



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

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## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: 12/05/2014  
Jurisdiction: City of Albany  
Local file no.: ZC-01-14  
DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/04/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 39 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

**FOR DLCD USE**  
 File No.: 002-14 {22511}  
 Received: 12/4/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Albany

Local file no.: **ZC-01-14**

Date of adoption: 12/03/2014

Date sent: 12/5/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 10/13/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change?    Yes    No

If yes, describe how the adoption differs from the proposal:

N/A

Local contact (name and title): David Martineau, Project Planner

Phone: 541-917-7561

E-mail: david.martineau@cityofalbany.net

Street address: 333 Broadalbin Street, PO Box 490

City: Albany

Zip: 97321-

**PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY**

**For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

**For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- |             |    |        |  |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this         |
| change.     |    |        |  |
| Change from | to | acres. | A goal exception was required for this         |
| change.     |    |        |  |
| Change from | to | acres. | A goal exception was required for this         |
| change.     |    |        |  |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary





# COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, P.O. Box 490  
Albany OR 97321

Ph: 541-917-7550 Fax: 541-917-7598  
[www.cityofalbany.net](http://www.cityofalbany.net)

## NOTICE OF DECISION

### GENERAL INFORMATION

DATE OF NOTICE: December 5, 2014  
DATE OF DECISION: December 3, 2014  
FILE: ZC-01-14  
TYPE OF APPLICATION: Quasi-judicial Zoning Map Amendment to change two parcels totaling 12.84 acres from IP (Industrial Park) to LI (Light Industrial) to accommodate a new casting metals foundry  
REVIEW BODIES: Planning Commission and City Council  
PROPERTY OWNER: Pacific Cast Technologies Inc.; 150 Queen Avenue SW; Albany, OR 97322  
APPLICANT: Chris Turner, ATI Cast Products; 150 Queen Avenue SW; Albany, OR 97322; 541-936-0316; Chris.Turner@ATIMetals.com  
ENGINEER: Jeff Schott, PE; Pillar Consulting Group, Inc.; 835 NW 23<sup>rd</sup> Street; Corvallis, OR 97330; 541-993-2480; jeff@pillar-inc.com  
ADDRESS/LOCATION: 2435 and 2445 Ferry Street SW  
MAP/TAX LOT: Linn County Assessor's Map No. 11S-3W-18BA; Tax Lots 1102 & 1106

On December 3, 2014, the Albany City Council adopted Ordinance No. ~~5846~~ to amend the Albany Comprehensive Plan Map and the Albany Zoning Map as described above.

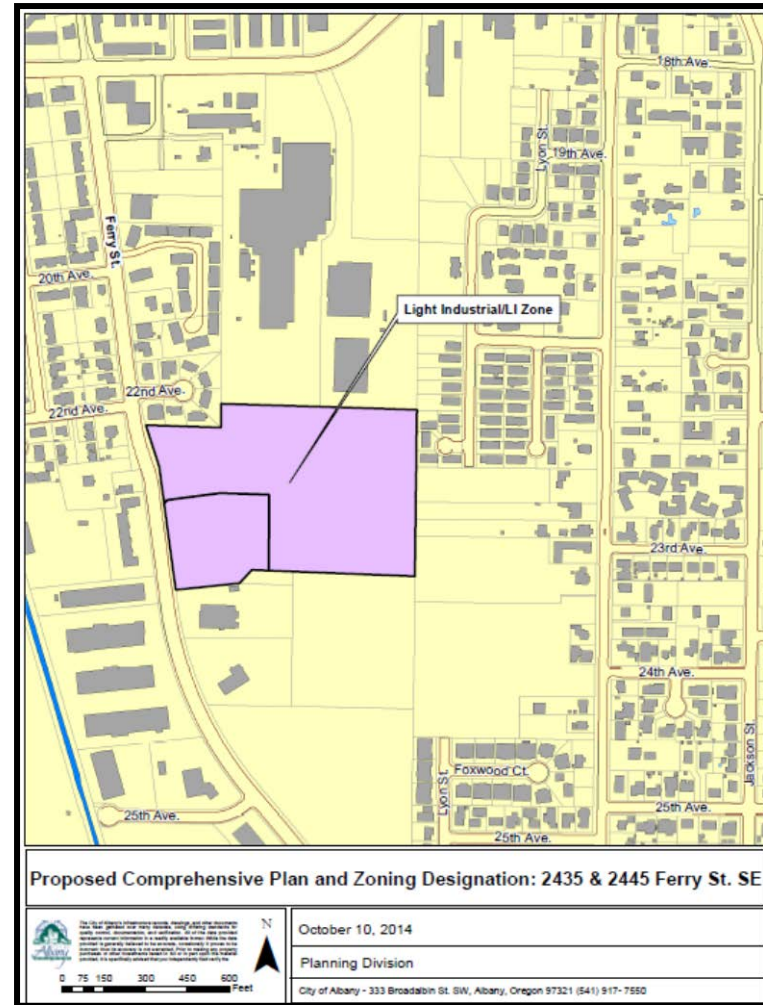
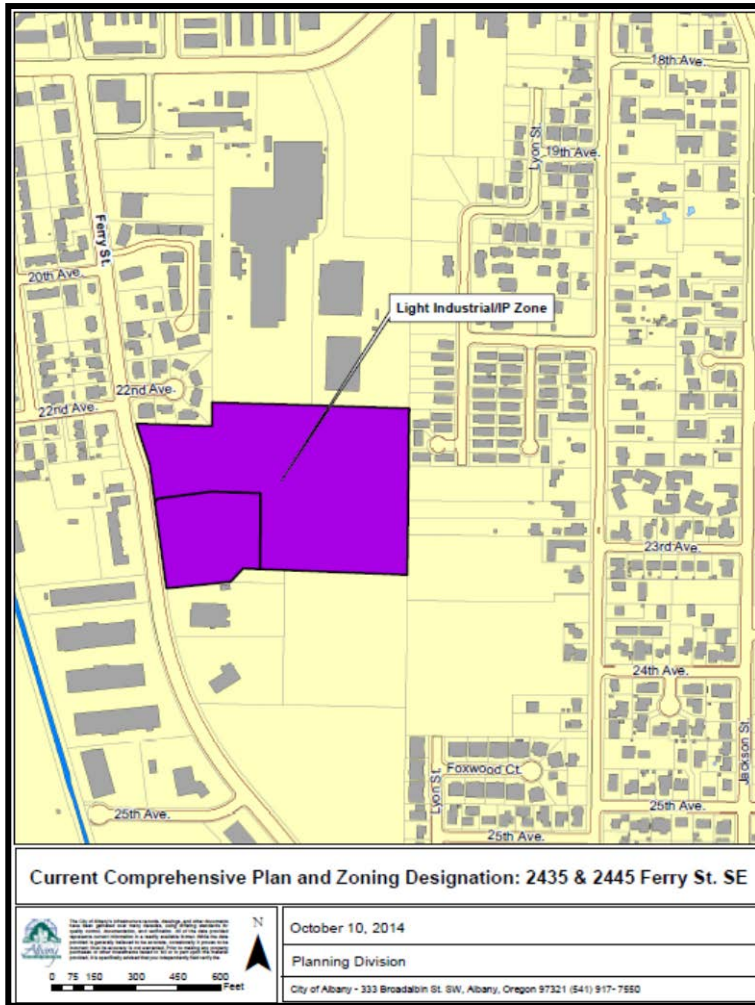
A copy of Ordinance No. ~~5846~~ is available on request. The supporting documentation relied upon by the City in making this decision is available for review at the Community Development Department, City Hall, 333 Broadalbin Street SW, on the second floor. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. For more information, please contact Project Planner David Martineau at 541-917-7550.

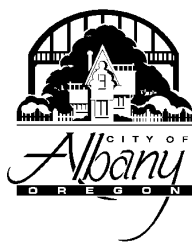
The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). Per ORS 197.830 a notice of intent to appeal the plan and/or zoning map amendments shall be filed with LUBA no later than 21 days after notice of the decision is mailed or otherwise submitted to parties entitled to notice.

  
Mayor

ZC-01-14, Zoning Map Amendment

If approved, this Zoning Map Amendment will rezone two parcels totaling 12.84 acres from Industrial Park (IP) to Light Industrial (LI), as shown on the following maps:





# Community Development Department

333 Broadalbin Street SW, P.O. Box 490  
Albany, OR 97321

Phone: 541-917-7550 Facsimile: 541-917-7598  
[www.cityofalbany.net](http://www.cityofalbany.net)

## STAFF REPORT

### Zoning Map Amendment (ZC-01-14) Pacific Cast Technologies, Inc.

<b><u>HEARING BODY</u></b>	CITY COUNCIL
<b><u>HEARING DATE</u></b>	Wednesday, December 3, 2014
<b><u>HEARING TIME</u></b>	7:15 p.m.
<b><u>HEARING LOCATION</u></b>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW

### **EXECUTIVE SUMMARY**

ATI Cast Products, represented by Chris Turner, is applying to rezone two lots totaling 12.84 acres from Industrial Park (IP) to Light Industrial (LI). The applicant is seeking this change for both properties because the LI district allows outside storage in interior yards outside of the required setback; the IP zone does not. ATI – Pacific Cast Technologies has historically utilized some outdoor storage as part of their operation. In addition, the maximum building height in the IP zone without conditional use approval is 50 feet. The LI zone has no maximum building height outside of the Airport Approach Overlay District. Lot coverage in the IP zone is 80%; there is no maximum lot coverage standard in the LI. Finally, the applicant notes that the existing ATI-owned property north of these two subject lots is zoned LI; having all their lots zoned LI makes land use provisions more consistent. The Comprehensive Plan designation for both properties is Light Industrial. Manufacturing and production are allowed through Site Plan Review or Conditional Use.

Prior to February 21, 2003, the subject properties were zoned LI. Zoning was changed to IP following amendments to the Development Code and Zoning Map that resulted from the “Balanced Development Patterns” Project in 2000 and 2001. The Industrial Park zoning designation appeared for the first time, which was, in part, designed to provide a transition to residential or natural areas from heavier industrial uses.

This application was deemed complete on September 9, 2014 (Attachment I). The applicant is Chris Turner, with ATI Cast Products, and the location of the proposed zone change is 2435 and 2445 Ferry Street SW, about a ¼ mile south of Queen Avenue (Attachment II). The criteria for amending the zoning map are found in Albany Development Code (ADC) 2.740, and are addressed in detail in the staff report below.

### **PLANNING COMMISSION AND STAFF RECOMMENDATION**

Following their November 17, 2014 public hearing, by a vote of 7-0, the Planning Commission recommended APPROVAL of the proposed zoning map amendment based on the findings and conclusions of the staff report and testimony presented at the public hearing.

### **GENERAL INFORMATION**

DATE OF REPORT:	November 19, 2014
FILE:	ZC-01-14

TYPE OF APPLICATION: Quasi-judicial Zoning Map Amendment to change two parcels totaling 12.84 acres from IP (Industrial Park) to LI (Light Industrial) to accommodate a new casting metals foundry

REVIEW BODY: Planning Commission and City Council

STAFF REPORT PREPARED BY: David Martineau, Project Planner

PROPERTY OWNER: Pacific Cast Technologies Inc.; 150 Queen Avenue SW; Albany, OR 97322

APPLICANT: Chris Turner, ATI Cast Products; 150 Queen Avenue SW; Albany, OR 97322; 541-936-0316; Chris.Turner@ATIMetals.com

ENGINEER: Jeff Schott, PE; Pillar Consulting Group, Inc.; 835 NW 23<sup>rd</sup> Street; Corvallis, OR 97330; 541-993-2480; jeff@pillar-inc.com

LOCATION: 2435 and 2445 Ferry Street SW

MAP/TAX LOT: Linn County Assessor's Map No. 11S-3W-18BA; Tax Lots 1102 & 1106

CURRENT ZONING: Industrial Park (IP) District

CP DESIGNATION: Light Industrial

EXISTING LAND USE: Vacant, undeveloped land

SURROUNDING ZONING: North: LI (Light Industrial) and RM (Residential Medium Density)  
South: IP (Industrial Park)  
East: RM  
West: LI and RM

SURROUNDING USES: An existing metals foundry, Pacific Cast Technologies Inc., is located to the north. Albany Rental and vacant land lies to the south. Large single- and multi-family residential lots with access provided from Marion Street border the subject property to the east. Single-family residences border the property to the northwest, while light industrial tenant spaces are situated to the west, across Ferry Street.

PRIOR HISTORY: A Site Plan Review for temporary outdoor storage of gas line pipes for nine months was approved in 1992 (SP-39-92). Review of aerial photos of the site show that it has largely been vacant for at least the past 20 years, with intermittent field mowing.

### **NOTICE INFORMATION**

A Notice of Public Hearing was mailed to property owners located within 300 feet of the subject property on November 7, 2014 (Attachment III). The Notice of Public Hearing was posted on the subject property at one location on November 7, 2014. The Zoning Map Amendment staff report was posted on the City's website November 10, 2014. At the time this staff report was completed, no comments had been received.

### **APPEALS**

Within five days of the City Council's final action on these applications, the Community Development Director will provide written notice of the decisions to the applicant and any other parties entitled to notice. A City Council decision can be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal within 21 days of the date the decision is reduced to writing and bears the necessary signatures of the decision makers.

**STAFF ANALYSIS****Zoning Map Amendment File ZC-01-14**

The Albany Development Code (ADC) includes the following review criteria which must be met for this application to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions. Note: Findings and conclusions submitted by the applicant can be found in Attachment VI.

- (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 (ADC 2.740 (1)).*

**FINDINGS OF FACT**

- 1.1 The applicant proposes to change the zoning of 12.84 acres from Industrial Park (IP) to Light Industrial (LI) District.
- 1.2 The current Comprehensive Plan map designation of the subject site is Light Industrial (LI). According to the Plan Designation Zoning Matrix table found in ADC 2.760, both the current IP zoning and proposed LI zoning is consistent with the LI Plan designation of the site (see Attachments IV and V).

**CONCLUSIONS**

- 1.1 The existing zone, Industrial Park, and the proposed zone, Light Industrial are both compatible with the Comprehensive Plan designation of Light Industrial.
- 1.2 This criterion is satisfied.
- (2) *Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation (ADC 2.740 (2)).*

**FINDINGS OF FACT**

- 2.1 The site is located on the east side of Ferry Street about 1,300 feet south of Queen Avenue. The zone change would change the designation of 12.84 acres of property from IP (Industrial Park) to LI (Light Industrial).
- 2.2 The site consists of two parcels.
- 2.3 With the exception of sidewalk, the street system adjoining the site is constructed to city standards. Public sidewalk does not currently exist along the frontage of this site.
- 2.4 Albany's Transportation System Plan (TSP) includes improvements necessary to accommodate anticipated development through the year 2030, and does not identify any capacity or level of service problems occurring adjacent to the development.
- 2.5 Zone changes are required to comply with the Transportation Planning Rule (TPR). The rule holds that a "significant affect" occurs and must be mitigated if a proposed zone change would result in an existing or planned transportation facility either failing to meet an adopted performance standard or degrading the performance of an already failing facility.
- 2.6 The applicant's application included a TPR analysis. The analysis was performed by Access Engineering, and is dated August 14, 2013. The analysis compared the number of average daily and peak hour vehicle trips that could be generated by development of the site under the current IP zone designation with the trips that could result from development under the requested LI designation.

- 2.7 The trip generation estimate developed for the existing IP zone designation used Institute of Transportation Engineers (ITE) code 130, “Industrial Park” and was based on a parcel size of 10.27 acres. The reason given for not using the full area of the site (12.84 acres) is that Albany’s Development Code limits the lot coverage for industrial park developments to 80%. The trip generation estimate was for 628 average daily trips, with 88 of those occurring during the PM peak traffic hour.
- 2.8 Two trip generation estimates were developed for the proposed LI zone designation. Both were based on the parcels’ full 12.84 acres. The first used ITE code 110, “Light Industrial” and was for 665 average daily trips with 93 of those occurring during the PM peak traffic hour. The second used ITE code 140, “Manufacturing” and was for 499 average daily trips with 107 occurring during the PM peak traffic hour. Based on the study results, a Light Industrial use on the site would result in 6 more PM peak hour trips and a Manufacturing use 20 more PM peak hour trips than what would occur from development under the current zone designation on the site.
- 2.9 The Access Engineering study concluded:
- “As Table 2 and Figure 3 show, the net new trips generated by the proposed zone change will be minimal and well below the City’s requirement of 50 additional trips to trigger a full TIA. At most 20 new trips could be generated by a manufacturing development, but due to the location of the site, the assignment of these trips is quickly dispersed in the study area. Based on this analysis, we find that the proposed zone change from IP to LI will not significantly affect the transportation system through the planning horizon, 2030. We recommend that the proposed zone change be approved without a full Traffic Impact Analysis.”*
- 2.10 Staff believes that the method Access Engineering used to estimate trip generation possible under the current IP zone designation was overly conservative when basing its estimate on something less than the full area of the parcel. While it’s true that Albany’s Development Code limits the lot coverage for industrial park developments to 80%, that is typical for Industrial Parks located in other jurisdictions, and would therefore be reflected in ITE trip generation rates. Industrial parks typically do have more landscaping and open space than manufacturing or light industrial developments. Use of the full area of the site would have resulted in a trip generation estimate of 785 average daily trips with about 110 of those occurring PM peak traffic hour. Those numbers are higher than the trip generation estimates for development under the requested zone designation of LI.

## CONCLUSIONS

- 2.1 The proposed zone change would change the designation of 12.84 acres from IP to LI.
- 2.2 Albany’s Transportation System Plan includes improvements necessary to accommodate anticipated development through the year 2030, and does not identify any capacity or level of service problems occurring adjacent to the development.
- 2.3 The TPR requires that zone changes be evaluated to see if the vehicle trip generation that could occur under the new zone designation is more than could have occurred under current designation, and if so, if the additional trips would result in a “significant affect”.
- 2.4 An analysis submitted by the applicant estimated that a reasonable worst case development under the requested zone designation would, at most, generate up to 20 more PM peak hour trips than development under the current zone designation, and concluded that those trips would not result in a significant affect on the transportation system.
- 2.5 Staff believes that the method used in the applicant’s analysis to calculate trip generation under the existing zone designation was overly conservative, and that development under the requested zone designation would result in fewer trips on the transportation system than development under the current zone designation. The

street system can accommodate development of the site under the requested zone designation, so the change does not result in a significant affect for purposes of the TPR.

2.6 This criterion is met without conditions.

(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 (ADC 2.740 (3)).*

#### Sanitary Sewer.

3.1 City utility maps show a 21-inch public sanitary sewer main along the east boundary of the site, and an 8-inch main in Ferry Street along the northernmost 150 feet of the subject property's frontage.

#### Water.

3.2 City utility maps show a 12-inch public water main in Ferry Street and a 12-inch water main near the northeast corner of the site. Future development on the site will likely require the installation of on-site public and/or private water mains and hydrants to provide adequate service to the property.

#### Storm Drainage.

3.3 City utility maps show a 54-inch public storm drainage main along the east boundary of the site, and a 15-inch main in Ferry Street along the southernmost 50 feet of the subject property's frontage. The site is currently undeveloped with no impervious surfaces.

3.4 ADC 4.090 Table 1 indicates that the maximum lot coverage allowed in the IP zone is 80%, while there is no maximum lot coverage in the LI zone. Therefore, a change from IP to LI could result in development with a higher percentage of impervious surfaces on the subject property. It is likely that any development on the site would require on-site storm water detention, regardless of the zone, therefore it is not expected that the proposed zone change would adversely impact the public storm drainage system.

#### Police and Fire Protection.

3.5 The Albany Police Department and Fire Department serve the property. No adverse impact is expected to result for this zoning map amendment.

### CONCLUSIONS

3.1 All public utilities are currently available to the site and are adequate to support allowed uses in the LI zone.

3.2 This review criterion is met without conditions.

(4) *The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan (ADC 2.740 (4)).*

### FINDINGS OF FACT

4.1 The current zoning designation of the property where the Zoning Map amendment is proposed is IP (Industrial Park) District. The proposed zoning is LI (Light Industrial) District. This review criterion requires that the intent and purpose of the proposed LI zoning district "best satisfies" the goals and policies of the Comprehensive Plan.

- 4.2 Prior to being zoned IP in February 2003, the subject properties were zoned LI. Goal 9 updates undertaken by the City in 2003 encouraged corporate office park development in the Industrial Park zone, so certain properties already designated in the Comprehensive Plan as “Light Industrial” were zoned IP (File ZC-01-02, codified in Ordinance No. 5555).
- 4.3 Staff analysis reveals that there are presently 463.51 acres of land in Albany zoned IP, and 757.52 acres of land zoned LI. A transfer of 12.84 acres from IP to LI results in a 2.7% reduction of IP-zoned land, and results in an increase of 1.7% of land zoned LI. There is no existing development on the subject properties that would be adversely affected by the proposed zone change.
- 4.4 The two subject properties abut an existing light industrial manufacturing use to the north that plans to expand at its present location if the amendment is approved.

#### Zoning District Intent and Purposes

- 4.5 According to Section 4.020(6) of the Albany Development Code (ADC), the Industrial Park (IP) district is “intended primarily for light manufacturing, high-tech, research and development, institutions and offices in a quality environment. Uses are characterized by attractive building architecture and landscaped yards and streetscapes, and the absence of objectionable external effects. The district is designed for industrial and business parks containing offices together with clean, non-polluting industries. IP is located along or near highly visible corridors to provide a positive image and a transition to residential or natural areas from heavier industrial uses.”
- 4.6 Railroad yards and waste and recycling related businesses are not permitted in the IP district. In addition, outside storage or display of materials, junk, parts, or merchandise is not permitted in the IP district. Uses allowed with an approved Site Plan Review include contractors and industrial services, some manufacturing and production, and wholesale sales if conducted within an entirely enclosed building. Conditional uses include manufacturing and production if within 300 feet from a residential zoning district, and warehousing and distribution.
- 4.7 According to Section 4.020(7) of the ADC, the Light Industrial (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.”
- 4.8 The uses that may be allowed LI zoning district with Site Plan Review or Conditional Use include: contractors and industrial services, manufacturing with limited retail, manufacturing and production, railroad yards, warehousing and distribution, waste and recycling related within enclosed structures, and wholesale sales.
- 4.9 The proposed expansion of Pacific Cast Technologies, considered a manufacturing and production use according to ADC Section 22.040, is allowed either by Site Plan Review or Conditional Use in both the IP and the LI zones. However, the applicant notes that LI zoning offers several advantages over the IP zone: the LI district allows outside storage in interior yards outside of the required setback; the IP zone does not. ATI – Pacific Cast Technologies has historically utilized some outdoor storage as part of their operation. In addition, the maximum building height in the IP zone without conditional use approval is 50 feet. The LI zone has no maximum building height on properties located outside of the Airport Approach Overlay District. Lot coverage in the IP zone is 80%; there is no maximum lot coverage standard in the LI. Finally, the applicant notes that the existing ATI-owned property north of these two subject lots is zoned LI. Having all their lots zoned LI makes land use provisions more consistent across their facilities.

#### Comprehensive Plan Goals and Policies Relevant to the Request

4.10 The following Comprehensive Plan goals and policies are relevant in considering whether the proposed LI zoning designation “best satisfies” the goals and policies of the Comprehensive Plan. Each of the relevant goals and policies are listed below in ***bold italic*** print.

4.11 **Goal 1: Citizen Involvement**

***Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process.***

***Policy 2: When making land use and other planning decisions:***

- a. ***Actively seek input from all points of view from citizens and agencies and assure that interested parties from all areas of the Urban Growth Boundary have the opportunity to participate.***
- b. ***Utilize all criteria relevant to the issue.***
- c. ***Ensure the long-range interests of the general public are considered.***
- d. ***Give particular attention to input provided by the public.***
- e. ***Where opposing viewpoints are expressed, attempt to reach consensus where possible.***

Opportunities for citizen involvement occurred during the formulation and adoption of the Albany Comprehensive Plan and Development Code. The Oregon Land Conservation and Development Commission acknowledged the Comprehensive Plan and Development Code as being in compliance with Goal 1.

In Type IV quasi-judicial proceedings conducted for zoning map amendments as proposed by the applicant, the Development Code sets forth the acknowledged provisions for citizen involvement at public hearings before the Planning Commission and City Council. Notice was mailed to surrounding property owners within 300 feet of the subject site, and to affected government agencies. Notice of these public hearings was posted on the subject property. Based on these provisions, citizens will have ample opportunity to review and comment on the proposed map amendments.

4.12 **Goal 2: Land Use Planning**

***Industrial: General Requirements***

***LIGHT INDUSTRIAL: Identifies areas suitable for a wide range of light industrial uses including corporate offices, research and development, high technology, manufacturing, warehousing, wholesaling, and other accessory and compatible uses that have minimal environmental effects and can conform to the Development Code performance standards for the Industrial Park and Light Industrial Zones.***

The proposed zoning map amendment from IP to LI will remain equally consistent with general requirements for the Light Industrial comprehensive plan designation.

4.13 **Goal 9: Economic Development**

**Albany's Economy**

***Goal 2: Provide a supportive environment for the development and expansion of desired businesses.***

***Policy 2: Support the retention and expansion of existing businesses and industries, especially those that are locally owned.***

**Land Use**

***Goal 1: Ensure 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.***

There is presently about 463.51 acres of land in Albany zoned IP, and 757.52 acres of land zoned LI. Existing lot sizes range from 17,880 square feet (.41 acre) to 245 acres in the IP district, and 10,000 square feet (.23 acre) to 131 acres in the LI district. According to the City's 2007 Economic Opportunities Analysis, it is desirable to identify a number of sites that will accommodate a variety of site and building characteristics. The largest industrial sites will be needed for development by major industries such as large manufacturing firms or transportation or warehousing companies. Many of the smaller sites are suitable for smaller-scale industrial enterprises. Adequate supplies of appropriately zoned industrial lands will not be reduced by this zoning amendment proposal.

***Goal 2: Achieve stable land-use growth that results in a desirable and efficient land-use pattern.***

***Policy 2, Land Use, General: Encourage land use patterns and development plans that 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 that increase energy efficiency.***

Many uses allowed in the IP district are also allowed in the LI. The LI district, however, has additional uses that are allowed. The proposed zoning map amendment will not reduce or change the need for travel, dependency on the private auto, nor will it facilitate energy-efficient public transit systems.

***Goal 4: Promote infill development and redevelopment throughout the City.***

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

***Policy 2: Encourage land use patterns and development plans that 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 that increase energy efficiency.***

***Policy 3: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.***

***Policy 7: Consider infill and redevelopment of already serviced vacant and underdeveloped land before designating additional land for industrial and commercial uses.***

#### **Public Infrastructure**

***Goal 1: Ensure that new industrial and commercial development is located in areas that can be adequately served by public infrastructure.***

Approval of the zoning map amendment will allow an existing local manufacturer to expand their facilities on an infill site adjacent to their current operations. Public services are available to the subject properties as described in the response to Criterion 3 above.

#### 4.14 **Goal 11: Public Facilities and Services**

***Policy 1 (Water): Provide an adequate supply of water to meet projected demands based on the Comprehensive Plan land use designations and adopted population projections.***

***Policy 8 (Storm Drainage): Storm drain facilities in developing areas should be designed with the capacity to accommodate the projected storm drainage flows to at least the end of the planning period based on the land use designations.***

***Policy 1 (Wastewater): The 1998 Wastewater Facility Plan Summary (Summary) shall be the primary document for planning the community's wastewater system improvements.***

***Policy 1 (Solid Waste): Ensure that the solid waste franchise continues to provide a full range of solid waste disposal services including a recycling program that:***

- a. Increases awareness for the need to recycle.***
- b. Considers the needs of the residential, commercial, and industrial waste generators.***
- c. Promotes utilization of recycling efforts.***

***Policy 2 (Police and Fire Protection Services): Ensure that all development can be provided with adequate police and fire protection.***

The timely, orderly and efficient provision of adequate public facilities and services is predicated on assumptions of need according to general land use categories. In this case, the distinction between IP and LI uses from a public facilities perspective is imperceptible at the gross scale typical of public facilities plans. There may be subtle differences in public facilities needs within industrial subcategories and the specific use requirements are addressed in the development review process. However for purposes of the proposed map amendment, there is no difference in public facilities needs from IP to LI.

#### 4.15 **Goal 12: Transportation**

***Goal 1: Provide an efficient transportation system that provides for the local and regional movement of people and goods.***

Transportation findings are fully addressed in findings under Criterion 2 above. With the exception of sidewalk, Ferry Street adjoining the site is constructed to city standards. Public sidewalk does not currently exist along the frontage of this site. Albany's Transportation System Plan (TSP) includes improvements necessary to accommodate anticipated development through the year 2030, and does not identify any capacity or level of service problems occurring adjacent to the development.

#### 4.16 **Goal 14: Urbanization**

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

***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.***

With an approved rezone, a local manufacturing company can remain in place while having the ability to grow and expand. A stable and desirable land use pattern is better achieved at the proposed location rather than forcing a growing company to relocate farther from activity centers and places where their employees live.

### **CONCLUSIONS**

- 4.1 There are several advantages LI zoning has over IP zoning for the applicant. In the LI zone, outdoor storage is permitted, there are no maximum height or lot coverage requirements, and the existing facility is in the LI zone.
- 4.2 Comprehensive Plan goals and policies encourage retention and expansion of existing businesses and industries, infill land development patterns, and commercial and industrial development in places where there are adequate streets and utilities to serve the development.
- 4.3 The LI zone best satisfies the applicable goals and policies of the Albany Comprehensive Plan.
- 4.4 This criterion has been met.

- (5) *The land use and transportation pattern recommended in any applicable City-contracted or funded land use or transportation plan or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study (ADC 2.740 (5)).*

#### FINDINGS OF FACT

- 5.1 The Transportation System Plan (TSP) does not identify any projects in close proximity to the subject property. The TSP assumes the site is industrial. The trip generation comparison supplied by the applicant's representative estimated that a reasonable worst case development under the requested zone designation would, at most, generate up to 20 more PM peak hour trips than development under the current zone designation, and concluded that those trips would not result in a significant effect on the transportation system.
- 5.2 Albany's Transportation System Plan (TSP) includes improvements necessary to accommodate anticipated development through the year 2030. The TSP does not identify any capacity or level of service problems associated with the proposed Zoning Map amendment.
- 5.3 There are no other applicable City-contracted or funded land use or transportation plan or study that applies to the subject area.

#### CONCLUSIONS

- 5.1 The proposal will not conflict with the transportation system as shown in TSP.
- 5.2 The proposal is in accordance with the transportation pattern as shown in the TSP.
- 5.3 This criterion is met.

#### ATTACHMENTS

- I Determination of Completeness Letter
- II Location Map
- III Notice of Public Hearing
- IV Current Comprehensive Plan & Zoning Designation
- V Proposed Comprehensive Plan & Zoning Designation
- VI Application and Narrative from the Applicant

Appendix A: Trip Generation Report  
 Appendix B: Metes & Bounds Legal Description  
 Appendix C: Assessor's Map

#### ACRONYMS

AASHTO	American Association of State Highway and Transportation Officials
ADC	Albany Development Code
ADT	Average Daily Traffic
AMC	Albany Municipal Code

DSL	Oregon Department of State Lands
IP	Industrial Park Zoning District
ITE	Institute of Transportation Engineers
LI	Light Industrial Zoning District
LOS	Level of Service
LUBA	Oregon Land Use Board of Appeals
ODOT	Oregon Department of Transportation
RM	Residential Medium Density Zoning District
ROW	Right of Way
TPR	Transportation Planning Rule
TSP	Transportation Systems Plan
USACE	U.S. Army Corps of Engineers
V/C	Volume to Capacity