

AN ORDINANCE AMENDING ORDINANCE NO. 4447, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN MAP; AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP; ADOPTING FINDINGS; AND DECLARING AN EMERGENCY FOR PROPERTY LOCATED AT 3410 PACIFIC BOULEVARD SE.

WHEREAS, the City of Albany Planning Commission recommended approval of the proposed map amendments, based on evidence presented in the staff report and at the public hearing for City of Albany Case File Nos. CP-03-97, and ZC-03-97; and

WHEREAS, the Albany City Council held a public hearing on these cases on June 25, 1997.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Findings of Fact contained in the staff report and attached as Exhibit "A" are hereby adopted in support of this decision.

Section 2: The Albany Comprehensive Plan Map designation of the 2.45-acre subject property is hereby amended from General Commercial to High Density Residential.

Section 3: The Zoning Map designation of the same 2.45-acre subject property is hereby amended from CC (Community Commercial) to RM-3 (Residential Multiple Family).

Section 4: A legal description of the subject property and a map showing the amendments to the Comprehensive Plan Map and Zoning Map are attached as Exhibits "B-1" and "B-2."

Section 5: A copy of the map showing the amendments to the Comprehensive Plan Map and Zoning Map shall be filed in the Office of the City Recorder of the City of Albany and the changes shall be made on the official City of Albany Comprehensive Plan Map and Zoning Map.

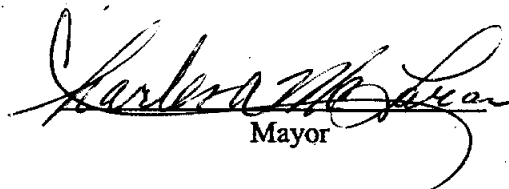
Section 7: A copy of the legal description of the subject property and the map showing the amendment to the Zoning Map shall be filed with the Linn County Assessor's Office within 90 days after the effective date of this ordinance.

IT IS HEREBY adjudged and declared that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany, and an emergency is hereby declared to exist, and this Ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by the City Council: July 9, 1997

Approved by the Mayor: July 9, 1997

Effective Date: July 9, 1997


Mayor

ATTEST:


City Recorder

FINDINGS DOCUMENT
File s CP-03-97 and ZC-03-97

The Findings of Fact are contained in the Staff Report which is part of the Council agenda packet.

STAFF ANALYSIS

Comprehensive Plan Map Amendment File CP-03-97

The Albany Development Code contains the following review criteria which must be met for this quasi-judicial map amendment to be approved. Code criteria are written in *bold italics* and are followed by proposed findings and conclusions.

(1) The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be more supportive of the Comprehensive Plan as a whole than the old designation.

FINDINGS OF FACT

- 1.1 The requested Comprehensive Plan designation for the subject property is High Density Residential. The existing designation is General Commercial.
- 1.2 The Comprehensive Plan (page 3) defines a policy as “a statement identifying a course of action or City position. Although more specific than goals, policies usually do not explain the exact method of implementing a goal.”

The Comprehensive Plan describes the City’s obligation in regard to policies as follows: “The City must follow relevant policy statements in making a land use decision...[or amend the Plan]. However, in the instance where specific Plan policies appear to be conflicting, then the City shall seek solutions which maximize each applicable policy objective within the overall content of the Comprehensive Plan and in a manner consistent with the statewide goals. In balancing and weighing those statements, the City can refer to general categories of policies and does not have to respond to each applicable policy. Also, in this weighing process, the City shall consider whether the policy contains mandatory language (e.g. shall, require) or more discretionary language (e.g. may, encourage).”

- 1.3 The Comprehensive Plan (page 127) describes land designated General Commercial as “areas from neighborhood services to heavy commercial establishments, suitable for a wide range of retail sales and service establishments. Aside from recognition of existing commercial corridors, a commercial node has been created which will direct commercial development to one general area within the City and to avoid the continuance of ‘strip commercial’ development in order to more efficiently serve the shopping needs of the community and region.”
- 1.4 The Comprehensive Plan (page 126) describes land designated High Density Residential as permitting “multiple family and condominium developments at densities ranging from 20 to 40 units per acre depending upon approved density bonuses. These areas are concentrated near major commercial centers and corridors and with immediate access to arterial street and/or major collectors.”
- 1.5 The subject property is currently developed with 30 apartment units. There is a small area of the property (approximately 100 feet by 200 feet) that is undeveloped. The property is currently designated General Commercial and zoned CC (Community Commercial). Multi-family development is not allowed on land designated as General Commercial and zoned CC, so the development on the property is a (legal) nonconforming use. Nonconforming uses are allowed to expand one time within certain limits as specified in the Development Code. A recent addition of storage units to the property used the one-time expansion limit.
- 1.6 The following Comprehensive Plan policies are relevant to this application. The policies are written in *italic* print, followed by Findings of Fact.

1.7 Goal 2: Land Use Planning - Updating and Amending the Plan

Policy 2: *Base approval of Comprehensive Plan amendments upon consideration of the following:*

e. *Short- and long-term impacts of the proposed change.*

The short-term impact of the proposed change from General Commercial to High Density Residential will be that the undeveloped part of the subject property will be available for residential development. It will be unavailable for commercial development. The owner has recently made significant improvements to the existing units on the property. The applicants state that the owner of the property intends to "expand the number of units on the site..." if the Comprehensive Plan Map designation is changed.

The long-term impact of the change is that no part of the property will be available for commercial development. The use of the property will have to continue as high density residential.

As discussed in Finding of Fact 1.12 below, the opportunity to develop a node of commercial uses at the intersection of Pacific Boulevard and 34th Avenue will no longer exist. However, an opportunity to develop additional residential units at a transit stop and in proximity to activity centers, including three major employers and the YMCA, will be created.

f. *Demonstration of public need for the change.*

Staff has identified only four parcels currently available within the city limits for development of high density residential housing. The largest vacant parcel of land zoned RM-3 is located at the most easterly boundary of the city limits, south of Highway 20 across from Goldfish Farm Road. This parcel is about 15 acres. The other three parcels are 0.19 acres, 1.08 acres, and 2.28 acres. Each of these parcels is located between the Burlington Northern railroad tracks and Salem Avenue across from Waverly Lake.

Goal 10, Policy 1 says that the City will "ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents."

The largest available parcel zoned RM-3 (the 15-acre parcel) is nearly one mile from the nearest concentration of employment opportunities on the west side of Interstate 5. The nearest public services to this parcel are several hundred feet away. The other (smaller) parcels are near employment centers and have public services available, but together they total only 3.6 acres. There appears to be a need for additional RM-3 zoned land more readily accessible to employment and public services.

The subject property is located across Pacific Boulevard from land designated for Light Industrial use, and developed with a range of commercial uses. Approximately one-third mile to the east of the subject property on 34th Avenue is Oremet, one of Albany's largest employers. Just north of the subject property on the east side of Pacific Boulevard are Smokecraft, Oregon Freeze Dry and Golden West Homes. All three are major employers.

Sewer service, water service, storm drainage, and street access are all available to the subject property within the Pacific Boulevard right-of-way.

g. *Demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.*

The only alternative to changing the Comprehensive Plan designation of land already within the city limits to allow more high density residential development is to annex URR designated property to the City, and apply the RM-3 zoning designation. The City does not have an on-going annexation program; the Planning Division accepts applications from property owners who may want to annex their land to the City. Much of the available land inside the UGB, but now outside the city limits does not have the infrastructure in place that will be needed to serve development. The Planning Division is currently in the process of updating the Comprehensive Plan and Zoning Map to provide an adequate supply of land for residential, commercial, and industrial property. This process may take as long as two years. (The process of updating the Plan and Zoning Map is referred to as Periodic Review, a review required by the State's Land Conservation and Development Commission.)

1.8 Goal 6: Air, Water, and Land Resources Quality - Sound Quality

Policy 2: *As much as possible, separate noise-sensitive uses and noise-generating uses.*

Policy 3: *Locate, design, and buffer noise-generating land uses such as major transportation facilities and industrial areas to protect both existing and potential noise-sensitive uses.*

The land across Pacific Boulevard from the subject property for approximately one-half mile north and south is designated Light Industrial. The land is currently developed primarily with commercial uses. However, there is a metals salvage yard directly across Pacific Boulevard from the subject property.

The Comprehensive Plan (page 127) describes land designated for Light Industrial use as "areas suitable for a wide range of light industrial manufacturing, warehousing, wholesaling, and other accessory and compatible uses which have minimal environmental effects and can conform to Development Code performance standards for the Light Industrial Zone." Performance standards listed in Albany Development Code (ADC) Section 9.380 essentially reference Oregon Department of Environmental Quality (DEQ) standards for noise. These standards limit the amount and quality of noise that industrial businesses may emit. Noise is measured at the nearest "noise sensitive" use. Residential development is noise sensitive.

If the Comprehensive Plan designation of the subject property is changed from General Commercial to High Density Residential, there is a potential for present or future light industrial uses across Pacific Boulevard to impact residential development on the subject property. This may create a burden on light industrial businesses that would otherwise not exist if the use of the subject property was someday made conforming with its current designation for commercial use.

The present use of the subject property is residential. The applicants state that "the present uses [across Pacific Boulevard] are not considered a noise nuisance to the occupants of the 30 units which are presently being rented. More than likely, the heavy traffic and 18-wheeler truck traffic create more of a noise impact than the light industrial neighbors. The position of the units at a level of 4 feet to 5 feet below the street level assists in deflecting unwanted noise over the housing units instead of against them, thereby reducing the noise impact."

Policy 4: *For new noise-sensitive development, encourage special construction, design, and buffering techniques in areas where that development would be impacted by noise.*

- 1.9 ADC 3.340 requires "buffering and screening" between residential uses and any arterial street. Pacific Boulevard is classified as an Urban Principal Arterial on the City's Master Street Plan (Comprehensive Plan Plate 12). Future residential development on the subject property would have to include a 10-foot wide strip of buffering and screening. Buffering consists of a row of trees, and screening consists of a hedge, fence, wall, or berm. There is already a six-foot high fence in place along the Pacific Boulevard frontage of the

subject property for the length of the property that is currently vacant. (There is a four-foot high fence along the length of the property that is already developed.)

1.10 Goal 9: Economy - Economic Development

Policy 1: *Provide opportunities to develop the full range of commercial, recreational, and professional services to meet the needs of Albany's residents and others.*

The designation of the subject property is now General Commercial. This designation allows "neighborhood services to heavy commercial establishments, suitable for a wide range of retail sales and service establishments." Staff has identified four other vacant parcels of land designated for General Commercial use within the Urban Growth Boundary (UGB). These parcels are: 1) Linn County Assessor's Map 11S-3W-9D, a part of Tax Lot 100 (south of Highway 20, across from Goldfish Farm Road, approximately 22 acres), 2) Map 11S-3W-19, Tax Lot 100 (the old Linn County Fairgrounds, approximately 14 acres), 3) Map 11S-3W-18, Tax Lots 400, 500, 600, 80, and 900 (southeast corner of 34th Avenue and Hill Street, approximately 9 acres), and 4) Map 11S-3W-19, Tax Lot 500 (east side of Pacific Boulevard, across from 53rd Avenue, approximately 25 acres). The property at 34th Avenue and Hill Street has a significant amount of wetlands on it, so the opportunity to develop this property may be limited.

The subject property is currently designated for General Commercial use, but is developed with 30 apartment units. The owner has recently made significant improvements to the existing buildings. An area of only approximately 100 feet wide along Pacific Boulevard by 200 feet deep is vacant land. The applicant states that this area is "capable of supporting 18 additional units...." The applicant has had discussions with the Planning Division regarding future residential development on the property.

1.11 Goal 10: Housing

Policy 1: *Ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents.*

As discussed under Finding of Fact 1.7 above, staff has identified only four parcels currently available within the city limits for development of high density residential housing. The largest vacant parcel of land zoned RM-3 is located at the most easterly boundary of the city limits, south of Highway 20 across from Goldfish Farm Road. This parcel is about 15 acres. The other three parcels are 0.19 acres, 1.08 acres, and 2.28 acres. Each of these parcels is located between the Burlington Northern railroad tracks and Salem Avenue across from Waverly Lake.

The largest available parcel zoned RM-3 (the 15-acre parcel) is nearly one mile from the nearest concentration of employment opportunities on the west side of Interstate 5. The nearest public services to this parcel are several hundred feet away. The other (smaller) parcels are near employment centers and have public services available, but together they total only 3.6 acres. There appears to be a need for additional RM-3 zoned land more readily accessible to employment and public services.

1.12 Goal 14: Urbanization - Directing Growth

Policy 12: *Discourage future strip commercial development and promote clustered commercial opportunities and the infilling of existing commercial areas which will foster:*

- a. *Efficient and safe utilization of transportation facilities.*
- b. *A variety of attractive and comfortable shopping opportunities that encourage shopping in a number of stores without auto use.*

- c. *Compatibility between land uses, particularly adjacent residential neighborhoods.*
- d. *Efficient extension of public facilities and services.*

Policy 15: *Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.*

Policy 16: *Provide development opportunities for large scale industrial and commercial development and for people to live in proximity to activity centers, particularly their place of employment.*

The subject property is located on Pacific Boulevard at its intersection with 34th Avenue. Pacific Boulevard (State Highway 99E) is an Urban Principal Arterial street and 34th Avenue is an Urban Minor Arterial street. In general, intersections of major transportation routes offer the most appropriate location for nodes of commercial development because of their superior access and high traffic volumes. To the north of the subject property is land designated for Light Commercial uses. This land is developed with office professional uses, except the parcel just north of the subject property has two duplexes on it. The land across Pacific Boulevard is designated Light Industrial. These land use designations create the opportunity to develop the intersection of Pacific Boulevard and 34th Avenue as a node of commercial businesses, thereby discouraging future strip commercial development on Pacific Boulevard. The subject property is currently mostly developed with a residential use (apartments), so the opportunity to promote infilling of this existing commercial land in the short term is limited.

The property can be further developed with more residential units if the Comprehensive Plan designation and zoning are changed to allow high density residential use. The property is currently served by the City's bus system (there is a bus stop at the driveway into the existing apartments). High density residential development along transit routes creates an increase in potential number of transit users, and may reduce dependency on the private automobile.

As discussed in Finding of Fact 1.7 above, there is a cluster of commercial uses across Pacific Boulevard and a YMCA, and there are four major employers within about a half-mile of the subject property.

CONCLUSIONS

- 1.1 In making the decision whether this criterion is met, that is, whether the proposed Comprehensive Plan Map designation of High Density Residential is "more supportive" of the Plan than the old General Commercial designation, the various relevant Comprehensive Plan policies must be considered with the purpose of this weighing and balancing being to maximize each applicable policy objective.
- 1.2 If the Comprehensive Plan Map designation of the property is changed from General Commercial to High Density Residential, a small area of vacant land designated for high density residential use will be made available for development. There is a need for more land that is designated for high density residential use and is accessible to employment and public services within the Urban Growth Boundary. The only alternative to changing the designation of property currently within the city limits from some other designation to High Density Residential is to annex property and designate it for high density residential use, but the City does not have an annexation program, and much of the land that could be annexed does not have adequate infrastructure. An adequate supply of high density residential land will be made available through the Periodic Review process, but that may take as long as two years. The subject property is within the city limits and accessible to employment and public services.
- 1.3 The land across Pacific Boulevard from the subject property is designated for Light Industrial use. The land is currently developed primarily with commercial uses which produce no apparent noise impacts on the

subject property. There is, however, a metals salvage yard across Pacific Boulevard which may produce noise impacts. Future light industrial uses may also produce impacts on the subject property. Noise from existing and future uses can be controlled through enforcement of DEQ noise standards. The impact of noise from these uses, and from traffic on Pacific Boulevard, can be mitigated at the time new residential units are developed on the property by applying Development Code requirements for buffering and screening.

- 1.4 There are currently approximately 70 acres of vacant General Commercial land available within the Albany city limits. The City has no current estimate of demand for commercial land, but because the subject property is currently mostly developed with apartments which have been recently upgraded, the property is not considered to be available for commercial development. So, removing the property from the inventory of General Commercial land will have no impact on the supply in the short term. Additional land at suitable locations can be added during the Periodic Review. The crucial question is whether the most suitable use of the subject property in the long-term is commercial or residential.
- 1.5 The subject property is located in the southwest quadrant of the intersection of Pacific Boulevard and 34th Avenue. The property within the northwest quadrant is designated for Light Commercial use. Land across Pacific Boulevard in both the northeast and southeast quadrants of the intersection are designated for Light Industrial use. Uses allowed within light industrial areas include a wide range of commercial uses. The opportunity exists now and in the future, with the subject property designated for General Commercial use, to create a node of commercial uses at the intersection of Pacific Boulevard and 34th Avenue. This opportunity will no longer exist if the designation of the property is changed to High Density Residential.
- 1.6 The subject property is currently served by the City's bus system. There is a transit stop located at the driveway which provides access to the existing apartments on the property. The subject property is located within one-half mile of three major employers and the YMCA (an activity center).
- 1.7 The proposed High Density Residential Comprehensive Plan Map designation is more supportive of the Comprehensive Plan than the old General Commercial designation because:
 - (a) There is a need for more High Density Residential land within the city limits with access to employment and activity centers, and
 - (b) The subject property is not now available, and will not likely be available in the long-term, for commercial development, so there will be no impact on the supply of commercial land within the Urban Growth Boundary.

(2) The requested designation is consistent with any relevant area plans adopted by the City Council.

FINDINGS OF FACT

- 2.1 We interpret "relevant area plans" to mean plans, other than the Comprehensive Plan Map and Zoning Map, that specifically direct a future pattern of land use. There are no such plans for this area.

CONCLUSIONS

- 2.1 This criterion is not applicable, because there are no relevant area plans, so no review of consistency with a plan is necessary.

(3) The requested designation is consistent with the Comprehensive Plan map pattern.

FINDINGS OF FACT

- 3.1 The requested Comprehensive Plan designation is High Density Residential.
- 3.2 The Comprehensive Plan Map designation of the land to the north is Light Commercial; to the west and south is Low Density Residential; and across Pacific Boulevard to the east is Light Industrial.
- 3.3 The requested High Density Residential map designation is compatible with the Light Commercial designation to the north and the Low Density Residential designation to the west and south because the uses allowed in each of these districts is similar in intensity. Light Commercial uses are generally office professional or neighborhood commercial. Low Density Residential uses are residential single-family.

In general, it is not desirable to locate residential uses across a local street from Light Industrial uses. Residential uses and light commercial uses generate very different types of traffic, which may result in conflicts between these uses. When light industrial and residential uses abut, it is best that the interface between the uses be located at the back property line. However, in the case of the subject property, Pacific Boulevard separates the subject property from the Light Industrial land across the street. Pacific Boulevard is designed to provide a transportation route that moves traffic through the area and also provides suitable in and out access for a variety of uses, including light industrial, commercial, and residential developments.

- 3.4 As discussed in Finding of Fact 1.9 above, buffering and screening are required between high density residential development and arterial streets. Pacific Boulevard is classified as an Urban Principal Arterial street. Future residential development on the subject property would have to include a 10-foot wide strip of buffering and screening.

CONCLUSIONS

- 3.1 The proposed High Density Residential designation of the subject property is consistent with the Comprehensive Plan map pattern because:
 - a. High density residential uses are compatible with uses allowed on the Light Commercial land to the north and the Low Density Residential land to the west and south.
 - b. High density residential uses on the subject property will be compatible with uses allowed on the Light Industrial land across Pacific Boulevard given the function of Pacific Boulevard and Development Code requirement for buffering and screening.
- 3.2 This criterion is met.

(4) The requested designation is consistent with the Statewide Planning Goals.

FINDINGS OF FACT

- 4.1 Statewide Planning Goal 2 (Land Use Planning), Goal 6 (Air, Water, and Land Resources), Goal 9 (Economic Development), Goal 10 (Housing), and Goal 14 (Urbanization) are relevant to review of the subject application.

- 4.2 *Goal 2 (Land Use Planning) is "to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."*

The Comprehensive Plan provides a policy framework for land use decisions. The Albany Development Code requires consideration of Comprehensive Plan policies when amendments to the Plan are proposed. The subject application is being processed in accordance with the Type IV land use process (Planning Commission and City Council public hearings required) prescribed in Article I of the Albany Development Code, and in accordance with the requirements set forth in the Code for Comprehensive Plan Map amendments. The Comprehensive Plan and Development Code have been acknowledged by the Land Conservation and Development Commission (LCDC) as consistent with the Statewide Planning Goals.

- 4.3 *Goal 6 (Air, Water, and Land Resources) is "to maintain and improve the quality of the air, water, and land resources of the state."*

The guidelines and implementation strategies include noise as a "discharge" which should be considered in reviewing development. The guidelines say that plans should buffer and separate those land uses which create or lead to conflicting requirements and impacts on air, water and land resources. As discussed in the Findings of Fact under Criterion (3) above, locating residential land adjacent to land designated for light industrial use can be allowed when controls are in place to minimize the impact of noise from light industrial uses on residential uses, and when transportation facilities are adequate to accommodate potentially conflicting traffic from both. These controls are specified (as referenced above) in the Albany Development Code.

- 4.4 *Goal 9 (Economic Development) is "to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."*

This goal primarily sets forth requirements for communities' Comprehensive Plans, especially the provision of suitable areas for increased economic growth and activity.

If the Comprehensive Plan designation of the subject property is changed from General Commercial to High Density Residential, the opportunity to create a node of commercial uses at the intersection of Pacific Boulevard and 34th Avenue will no longer exist. But because the subject property is currently mostly developed with apartments which have been recently upgraded, the property is not considered to be available for commercial development. So, removing it from the inventory of General Commercial land will have no impact on the supply in the short term, nor in the long term. Additional land at suitable locations can be added during Periodic Review (1997-99).

- 4.5 *Goal 10 (Housing) is "to provide for the housing needs of citizens of the state."*

The proposed change in the Comprehensive Plan Map designation of the subject property to High Density Residential will add to the supply of land designated for high density residential development readily accessible to employment and public services where a public need for an increase in the supply has been identified. (Reference Finding of Fact 1.7 and 1.11 above.)

- 4.6 *Goal 14 (Urbanization) is "to provide for an orderly and efficient transition from rural to urban land use."*

The subject property is within Albany's Urban Growth Boundary (UGB) and inside the current city limits. The property is "urbanizable" not rural. No change in the boundary between rural and urbanizable land is proposed, so conversion of rural to urbanizable land is not at issue here. The subject property is available for urban use.

CONCLUSIONS

4.1 This criterion is met, because:

- a. The subject application is being processed in accordance with the Albany Comprehensive Plan and Development Code, both of which have been acknowledged by LCDC.
- b. Any potential noise conflict between existing or future light industrial uses across Pacific Boulevard to the east and uses on the subject property can be mitigated by enforcing DEQ noise regulations and requiring buffering and screening of future residential development on the subject property.
- c. The subject property is not now available for commercial development, and most likely will not be in the short or long term.
- d. There is a need for more RM-3 zoned land within the city limits.
- e. The subject property is within the city limits and part of it is vacant and available for urban use.

In addition to the review criteria above, Oregon Administrative Rules (OAR) 660-12-060(1) states that "amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility."

The applicants have submitted a Zoning Map Amendment application concurrent with this Comprehensive Plan Map Amendment application. As part of the review of the Zoning Map Amendment application, the adequacy of the transportation system to accommodate potential development on the subject property has been reviewed. The findings and conclusions under Criterion (2) of that review also establish that a change in the Comprehensive Plan designation from General Commercial to High Density Residential will not significantly impact the transportation facilities in the vicinity of the subject property. Those findings and conclusions are incorporated here by reference.

STAFF ANALYSIS

Zoning Map Amendment File ZC-03-97

The Albany Development Code contains the following review criteria which must be met for this quasi-judicial map amendment to be approved. Code criteria are written in *bold italics* and are followed by proposed findings and conclusions.

(1) The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for in accordance with Section 2.080.

FINDINGS OF FACT

- 1.1 The proposed base zone is RM-3, Residential Multiple Family. The current Comprehensive Plan Map designation of the subject property is General Commercial. The RM-3 zoning designation is not consistent with the General Commercial designation, however, a Comprehensive Plan Map amendment has been applied for in accordance with ADC 2.090-2.220. [The reference in the review criterion to "Section 2.080" is an erroneous reference to a section of the Development Code that has been renumbered.]

203

CONCLUSIONS

- 1.1 The proposed RM-3 zoning designation is not consistent with the current Comprehensive Plan Map designation of the subject property, but a Comprehensive Plan Map amendment has been applied for, so this criterion is met.

(2) Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation.

FINDINGS OF FACT

- 2.1 The subject property is located on the west side of Pacific Boulevard (State Highway 99E) at 34th Avenue. The property is currently developed with 30 apartments. A small part of the property (approximately 100 feet wide by 200 feet deep) is vacant.
- 2.2 The proposed zoning designation for the subject property is RM-3 (High Density Residential). Uses that are permitted under the proposed RM-3 zoning designation are primarily residential. Albany Development Code (ADC) 3.022 identifies RM-3 zoning districts as "intended primarily for medium to high density urban residential development," with development to occur at 20-40 units per acre. For the purposes of this review, we have assumed the future use of the property to be high density residential.
- 2.3 There is an existing driveway on Pacific Boulevard which provides access to and from the apartments on the property. Further development on the subject property will mostly likely take access to and from Pacific Boulevard.
- 2.4 Pacific Boulevard is an improved street with two vehicle lanes and a bicycle lane in each direction. There is a continuous two-way center turn lane on Pacific Boulevard north and south of its intersection with 34th Avenue. The City Engineer has determined that Pacific Boulevard can accommodate existing and future pedestrian, bicycle and other vehicle traffic to and from high density residential development on the subject property.

CONCLUSIONS

- 2.1 Existing transportation facilities can accommodate existing and future pedestrian, bicycle and other vehicle traffic to and from the subject property.
- 2.2 This criterion is met.

(3) Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area.

FINDINGS OF FACT

- 3.1 Uses that are permitted under the proposed RM-3 zoning designation are primarily residential. ADC 3.022 identifies RM-3 zoning districts as "intended primarily for medium to high density urban residential development," with development to occur at 20-40 units per acre. For the purposes of this review, we have assumed the future use of the property to be high density residential.

204

- 3.2 Water: Public water utility maps show that there is a 16-inch water main and a 6-inch water main in Pacific Boulevard. The City Engineer has determined that these public water mains provide sufficient capacity to accommodate potential development on the subject property.
- 3.3 Sanitary sewer: Sanitary sewer utility maps show that there is a 12-inch sewer main in Pacific Boulevard, and a 6-inch main that terminates at a manhole near the northeast corner of the subject property. The City Engineer has determined that these public sewer mains provide sufficient capacity to accommodate potential development on the subject property.
- 3.4 Storm sewers: Storm drain utility maps show that there is a storm drainage system in Pacific Boulevard, and a large natural drainage ditch north of the subject property. The City Engineer has determined that these storm drainage facilities can accommodate the run-off from potential development on the subject property.
- 3.5 Schools: The subject property is located in Greater Albany Public School District 8-J (GAPS). Children who live in future development on the property will attend Liberty Elementary School, Memorial Middle School, and West Albany High School. Changing the zoning of the subject property from commercial to high density residential will potentially increase demand for school space at these schools, although much of the property is already developed.

The Planning Division has provided notice of the subject application, and an opportunity for the school district to comment on the application, but the school district has not submitted a response. However, it has been the past practice of the school district to accommodate students in existing school space, or add additional modular classrooms to accommodate increased student enrollment. We expect this practice to continue.

- 3.6 Police and fire protection: The Planning Division has provided notice of the subject application, and an opportunity for the Albany Police Department to comment. ADC 1.215 provides that "if the agency or city department does not comment within 10 days..., the agency or city department is presumed to have no comments or objections." The Police Department has not returned comments, so they are presumed to have no comments or objections.

The Planning Division has provided notice of the subject application, and an opportunity for the Fire Department to comment. The Fire Department has responded that the subject property can be provided with fire protection.

CONCLUSIONS

- 3.1 Existing services, including water, sanitary sewers, storm sewers, schools, police and fire protection, can accommodate potential development on the subject property without adverse impact on the affected service area.
- 3.2 This criterion is met.

(4) Any unique natural features or special areas involved such as floodplains, slopes, significant natural vegetation, historic district will not be jeopardized as a result of the proposed rezoning.

FINDINGS OF FACT

- 4.1 **Floodplains:** *Comprehensive Plan Plate 5: Floodplains* shows no areas within a 100-year floodplain on the subject property. FEMA/FIRM Community Panel No. 410137 0003 E, dated March 16, 1989, shows the property in Zone X, an area determined to be outside the 500-year floodplain.
- 4.2 **Slopes:** *Comprehensive Plan Plate 7: Slopes* shows no areas of steep slopes on the subject property. The property is relatively flat.
- 4.3 **Wetlands:** *Comprehensive Plan Plate 6: Wetland Sites* shows no wetlands on the subject property. The U.S. Department of Interior, Fish and Wildlife Service, National Wetlands Inventory, dated 1994, shows no wetlands on the property.
- 4.4 **Vegetation:** *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat* shows no areas of concern on the subject property.

Planning Division staff visited the site on May 23, 1997, and found no significant vegetation or wildlife habitat. The vacant area of the property is grass.

- 4.5 **Historic District:** *Comprehensive Plan Plate 9: Historic Districts* shows that the subject property is not within a historic district, and the City's Preservation Planner states that there are no known historic or archaeological sites on the property.

CONCLUSIONS

- 4.1 There are no areas of floodplains, steep slopes, wetlands, or significant natural vegetation or wildlife habitat located on the subject property. The property is not within a historic district.
- 4.2 There are no natural features or special areas on the subject property to be jeopardized as a result of the proposed rezoning, so this criterion is not applicable.

(5) The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.

FINDINGS OF FACT

- 5.1 The Comprehensive Plan (page 3) defines a policy as "a statement identifying a course of action or City position. Although more specific than goals, policies usually do not explain the exact method of implementing a goal."

The Comprehensive Plan describes the City's obligation in regard to policies as follows: "The City must follow relevant policy statements in making a land use decision...[or amend the Plan]. However, in the instance where specific Plan policies appear to be conflicting, then the City shall seek solutions which maximize each applicable policy objective within the overall content of the Comprehensive Plan and in a manner consistent with the statewide goals. In balancing and weighing those statements, the City can refer to general categories of policies and does not have to respond to each applicable policy. Also, in this weighing process, the City shall consider whether the policy contains mandatory language (e.g. shall, require) or more discretionary language (e.g. may, encourage)."

- 5.2 The intent of residential zoning districts is to preserve land for housing. The Development Code preserves the character of neighborhoods by providing seven zones with different density standards. The purpose of the RM-3 zoning district is to allow medium to high density urban residential development. Development should occur at 20-40 units per acre. [ADC 3.020(6)]
- 5.3 The subject property is currently developed with 30 apartment units. There is a small area of the property (approximately 100 feet by 200 feet) that is undeveloped. The property is currently designated CC (Community Commercial). Multi-family development is not allowed on land zoned CC, so the current development on the property is a (legal) nonconforming use. Nonconforming uses are allowed to expand one time within certain limits as specified in the Development Code. A recent addition of storage units to the property used the one-time expansion limit.
- 5.4 The following Comprehensive Plan goals and policies are relevant to this application. The policies are written in *italic* print, followed by Findings of Fact.
- 5.5 Goal 2: Land Use Planning - Updating and Amending the Plan

Goal: *Undertake Periodic Review and Update of the Albany Comprehensive Plan to ensure the Plan:*

1. *Remains current and responsive to community needs.*
2. *Retains long-range reliability.*
3. *Incorporates the most recent and reliable information.*

Policy 2: *Base approval of Comprehensive Plan amendments upon consideration of the following:*

- e. *Short- and long-term impacts of the proposed change.*

The short-term impact of the proposed change from CC (Community Commercial) to RM-3 (High Density Residential) will be that the undeveloped part of the subject property will be available for residential development. It will be unavailable for commercial development. The owner has recently made significant improvements to the existing units on the property. The applicants state that the owner of the property intends to "expand the number of units on the site..." if the Zoning Map designation is changed.

The long-term impact of the change is that no part of the property will be available for commercial development. The use of the property will have to continue as high density residential.

As discussed in Finding of Fact 5.5 below, the opportunity to develop a node of commercial uses at the intersection of Pacific Boulevard and 34th Avenue will no longer exist. However, an opportunity to develop additional residential units at a transit stop and in proximity to activity centers, including three major employers and the YMCA will be created.

- f. *Demonstration of public need for the change.*

Staff has identified only four parcels currently available within the city limits for development of high density residential housing. The largest vacant parcel of land zoned RM-3 is located at the most easterly boundary of the city limits, south of Highway 20 across from Goldfish Farm Road. This parcel is about 15 acres. The other three parcels are 0.19 acres, 1.08 acres, and 2.28 acres. Each of these parcels is located between the Burlington Northern railroad tracks and Salem Avenue across from Waverly Lake.

Goal 10, Policy 1 says that the City will "ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents."

The largest available parcel zoned RM-3 (the 15 acre parcel) is nearly one mile from the nearest concentration of employment opportunities on the west side of Interstate 5. The nearest public services to this parcel are several hundred feet away. The other (smaller) parcels are near employment centers and have public services available, but together they total only 3.6 acres. There appears to be a need for additional RM-3 zoned land more readily accessible to employment and public services.

The subject property is located across Pacific Boulevard from land zoned LI (Light Industrial), and developed with a range of commercial uses. Approximately one-third mile to the east of the subject property on 34th Avenue is Oremet, one of Albany's largest employers. Just north of the subject property on the east side of Pacific Boulevard are Smokecraft, Oregon Freeze Dry and Golden West Homes. All three are major employers.

Sewer service, water service, storm drainage, and street access are all available to the subject property within the Pacific Boulevard right-of-way.

g. *Demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.*

The only alternative to changing the Comprehensive Plan designation of land already within the city limits to allow more high density residential development is to annex URR designated property to the City, and apply the RM-3 zoning designation. The City does not have an on-going annexation program; the Planning Division accepts applications from property owners who may want to annex their land to the City. Much of the available land inside the UGB, but now outside the city limits does not have the infrastructure in place that will be needed to serve development. The Planning Division is currently in the process of updating the Comprehensive Plan and Zoning Map to provide an adequate supply of land for residential, commercial, and industrial property. This process may take as long as two years. (The process of updating the Plan and Zoning Map is referred to as Periodic Review, a review required by the State's Land Conservation and Development Commission).

5.6 Goal 6: Air, Water, and Land Resources Quality - Sound Quality

Goal: *Reduce the adverse effects of noise in the Albany area.*

Policy 2: *As much as possible, separate noise-sensitive uses and noise-generating uses.*

Policy 3: *Locate, design, and buffer noise-generating land uses such as major transportation facilities and industrial areas to protect both existing and potential noise-sensitive uses.*

The land across Pacific Boulevard from the subject property for approximately one-half mile north and south is zoned LI (Light Industrial). The land is currently developed primarily with commercial uses. However, there is a metals salvage yard directly across Pacific Boulevard from the subject property.

ADC 5.020(2) describes LI zoned land as "intended primarily for a wide range of manufacturing, warehousing, processing, and related establishments which have a limited impact on surrounding properties." Performance standards listed in ADC Section 9.380 essentially reference Oregon Department of Environmental Quality (DEQ) standards for noise. These standards limit the amount and quality of noise that industrial businesses may emit. Noise is measured at the nearest "noise sensitive" use. Residential development is noise sensitive.

If the zoning designation of the subject property is changed from CC to RM-3, there is a potential for present or future light industrial uses across Pacific Boulevard to impact residential development on the subject

property. This may create a burden on light industrial businesses that would otherwise not exist if the use of the subject property was someday made conforming with its current designation for commercial use.

The present use of the subject property is residential. The applicants state that “the present uses [across Pacific Boulevard] are not considered a noise nuisance to the occupants of the 30 units which are presently being rented. More than likely the heavy traffic and 18 wheeler truck traffic create more of a noise impact than the light industrial neighbors. The position of the units at a level of 4 feet to 5 feet below the street level assists in deflecting unwanted noise over the housing units instead of against them, thereby reducing the noise impact.”

Policy 4: *For new noise-sensitive development, encourage special construction, design, and buffering techniques in areas where that development would be impacted by noise.*

5.7 ADC 3.340 requires “buffering and screening” between residential uses and any arterial street. Pacific Boulevard is classified as an Urban Principal Arterial on the City’s Master Street Plan (Comprehensive Plan Plate 12). Future residential development on the subject property would have to include a 10-foot wide strip of buffering and screening. Buffering consists of a row of trees, and screening consists of a hedge, fence, wall, or berm. There is already a six-foot high fence in place along the Pacific Boulevard frontage of the subject property for the length of the property that is vacant. (There is a four-foot high fence along the frontage of the property that is already developed.)

5.8 Goal 9: Economy - Economic Development

Goal: *Insure an adequate supply of appropriately zoned land to provide for the full range of economic development opportunities in Albany including commercial, professional, and industrial development.*

Policy 1: *Provide opportunities to develop the full range of commercial, recreational, and professional services to meet the needs of Albany's residents and others.*

The subject property is now zoned CC (Community Commercial). This designation is “intended primarily for developments which have a wide range of retail sales and service establishments. The CC district is typically appropriate to large commercial clusters near intersections or along major thoroughfares.” Staff has identified four other vacant parcels of land zoned CC within the city limits. These parcels are: 1) Linn County Assessor’s Map 11S-3W-9D, a part of Tax Lot 100 (south of Highway 20, across from Goldfish Farm Road, approximately 22 acres), 2) Map 11S-3W-19, Tax Lot 100 (the old Linn County Fairgrounds, approximately 14 acres), 3) Map 11S-3W-18, Tax Lots 400, 500, 600, 80, and 900 (southeast corner of 34th Avenue and Hill Street, approximately 9 acres), and 4) Map 11S-3W-19, Tax Lot 500 (east side of Pacific Boulevard, across from 53rd Avenue, approximately 25 acres). The property at 34th Avenue and Hill Street has a significant amount of wetlands on it, so the opportunity to develop this property may be limited.

The subject property is currently zoned CC, but is developed with 30 apartment units. The owner has recently made significant improvements to the existing buildings. An area of only approximately 100 feet wide along Pacific Boulevard by 200 feet deep is vacant land. The applicant states that this area is “capable of supporting 18 additional units....” The applicant has had discussions with the Planning Division regarding future residential development on the property.

5.9 Goal 10: Housing

Goal: *Provide a variety of development and program opportunities that meet the housing needs of all Albany's citizens.*

Policy 1: *Ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents.*

As discussed under Finding of Fact 5.5 above, staff has identified only four parcels currently available within the city limits for development of high density residential housing. The largest vacant parcel of land zoned RM-3 is located at the most easterly boundary of the city limits, south of Highway 20 across from Goldfish Farm Road. This parcel is about 15 acres. The other three parcels are 0.19 acres, 1.08 acres, and 2.28 acres. Each of these parcels is located between the Burlington Northern railroad tracks and Salem Avenue across from Waverly Lake.

The largest available parcel zoned RM-3 (the 15 acre parcel) is nearly one mile from the nearest concentration of employment opportunities on the west side of Interstate 5. The nearest public services to this parcel are several hundred feet away. The other (smaller) parcels are near employment centers and have public services available, but together they total only 3.6 acres. There appears to be a need for additional RM-3 zoned land more readily accessible to employment and public services.

5.10 Goal 14: Urbanization - Directing Growth

Goal: *Achieve stable land use growth which results in a desirable and efficient land use pattern.*

Policy 12: *Discourage future strip commercial development and promote clustered commercial opportunities and the infilling of existing commercial areas which will foster:*

- a. *Efficient and safe utilization of transportation facilities.*
- b. *A variety of attractive and comfortable shopping opportunities that encourage shopping in a number of stores without auto use.*
- c. *Compatibility between land uses, particularly adjacent residential neighborhoods.*
- d. *Efficient extension of public facilities and services.*

Policy 15: *Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.*

Policy 16: *Provide development opportunities for large scale industrial and commercial development and for people to live in proximity to activity centers, particularly their place of employment.*

The subject property is located on Pacific Boulevard at its intersection with 34th Avenue. Pacific Boulevard is an Urban Principal Arterial street and 34th Avenue is an Urban Minor Arterial street. In general, intersections of major transportation routes offer the most appropriate location for nodes of commercial development because of their superior access and high traffic volumes. To the north of the subject property is zoned for light commercial uses. This land is developed with office professional uses, except the parcel just north of the subject property has two duplexes on it. The land across Pacific Boulevard is zoned for light industrial uses. These land use designations create the opportunity to develop the intersection of Pacific Boulevard and 34th Avenue as a node of commercial businesses, thereby discouraging future strip commercial development on Pacific Boulevard. The subject property is currently mostly developed with a residential use (apartments), so the opportunity to promote infilling of this existing commercial land in the short term is limited.

The property can be further developed with more residential units if the zoning is changed to allow high density residential use. The property is currently served by the City's bus system (there is a bus stop at the

210

driveway into the existing apartments). High density residential development along transit routes creates an increase in potential number of transit users, and may reduce dependency on the private automobile.

As discussed in Finding of Fact 5.6 above, there is a cluster of commercial uses across Pacific Boulevard and a YMCA, and there are four major employers within about a half-mile of the subject property.

CONCLUSIONS

- 5.1 In making the decision whether this criterion is met, that is, whether the proposed RM-3 zoning designation "best satisfies the goals and policies of the Comprehensive Plan," the various relevant Comprehensive Plan policies must be considered with the purpose of this weighing and balancing being to maximize each applicable policy objective.
- 5.2 If the zoning of the property is changed from CC (Community Commercial) to RM-3 (High Density Residential), a small area of vacant land designated for high density residential use will be made available for development. There is a need for more land that is designated for high density residential use and is accessible to employment and public services within the Urban Growth Boundary. The only alternative to changing the designation of property currently within the city limits from some other designation to RM-3 is to annex property and designate it for high density residential use, but the City does not have an annexation program. An adequate supply of high density residential land will be made available through the Periodic Review process, but that may take as long as two years. The subject property is within the city limits and accessible to employment and public services.
- 5.3 The land across Pacific Boulevard from the subject property is zoned LI (Light Industrial). The land is currently developed primarily with commercial uses which produce no apparent noise impacts on the subject property. There is, however, a metals salvage yard across Pacific Boulevard which may produce noise impacts. Future light industrial uses may also produce impacts on the subject property. Noise from existing and future uses can be controlled through enforcement of DEQ noise standards. The impact of noise from these uses, and from traffic on Pacific Boulevard, can be mitigated at the time new residential units are developed on the property by applying Development Code requirements for buffering and screening.
- 5.4 There are currently approximately 70 acres of vacant CC land available within the Albany city limits. The City has no current estimate of demand for commercial land, but because the subject property is currently mostly developed with apartments which have been recently upgraded, the property is not considered to be available for commercial development. So, removing it from the inventory of General Commercial land will have no impact on the supply in the short term. Additional land at suitable locations can be added during Periodic Review. The crucial question is whether the most suitable use of the subject property in the long-term is commercial or residential.
- 5.5 The subject property is located in the southwest quadrant of the intersection of Pacific Boulevard and 34th Avenue. The property within the northwest quadrant is zoned OP (Office Professional). Land across Pacific Boulevard in both the northeast and southeast quadrants of the intersection is zoned LI (Light Industrial). Uses allowed within light industrial areas include a wide range of commercial uses. The opportunity exists now and in the future, with the subject property zoned CC, to create a node of commercial uses at the intersection of Pacific Boulevard and 34th Avenue. This opportunity will no longer exist if the designation of the property is changed to RM-3.
- 5.6 The subject property is currently served by the City's bus system. There is a transit stop located at the driveway which provides access to the existing apartments on the property. The subject property is located within one-half mile of four major employers and the YMCA (an activity center).

211

5.7 The proposed RM-3 zoning designation best satisfies the goals and policies of the Comprehensive Plan.

- (a) There is a need for more RM-3 land within the city limits with access to employment and activity centers, and
- (b) The subject property is not now available, and will not likely be available in the long-term, for commercial development, so there will be no impact on the supply of commercial land within the Urban Growth Boundary.

212

LEGAL DESCRIPTION

Exhibit 'A'

Vol 631 pg 412

Beginning at a 1 inch axle at the initial point of the Calapooya Acres Subdivision in Linn County, Oregon, said point being on the West right of way line of Pacific Highway No. 99 also said point being South 0°46' East 311.50 feet and North 89°22' West 40.00 feet from the Northwest corner of the Trust Davis Donation Land Claim No. 38 in Section 11 Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; thence North 0°46' West parallel to the center line of the Pacific Highway No. 99 a distance of 521.775 feet to an iron rod; thence North 89°22' West parallel with the North line of said Calapooya Acres Subdivision 208.71 feet to an iron rod; thence South 0°46' East parallel to the center line of Pacific Highway No. 99 a distance of 521.775 feet to an iron rod on the North line of the said Calapooya Acres Subdivision; thence South 89°22' East along the North line of said Calapooya Acres Subdivision 208.71 feet to the point of beginning.

SAVE AND EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division, by deed recorded May 20, 1987 in Volume 442, Page 874, Microfilm Records of Linn County, Oregon.

SUBJECT TO AND Reserving unto the Grantor an easement for the purpose of installing and maintaining a sanitary sewer line being 20 feet in width, the east line of which is described as follows: Beginning at the intersection of the north line of that parcel conveyed to Jack Keller et ux by deed recorded in MF Volume 80, Page 292, Linn County Microfilm Records, and the west line of that parcel described in Parcel 1 of that parcel conveyed to the State of Oregon by and through its Department of Transportation, Highway Division, by deed recorded in MF Volume 442, Page 874, said microfilm records, which point is 10.28 feet North 0°46' West, and 44.01 feet North 89°22' West of the northwest corner of the Trust Davis Donation Land Claim Number 38, Township 11 South, Range 4 West of the Willamette Base and Meridian, Linn County, Oregon; thence South 0°46' East along the west line of said State of Oregon parcel, 50 feet and there terminating.

Regulations, including levies, liens, assessments, rights of way and assessments of the Linn Soil and Water Conservation District.

An easement created by instrument, including the terms and provisions thereof,
 Recorded : October 21, 1948 Book: 205 Page: 672
 In Favor of: Mountain States Power Company
 For : Poles and/or anchors

An easement created by instrument, including the terms and provisions thereof,
 Recorded : June 27, 1950 Book: 216 Page: 189
 In Favor of: Mountain States Power Company
 For : Maintain telephone, electric lines

An easement created by instrument, including the terms and provisions thereof,
 Recorded : June 1, 1954 Book: 249 Page: 140
 In Favor of: Pacific Power Light Company
 For : Maintain telephone, electric lines

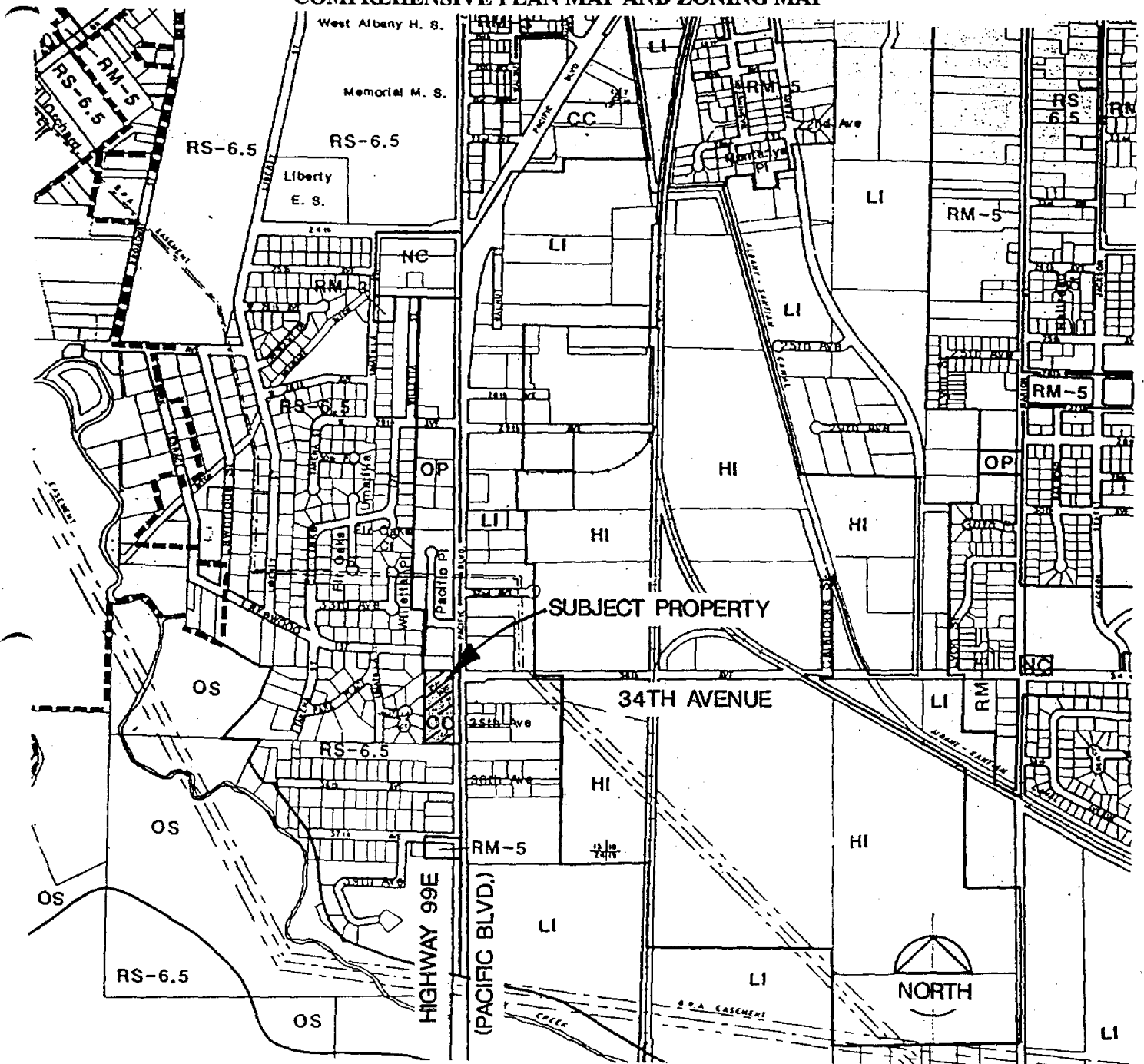
An easement created by instrument, including the terms and provisions thereof,
 Dated : October 18, 1971
 Recorded : November 17, 1971 MF Volume: 28 Page: 289
 In Favor of: Pacific Northwest Bell Telephone Company, a Corp.
 For : Contract maintain electrical wires
 Over : Five feet in width

STATE OF OREGON
 County of Linn

I hereby certify that the foregoing is a true and correct copy of the original as the same appears in the County Records.
 STEVE BRUCE HEMMILLER
 Linn County Clerk

40
 Nov 1 10 25 AM '93
 631
 411

COMPREHENSIVE PLAN MAP AND ZONING MAP



CITY OF ALBANY ZONING MAP

Approximate Scale: 1" = 950'

THE PROPOSED AMENDMENTS WOULD:

1. CP-03-97: CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION OF THE SUBJECT 2.45 ACRE PROPERTY FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL, AND
2. ZC-03-97: CHANGE THE ZONING MAP DESIGNATION OF THE SAME PROPERTY FROM CC (COMMUNITY COMMERCIAL) TO RM-3 (RESIDENTIAL MULTIPLE FAMILY).