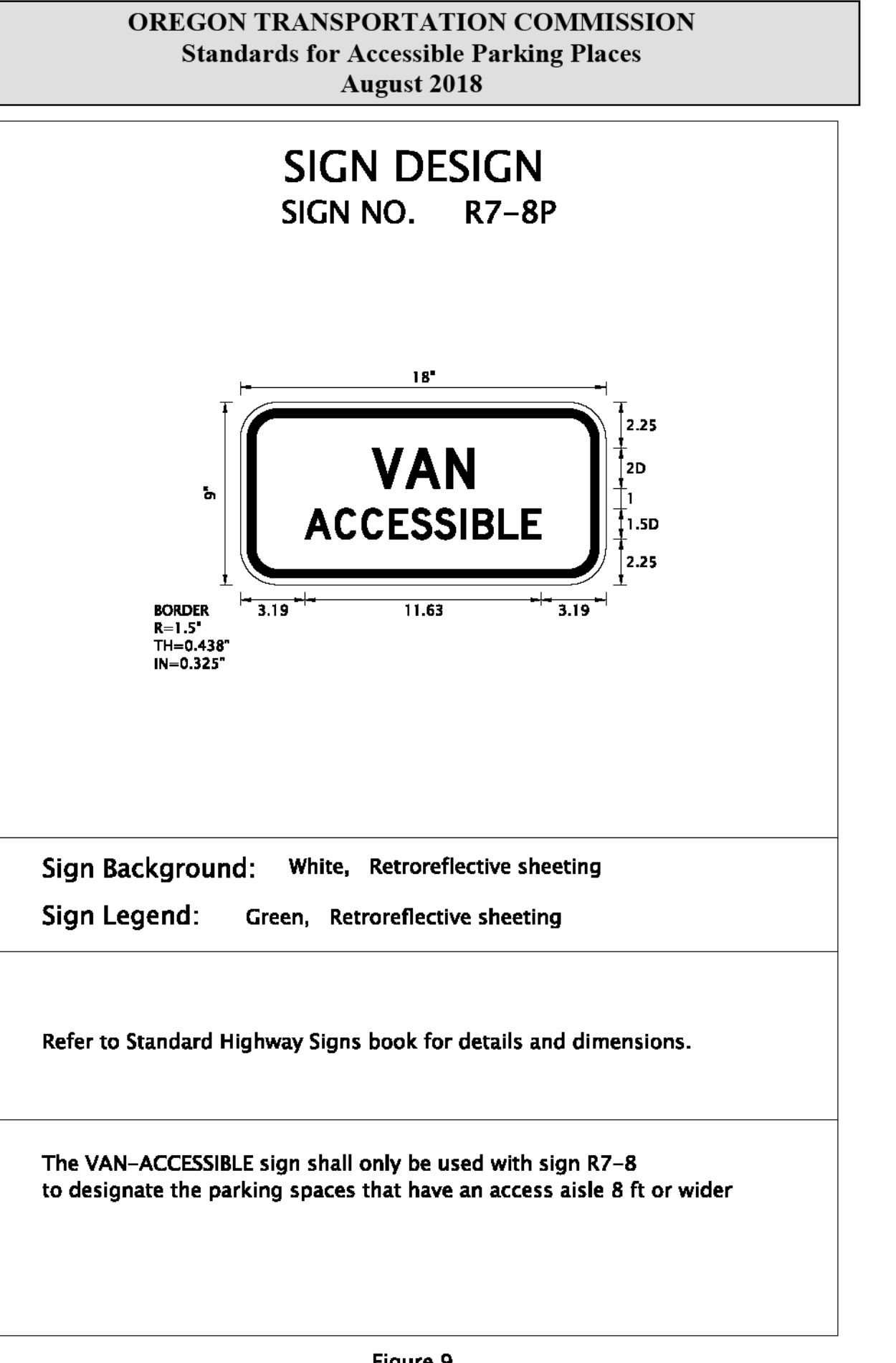


Figure 9

5 ODOT - SIGN R7-8P
 12" = 1'-0"

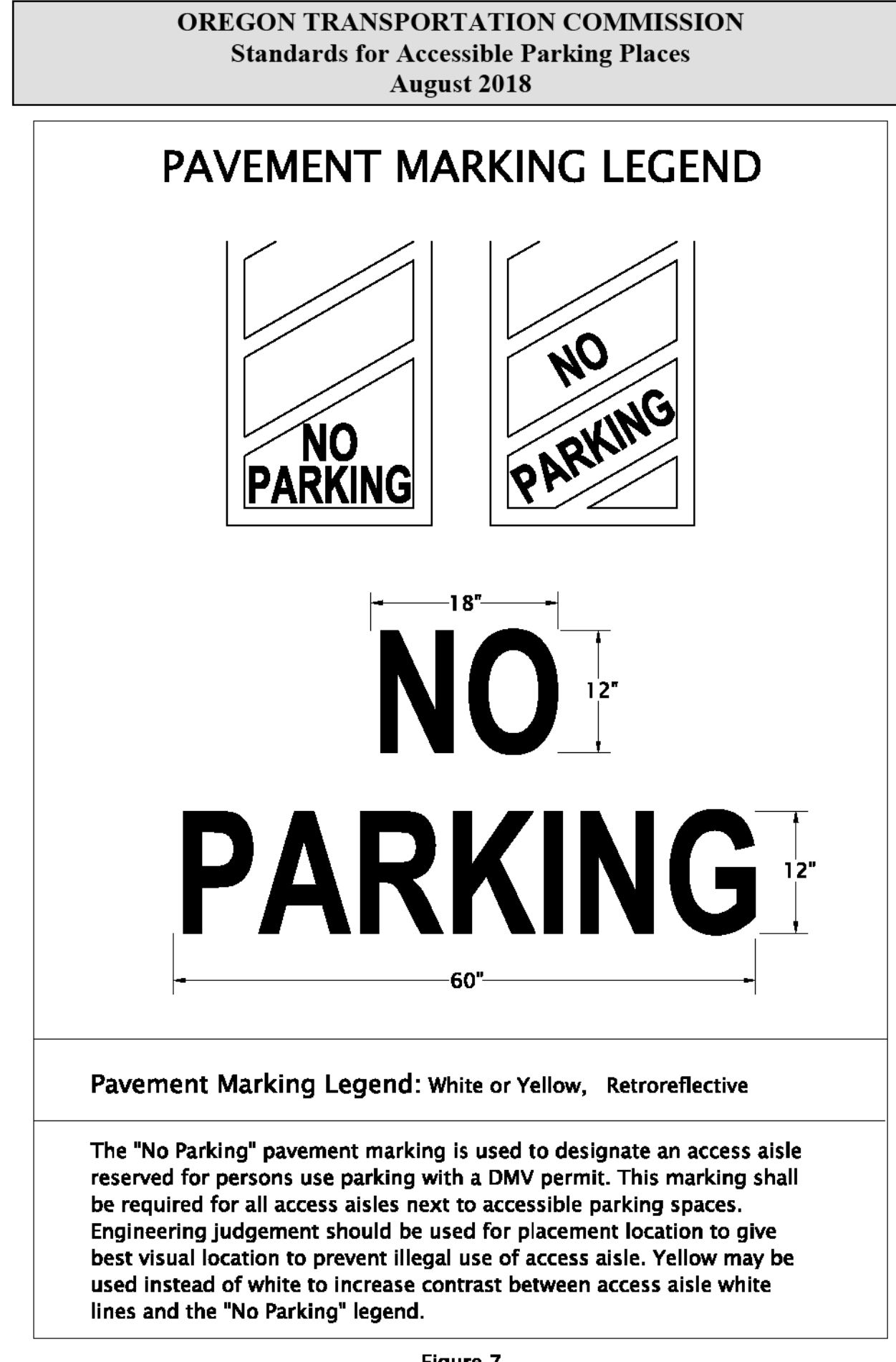


Figure 7

6 ODOT - MARKING LEGEND
 12" = 1'-0"

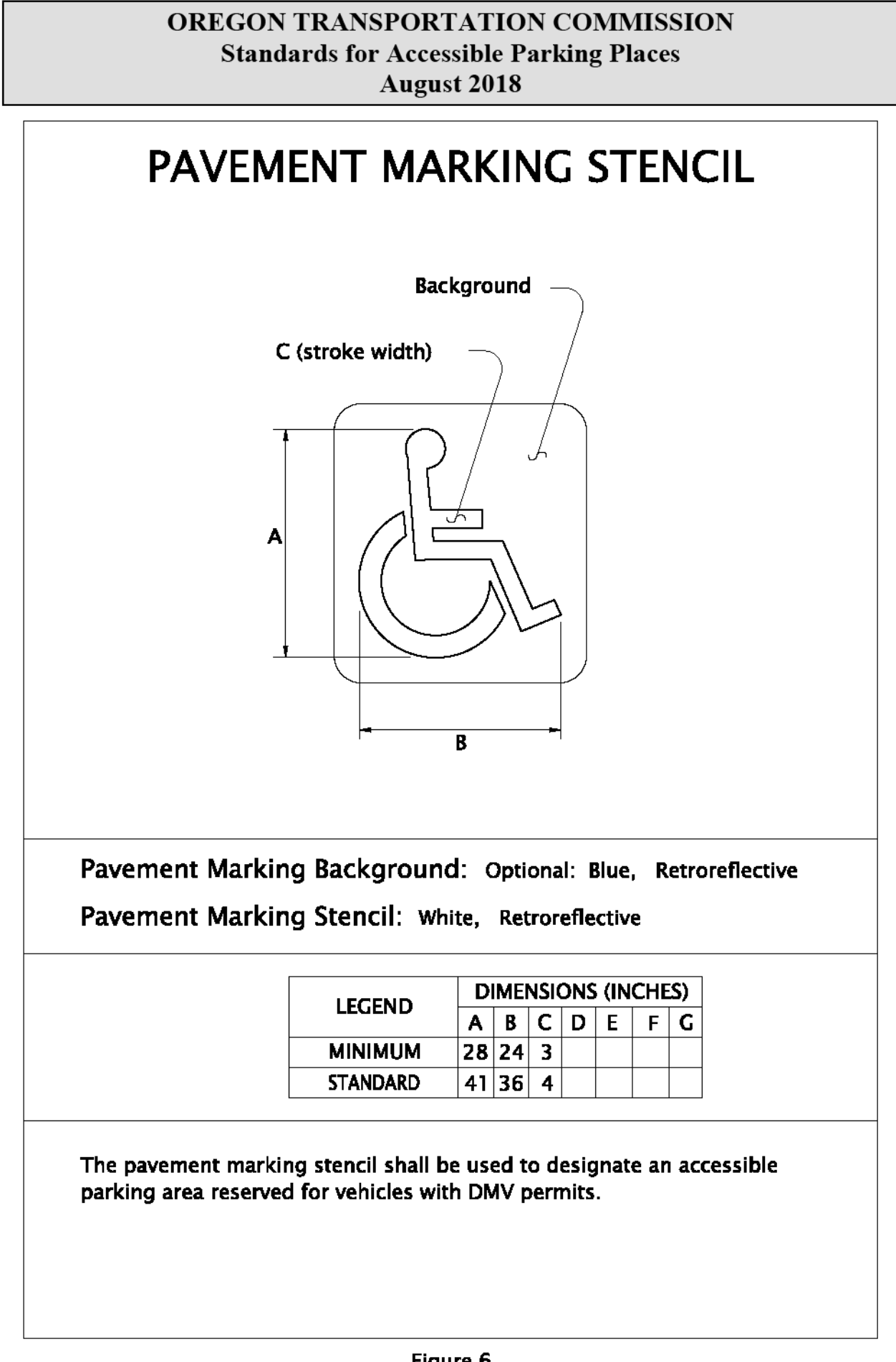


Figure 6

7 ODOT - MARKING STENCIL
 12" = 1'-0"

Client/ Owner:
ALBANY INDUSTRIAL LLC

8625 EVERGREEN WAY
 SUITE 200
 EVERETT WA 98208

Project:
CDL DRIVING SCHOOL

112 41ST AVENUE SE
 ALBANY OR 97322

Sheet Title:
SITE DETAILS

Revisions:
 # Description Date

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 Date: 11/15/2024
 Job Number: 124030
 Sheet



CDL DRIVING SCHOOL
Site Plan Review

Prepared for:
Albany Industrial LLC
C/O Freddie Hines III
8625 Evergreen Way Suite 200
Everett WA 98208

Prepared by:
MDG Architecture | Interiors
4875 SW Griffith Drive, Suite 300
Beaverton Oregon 970045
simone@mdgpc.com

Submitted on:
November 15, 2024

Table of Contents

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Article 9 – Onsite Development and Environmental Standards	15
Article 12 – Public Improvements	37

List of Exhibits

- 01 - Site Plan Review Application
- 02 - CDL Driving School - Narrative
- 03 - Site Plan Review Plan Set
 - A0.0 Cover Sheet
 - C100 Civil Site Plan
 - L1.0 Landscape Plan and Specs
 - A1.0 Existing Conditions
 - A1.1 Site Plan
 - A1.3 Site Details
- 04 - Preliminary Stormwater Management Report
- 05 - Geotechnical Report

Summary of Proposal

Applicant: MDG Architecture | Interiors (Contact : Simone Duley)
 4875 SW Griffith Drive Suite 300
 Beaverton OR 97005
 simone@mdgpc.com
 503-244-0552

Property Owner: Albany Industrial LLC
 C/O Freddie Hines III
 8625 Evergreen Way Suite 200
 Everett WA 98208

Site Address: 112 41ST Avenue SE
 Albany OR 97322

Property Description: 11S03W19A 01700, 11S03W19A 01800

Site Size: 3.83 acres

Zoning : LI – Light Industrial

Overlay: None

Existing Site Description : The existing site is two separate lots. There are two existing buildings on the eastern property, there is no proposed scope of work associated with the two existing buildings. The western side of the property us primarily undeveloped.

Proposed Development: The proposed development scope consists of site work and two buildings for the CDL Driving School. The site is 3.83 acres, proposed access is off of 41st Avenue SE. There will be a storage shed and pre-manufactured accessible restroom to serve the site. There will be 9 parking spaces provided. There will be a re-plat concurrently with the permitting to relocate the property line.

Key Site Data	
Site Size	3.83 acres
Site Building Coverage	Existing Buildings : 27,070 SF New Structures : 590 SF
Landscaped Area	3,339 sf
Proposed Parking	9 parking stalls (8 standard spaces, 1 ADA)

Applicable Code Criteria

Site Plan Review	
Commercial and Industrial Zoning Districts	Article 4
Overlay Zones	N/A
On-site Development and Environmental Standards	Article 9
Public Improvements	Article 12

Site Plan Review Findings of Fact

All Site Plan Review Applications: On separate sheets of paper, prepare detailed written responses, using factual statements (called findings of fact), to explain how the proposed site plan complies with each of the following review criteria [ADC 2.450]. Each criterion must have at least one finding of fact and conclusion statement. (See example on page 8.)

- (1) The application is complete in accordance with the applicable requirements.

Facts & Conclusion : The application is prepared as a complete package in accordance with applicable requirements.

- (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.

Facts : The property is zones LI (Light Industrial). According to Table 4.090-1 of the Albany Development Code, the LI zone has a 15-foot front yard setback, and no interior setbacks unless the property abuts a residential district. There is no minimum lot size, or maximum lot coverage standard. There is no maximum allowable building height, and all yards adjacent to streets have a 100 percent landscape requirement. The proposed use is a commercial driver’s license training facility to practice driving before receiving the commercial drivers license. The proposed use is a vocational trade school, allowed through the site plan review.

Conclusion : The proposed use complies with all applicable provisions of the underlying zoning districts.

- (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.

Facts : The articles 4, 6 and 7 are not applicable to the property and proposed development.

Conclusion : This criterion does not apply.

- (4) The application complies with all applicable Design Standards of Article 8.

Facts : Article 8 is not applicable to this proposed development.

Conclusion : This criterion does not apply.

- (5) The application complies with all applicable Design Standards of Article 10.

Facts : Article 10 is not applicable to this proposed development.

Conclusion : This criterion does not apply.

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

Facts : Narrative below responds to all applicable standards within Article 9 below.

Conclusion : The proposed use complies with all applicable provisions of the on-site development and environmental standards.

- (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.

Facts & Conclusion : There have been no concerns brought up by the public works director in public facilities and utilities to serve the development.

- (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.

Facts & Conclusion : There have been no concerns brought up by the public works director in the existing transportation infrastructure to serve the development.

- (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.

Facts : Stormwater quality facilities have been designed to be in compliance with Title 12 of the Albany Municipal Code and are designed to accommodate the proposed development.

Conclusion : Designed storm facilities are designed to accommodate the proposed development.

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

Facts : There are no existing conditions of approval as there are no prior land use decisions.

Conclusion : This criterion does not apply to this development proposal.

- (11) Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370.

Facts : Development proposal aims to resolve all non-conformance status on site.

Conclusion : This criterion is met with this development proposal.

1. The transportation system can safely and adequately accommodate the proposed development.

Facts & Conclusion : There have been no concerns brought up by the public works director in the existing transportation infrastructure to serve the development.

2. Parking areas and entrance–exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.

Facts : There are two driveways that access the site, the main driveway that accesses the site has pedestrian facilities that access the storage trailer and parking area on site. Parking facilities have been designed in accordance with City of Albany code to facilitate pedestrian safety and traffic safety.

Conclusion : Parking areas have been designed to facilitate traffic and pedestrian safety in accordance with the code requirements.

3. The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.

Facts & Conclusion: Design of proposed design in in character and compatible with surrounding developments. There are no proposed negative impacts associated with the development.

Response findings to Code Criteria

Article 4 – Commercial and Industrial Zoning Districts

4.010 Overview. The zones created in this article are intended to provide land for commercial, office and industrial uses. The differences among the zones, in the permitted uses and development standards, reflect the existing and potential intensities of commercial and industrial development. The site development standards allow for flexibility of development while minimizing impacts on surrounding uses. The regulations in this article promote uses and development that will enhance the economic viability of specific commercial and industrial areas and the city as a whole. Development may also be subject to the provisions in Article 8, Design Standards, Article 9, On-Site Development and Environmental Standards, and Article 12, Public Improvements. Sites within overlay districts are also subject to the provisions in Article 6, Natural Resource Districts, and Article 7, Historic Overlay Districts.

The following list is a summary of the topics covered in this article:

- Zoning Districts
- Schedule of Permitted Uses
- Development Standards
- Airport Approach Overlay District

ZONING DISTRICTS

4.020 Establishment of Commercial and Industrial Zoning Districts. In order to regulate and segregate the uses of lands and buildings and to regulate the density of development, the following commercial and industrial zoning districts are created:

(8) LI – LIGHT INDUSTRIAL DISTRICT. The LI district is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors and related establishments. Uses will have limited impacts on surrounding properties. This district is particularly suited to areas having good access to highways and perhaps to rail. LI may serve as a buffer around the HI district and may be compatible with nearby residential zones or uses.

Response : Proposed use is a facility for students of the commercial driver’s license school, which fits within the purpose of the light industrial district standards.

4.030 Special Purpose Districts. Special purpose districts are overlay districts that may be combined with a major zoning district. The regulations of a special purpose district are supplementary to the regulations of the underlying major zoning district. The regulations of a special purpose district and the major zoning district shall both apply to any site that has both designations. Where the regulations and permitted uses of a major zoning district conflict with those of a special purpose district, the more restrictive standards shall apply. The special purpose districts and the additional regulations that apply in such districts are summarized below:

Special Purpose District Applicable Articles

- | | |
|-----------------------|-----------|
| • Floodplain | Article 6 |
| • Wetlands | Article 6 |
| • Willamette Greenway | Article 6 |
| • Airport Approach | Article 4 |

- Hillside Development Article 6
- Historic Overlay Article 7

Response : There are no special purpose districts that are applicable to the proposed development scope. This criterion does not apply.

4.035 Relationship to State, Federal and Other Local Regulations. In addition to the regulations of this Code, each use, activity, or operation in the City of Albany must comply with applicable state and federal standards. Other local regulations include those in Articles 4, 6, and 7 Special Purpose Districts, and those of the Building Division and Fire Department.

Response : Noted.

SCHEDULE OF PERMITTED USES

4.040 Interpretation. Each use category in the schedule of permitted uses is described in Article 22, Use Categories and Definitions. Article 22 classifies land uses and activities into categories based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods and services are sold or delivered, and certain site factors. In addition to the clarification in Article 22, the following provisions shall be used to interpret the schedule of permitted uses found in this Article:

- (1) The schedule of permitted uses cannot anticipate all uses that may be located within the city. There are also situations where proposed uses may relate to more than one type of use. In both instances, the Director will determine the appropriate use category based on operating characteristics and land use impacts. Where ambiguity exists concerning the appropriate classification of a particular use, the use may be reviewed as a Conditional Use where the Director determines that the proposed use is consistent with other uses allowable within the subject district due to similar characteristics.
- (2) Where a development proposal involves a combination of uses other than accessory uses, the more restrictive provisions of this Code shall apply. For example, if a portion of a development is subject to Conditional Use approval and the balance is subject only to Site Plan review, the entire development shall be reviewed utilizing the Conditional Use criteria if concurrent approval of all uses is sought.
- (3) A change in the use of a property is subject to review as specified by the schedules of permitted uses:
 - a. When the change involves a change from one use category to another in the schedule of permitted uses and the Director has not waived review under the provisions of Section 1.105, OR
 - b. When a property that has been unoccupied for more than one year and is non-conforming under the provisions of Article 2 is proposed to be occupied.

Response : Noted.

4.050 Schedule of Permitted Uses. The specific uses listed in the following schedule (Table 4.050-1) are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code. A description of each use category is in Article 22, Use Categories and Definitions.

**TABLE 4.050-1
 SCHEDULE OF PERMITTED USES**

Commercial, Office and Industrial Zoning Districts										
Use Categories (See Article 22 for use category descriptions.)	Spec. Cond.	OP	NC	CC	RC	TD	EMP	IP	LI	HI
INDUSTRIAL USE CATEGORIES										
Contractors and Industrial Services		N	N	S-1	N	S-1	S-1	S-1	S-1	S
Educational Institutions	16	N	N	CU	N	CU	S/CU	S/CU	S/CU	N

SPECIAL CONDITIONS

4.060 General. Where numbers appear in the “Special Conditions” column or in a particular cell in the Schedule of Permitted Uses, the corresponding numbered conditions below shall apply to the particular use category as additional clarification or restriction:

- (1) Contractors and Industrial Services in the CC, TD, IP, EMP, and LI zones.
 - a. Limited Uses. Salvage or wrecking operations are prohibited in the CC, TD, IP, EMP, and LI zones. See Section 4.290 for outside storage standards.
 - b. Prohibited Uses in EMP. The following Contractors and Industrial Services uses are prohibited in the EMP zone: salvage or wrecking of heavy machinery, metal, and building materials; towing and vehicle storage; overnight or long-term equipment storage; heavy truck servicing and repair; tire retreading or recapping; and solid fuel yards.
- (2) Educational and Religious Institutions
 - a. Vocational or trade schools in EMP, IP, LI and HI are allowed through Site Plan Review. All other educational and religious institutions are reviewed as a Conditional Use.
 - b. The Conditional Use approval for educational and religious institutions includes the following secondary uses: educational activities; sports and other recreational activities; religious activities; political activities; meals programs; before- and after-school childcare activities; fund raising activities; and cultural programs. Such uses will not be required to go through the land use process if all of the activities that constitute the use (excluding parking and travel to and from the site) take place on the site and no external noise is audible or light visible between 10:30 p.m. and 8:00 a.m. Any expansion to an existing educational or religious institution shall be reviewed through the Conditional Use Type II process. Expansion of a school or church includes addition of building area, increase in parking lot coverage, or expansion of athletic facilities. Note: There are special setbacks for educational institutions in 4.210 and loading standards in 4.260(2).

Response : The proposed use is a commercial driver’s license training facility to practice driving before receiving the commercial drivers license. The proposed use is a vocational trade school, allowed through the site plan review.

SPECIAL STATUS FOR SINGLE DWELLING RESIDENCES

4.075 Existing Uses Granted Special Status (Allowed) in the Commercial and Industrial Districts. Notwithstanding the restrictions of any other section of the Albany Development Code (ADC), all legally established single dwelling detached, and townhouse dwellings built before January 1, 2002, on commercial or industrially zoned properties shall be deemed

conforming to the base zoning district. If any building on these properties is damaged or destroyed by fire or other causes beyond the control of the owner, it may be rebuilt to the same size (in square feet) as existed when it was destroyed, subject to the regulations of any applicable overlay district. If an existing single-dwelling detached or townhouse residence is converted to a permitted use in the base zoning district, the special status granted here is rescinded, and the use of the property must thereafter conform to the requirements of Article 4.

Response : There is no single dwelling on the site, this criterion does not apply.

DEVELOPMENT STANDARDS

4.090 Purpose. Development standards are intended to promote site planning and design that consider the natural environment, site intensity, building mass, and open space. The standards also promote energy conservation, needed privacy, and improve the general living environment and economic life of a development. Table 4.090-1, on the following page, summarizes the basic development standards. It should be used in conjunction with the sections immediately succeeding the table, which address special circumstances and exceptions. See Article 8 for design standards for single-dwelling, middle housing, and multiple-dwelling developments.

TABLE 4.090-1

Commercial and Industrial District Development Standards									
STANDARD	OP	NC	CC	RC	TD	EMP	IP	LI	HI
MINIMUMS									
Lot size (sq. ft.)(1)	None	None(2)	None	None	None	None	3 acres(4)	None	None
Lot width	None	None	None	None	None	None	None	None	None
Lot depth	None	None	None	None	None	None	None	None	None
Front setback	10'	10'	10'	10'	10'	15'(11)	15'(11)	15'(11)	15'
Interior setbacks -abutting non-res ¹	5'	None	None	None	None	15'(6)	15'(6)	None	None
Interior setbacks - abutting residential district	10'(5)	10'(5)	10'(5)	10' (5)(6)	10' (5)(6)	30'(11)	30'(11)	40'(11)	50'
MAXIMUMS									
Building Size	None(10)	None(10)	100,000 (13)	None	None	None	None(10)	None	None
Lot size (sq. ft.)	None	30,000(2)	None	None	None	None	None	None	None
Height (8)	30'	30'	50'	None	None	50'(12)	50'(12)	None	None
Lot Coverage (7)	70%	80%	90%	90%	None	80%	80%	None	None
Landscaped Area (3)	100%	100%	100%	100%	100%	100%	100%	100%	100%
Open Space	(9)	(9)	(9)	N/A	N/A	N/A	N/A	N/A	N/A

N/A means not applicable.

(11) When adjacent to or across the street from residentially zoned land, the setback shall be 1 foot for each foot of building height over 30 ft. Buildings may increase in height (“step” up) as the setback increases. For example, at the minimum setback in LI, a building may be 30 feet tall but may increase in height up to 50 feet when set back 50 feet from the property line.

Response : The site is not adjacent or across the street from any residentially zoned land, there shall be no minimum interior setback required.

SETBACKS

4.100 Minimum Standards. All setbacks must meet the minimum standards in Table 4.090-1, Development Standards. In addition to the setbacks in this Article, all development must

comply with Section 12.180, Clear Vision Area. For residential accessory structures, see also Article 3, Table 3.230-1, Accessory Structure Standards.

Response : Front setback is only required setback and it shown on architectural site plan, 15'-0" setback is provided, criterion is met.

4.110 Measurements. Setback distances must be measured perpendicular to all portions of a property line.

Response : Setback is measured per 4.110, criterion is met.

4.130 Setback Alternative in Developed Areas. When an addition or new development is proposed in an area containing the same types of uses that were developed to a previous setback standard, the Director or review body may approve setbacks that are the same as those for the existing buildings on the site for additions, or the same as those for buildings on abutting parcels for new development. In such instances, the Type I procedure will be used to process requests, and approval will be based upon the following criteria:

- (1) The area between buildings is sufficient for adequate property maintenance and rear yard access.
- (2) If there are primary structures on both abutting lots with front setbacks less than the required setback, the proposed front setback for a structure is not less than the average of the abutting structures.
- (3) If only one abutting property contains a primary structure, the proposed front setback is no less than the setback of the abutting structure on that property.
- (4) A driveway extending at least 20 feet from the street right-of-way must precede on-site parking spaces or parking structures.
- (5) For detached dwellings, no wall of a dwelling unit may be closer than 10 feet to a window of another dwelling unit.
- (6) All other provisions of this Code must be met.

Response : Criterion does not apply.

4.140 General Exceptions to Setback Requirements. The following may project into required setbacks, provided that they conform to the conditions and limitations indicated:

- (1) Depressed Areas. In any zoning district, open-work fences, berms, hedges, guard railings, or other landscaping or architectural devices for safety protection around depressed areas, ramps, stairs, or retaining walls may be located in required setbacks, provided that the devices are not more than 3-1/2 feet tall.
- (2) Projecting Building Features. The following may project into the required front setback up to 5 feet and into the required interior setbacks up to 2 feet:
 - a. Awnings, eaves, buttresses, architectural appendages (such as, but not limited to, bay windows, planters, cantilevered stairways).
 - b. Chimneys and fireplaces provided they do not exceed 8 feet in width.
 - c. Porches, steps, platforms or landings, raised patios or decks (applies only to structures above 30 inches in height: structures 30 inches or less are not subject to setback provisions).
 - d. Projecting signs must conform to applicable ordinance requirements. See Article 13, Sign Code.

Response : Criterion does not apply.

4.150 Zero Lot Line. Any residential dwelling or residential accessory building may be located on the interior property line when:

- (1) There are no openings or windows in the wall abutting the property line. Additionally, a setback and maintenance easement must be recorded on the abutting property deed or plat. The width of the easement shall be six feet or the width of the required setback of the abutting property, whichever is less. If the abutting property is not subject to an interior setback, then no maintenance agreement is required. This easement shall be written so it is not revocable without City approval. OR
- (2) Two or more dwelling units are attached at the property line and are approved for such in accordance with other provisions of this Code.

Response : Criterion does not apply.

4.160 Interior Setbacks for Attached Dwellings. The interior setback requirement for townhouses is zero where the units adjoin; however, all other setbacks must conform to the requirements of this Code. The setback requirements for residential uses do not apply to a dwelling legally located above a commercial use.

Response : Criterion does not apply.

4.170 Setbacks and Fencing for Swimming Pools. Swimming pools must conform to the setback regulations for main buildings, except that outdoor swimming pools must be set back at least 10 feet from all interior lot lines. Also, all swimming pools must be fenced or equipped with electric alarm systems that prevent entry or alarm upon entry. Required pool fencing must be at least four feet tall and have a self-locking gate that closes automatically.

Response : Criterion does not apply.

4.180 Setbacks for Properties Abutting Future Street Rights-of-Way. Where the adopted Comprehensive Plan and future street plans include widening or connecting existing streets, or establishing new streets, the placement of all buildings and the establishment of all required setbacks must be in relation to the proposed street right-of-way boundaries. Also, no building may be erected on a lot that abuts a proposed street right-of-way unless the lot will have the width and depth needed to complete the street width plus the width and depth of the setbacks required on the lot.

Response : Criterion does not apply.

4.200 Special Noise Corridor Setbacks. Residential developments adjacent to the following listed streets and highways must maintain the setbacks listed from the designated right-of-way in addition to the required setbacks for the zoning district:

Street/Highway	Additional Setback
Interstate 5	50 feet
Pacific Boulevard (Hwy. 99E)	25 feet
Santiam Highway (Hwy. 20)	25 feet
Waverly Drive (S. of Santiam Hwy.)	10 feet
Geary Street (Pacific to Grand Prairie)	10 feet
Queen Avenue	10 feet

In reviewing development proposals, the review body may require additional noise-mitigating features such as berms, landscaping, fences, or walls within the above-described setback areas.

Response : Criterion does not apply.

4.210 Special Setbacks for Religious Institutions, Public and Semi-Public Buildings. Any new construction of a Religious Institution or Public or Semi-Public building, as defined in Article 22, must be set back at least 25 feet from any property line adjoining or directly across public right-of-way from any residential district. Stockpiling or storing materials or equipment is not permitted in the required front or interior setbacks. All other setbacks of the district where the property is located apply.

Response : Criterion does not apply.

4.220 Parking Restrictions in Setback Areas. Parking and loading spaces must not be located in a required front or interior setback, except:

- (1) Paved driveways provided for single-dwelling unit detached, duplex, triplex, fourplex, cottage cluster, and townhouse residences.

Response : Proposed new parking is not located within front setback, this criterion is met.

HEIGHT

4.230 Height Standards. See Table 4.090-1 for height restrictions.

4.240 Height Exceptions.

- (1) Roof structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, antennas, steeples, and similar structures may be erected above the height limits prescribed in this article, provided that no roof structure, feature, or any other device above the prescribed height limit may be allowed or used for the purpose of providing additional floor space.
- (2) Religious Institutions and Public and Semi-Public Buildings. In zoning districts where churches and certain public and semi-public buildings require Conditional Use approval, the height restrictions may be waived as a part of the Conditional Use proceedings, provided that a request for such has been noted in the public hearing notice.

Response : Per Table 4.090-1 there is no maximum building height in zone LI. Development site is not within airport approach overlay.

LANDSCAPING

4.270 General. Developments must comply with the site landscaping standards in Article 9 before occupancy or in accordance with Section 9.140.

Response : Noted.

BUFFERING AND SCREENING

4.280 General. Buffering and screening may be required in addition to the minimum landscaping to offset the impact of development. See Sections 9.210 through 9.270.

Response : Noted.

OUTSIDE STORAGE

4.290 General.

- (5) In the LI and HI zones, outside storage is permitted in interior yards outside of the required setback. Outside storage is allowed in front yards outside the front setback provided that it is enclosed with a sight-obscuring fence, wall, hedge, or berm, which must be constructed of non-combustible material. This enclosure must be located on the property at the required setback line as if the berm, fence, wall, or hedge was a building.
- (6) Where outside storage is permitted.
 - a. Materials and equipment stored as permitted in this subsection may be no more than 14 feet above the elevation of the storage area.
 - b. Outside storage over six feet tall must be screened in accordance with 9.250.

Response : There is no exterior storage proposed with the development.

4.300 Screening of Refuse Containers. The following standards apply to all development, except for refuse containers or disposal areas serving four or fewer dwellings. Any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area, must be screened from view by placement of a sight-obscuring fence, wall, or hedge at least 6 feet tall. All refuse materials must be contained within the screened area. Refuse disposal areas may not be located in required setbacks or buffer yards and must be placed at least 15 feet from any dwelling window.

Response : There are no proposed refuse containers as a part of the development.

AIRPORT APPROACH

4.400 Purpose. The Airport Approach district is intended to protect the public from excessive noise and air traffic from possible hazards on landing or takeoff.

4.410 Applicability.

The regulations below apply to those areas indicated on Figures 4.410-1 and 4.410-2.

Response : Development site is not within airport approach district and is not within any area defined on Figure 4.410-1 or 4.410-2, this criterion does not apply.

Article 9 – Onsite Development and Environmental Standards

9.010 Overview. The City of Albany has established standards for on-site improvements and environmental protection. These standards are intended to foster high-quality development throughout the City and to minimize adverse effects on surrounding property owners or the general public. These standards are intended to create an urban environment that is safe,

provides connectivity, furthers energy conservation, and enhances the environment for walking, cycling, and mass transit use. This article contains the following standards:

- Off-Street Parking and Loading
- Landscaping
- Tree Protection
- Buffering and Screening*
- Fences
- Environmental

*As identified in Section 9.210, in limited circumstances, an applicant can apply for an Adjustment to the Buffering and Screening standards.

OFF-STREET PARKING AND LOADING

9.020 Space Requirements. Off-street parking and loading must be developed in accordance with the standards in this Article.

- (1) **Calculating Floor Area for Maximum Parking.** The area measured is the combined floor area of each level of a building exclusive of vent shafts, courtyards, stairwells, elevator shafts, restrooms, storage rooms and rooms designed and used for the purpose of storage and operation of maintenance equipment and covered or enclosed parking areas.
- (2) **Employees.** The number of employees shall include those working on the premises, plus proprietors, during the largest shift at peak season.
- (3) **Fractional Space Requirements** shall be counted to the nearest whole space; half spaces will be rounded up.
- (4) **Unspecified Uses and Alternative Standards.** When a use is not specifically listed in Table 9.020-1: Parking Requirements, the Director will determine if the use is similar to a listed use in terms of provided parking. When a use is not similar to a use listed in Table 9.020-1 or the applicant has documentation that demonstrates a different parking demand, the Director may approve alternative parking standards. Acceptable documentation may include parking standards from other cities of similar size, company data on parking demand, parking demand studies, or the ITE Parking Generation Manual.
- (5) Off-street parking for one use shall not be considered as providing parking facilities for any other use except through the provisions of Section 9.080, Joint Use of Parking Facilities.
- (6) **Downtown Assessment District.** Parking spaces are not required for uses located within the Downtown Off-Street Assessment District as established by separate ordinance. (A map of the district is located at the end of this Article as Figure 9.020-1.) However, improvement of parking areas within this District must comply with the standards of this Article.
- (7) Site Plan Review may be required for new parking areas or expansions to existing parking areas unless specified in Section 2.430.
- (8) Temporary uses of less than 120 days, as defined in AMC Chapter 5.10 Transient and Itinerant Merchants and Vendors, are not required to meet the standards in this section.
- (9) **Maximum Parking.** Parking provided with new development in the HD – Historic Downtown, DMU –Downtown Mixed Use, CB – Central Business, LE – Lyon Ellsworth, WF – Waterfront, and the ES – Elm Street zones must not exceed the maximum parking

standards provided in Table 9.020-1. Parking provided in all other zoning districts must not exceed 30 percent above the maximum parking limits in Table 9.020-1.

- a. Shared Parking. In the case of mixed-use and multi-tenant developments, the total maximum parking requirements for off-street parking are the sum of the requirements for the various uses for which parking is provided.
- b. Exemptions to Maximum Parking Allowance. The following types of parking do not count toward the maximum amount of parking allowed on a site. This exemption applies only to the quantity requirements in Table 9.020-1 and not to other requirements of this Article. The City may impose conditions to ensure that parking spaces associated with these parking types are appropriately identified and used for their intended purpose.
 - i Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.
 - ii Parking for a transit facility or park and ride facility.
 - iii Storage or display areas for vehicle sales.
 - iv Employee carpool parking when spaces are dedicated or reserved for that use.
 - v Fleet and company vehicle parking.
 - vi Single-dwelling and middle housing dwelling units.

TABLE 9.020-1 MAXIMUM PARKING STANDARDS

Use	Maximum Permitted
Education : High Schools, colleges, universities or trade or business schools	Subject to Land Use Review

Response : Parking has been determined by discussion with school on their needs, 9 parking spaces have been proposed for the use. 8 standard parking spaces have been provided, and 1 van accessible space has been provided.

9.030 Bicycle Parking. Bicycle parking must be provided in the amounts specified in Table 9.030-1 for all new development and changes of use.

- (1) Exemptions. The Community Development Director may allow exemptions to or reductions in required bicycle spaces in connection with temporary uses or uses that are not likely to need bicycle parking, and parking for uses in existing buildings within the HD, CB, LE, DMU, and WF zoning districts.
- (2) Mixed Uses and Multi-Tenant Developments. When two or more uses occupy a single structure or lot, the total required bicycle parking is the sum of the requirements of individual uses.
- (3) Climate Friendly Area Requirements. Bicycle parking and ancillary facilities for shared bicycle parking and other small-scale mobility devices shall be provided in designated climate friendly areas and key destinations identified in OAR 660-012-0360.

Use	Maximum Permitted
Education	The greater of 2 spaces, or 1 space per five students

Response : There will be 9 students for the proposed use, therefore 2 bicycle parking spaces are required and have been provided on the site plan.

(4) Bicycle parking spaces shall meet the following standards:

- a. **Access and lighting.** All bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes to access the bicycle parking area. Bicycle parking areas shall be well lit.
- b. **If bicycle parking is located within vehicle parking areas,** it must be separated from vehicular maneuvering areas by curbing or other barriers to prevent damage to parked bicycles.
- c. **Public Right-of-Way.** Bicycle parking may be located in a public right-of-way, including on a public sidewalk with approval from the City Engineer.
- d. **Sheltered.** All required bicycle parking spaces for new multi-dwelling unit development, mixed-use development, offices, and institutional development shall be sheltered. For all other uses, at least 50 percent of required bicycle parking spaces must be sheltered, including 50 percent of spaces sized for larger/cargo bicycles. Spaces must be protected from precipitation by a roof overhang or a separate roof at least seven feet tall. Bicycle parking spaces within roofed buildings and bike lockers are considered sheltered spaces.
- e. **Space and Access Dimensions.** Bicycle parking spaces and access dimensions must comply with the standards in Table 9.030-2, except that at least 25 percent of bicycle parking spaces must be 3 feet wide by 8 feet long, with a 5-foot-wide access aisle and on the ground to accommodate cargo bicycles, including family and cargo bicycles.
- f. **Bicycle parking spaces must be served by access aisles conforming to the minimum dimensions set forth in Table 9.030-2.** These areas must be constructed of concrete, asphalt, or a pervious hard surface such as pavers, or an equivalent. Access aisles serving bicycle parking spaces may be located in public right-of-way with approval from the City Engineer.
- g. **Bicycle Racks.** Each bicycle parking space must have a parking rack securely fastened to the ground except for vertical tipped spaces. Bicycle parking racks must support each bicycle at a minimum of two points, including at least one point on the frame, be of a durable and difficult to cut material such as steel or stainless steel, serve common bike styles including cargo and accessible bikes, do not restrict the length, height or width of bikes; and must allow the frame and at least one wheel to be locked with a U-type lock.

TABLE 9.030-2. Minimum Bicycle Parking Space and Access Dimensions

Space Type	Space Width A	Space Length B	Space Height C	Access Aisle Width D	Clearance Between Rack & Wall E
Horizontal Spaces ⁽¹⁾					
Standard	2 ft.	6 ft.	4 ft.	4 ft.	2 ft.
Side-by-side ⁽²⁾	1.5 ft.				

9.035 Carpool/Vanpool Spaces.

- (1) When parking is provided, at least one standard-sized parking space shall be reserved for carpool/vanpool parking, or ten percent of employee-use parking spaces provided, whichever is greater.
- (2) Preferential carpool/vanpool parking spaces must be closer to the employee entrance of the building than other parking spaces, except for ADA accessible parking spaces.
- (3) Required carpool/vanpool spaces must be clearly marked “Reserved – Carpool/Vanpool Only.”

Response : Carpool / Vanpool space has been noted on the architectural site plan. One-standard parking space has been designated.

9.040 Accessible Spaces. Spaces compliant with the Americans with Disabilities Act (ADA) must be provided in accordance with ORS 477.233 when off-street parking is provided. Developments located outside of the HD, DMU, CB, and LE zones that do not provide on-site parking must provide a minimum of one ADA compliant parking space unless the Community Development Director determines that the space is not necessary or feasible. The required ADA parking space may be located on-street (within the public right of way) with the approval of the City Engineer.

Response : Van accessible parking space is provided in accordance with OSSC 1106.2.

9.050 Electric Vehicle Charging Capacity. Pursuant to ORS 455.417, electrical service capacity sufficient for a level 2 electric vehicle charging station must be provided for no less than 20 percent of all new vehicle parking spaces for non-residential developments and no less than 40 percent of all vehicle parking spaces serving newly constructed residential buildings with five or more multi-dwelling units, and newly constructed privately owned mixed-use buildings with five or more residential dwelling units.

- (1) This standard does not apply to middle housing townhouses.
- (2) Electric vehicle charging capacity must be provided for 40 percent of ADA spaces in residential and mixed-use developments with five or more units, and 25 percent of ADA and Carpool/Vanpool spaces in non-residential developments.
- (3) When charging facilities are provided for accessible spaces, charging facilities must be located so there is a clear and accessible path from the vehicle to the sidewalk and shall be accessible in height.

Response : Electrical Vehicle Charging Capacity is proposed in accordance with ORS 455.145, calculations for required infrastructure is provided on site plan.

9.060 Loading Standards. Loading spaces for all uses except office and residential uses shall be off the street and shall meet the following requirements:

- (1) Vehicles in the berth shall not protrude into a public right-of-way or sidewalk. Loading berths shall be located so that vehicles are not required to back or maneuver in a public street.
- (2) A school having a capacity greater than 25 students shall have a driveway designed for the continuous forward flow of passenger vehicles for the purpose of loading and unloading children.
- (3) The minimum required loading area is as follows:
 - a. 250 square feet for buildings of 10,000 to 20,000 square feet of gross floor area.
 - b. 500 square feet for buildings of 20,000 to 50,000 square feet of gross floor area.
 - c. 750 square feet for buildings greater than 50,000 square feet of gross floor area.
- (4) The required loading area shall not be less than 10 feet wide by 25 feet long and shall have an unobstructed height of 14 feet.
- (5) Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.
- (6) Loading areas shall be subject to the same provisions as parking areas relative to plan information, setbacks, buffering/screening requirements, and lighting.

Response : The only use on the site is a 453 sf storage shed that will be used for storage for the commercial drivers license school. As the building gross floor area is under 10,000 sf there is no loading facility required or provided as a part of this development.

9.065 Responsibility/Prerequisite. Provision for and maintenance of off-street parking and loading spaces is the responsibility of the property owner. Plans showing property that is and will be available for exclusive use as off-street parking and loading must be presented before the city will issue building permits or approve land use applications.

Response : Noted.

9.070 Maintenance. Parking lots must be maintained by the property owner or tenant in a condition free of litter and dust, and deteriorated conditions must be improved to comply with the standards of this Article.

Response : Noted.

9.080 Parking Plan. A parking plan, drawn to scale, must accompany land use applications. Depending on the nature and magnitude of the development, it may be possible to show the needed parking information on the site plan (see Section 9.120 and 9.130). The plan must show the following elements, which are necessary to indicate that the requirements of this Code are being met.

- (1) Delineation of individual parking spaces, including accessible parking spaces.
- (2) Loading areas and docks.
- (3) Circulation area necessary to serve spaces.
- (4) Location and dimensions of bicycle and motorcycle parking areas.
- (5) Access to streets, alleys, and properties to be served.
- (6) Curb cuts.
- (7) Type of landscaping, fencing or other screening materials.

- (8) Abutting land uses.
- (9) Grading, drainage, post-construction stormwater quality facilities, surfacing, and subgrading details.
- (10) Location of lighting fixtures.
- (11) Delineation of all structures and obstacles to circulation on the site.
- (12) Specifications and location of signs and bumper guards, when applicable.
- (13) Location and dimensions of planter bays when required.
- (14) Proposed number of employees and the number of employee and carpool/vanpool spaces.
- (15) Proposed number and location of parking spaces being provided electric vehicle charging capacity and chargers when provided.
- (16) When solar panels are proposed to comply with the large parking area standards in Section 9.130(a), provide solar panel specifications including the maximum kilowatt production rating and proposed locations.
- (17) When public buildings as defined by ORS 270c.527 are proposed to comply with the large parking area standards in Section 9.130(b), compliance with OAR 330-135-0010 is required.
- (18) When tree canopy is proposed to comply with the large parking area standards in Section 9.130(2)(c), provide a Parking Lot Canopy Plan showing the crown diameter at 15 years after planting (or 20 years old) and a canopy calculation table. Trees shall be drawn to scale to represent the canopy size at 20 years as listed in the city's Parking Lot Tree List.

Response : Delineation of individual parking spaces including accessible spaces, and their circulation space is provided on sheet A1.1. There are no loading areas or docks as a part of this proposal. This is provided on sheet A1.1 site plan.

9.100 Parking Area Improvement Standards. All public or private parking areas, loading areas and outdoor vehicle sales areas must be improved based on the following standards. When the total surface parking area for the development site exceeds 10,890 square feet, parking area improvements must comply with the standards in Section 9.130.

- (1) General. All parking spaces must be improved in accordance with these standards and available for use at the time of project completion.
- (2) Other Requirements. All parking areas shall conform to the setback, clear vision, landscaping, and buffering/screening provisions of this Code.

Response : Noted.

- (3) Surfacing. All required parking, including travel aisles and access, shall have a durable, dust-free surface of asphalt, cement concrete, or other materials approved by the Director. Parking lot surfacing shall not encroach upon the public right-of-way except when it abuts a concrete public sidewalk or has been otherwise approved by the Director of Public Works. Pervious pavements, such as pervious asphalt or pervious concrete, may be allowed by the Director of Public Works.

Response : All parking areas, travel aisles an access shall be asphalt, see plans for extent of asphalt paving.

- (4) Drainage. All parking lots must provide a drainage system to dispose of the runoff generated by the impervious surface. Post-construction stormwater quality facilities are required per Title 12 of the Albany Municipal Code when applicable. Provisions

shall be made for the on-site collection of drainage water to eliminate sheet flow of such water onto sidewalks, public rights-of-way, and abutting private property. All drainage systems must be approved by the Director of Public Works.

Response : All parking areas drain to the storm facility as detailed in the civil plans.

- (5) **Perimeter Curb.** Perimeter curbing is required for protection of landscaped areas and pedestrian walkways, and to prevent runoff onto adjacent properties. All parking areas over 1,000 square feet (contiguous) for residential dwellings, parking areas of any size for all other uses, or approved overflow parking areas shall provide a curb at least 6 inches high along the perimeter of all parking areas. Exceptions may be allowed for connections to approved vegetated post-construction stormwater quality facilities.

Response : All parking areas adjacent to landscape and pedestrian walkways have been provided with a 6" high concrete curb.

- (6) **Wheel Bumper.** In parking areas over 1,000 square feet (contiguous) for residential dwellings, or parking areas of any size for all other uses, all parking stalls fronting a sidewalk, alleyway, street or property line shall provide a secured wheel bumper at least six inches high and at least six feet long, set back from the front of the stall at least 2-1/2 feet, but no more than three feet. If the sidewalk is widened to seven feet six inches to allow for vehicle encroachment, no wheel bumpers are required.

Response : All parking spots will have a wheel stop meeting the requirements of 9.100(6) as dimensioned on sheet A1.1.

- (7) **Turnaround.** For parking areas that meet one of the thresholds in subsections (a) or (b), parking spaces must be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way other than an alley.
- a. **Residential dwellings:** Parking areas over 1,000 square feet (contiguous). Driveways that could provide additional tandem parking spaces are not included in this calculation.
 - b. **All other development:** Two or more parking spaces.

Response : Parking area is served by a 40'-0" drive aisle that require no backing movements into the street right-of way.

- (8) **Striping.** Lots containing more than two parking spaces must have all required spaces permanently and clearly striped. Stripes must be at least four inches wide. When motorcycle parking, compact, or handicapped parking spaces are provided, they shall be designated within the stall.

Response : Parking spaces are to be striped in accordance with criteria.

- (9) **Connecting to Adjacent Parking Areas.** Where an existing or proposed parking area is adjacent to a developed or undeveloped site within the same zoning district, any modifications to the parking areas must be designed to connect to the existing or future adjacent parking area. This requirement may be waived by the Director when it is deemed impractical or inappropriate due to the nature of the adjoining uses.

Response : There is no plan to connect the proposed parking area to any existing parking areas.

- (10) Parking Lot Landscaping. Parking lots over 1,000 square feet (contiguous) shall be landscaped according to the standards in Section 9.150.

Response : Parking Lot Landscaping has been provided according to the standards to 9.150, see that section for compliance.

- (11) Compact Car Parking. No more than 40 percent of parking spaces provided may be designated for compact cars. Compact spaces must be signed and/or the space painted with the words "Compact Car Only."

Response : There are no compact car parking spaces proposed.

- (12) Accessible Parking. All parking areas must provide accessible parking spaces in conformance with the Oregon Structural Specialty Code.

Response : Van accessible parking space is provided in accordance with OSSC 1106.2.

- (13) Lighting. Any lights provided to illuminate any public or private parking area or vehicle sales area must be arranged to reflect the light away from any abutting or adjacent properties. Any light source or lamp that emits more than 900 lumens (15-watt fluorescent / LED or 60-watt incandescent) shall be concealed or shielded with an Illumination Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on adjacent property.

Response : There is no plan to install any site lighting as a part of this proposal.

- (14) Pedestrian Access. Walkways and accessways shall be provided in all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. All new public walkways and handicapped accessible parking spaces must meet the minimum requirements of the Oregon Structural Specialty Code.

Response : 5'-0" concrete walkway is proposed from new building to right of way.

9.110 Occasional Overflow Parking Needs. The Director may approve the use of gravel surfacing for parking above the maximum parking requirements intended for occasional needs. As used in this section, "occasional" means limited to a unique or an annually occurring event or condition or infrequent use. The application must demonstrate how the site and owners will meet the following minimum standards:

- (1) The construction plans for the unpaved parking area must be approved by the Public Works Director or their designees.
- (2) The overflow parking area must conform to the dimensional standards in Table 9.130-1 - Parking Lot Design, applicable Americans with Disabilities Act (ADA) requirements, and storm drainage requirements.
- (3) Overflow parking areas may not exceed 15,000 square feet per property, site, or use.
- (4) Wheel stops shall be provided to designate and protect each parking space.
- (5) Gravel parking and loading areas shall be screened from all adjacent uses by a sight-obscuring fence, wall, or hedge.
- (6) A buffer area at least five feet in depth, which may include the required screening, shall be provided along the perimeter of each gravel parking area and be landscaped in accordance with Section 9.240.

- (7) The overflow parking area must be at least 20 feet from a public right-of-way and have at least 20 feet of pavement travel distance to the right-of-way. Gravel is not permitted in or within 500 ft of the HD, DMU, LE, ES, CB, or any residential zone or use unless allowed through Conditional Use approval.

Response : No occasional overflow parking is proposed, this criterion does not apply.

9.115 Conversion of Off-Street Parking to Other Uses.

- (1) When new development, including expansions to existing structures, results in the conversion or elimination of existing off-street surface parking areas for a use other than bicycle-oriented and transit-oriented facilities (bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities), all existing parking areas that are physically impacted by the development must be improved to the standards in Article 9. For this section, physically impacted shall include the removal of surfacing, surface striping, or landscaping in association with the new development. Re-striping of existing parking with no change to layout and internal remodels or changes of use to an existing approved development that do not extend a structure or associated facility into the existing parking area are exempt from this standard.
- (2) Conversion or elimination of off-street parking to uses other than bicycle- and transit-oriented facilities is subject to Site Plan review in accordance with ADC 2.430(4).
- (3) Developments on nonconforming sites are subject to incremental improvements in accordance with ADC 2.330.
- (4) Access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.

Response : No conversion of off street parking is proposed, this criterion does not apply.

9.120 Off-Street Parking Lot Design and Circulation. The standards of this section are intended to ensure that on-site vehicle circulation is clearly identifiable, safe, and pedestrian-friendly.

- (1) **Applicability.** All off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with the standards in this Article and the City standards for parking stalls and drive aisles as set forth in Table 9.120-1: Parking Lot Design, and supplemental drawings in Figures 1 and 2.
- (2) **Driveways and Drive Aisles.** As used in this Article, driveways are major travel routes through a site that provide access to and from surrounding streets and connections through the site to buildings and parking lot drive aisles. Drive aisles primarily provide vehicular access to bordering parking spaces. See Figure 9.120-1.
- (3) **Internal Circulation System.** Interior driveways shall meet the standards below unless the driveway is lined with angled or perpendicular parking stalls. Developments must provide street-like design and features along driveways including curbs, pedestrian facilities, and buildings built up to pedestrian facilities, including the following:
 - a. Driveways shall continue the adjacent public street pattern wherever possible.
 - b. Driveways must have raised curbs and a pedestrian facility with a minimum 5-foot-wide sidewalk on at least one side the entire length of the driveway, which is unobstructed by obstacles that would impede pedestrians, including overhanging cars.
 - c. Street trees must be provided along driveways in accordance with Section 9.130 (3) and (4). Driveways must have a minimum 6-foot-wide landscape strip on at least one side of the driveway. For the purposes of this standard, the portions of

the linear length driveways that provide direct access to parking stalls are exempt from this standard but shall meet other landscape island and tree planting requirements of the Development Code.

- d. Traffic calming shall be provided through at least one of the following techniques:
 - i Meandering the driveway to achieve a maximum design speed of 15 mph.
 - ii Installing speed bumps or speed humps at a minimum interval of one every 300 feet of driveway. A minimum of one speed hump or speed bump must be provided if the driveway is less than 300 feet long.
 - iii Providing parallel parking on at least one side for at least 50 percent of the length of the driveways.
 - iv Planting trees on both sides along the full length of the driveway in accordance with the standards in ADC 9.240(1) to visually narrow the driveway.
- e. Pedestrian facility crossings at intersections with drive aisles and other driveways shall be demarcated by a raised surface that slows vehicular travel, or by different surface materials. Crossings demarcated only by striping are discouraged.
- f. Driveways shall not be located between the building(s) and the sidewalk(s), except as provided in (i) or (ii) below:
 - i Where drive-through windows are permitted, sites are constrained by natural resources, or are infill sites less than one acre.
 - ii Where drop-off facilities are provided that have been designed to meet the requirements of the Americans with Disabilities Act but that still provide for direct pedestrian circulation.
- g. Buildings shall be located along a pedestrian facility in the public right-of-way. Where a building cannot be located along a public right-of-way, it shall be built up to a pedestrian facility along an on-site driveway.

Response : Driveway has raised curbs on both sides of the main drive entrance to the site, there is a 5'-0" sidewalk on one side of the driveway, there are no pedestrian facility crossing at any drive aisles or driveways.

- (4) Minimum Driveway and Drive Aisle Widths. Driveways for two-way traffic and emergency vehicle operations must be at least 24 feet wide. One-way driveways and one-way emergency vehicle access must be at least 20 feet wide. Drive aisle dimensions must comply with the standards in Table 9.120-1.

Response : Main driveway width is 35'-0", secondary driveway width is 30'-0".

- (5) Parking Lot Design. Parking stall and aisle dimensions must comply with Table 9.120-1. Stall dimensions are measured from inside the stripes. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall include 20 feet of storage length for entering and exiting vehicles, to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. See also Figures 9.120-1 and 9.120-2.

Response : Parking stalls and aisle dimensions meet table 9.120-1.

- (6) Compact spaces shall be at least 8 feet wide by 16 feet long.

Response : There are no compact spaces in proposed development.

- (7) Accessible spaces shall be a minimum of 9 feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent access aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and six feet wide for a standard accessible space.

Response : Accessible parking space is 9'-0" W and 18'-6" W with an 8'-0" access aisle.

- (8) Stall Width. Long-term parking spaces must be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands must be at least 9.5 feet wide. Stall dimensions are measured from inside the stripes.

Response : Inside measurement from stripes is 8'-8", meeting the criterion.

**TABLE 9.120-1.
 PARKING LOT DESIGN (in feet)**

A Parking Angle	B Stall Width	C Curb Width	D Aisle Width	E Stall Depth	F Bumper Overhang	G Dead-end Backup
(Parallel)	8.0 feet	8.0 feet	N/A	25.0 feet	N/A	N/A
45°	8.5	12.0	13.0	17.5	2.0	5.0
	9.0	12.7	12.0	17.5	2.0	5.0
	9.5	13.4	11.0	17.5	2.0	5.0
	10.0	14.1	11.0	17.5	2.0	5.0
60°	8.5	9.8	18.0	19.0	2.5	5.0
	9.0	10.4	16.0	19.0	2.5	5.0
	9.5	11.0	15.0	19.0	2.5	5.0
	10.0	11.6	14.0	19.0	2.5	5.0
Compact	8.0 C	8.0 C	26.0 C	16.0 C	3.0	5.0
90°	8.5	8.5	26.0	18.5	3.0	5.0
	9.0	9.0	26.0	18.5	3.0	5.0
	9.5	9.5	26.0	18.5	3.0	5.0
	10.0	10.0	24.0	18.5	3.0	5.0

9.130 Surface Parking Areas. The purpose of these standards is to ensure that walkways and landscaping are incorporated into parking lot design in a manner that is both attractive and easy to maintain, that minimizes the visual impact of surface parking, and that improves environmental and climate impacts. These standards are also intended to help ensure pedestrian safety and comfort within large parking lots.

- (1) Applicability. In addition to other provisions of Article 9, the following standards apply to new or improved surface parking areas of more than 0.25 acres (10,890 square feet), and to parking lot additions of 5,000 square feet or more when existing parking areas are enlarged to more than 10,890 square feet, and when re-construction of a surface parking area of more than 0.25 acres is proposed (i.e., when pavement, curbs, and planter bays are completely replaced). Total surface parking areas are calculated by measuring around the perimeter of all parking spaces, maneuvering areas, and interior landscaping.

Response : Parking surface is 3,938 sf including drive aisle and maneuvering areas, 9.130 is not applicable to this proposal. There are only 9 parking spaces proposed, this does not apply.

9.133 Street, Bicycle and Pedestrian Connectivity. The purpose of these standards is to emphasize the importance of connections and circulation between uses and properties by

multiple modes. They are intended to promote efficient circulation between properties, convenient pedestrian and bicycle access to nearby streets, adjacent uses, and transit stops, and improve safety for both drivers and pedestrians. These standards are also intended to comply with the Transportation Planning Rule (OAR 660-012).

- (1) Applicability. The standards apply to development in all zoning districts except HD, DMU, CB, and WF.
- (2) Definitions. The following definitions shall apply for the purposes of this section:
 - a. “Direct and convenient” means the route is not more than 120 percent of the straight-line distance except as necessary to accommodate topographic constraints, natural resources, or hazards.
 - b. “Major transit stop” means transit transfer stations and any additional stops designated as “major transit stops” in the Transportation System Plan.
 - c. “Impractical” means where one or more of the following conditions exist:
 - i Physical or topographic conditions make a connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
 - ii Buildings or other existing development physically preclude a connection; or
 - iii Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.
- (3) Connectivity between sites. To promote connectivity and dispersal of traffic and efficient circulation between properties, new development may be required to provide street or driveway stubs and reciprocal access easements to, and for, adjacent properties.
- (4) Pedestrian and bicycle connections required. Except where impractical, pedestrian, and bicycle connections shall be provided in the following locations:
 - a. Between an existing or planned transit stop and new development that is at, or within, 200 feet of the existing or planned transit stop. Development sites at major transit stops are also subject to subsection (5).
 - b. A direct and convenient pedestrian route shall be provided between the building’s main entrance(s) and the nearest sidewalk abutting the site or roadway where there is no sidewalk. A direct and convenient bicycle route shall be provided between the bicycle parking and the nearest bicycle path abutting the site or roadway where there is no bicycle path.
 - c. Between the development site and abutting properties. Pedestrian and bicycle connections shall connect the onsite circulation system to existing or proposed walkways and bicycle routes, respectively, that abut the property. When abutting properties are undeveloped or have the potential to be redeveloped, accessways and walkways on site shall be laid out or stubbed to allow for an extension to the abutting property.

Response : There are no existing or planned transit stops at the proposed development. A direct pedestrian route between the building entrance and the nearest sidewalk has been provided in the proposed development.

- (5) Major Transit Stops. Except where impractical, sites at major transit stops shall provide the following:

Response : Not Applicable, no existing or planned transit stops at proposed development.

- (6) Pedestrian and bicycle connections standard. Pedestrian and bicycle accessways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.

Response : Pedestrian and bicycle accessways are constructed from concrete and at least 5'-0" wide.

9.134 Additional On-Site Standards. Additional design standards related to site layout and design are in Article 8.

LANDSCAPING

9.135 Purpose. These regulations are intended to enhance aesthetic value in new developments and the community as a whole; minimize erosion; slow the rate of surface water runoff and improve water quality; cool buildings and parking lots in summer months with shade; enhance ecological functions; and provide access to nature.

9.140 General Requirements. Landscaping requirements by type of use are listed below:

- (1) Landscaping Required – Residential. All front setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued or final building permit approved. In the case of middle housing land divisions, the minimum landscaping standard below applies to the parent lot, not the child lots. In all residential districts except Rural Residential (RR), the minimum landscaping acceptable for every 50 lineal feet of street frontage (or portion thereof, deducting the width of the driveway) is:

Response : Not applicable.

- (2) Landscaping Required – Non-Residential. All required front and interior setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued. Minimum landscaping acceptable for every 1,000 square feet of required setbacks in all commercial-industrial districts is as follows:

- a. One tree at least six feet tall for every 30 feet of street frontage.
- b. Five 5-gallon or eight 1-gallon shrubs, trees or accent plants.
- c. The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.
- d. When the yard adjacent to a street of an industrially zoned property is across a right-of-way from other industrially or commercially zoned property, only 30 percent of such setback area must be landscaped.

Response : See landscape plan for conformance with required front setback landscaping.

- (3) Alternate Plan – Non-Residential. The Director may approve placement of the required setback landscaping in public right-of-way when the following conditions are met:

- a. The site contains existing development that includes substantial building(s), and is subject to ADC improvement requirements due to a change of use or vacancy; and
- b. The appropriate government agency grants written permission for use of the right-of-way; and
- c. The applicant provides written assurance that on-site setback landscaping will be installed within 90 days in the event permission to use the right-of-way is revoked; and
- d. The Director finds that the required setback landscaping can feasibly be installed on the property without creating other violations of this Code; and
- e. The Director finds that providing the landscaping in the public right-of-way in the interim fulfills the intent of this Code for high-quality development (9.010) and the minimum landscaping requirements in Section 9.140(2)(a) through (c).

Response : [Not applicable.](#)

9.150 Parking Lot Landscaping. The purpose of landscaping in parking lots is to provide shade, reduce stormwater runoff, and direct traffic. Incorporation of approved vegetated post-construction stormwater quality facilities in landscaped areas is encouraged. Parking lots over 1,000 square feet (contiguous) must be landscaped in accordance with the following minimum standards. Parking lots over 10,890 square feet must also comply with the standards in 9.130.

- (1) **Planter Bays.** Parking areas shall be divided into bays of not more than 12 parking spaces. At both ends of each parking bay, there shall be curbed planters at least six feet wide, excluding the curb. Gaps in the curb may be allowed for connections to approved post-construction stormwater quality facilities. Each planter shall contain one canopy tree at least 10 feet high and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Neither planter bays nor their contents may impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.

Response : [See landscape plan for compliance with parking lot landscaping planter bays.](#)

- (2) **Entryway Landscaping.** Both sides of a parking lot entrance shall be bordered by a minimum five-foot-wide landscape planter strip meeting the same landscaping provisions as planter bays, except that no sight-obscuring trees or shrubs are permitted.

Response : [See landscape plan for compliance with entryway landscaping.](#)

- (3) **Parking Space Buffers.** Parking areas shall be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping materials.

Response : [Parking areas are separated from the structures by a pedestrian walkway.](#)

- (4) **Stormwater Collection System.** Vegetated post-construction stormwater quality facilities shall be considered as the initial stormwater collection system.
- (5) **Landscape Protection.** Required landscaped areas adjacent to graveled areas must be protected, either by railroad ties secured by rebar driven 18 inches into the ground, by large boulders, or by another acceptable means of protection.

Response : Landscape is separated from adjacent gravel areas steel edging. Location of steel edging is identified on Landscape Plan.

9.160 Parking Area Perimeter Landscaping in Village Centers.

Purpose. These provisions are intended to give provided parking a low profile to improve the pedestrian experience and the overall aesthetic quality of the street. They will minimize the expansive appearance of parking lots, increase the sense of neighborhood scale, and improve the character of a village center. They will also create an attractive, shaded environment along streets that gives visual relief from continuous hard street edges; buffer automobile traffic and focus views for both pedestrians and motorists. Applicability. These standards apply to properties with an Albany Comprehensive Plan designation of Village Center.

Response : Not applicable.

9.165 Irrigation of Required Landscaping. All required landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman submits written verification that the proposed plants do not require irrigation. Irrigation systems installed in the public right-of-way require an encroachment permit.

Response : Irrigation to be deferred, and determined at that time if necessary.

9.170 Identification of Existing Trees. In all proposed developments, existing trees over 25 inches in circumference (8 inches in diameter) as measured 4.5 feet above mean ground level from the base of the trunk shall be noted on all development plans, with notations indicating whether they are to be removed or utilized in the development. To obtain the circumference of a tree with multiple trunks, add the individual trunk circumferences, which are greater than six inches in circumference. Clusters of trees in open space and floodplain areas may be noted in approximate locations.

Response : All existing trees have been noted on existing conditions plan.

9.180 Landscape Plans. With the exceptions noted below, all development applications involving buildings and parking areas over 1,000 square feet (contiguous) must include landscape plans. The following uses are required to meet the landscaping requirements of this code but are not required to submit landscape plans:

- (1) Single-dwelling units and middle housing.
- (2) Accessory buildings.
- (3) Changes internal to an existing structure.
- (4) Building additions involving less than 500 square feet.

Response : Landscape plan has been provided.

9.182 Street Trees Prohibited on Right-of-Ways. Because of their potential negative impact on the public infrastructure, it is unlawful to plant any of the following trees in or on any street right-of-way or parking strip in the City: box elder, tree of heaven, golden chain, holly, silver maple, bamboo, poplar, willow, conifer, cottonwood, fruit trees (other than ornamental fruit trees), nut trees (other than ornamental nut trees), and ailanthus.

Response : All trees proposed will be in accordance with City of Albany Approved Street Trees list.

9.184 Trees Requiring Approval. It is unlawful to plant willow, cottonwood, or poplar trees anywhere in the City unless the Director of Public Works approves the site as one where the tree roots will not be likely to interfere with public sewers.

Response : All trees proposed will be in accordance with City of Albany Approved Street Trees list.

9.186 Height Requirements in Rights-of-Way. Trees or shrubs growing in the right-of-way or on private property adjacent to a street right-of-way must be trimmed to maintain a minimum canopy height of eight feet above sidewalks or 14 feet above streets or alleys. No trees, shrubs, or plants more than 18 inches tall shall be planted in the public right-of-way abutting roads having no established curb and gutter.

Response : All trees proposed will be in accordance with City of Albany Approved Street Trees list.

9.188 Trimming, Removal. The city manager or duly authorized representative may cause any vegetation in or upon any parking strip, street right-of-way or other public place in the City to be trimmed, pruned, or removed.

Response : Noted.

9.189 Planting in Roadways Having No Gutter, Curb. No trees, shrubs, or plantings more than 18 inches tall shall be planted in the public right-of-way abutting roadways having no established curb and gutter.

Response : Noted.

9.190 Completion Guarantees. Final occupancy of a development that required land use approval may be allowed prior to the complete installation of all required landscaping and irrigation only under the following circumstances:

- (1) A security is provided to the City equal to 110 percent of the cost of the labor and materials (plants, ground covers, and any required irrigation) that have not been installed, as verified in writing by a landscape contractor. Security may consist of a performance bond payable to the City, cash, certified check, time certificate of deposit, or lending agency certification that funds are being held until completion or such other assurances as may be approved by the Director and City Attorney. Where a financial assurance is provided for landscaped areas with post-construction stormwater facilities under subsection (4) below, no additional security under this subsection is required for that part of the landscaping. A security may not be used for single-dwelling and middle housing development, unless permitted by the Director.
- (2) The required landscaping and irrigation shall be installed within six months of the date the final occupancy permit is issued. If an occupancy permit is not required, the landscaping and irrigation shall be installed within six months of the date of the land use approval.
- (3) To verify that the landscaping, and irrigation, if required, has been installed per the approved plan, an inspection shall be made prior to any security being returned.
- (4) Required post-construction stormwater quality facilities incorporated into the required landscaped areas have been completed (or financially assured) consistent with Title 12 of the Albany Municipal Code and applicable post-construction stormwater quality permits.

Response : Noted.

9.200 Maintenance of Landscaped Areas. It shall be the continuing obligation of the property owner to maintain provided landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained. Private post-construction stormwater quality facilities located in landscaped areas and required under Title 12 of the Albany Municipal Code shall be maintained consistent with the terms of any operation and maintenance agreements between the property owner and the City consistent with the requirements of Albany Municipal Code Title 12.

Response : Noted.

TREE PROTECTION

9.202 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.

Response : This section is not applicable to this proposed development. There are two trees slated to be removed as a part of the development that are in the ROW and do not meet the criteria for tree protection.

BUFFERING AND SCREENING

9.208 Purpose. These regulations provide screening and buffering between uses in order to reduce the potential objectionable impacts of higher intensity uses on adjacent lower intensity uses. These impacts include, but are not limited to, light pollution and glare, noise, visual impacts, and loss of privacy.

9.210 General Requirements/Matrix. Buffering and screening are required in accordance with the matrix provided in Table 9.210-1. The property owner of each proposed development is responsible for the installation and maintenance of such buffers and screens. The Director may approve an Adjustment to waive the buffering/screening requirements of this section where such has been provided on the abutting property in conformance with this Code. Where a use would be abutting another use except for separation by right-of-way, buffering (but not screening) shall be required as specified in the matrix. Where a proposed use abuts undeveloped property, only one-half of the buffer width shall be required.

9.220 Delineation of Area. A buffer consists of an area within a required setback adjacent to a property line. It has a depth equal to the amount specified in the buffer matrix and contains a length equal to the length of the property line of the abutting use or uses.

9.230 Occupancy. A buffer area may only be occupied by utilities, screening, sidewalks, bikeways, landscaping, and approved vegetated post-construction stormwater quality facilities. No buildings, vehicular access ways or parking areas are allowed in a buffer area except where vehicular access way has been approved by the City.

9.240 Buffering. The minimum improvements within a buffer area consist of the following:

- (1) At least one row of trees. These trees will be not less than 10 feet high at the time of planting for deciduous trees and spaced not more than 30 feet apart and five feet high at the time of planting for evergreen trees and spaced not more than 15 feet apart. This

requirement may be waived by the Director when it can be demonstrated that such trees would conflict with other purposes of this Code (e.g., solar access).

- (2) At least 5 five-gallon shrubs or 10 one-gallon shrubs for each 1,000 square feet of required buffer area.
- (3) The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, evergreen shrubs).

9.250 Screening. Where screening is required or provided, the following standards apply in addition to conditions (1) and (3) above:

- (1) One row of evergreen shrubs that will grow to form a continuous hedge at least four feet tall within two years of planting, or
- (2) A fence or masonry wall at least five feet tall constructed to provide a uniform sight-obscuring screen, or
- (3) An earth berm combined with evergreen plantings or a fence that forms a sight and noise buffer at least six feet tall within two years of installation.

9.255 Screening of Refuse Containers. The following standards apply to all developments except for refuse containers or disposal areas serving four or fewer dwellings. Any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area, must be screened from view by placement of a sight-obscuring fence, wall, or hedge at least 6 feet tall. Refuse disposal areas may not be located in required setback areas or buffer yards and must be contained within the screened area. No refuse container shall be placed within 15 feet of a dwelling window.

Response : There are no refuse or disposal areas as a part of the proposed development, this criterion does not apply.

9.260 Clear Vision. Buffering and screening provisions are superseded by the clear vision requirements of Section 12.180 and by the fence and wall height restrictions of the zone when applicable.

9.270 Landscape Plan. In lieu of these standards a detailed landscape plan, which provides the same degree of desired buffering utilizing alternative designs, may be submitted for approval.

Table 9.210-1. Buffer and Screening Matrix

BUFFER MATRIX	PROPOSED USE								
	Detached single-dwelling unit	Middle housing	Multiple dwelling unit	Manufactured home park or subdivision	Commercial, professional, mixed-use, and institutional	Industrial Park use	Light Industrial use	Heavy Industrial use	Parking lot with at least 5 spaces
Dwellings in RR, RS-10, RS-6.5, RS-5, HM, RM, HDR, MUR and RMA districts	0'	0'	10' (3)	0'	10' S (3)	30' S	30' S	40' S	10' S
Manufactured home park or subdivision in any district	0'	0'	0'	0'	10'S	30'S	30'S	40'S	10'S
Any arterial street (2)	10'	10' (4)	10' (4)	10' S (1)	10' (4)	10'	10'	10'	10'
Commercial, professional, mixed-use, and institutional	10'	10' (4)	10' (4)	10' S	0'	20'	0'	20' S	0'
Industrial Park District	20'	20'	20'	20'S	0'	0'	0'	5'	0'
Light Industrial District	30' S	30' S	30' S	30' S	0'	20'	0'	0'	0'
Heavy Industrial District	40' S	40' S	40' S	40' S	20'	20'	0'	0'	0'
Any parking lot with at least 5 spaces	10' S	5' S	5' S	5' S	0'	0'	0'	0'	0'

"S" indicates screening required. (1) See Section 10.270(3)(c) for buffering and screening along arterials and collectors. (2) The buffer/screening standard does not apply along arterial streets where it conflicts with other provisions of this code. (3) The required buffer does not apply abutting the MUR district and the buffer and screening do not apply abutting the HDR district. (4) Does not apply in the HD, CB, DMU, and WF zoning districts.

Response : Per Table 9.210-1 there are no required buffers or screening as a part of this development proposal. This section does not apply.

FENCES

9.360 Purpose. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

Response : There are no fences proposed as a part of this development, this criterion does not apply.

ENVIRONMENTAL

9.400 Purpose. These regulations are designed to protect all uses in all zones from certain objectionable off-site impacts associated with nonresidential uses. These impacts include

noise, vibration, odors, degraded water quality, and glare. The standards ensure that uses provide adequate control measures or locate in areas where the community is protected from health hazards or nuisances. Use of objective standards provides a measurable means of determining specified off-site impacts. This method protects specific industries or firms from exclusion in a zone-based solely on the general characteristics of similar industries in the past.

9.405 Exemptions. The off-site impact standards do not apply to machinery, equipment, and facilities that were at the site and in compliance with existing regulations at the effective date of these regulations. Any new or additional machinery, equipment, and facilities must comply with the standards of this chapter. Documentation is the responsibility of the proprietor of the use if there is any question about when the equipment was brought to the site.

9.410 Relationship to Other Regulations. The environmental standards are in addition to all other regulations of the Albany Municipal Code. These standards do not replace or supersede regulations of the Department of Environmental Quality (DEQ), relevant county regulations, or standards such as the Uniform Building Code or Uniform Fire Code.

9.420 Evidence of Compliance. Before approving a development application, the Director may require submission of evidence demonstrating compliance with state, federal and local environmental regulations and receipt of necessary permits.

9.425 Responsibility. Compliance with state, federal and local environmental regulations is the continuing obligation of the property owner and operator.

9.430 Measurements. Measurements for compliance with these standards are made from the property line or within the property of the affected site. Measurements may be made at ground level or at habitable levels of buildings. If the City does not have the equipment or expertise to measure and evaluate a specific complaint, it may request assistance from another agency or may contract with an independent expert to perform such measurements. The City may accept measurements made by an independent expert hired by the owner or operator of the off-site impact source. If the City contracts to have measurements made and no violation is found, the City will bear the expense, if any, of the measurements. If a violation is found, City expenses will be charged to the violator. Nonpayment of the costs is a violation of the Code.

9.435 Neighborhood Compatibility. If a site is located within 300 feet of residentially zoned property and environmental impacts regulated by this article have not been adequately determined, the Community Development Director may require that a proposed use be considered under the Conditional Use process to provide an opportunity for public review and comment and to establish conditions to mitigate potential impacts.

Response : Site is not located within 300 feet of residentially zoning property.

9.440 Noise. The City noise standards are stated in Albany Municipal Code Title 7, Public Peace, Morals and Safety. Oregon Administrative Rules (OAR) 340-035-0035, Noise Control Regulations for Industry and Commerce, is adopted here in its entirety, and as may be subsequently amended by the State of Oregon. Tables 7, 8, and 9 referenced in OAR are included here for reference only. In addition, the Department of Environmental Quality (DEQ) has regulations that apply to firms adjacent to or near noise-sensitive uses such as dwellings, religious institutions, schools, and hospitals.

TABLES 7 & 8 (OAR 340-035-0035) New and Existing Industrial and Commercial Noise Source Standards Allowable Statistical Noise Levels in Any One Hour	
7 am – 10 pm	10 pm – 7 am
L ₅₀ – 55 dBA	L ₅₀ – 50 dBA
L ₁₀ – 60 dBA	L ₁₀ – 55 dBA
L ₀₁ – 75 dBA	L ₀₁ – 60 dBA

- (3) Additional City Standards. The following restrictions are in addition to the State DEQ standards for purposes of City noise regulation:
 - a. For purposes of measuring permitted sound levels from noise-generating sources under the provisions of DEQ rules, any point where a noise-sensitive building could be constructed under the provisions of this Code shall apply as if such point contained a noise sensitive building.
 - b. Within the Industrial Park (IP) and Waterfront (WF) zoning districts, each property or building under separate ownership shall be considered a noise-sensitive property under the provision of DEQ rules, with the exception that the allowable noise levels shall be increased by 5 dB.
 - c. The allowable noise levels cited in Tables 7, 8 and 9 shall apply to all non-residential uses.
- (4) Expert Evaluation. A noise analysis may be required in the development review process to show that a proposed activity can meet the noise standards or that residential uses are adequately buffered from noise sources.
- (5) Mitigation Measures. The following noise mitigation measures may be required through development review:
 - a. increased building setbacks;
 - b. special berms and heavy vegetation areas;
 - c. site layout to establish buffer areas or locate low-noise buildings to serve as a buffer between the noise-sensitive areas and the sound source;
 - d. special sound insulation construction techniques;
 - e. improvements as recommended by the DEQ or a qualified noise consultant;
 - f. posting a bond or other financial agreement to ensure that the required noise reduction features are installed.

Response : All uses on site will be within City, State and DEQ noise standards.

9.450 Visible Emissions. Within the mixed-use, commercial, IP and WF zoning districts, there shall be no use, operation, or activity that results in a stack or other point source emission, other than an emission from space heating, or the emission of pure uncombined water (steam) that is visible from a property line.

Response : There is no proposed visible emissions as a part of this proposed development.

9.455 Water Quality. Direct discharge of stormwater and process waste from the operation of industries shall comply with the water quality standards adopted by the City of Albany, DEQ and as authorized by a National Pollutant Discharge Elimination System (NPDES) Permit.

Response : Stormwater facilities to be designed to City of Albany standards.

9.460 Vibration. Continuous, frequent, or repetitive vibrations that exceed 0.002g peak may not be produced. Exceptions: Vibrations from temporary construction and vehicles that leave the site (such as trucks, trains, or aircraft) are exempt; vibrations lasting less than five minutes

per day are also exempt. Vibrations from primarily on-site vehicles and equipment are not exempt. Measurements. Seismic or electronic vibration measuring equipment may be used for measurements when there are doubts about the level of vibration.

Response : There is no proposed vibrations as a part of this proposed development.

9.470 Odors. Continuous, frequent, or repetitive odors or the emission of odorous gases or other matter in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited. Odor is regulated by the Department of Environmental Quality.

Exceptions: An odor detected for less than 15 minutes per day is exempt. 9.480 Glare and Heat. No direct- or sky-reflected glare in excess of 0.5-foot candles of light, whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this Code. There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line of the source. Strobe lights visible from another property are not allowed, except as may be required by the Federal Aviation Administration.

Response : There is no proposed odors as a part of this proposed development.

9.490 Insects and Rodents. All materials including wastes shall be stored and all grounds shall be maintained in a manner that will not attract or aid the propagation of insects or rodents or create a health hazard.

Response : Noted, all materials stored will be maintained in a manner that will not attract insects or rodents.

9.500 Hazardous Waste. Hazardous wastes are subject to the regulations of Oregon Administrative Rules (OAR) 340.100-110, Hazardous Waste Management.

Response : There is no proposed hazardous waste as a part of this proposed development.

Article 12 – Public Improvements

12.000 Overview. This article provides public improvement standards to address the City's concerns relative to public health, safety, and welfare as it relates to the management of public transportation systems and utilities. These standards are used with the procedural and design requirements contained in other articles of the Albany Development Code. The following is a list of the main headings in this article.

- General Provisions
- Streets
- Sidewalks
- Street Trees
- Bikeways
- Utilities—General
- Water
- Sanitary Sewer
- Storm Drainage
- Improvement Assurances

- Addresses and Street Names

GENERAL PROVISIONS

12.010 Authority. The City has jurisdiction and exercises regulatory management over all City right-of-way, franchise utility use of right-of-way, city utilities, and easements benefiting the City of Albany for provision of utility and transportation services. The City is both a service provider and property owner/manager. These responsibilities require decisions to be made in a way that protects the public health, safety, and welfare; and provides for efficient extensions of services. Right-of-way under state or county jurisdiction is also located within the city limits. In those instances, the standards in Article 12 still apply; however, the City may deviate from the standards provided herein as necessary to comply with each agency's requirements.

- (1) As a property owner and service provider, the City has sole discretion over all aspects of managing its utilities, rights-of-way, and related easements. This includes, but is not limited to, access and connection requirements; construction, modification, or alteration of public infrastructure; franchise utility requirements, required extensions of service; and frontage improvements.
- (2) The standards in Article 12 are one mechanism used by the City, as a landowner and service provider, to regulate access and connection to public rights-of-way, easements, transportation systems, and utilities, including required extensions of services and frontage improvements with development. Applying these standards requires discretion and professional judgement for the protection of public health, safety, and welfare, and for overall efficient provision of urban services. These standards are not subject to the limitations of ORS 197.307(4).

Response : Noted.

12.020 Relationship to Other Local Regulations. This article supplements other municipal ordinances. If a provision of this article conflicts with another City ordinance, the ordinance that most specifically deals with the issue in question shall control. Whenever possible, the two provisions shall be interpreted in a manner that renders the provisions of both ordinances consistent. Only when such interpretation is impossible will one provision be deemed to supersede the other.

Response : Noted.

12.030 Relationship to Specialty Codes or State Law. This article supplements other existing state and local codes. Examples of these codes include, but are not limited to, the adopted building, fire, and plumbing codes. If any provision of this article conflicts with a specialty code, the specialty code shall control.

Response : Noted.

12.040 Conditions of Approval. Development approval may be conditioned upon the provision and/or guarantee of public improvements called for in an adopted public facilities master plan, or any other public improvements necessitated by the development. Development approval may likewise be conditioned when private facilities are proposed to be shared by two or more parcels. Construction of off-site improvements may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards.

All development decisions shall be consistent with constitutional limitations concerning the taking of private property for public use.

Response : Noted.

12.050 Relationship to Construction Standards. Public improvements shall be designed to comply with adopted facility master plans as much as possible. Unless otherwise approved by the City Engineer, public improvements shall be constructed according to the standard construction specifications. The standard specifications for construction, reconstruction or repair of streets, sidewalks, curbs, gutters and other public improvements within the City are contained in the City's "Standard Construction Specifications." The City Engineer may make changes to the standard specifications consistent with the application of engineering principles to the conditions.

Response : Noted.

STREETS

12.060 General Provisions. No development may occur unless it has frontage on or approved access to a public street currently open to traffic. A currently non-open public right-of-way may be opened by improving it to City standards.

Streets shall be connected to reduce travel distance, provide multiple travel routes, and promote the use of alternative modes. Street patterns have a greater long-range effect on land use patterns, than do parcel patterns or building location.

Streets (including alleys) within and adjacent to a development shall be improved in accordance with the standards in this Article. In addition, any new street or additional street width planned as a portion of an approved street plan shall be dedicated and improved in accordance with this Article. When the City Engineer determines that a required street improvement would not be timely, the City Engineer may accept a Petition for Improvement/Waiver of Remonstrance for a future assessment district.

The City Engineer may approve modifications to the required street right-of-way and planter widths when necessary to accommodate approved street-side post-construction stormwater quality facilities.

12.070 Creation of Streets. Streets are usually created by approval of a subdivision or partition plat. However, the City Council may also approve creation of a street by acceptance of a deed. If creating a street unintentionally results in a land partition, the owner is not required to apply for partition approval as long as the resulting parcels comply with Code standards.

12.080 Classification of Streets. Arterial and collector streets are designated in the Transportation System Plan.

12.090 Creation of Access Easements. Except for lots created by a middle housing land division, creation of easements to provide access to the public street system shall be approved when the applicant has demonstrated that all of the following criteria have been met:

- (1) No more than two residentially zoned parcels or uses will be served by the proposed access easement;
- (2) There is not enough room for a public right-of-way due to topography, lot configuration, or placement of existing buildings; and
- (3) The City Engineer has determined that there is no need for a public street in this location.

12.100 Access to Public Streets. With the exceptions noted in Section 1.105, the location and improvement of an access point onto a public street shall be included in the review of a development proposal. In addition, the following specific requirements shall apply to all access points, curb cuts, and driveways:

- (1) Approaches and driveways to City streets and alleys must be paved and constructed in accordance with the Standard Construction Specifications. Driveways serving more than one property shall be paved the full length of the shared portion.
- (2) Driveways for all other uses must have widths of 12-16 feet for one-lane (one-way) driveways, 24-32 feet for two-lane driveways, and 36 feet for three-lane driveways. Three-lane driveways must have designated lanes and turning movements. Industrial driveways shall have a width of 24-48 feet. There must be a minimum separation of 22 feet between all driveways except for single- and two-unit dwellings, and middle housing of four units or less. The width of a driveway will be determined by measuring at the curb line and will exclude the transitions which must conform to standards fixed by the City Engineer.
- (3) All driveways must be located as far as practical from a street intersection, and in no instance shall the distance from an intersection be less than the following, as measured from the nearest curb return radius:

Arterial Street 40 feet

Collector Street 20 feet

Local Street 10 feet

At intersections with bulb-outs or post-construction stormwater quality curb extensions incorporated into the curb return the measurement will be made from the nearest curb return radius. When different classes of streets intersect, the distance required is between an access point and the intersection of the street type that requires the greater distance.

- (4) The location, width, and number of accesses to a public street may be limited for developments that are subject to land use review.
- (5) Access points to a public street shall be the minimum necessary to provide reasonable access while not inhibiting the safe circulation and carrying capacity of the street.
- (6) Properties with frontage on more than one street may be restricted to access on the street(s) of a lower classification through site plan, land division, or other review procedures.
- (7) A common access point at a property line is encouraged and may be required in order to reduce the number of access points to streets. Construction of common access points must be preceded by recording of joint access and maintenance easements.
- (8) Driveways shall comply with applicable fire and building codes. Approach grades must not exceed 10 percent slope within 20 feet of a public street, except as specified below.
 - a. Residential driveways serving four (4) or fewer units may exceed the maximum slope specified above.
- (9) Access to designated state highways is subject to the provisions of this Article in addition to requirements of the State Highway Division and State Department of Transportation. When regulations of the City and State conflict, the more restrictive requirements apply.

- (10) For developments on property larger than five acres in contiguous ownership fronting on an arterial street or limited access highway, a frontage road may be required in order to provide a single access determined by the review body to be the most appropriate location for safety and convenience.
- (11) When access is allowed on an arterial street, efforts shall be made to locate it adjacent to the interior property line where it could be shared by the adjacent property.

Response : Driveways proposed to conform with Standard Construction Specifications.

12.110 Street Location, Width and Grade. The location, width, and grade of all streets must conform to any approved transportation master plan or recorded subdivision plat. When location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either provide for the continuation or appropriate projection of existing principal streets in the surrounding areas or conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions made continuance of or conformance to existing streets impractical or where no plan has been previously adopted.

In addition, new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. In determining the location of new streets in a development or street plan, consideration shall be given to maximizing available solar access for adjoining development sites.

Response : This criterion is not applicable.

12.120 Rights-of-Way and Roadway Widths. Unless otherwise indicated on an approved street plan or in Section 12.130, the street right-of-way and roadway widths shall not be less than the minimum shown below in Table 12.120-1. Where a range is indicated, the width shall be determined by the City Engineer. Reductions in roadway width may be allowed to facilitate curb extensions required for approved street side post-construction stormwater quality facilities in the landscape strip/planter area. Reductions require approval of the City Engineer.

Response : ROW design was determined by City Engineer in discussions with the City of Albany Public Works/staff to be acceptable, ROW improvements to add sidewalk are a part of this proposed development.

12.122 Local Residential Streets. There are two classes of local streets, based on projected traffic volumes. The applicant is responsible for demonstrating that each proposed street is designed for the appropriate traffic volume.

Response : This criterion is not applicable.

12.130 Mini-Subdivision and Partition Street and Rights-of-Way Standards. The standards in this section are intended for use in developing residential infill parcels. The review body will approve variations to the standards listed in Section 12.120 above, when the following criteria are met:

Response : This criterion is not applicable.

12.140 Additional Rights-of-Way. A development project requiring land use review is required to dedicate additional right-of-way if an existing street abutting or within the development does not meet the widths designated in Section 12.120. This provision does not apply to property line adjustments or historic review. While not required to dedicate additional right-of-

way, single-dwelling unit detached dwellings and middle housing (and related accessory buildings) and parking lot and building additions listed in Section 1.105 are subject to setbacks from future street rights-of-way as provided in Section 3.190.

Response : This criterion is not applicable.

12.150 Future Extensions of Streets. When it is necessary to give access to or permit a future division of adjoining land, streets shall be extended to the adjoining tract. A barricade at the end of the street shall be installed and paid for by the property owners. It shall not be removed until authorized by the City Engineer.

Response : This criterion is not applicable.

12.160 Street Alignment. As far as practical, streets shall be dedicated and constructed in alignment with existing streets. Arterial and collector streets shall have continuous alignments without offset or staggered intersections. In no case shall streets be designed so that jogs of less than 300 feet are created as measured from the centerline of any intersection involving an arterial or collector street.

Response : This criterion is not applicable.

12.170 Intersections. Streets must intersect as nearly as possible at right angles. Proposed intersection of two streets at an acute angle of less than 75 degrees is not allowed. An oblique street should be curved approaching an intersection to provide at least 100 feet of street at right angles with the intersection. Not more than two streets shall intersect at any one point.

Response : This criterion is not applicable.

12.180 Clear Vision Area. A clear vision area must be maintained at each access to a public street and on each corner of property at the intersection of two streets or a street and a railroad. No fence, wall, hedge, sign, or other planting or structure that would impede visibility between the heights of 2 and 8 feet shall be established in the clear vision area. Visibility is not considered impeded by a fence where materials are 35 percent or less of the surface area of that portion of the fence above 2 feet. Fence posts spaced at 8 feet or more apart are not counted as part of the fence surface area. Height measurements shall be made from the top of the curb or, when no curb exists, from the established street center line grade.

- (1) The clear vision area provisions do not apply to the following:
 - a. a public utility pole,
 - b. a tree trimmed (to the trunk) to a line at least eight feet above the level of the intersection,
 - c. another plant species of open growth habit that is not planted in the form of a hedge and that is planted and trimmed to leave at all seasons a clear and unobstructed cross-view,
 - d. a supporting member or appurtenance to a permanent building lawfully existing on the date this standard becomes effective,
 - e. an official warning sign or signal,
 - f. the post section of a pole sign when there are no more than two posts and any post is less than eight inches in diameter, and
 - g. existing or new buildings that meet the minimum setbacks.
- (2) A clear vision area consists of a triangular area:
 - a. For residential local streets and driveways, two sides of the clear vision area are lot lines or a driveway for a distance specified in Table 12.180-1 below, with a

third line running diagonally across the non-intersecting ends of the two sides (see illustration below, Figure 12.180-1). Where lots have rounded corners, the lot lines shall be extended in a straight line to a point of intersection.

TABLE 12.180-1. Measurements for establishing clear vision areas.

Type of Intersection	Measurement Along Each Lot Line or Drive Edge
Controlled Intersection (stop sign or signal)	20 feet
Uncontrolled Intersection	30 feet
Residential District driveways	15 feet
Alley (less than 25 feet)	20 feet

[Ord. 5886, 1/6/17; Ord. 5947, 1/01/21]

- b. For non-residential uses and driveways on local streets and all intersections and driveways involving collector and arterial streets, the clear vision area shall be a triangular area providing the sight distance specific in the Table 12.180-2 below.

TABLE 12.180-2. City sight distance requirements.

Posted Speed (mph)	Sight Distance (ft) ⁽¹⁾		
	2-3 Lane Stop Control	4-5 Lane Stop Control	2-5 Lane Signal Control
20	200	225	225
25	250	275	300
30	300	350	375
35	350	400	475
40	400	450	575
45	450	500	700
50	500	550	850
55	550	625	1,000
60	600	675	1,150

(1) Measured along the center of the approaching travel lanes, as observed from a point 15 feet back from the edge of the closest vehicle travel lane.

12.190 Cul-de-sacs. The street pattern may include cul-de-sacs and bulbs only if connectivity and block length standards have been met. A cul-de-sac must not exceed 400 feet. A cul-de-sac must end in a circular turnaround, except as provided in 12.130 (4)(c). Dead-end streets longer than 400 feet may be approved by the City Engineer if no other means is available for development of the property.

A 10-foot-wide lighted concrete bikeway/pedestrian accessway shall be dedicated and constructed from the end of each cul-de-sac to the nearest street or property line of adjacent property, except where the cul-de-sac abuts developed property and/or the City Engineer determines there is no need for a connection.

Response : This criterion is not applicable.

12.200 Street Abutting New Development. Sections of existing streets that directly abut a new development and do not meet City standards shall be constructed to City standards. The City Engineer may approve construction of a partial-width street, provided the design is determined to be adequate to accommodate needed public facilities, storm drainage runoff, traffic volumes, and traffic loadings. The design of the improvement shall consider the ultimate design of the fully widened street. For purposes of this section, “development” does not include the construction of a single-dwelling unit detached home or middle housing on an existing lot.

A future improvement assurance, as described in Section 12.600, may be accepted by the City when the City Engineer determines that the street improvement would not be timely.

Response : This criterion is not applicable.

12.210 Slope and Curves. Slope shall not exceed 6 percent on arterials, 10 percent on collector streets, or 12 percent on other streets. Center line radii or curves shall be not less than 600 feet on arterials, 400 feet on collectors, or 200 feet on other streets. When existing conditions, particularly the topography, make it otherwise impractical to provide buildable sites, steeper grades and sharper curves may be approved by the review body. In flat areas, allowance shall be made for finished street grades having a minimum slope of at least 0.5 percent, when possible.

Response : This criterion is not applicable.

12.220 Street Adjacent to Railroad. Whenever a proposed development contains or is adjacent to a railroad right-of-way, provision may be required for a street approximately parallel to and on each side of the railroad right-of-way at a distance suitable for appropriate use of the land between each street and the railroad. The distance shall be determined with consideration at each cross street of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way in non-industrial areas.

Response : This criterion is not applicable.

12.230 Access to Arterials. When a residential development abuts or contains an existing or proposed arterial street, the development design shall separate residential access and through traffic; or if separation is not feasible, the design shall minimize the traffic conflicts. The design requirements may include any of the following:

- (1) A parallel access street along the arterial;
- (2) Lots abutting the arterial of suitable depth to provide adequate buffering and having frontage along another street;
- (3) Screen planting at the rear or side property line to be contained in a non-access reservation along the arterial; or
- (4) Other treatment, as determined by the Director, suitable to meet the objectives of this subsection.

Response : This criterion is not applicable.

12.240 Property Monuments. Upon completion of a street improvement and before acceptance by the City, all property corners and other monuments disturbed or removed by the project shall be reestablished and protected by an Oregon-licensed surveyor retained by the developer.

Response : Noted.

12.250 Private Streets. Unless the review body determines that public streets are needed to provide for circulation and/or access to neighboring properties, private streets are permitted within planned unit developments, manufactured home parks, and singly-owned developments of sufficient size to warrant interior circulation on private streets. Streets classified as arterials or collectors that run through these developments must be public streets. Local streets needed for connectivity purposes shall be public streets. Gated residential streets are prohibited. Private streets shall be designed and constructed with a 20-year design life. Plats

for developments containing private streets must show that streets are private and that upkeep and maintenance are the responsibility of the abutting property owners. The review body may require legal assurances for the construction and continued maintenance of private streets.

Response : This criterion is not applicable.

12.260 Traffic Signals. Where a single development or concurrent group of developments will create a need for a traffic signal at an intersection, such installation may be a condition of development approval.

Response : This criterion is not applicable.

12.270 Railroad Crossings. When an adjacent development results in a need to install or improve a railroad crossing, such improvement may be a condition of development approval.

Response : This criterion is not applicable.

12.280 Street Signs. The City shall approve the installation of all street signs, relative to traffic control and street names, as specified by the City Engineer for any development. The applicant shall provide and install all required street and traffic control signs.

Response : This criterion is not applicable.

SIDEWALKS

12.290 Requirement. All development for which land use applications are required, and all expedited and middle housing land divisions, must include sidewalks adjacent to public streets. This requirement also applies to new single-dwelling unit detached houses and middle housing units if they are located on arterial or collector streets or on curbed local streets, if there is an existing sidewalk within 500 feet on the same side of the street.

Sidewalks shall be built when arterial and collector streets are constructed and at the discretion of the City Engineer during their reconstruction. This provision shall also apply to local streets that serve commercial and multiple dwelling unit development. Sidewalks are required on both sides of all streets. If an interim street standard is being constructed which does not include bike lanes or sidewalks, interim bikeways or walkways for pedestrians shall be provided by paved roadway shoulders at least 8 feet wide on arterials and 6 feet on other streets. Provision of sidewalks may be waived when the street serves a use or combination of uses that generate fewer than 50 trips a day (based on ITE standards) and cannot be continued or extended to other properties.

Response : Noted.

12.300 Design, Width, and Location. All sidewalks must be constructed, replaced or repaired in accordance with the Standard Construction Specifications. The required width and location of sidewalks is as follows:

- (1) The required width for a sidewalk on an arterial or collector street is 7 feet. This may be reduced to 6 feet if the sidewalk is separated from the curb by a landscaped planter strip at least 5 feet wide. When there is inadequate right-of-way for additional width and no additional right-of-way can be obtained as a condition of development approval, the sidewalk width may be reduced to 5 feet. In all cases, any right-of-way remaining

outside the sidewalk is to be landscaped and maintained by the adjoining property owner.

- (2) Sidewalks along residential and other local streets must be at least 5 feet wide. A planter strip at least 6 feet wide shall separate the sidewalk from the street. Curbside sidewalk is allowed on cul-de-sac bulbs. Street trees shall be selected from the list of approved street trees established by the City. The planter strip shall be of permeable materials. Locating approved street-side post-construction stormwater quality facilities in the planter strip is encouraged.
- (3) In the Historic Downtown and Central Business districts, as defined on the zoning map, sidewalks must be at least 10 feet wide and be installed adjacent to the curb.
- (4) Regardless of other provisions contained in this article, any sidewalk project that is less than 200 feet in length and connects on either end to an existing sidewalk may be designed to match the existing pattern with the approval of the City Engineer.
- (5) When obstructions exist or are proposed (including, but not limited to, mailboxes, utility poles, trees, planters, fire hydrants, signs, benches, bus stops, post-construction stormwater quality facilities, etc.), provisions must be made to maintain a minimum of 4 feet of unobstructed sidewalk width on local streets, 5 feet on collector and arterial streets, and 6 feet in the Historic Downtown (HD) and Central Business (CB) districts.
- (6) Clustered mailboxes shall be on an accessible path and shall include a 72" minimum accessible turning space. Adjacent sidewalks may be incorporated in the measurement of the turning space. Where constructed in the public right-of-way, construction shall be in accordance with the Standard Construction Specifications.
- (7) Maintenance of sidewalks and planter strips shall be the continuing obligation of the adjacent property owner except for approved post-construction stormwater quality facilities located in planter strips or when a double frontage single- or two-dwelling unit lot backs onto an arterial. Other than approved post-construction stormwater quality facilities, planter strips shall be landscaped and maintained in like manner to the front yard setback requirements of Article 9.
- (8) Sidewalks shall be designed to parallel streets in line and grade and shall avoid unnecessary meandering from the curb line and elevation changes except as necessary to avoid significant trees or traverse topographic barriers.
- (9) Public paths not adjacent to a public street shall be a minimum of 10 feet wide.

Response : Sidewalk has been designed in accordance with standards of this section.

12.310 Conformance to Street Grades. All sidewalks constructed adjacent to a street must be placed upon the street grade as established at the time of sidewalk construction. If a space is left between the property line and the sidewalk and/or between the sidewalk and the curb, the space shall be filled and surfaced with earth or other approved material level with the sidewalk. Exceptions to level grade between the sidewalk and curb are allowed with approved street-side post-construction stormwater quality facilities.

Response : Sidewalk has been designed in accordance with standards of this section.

12.320 Timing of Sidewalk Construction. In some instances, sidewalk construction may be deferred until the proposed improvement on the property is completed. Deferral of sidewalk construction requires the approval of the City Engineer. No occupancy permit shall be issued by the Building Official for a development until the provisions of this Article are satisfied. The City Engineer may authorize a future improvement assurance (as described in Section 12.600)

when, in their opinion, the construction of the sidewalk is impractical for one or more of the following reasons:

- (1) Sidewalk grades have not been and cannot be established for the property in question within a reasonable length of time;
- (2) Forthcoming installation of public utilities or street paving would be likely to cause severe damage to the new sidewalk;
- (3) Street right-of-way is insufficient to accommodate a sidewalk on one or both sides of the street; or
- (4) Topography or elevation of the sidewalk base area makes construction of a sidewalk impractical or economically infeasible.

[Response : Sidewalk construction to happen at time of development.](#)

STREET TREES

12.321 General Requirements. When a new public street is created in conjunction with development or when required by the design standards in Article 8, street trees are required in accordance with the standards provided in the Standard Construction Specifications and the Urban Forestry Management Plan.

12.324 Street Tree Planting Options. Options available to meet this requirement are identified below. Where street side post-construction stormwater quality facilities are proposed on a new public street, the option selected must match the planting option selected for the post-construction stormwater quality facilities as identified in Title 12 of the Albany Municipal Code:

- (1) Submit a street tree plan to the City for planting and establishing trees within the public rights-of-way that meets the tree planting standards in the Urban Forestry Management Plan. The City Forester shall either approve or deny the plan based on the plan's compliance with these requirements.
- (2) Pay a fee to the City based upon a requirement for one tree per thirty linear feet of street frontage. This fee shall be deposited into the City's Urban Forestry Program Fees Fund. The City shall thereafter assume responsibility for the purchase, planting, and establishment of street trees within the public right-of-way or on public lands maintained by the City within or abutting the specified development.

[Response : There are no proposed street trees as a part of the development.](#)

BIKEWAYS

12.330 Master Bikeways Plan. The City's Transportation System Plan identifies existing and proposed bicycle facilities.

12.340 Provisions for Bikeways. Developments adjoining or containing proposed bikeways identified in the Transportation System Plan shall construct and extend said facilities to and through the property's frontage and along its interior, or to a point identified by the City Engineer to accommodate likely system expansion. Where the City Engineer has determined construction is untimely, provisions shall be made for the future construction and extension of said facilities. In the case of arterial or collector streets, bike facilities shall be built during their construction and considered during their reconstruction. This provision shall also apply to local streets in other than single-dwelling unit residential developments.

12.350 Bikeway Design. The design of on-street bike lanes and facilities shall be in accordance with the Transportation System Plan and the City's Engineering Standards, and must be approved by the City Engineer. The minimum width for two-way bikeways not on a roadway shall be 10 feet. A reduction in standards may be allowed when the City Engineer finds that no safety hazard will be created and special circumstances (such as physical constraints) exist.

Response : The 41st Ave is not identified in the City of Albany Transportation System Plan as a proposed or existing bikeway.

UTILITIES—GENERAL

12.360 Utility Easements. The developer shall make arrangements with the City of Albany and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. All utility easements must be public easements.

Response : There are no new proposed utility lines within the scope of work that would require a public easement. Proposed development will connect to existing utilities. This criteria does not apply.

12.370 Utility Easement Width. The standard width for public utility easements adjacent to street rights-of-way is 7 feet. The minimum width for all other public utility easements shall be 15 feet for water, 20 feet for sewer, and 15 feet for piped storm drainage unless otherwise specified by the utility provider.

12.380 Information on Development Plans. The developer must show easements for all utilities. Plans showing the location of all utilities shall be submitted to the City as part of the Site Plan Review or land division process.

12.390 Requirement for Underground Utilities. Except as exempted in Section 12.400, all utility lines, cables, or wires (including but not limited to those used for electricity, communication, street lighting, and cable television) constructed upon, adjacent to, or within land subdivided or prepared for development after the effective date of this Code, must be placed underground. The intent of the City is that no poles, towers, or other structures associated with utility facilities shall be permitted on any street or lot within such a subdivision or development.

12.400 Exceptions. Overhead facilities are only permitted in the following instances:

- (1) Emergency installations, electric transmission lines, or through feeders operating at distribution voltages which act as a main source of supply to primary laterals and to direct connected distribution transformers and primary loads. Should it be necessary to increase the capacity of major power transmission facilities for service to the area, new or revised installations shall be made only on rights-of-way or easements on which overhead facilities exist at the time of the capacity increase.
- (2) Appurtenances and associated equipment such as surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, telephone cable closures, and connection boxes, which cannot feasibly be located underground.
- (3) Structures without overhead wires, used exclusively for fire alarm boxes, street lights, or municipal equipment installed under the supervision and with the approval of the City Engineer.
- (4) Power substations, pumping plants, and similar facilities which are necessary for transmission or distribution of utility services and which cannot feasibly be located underground.

- (5) Television antennas and satellite dishes
- (6) Onsite improvement for industrial developments.
- (7) Certain industries requiring exceptionally large power supplies may request direct overhead power as a condition of site plan approval.
- (8) New development on existing individual lots of record in areas where service is currently by overhead utilities.

12.405 Property Monuments. Upon completion of a utility project and before acceptance by the City, all property corners and other monuments disturbed or removed by the project shall be reestablished and protected by an Oregon-licensed surveyor retained by the developer.

WATER

12.410 When Public Water is Available. All new development, including a single-dwelling unit residence, must extend and connect to the public water system when service is available within 150 feet of the property. Fire hydrants, mains, and related appurtenances shall be installed as required by the City Fire Marshal.

Response : There are no new proposed water service within the scope of work that would require a public easement. Proposed development will connect to existing water service. This criterion does not apply.

12.420 When Public Water is Not Available. No new development is allowed on private well systems, except for construction of one single-dwelling unit detached dwelling or one duplex on an existing lot of record. Residential lots created by a land partition may be served by private wells if approved by the City, and provided the new lots are subject to a Petition for Improvement/Waiver of Remonstrance for a future assessment district for public water. If a second partition plat is filed on the same parcel, the application will be subject to the subdivision requirement that the development be served by public water.

12.430 Extension Along Property Frontage and Within Interior. Water distribution mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion. Main extensions may be required through the interior of properties when necessary to provide service to other properties or to provide looping for fire flows.

12.440 Water Plan Approval. Preliminary water plans and systems must be submitted to the City Engineer as part of the tentative plat or Site Plan Review application. These plans must provide enough information to enable the City Engineer to determine that the proposed development is feasible, but are not required to be detailed construction level documents. The City's Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.

12.450 Design Requirements for New Development. All new development within the City must, when appropriate, make provisions for the continuation or appropriate projection of existing principal water lines serving surrounding areas.

12.460 Restriction of Development. The review body may restrict development approvals when a deficiency exists in the water system or portion thereof which cannot be corrected as a part of the development improvements.

SANITARY SEWERS

12.470 When Public Sewer is Available. All new development must extend and connect to the public sewer system when service is available within 300 feet of the property.

Response : Proposed development will connect to existing sanitary sewer service on site. This criteria does not apply.

12.480 When Public Sewer is Not Available. Where sewer is not available within 300 feet of the property, no development is allowed on private septic systems, except for construction of one single-dwelling unit detached or one duplex on an existing lot of record or on a parcel no smaller than five acres created through the land division process. Any private on-site system allowed by this section must be approved by the county.

12.490 Extension Along Property Frontage and Within Interior. Sewer collection mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion. When private sanitary sewer services will exceed 100 feet long, as measured from the public main to the structure, the City Engineer may require extension of public sewers into the interior of the property.

12.500 Sewer Plan Approval. Preliminary sewer plans and systems must be submitted to the City Engineer as part of the tentative plat or Site Plan Review application. These plans must provide enough information to enable the City Engineer to determine that the proposed development is feasible, but are not required to be detailed construction level documents. The City's Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.

12.510 Design Requirements for New Developments. All new development within the City must, where appropriate, make provisions for the continuation or appropriate projection of existing sewer lines serving surrounding areas. Line extensions may be required through the interior of a property to the developed when the City Engineer determines that the extension is needed to provide service to upstream properties.

12.520 Restriction of Development. The review body may restrict development approvals where a deficiency exists in the sewer system or portion thereof that cannot be corrected as a part of the development improvements.

STORM DRAINAGE

12.530 General Provisions. The review body will approve a development request only when adequate provisions for storm and flood water run-off have been made as determined by the City Engineer. The storm water drainage system must be separate from and independent of any sanitary sewer system. When possible, inlets should be provided so surface water is not carried across any intersection or allowed to flood any street. Surface water drainage patterns and proposed storm drainage must be shown on every development proposal plan. All proposed storm drainage management plans and systems must be approved by the City Engineer as part of the tentative plat or Site Plan Review process.

12.535 Storm Drainage Plan Approval. Preliminary storm drainage management plans and systems must be submitted to the City Engineer as part of the Tentative Plat or Site Plan Review application. These plans must provide enough information to enable the City Engineer

to determine that the proposed development is feasible, but are not required to be detailed construction level documents. The City's Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.

12.540 Easements. When a subdivision is traversed by a watercourse, drainageway, channel or stream, a public storm water easement conforming substantially to the lines of the watercourse and further width as the City Engineer determines will be adequate for conveyance and maintenance shall be provided. Improvements to the drainage way, streets, or parkways parallel to watercourses may be required.

12.550 Accommodation of Upstream Drainage. A culvert or other drainage facility shall be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside of the development. The City Engineer must review and approve the necessary size of the facility, based on the provisions of the Storm Drainage Master Plans and Engineering Standards, and assuming conditions of maximum potential watershed development permitted by the Comprehensive Plan.

12.560 Effect on Downstream Drainage Facilities. When the City Engineer anticipates that the run-off resulting from the development will overload or cause damage to an existing drainage facility, the review body will withhold approval of the development until provisions have been made for improvement, or prevention, of said potential condition.

12.570 Storm Drainage Management Practices. Development must employ storm drainage management practices approved by the City Engineer that minimize the amount and rate of surface water run-off into receiving streams or drainage facilities or onto adjoining properties. As required by Title 12 of the Albany Municipal Code, the development must also employ post-construction storm water quality management practices approved by the City Engineer that regulate the quality of the stormwater leaving the site. Drainage management practices must include, but are not limited to, one or more of the following practices:

- (1) Temporary and permanent ponding or detention of water;
- (2) Post-construction stormwater quality facilities;
- (3) Minimization of impervious surfaces;
- (4) Emphasis on natural drainageways;
- (5) Prevention of uncontrolled water flow from the development;
- (6) Stabilization of natural drainageways as necessary below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion;
- (7) Collection of runoff from impervious surfaces and transportation to a natural drainage facility with sufficient capacity to accept the discharge; and
- (8) Other practices and facilities designed to transport storm water and improve water quality.

12.575 Extension Along Property Frontage and Within Interior. Storm mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.

12.580 Design Requirements for New Development. All new development within the City must, when appropriate, provide for the continuation or appropriate projection of existing storm drain lines or drainageways serving surrounding areas. Extensions may be required through

the interior of a property to be developed when the City Engineer determines that the extension is needed to provide service to upstream properties.

12.581 Restriction of Development. The review body may restrict development approvals where a deficiency exists in the storm water system or portion thereof that cannot be corrected as part of the development improvements.

12.585 NPDES Permit Required. A National Pollutant Discharge Elimination System (NPDES) permit must be obtained from the Department of Environmental Quality (DEQ) for construction activities (including clearing, grading, and excavation) that disturb one or more acre of land, or whatever the current standard is at the time the application is submitted.

IMPROVEMENT ASSURANCES

12.590 Purpose. The purpose of improvement assurances is to provide the City with a guarantee that the improvements called for in this article, whether public or private, will be made. The type of guarantee will be determined by the City. Before issuing or renewing a development approval when the applicant has an obligation to design and construct improvements shown on the development plan, the review body may require that the applicant acknowledge the obligation.

Response : Noted.

12.600 Form and Contents. The assurance shall contain the time within which the obligation is to be met. It may take the form of a surety or performance bond, cash, a negotiable security deposit, a mutual improvement agreement, a monetary contribution to a fund for future improvements if established by a separate city ordinance, or other guarantees approved by the City Attorney sufficient to cover the cost of the work as estimated by the City. The bond shall be conditioned upon the developer's carrying out the obligation and fulfilling the other requirements of this Title that bear on the approval of the development. The deposit or bond shall be forfeited to the City if the developer does not fulfill the requirements. The bond or deposit shall remain in the custody of the City until the obligation is completed or the bond or deposit is forfeited, or shall be placed in an escrow account subject to City control.

12.610 Noncompliance with Provisions Under Obligation. If the Director finds that a developer is not fulfilling an obligation, the Director shall, in written notice to the developer and the developer's surety, specify the details of noncompliance. Unless the Director allows more time for compliance because of circumstances beyond the developer's control, within 30 days after receiving the notice, the developer or the developer's surety shall begin compliance and proceed diligently to complete fulfillment of the obligation.

- (1) If the developer or the developer's surety does not begin compliance within the 30 days or the additional time allowed by the Director, or has begun but fails to diligently complete the compliance, or the compliance is otherwise not completed within the time specified in granting the development approval, the City may take the following action: (ol style="list-style-type: none;">- a. Enter upon the site of the development and carry out the obligation in accordance with the provisions agreed upon under the acknowledgement;
- b. Notify the developer and the developer's surety of the developer's failure to perform as required by this Code;
- c. Demand payment from the developer for the unfulfilled obligation;

- d. If the security for the obligation is a bond, notify the surety that has furnished the bond that reimbursement for the expense for fulfillment of the obligation is due and payable to the City or, if the security is a deposit of cash or other assets, appropriate as much of the deposit as is necessary to recoup the expense; or
 - e. Void all approvals granted in reliance on the improvement assurance.
- (2) If a bond or other required security is not sufficient to compensate the City for expenses necessary to fulfill the obligation, the amount due to the City for the obligation is a lien in favor of the City and upon the entire contiguous real property of the owner of the land subject to the obligation.
 - (3) The lien attaches upon the filing with the City Recorder of notice of the claim for the amount due for the fulfillment of the obligation. The notice shall demand the amount due, allege the insufficiency of the bond or other security to compensate the City fully for the expense of the fulfillment of the obligation, and allege the developer's failure to do the required obligation.
 - (4) The lien may be foreclosed in the manner prescribed by law for foreclosing other liens on real property.
 - (5) The remedies set forth for non-compliance are cumulative. In addition to the remedies set forth above, non-compliance by the developer or the developer's surety with any term of a performance guarantee shall entitle the city to pursue any civil remedy permitted by law.