



ORDINANCE NO. 6048

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE (AMC) TITLE 8 BY ADDING A NEW CHAPTER 8.08 TITLED CONVERSIONS FOR EMERGENCY SHELTERS OR AFFORDABLE HOUSING

WHEREAS, the City of Albany is adding AMC Chapter 8.08, Conversions for Emergency Shelters or Affordable Housing, to adhere to Oregon State House Bill 2006; and

WHEREAS, the City of Albany needs to be responsive to ever changing community needs and state laws; and

WHEREAS, Oregon Revised Statutes 197.010(1)(a) requires that the governing body at both the local and state level adopt such provisions.

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

Amending AMC Title 8 Community Livability. AMC Title 8 is hereby amended to add Chapter 8.06 titled Conversions for Emergency Shelters or Affordable Housing as follows:

8.08 Conversions for Emergency Shelters or Affordable Housing

Article I. Administration

- 8.08.005 Title.
- 8.08.010 Definitions.
- 8.08.015 Scope.
- 8.08.020 Location.
- 8.08.025 Limitations.

Article I. Administration

8.08.005 Title. These provisions shall be known as the Conversion of Hotel or Motel to Emergency Shelter or Affordable Housing standards and shall be cited as such herein.

8.08.010 Definitions. As used in this Article:

- 1) "Affordable housing" means housing in which all units are affordable to households with incomes equal to or less than 60 percent of the area median income as defined in ORS 458.610 and whose affordability is enforceable by an affordable housing covenant, as described in ORS 456.270 to 456.295, for a duration of no less than 30 years.
- 2) "Conversion" includes an alteration to a building that changes the number of units but does not expand the building footprint.
- 3) "Emergency shelter" means a building that provides shelter on a temporary basis for individuals and families who lack permanent housing.
- 4) "Lawful use" includes a nonconforming use as described in ORS 215.130 (6) or any other non-conforming situation as allowed through the Albany Development Code.

8.08.015 Scope. Except as provided in this Article and notwithstanding any statewide land use planning goals or provision of the Albany Development Code, the City shall unconditionally allow the conversion of the lawful use of a property:

- 1) From use as a hotel or motel, to use as an emergency shelter.
- 2) From use as a hotel or motel, or a hotel or motel that was converted to an emergency shelter under paragraph 1) of this section, to use as affordable housing.

8.08.020 Location. This Article applies only to areas:

- 1) Within an urban growth boundary;
- 2) Not bearing a land use designation for heavy industrial use;
- 3) With adequate transportation access to commercial and medical services; and
- 4) Not within an area designated for a statewide land use planning goal relating to natural disasters or hazards, including flood plains or mapped environmental health hazards, unless the converted use complies with regulations directly related to the disasters or hazards.

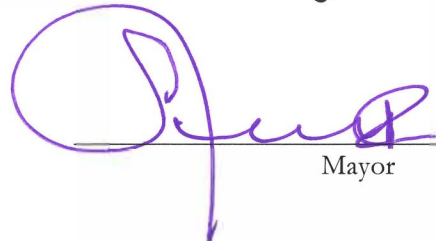
8.08.025 Limitations.

- 1) The converted use under this article shall comply with all of the following:
 - a. Applicable building codes;
 - b. Occupancy limits;
 - c. For uses under 8.08.015 (2) of this article, uses shall comply with standards relating to siting and design of the Albany Development Code.
- 2) A conversion under this article is not a land use decision as defined in ORS 197.015.
- 3) Per ORS 197.748, the City is not required to consider whether the conversion significantly affects an existing or planned transportation facility for the purposes of implementing a statewide land use planning goal relating to transportation.

Passed by the Council: July 24, 2024

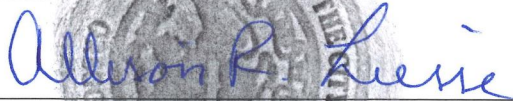
Approved by the Mayor: July 24, 2024

Effective Date: August 23, 2024



Mayor

ATTEST:



City Clerk

