



COMMUNITY DEVELOPMENT

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

Notice of Decision

Annexation with Concurrent Zoning Map Amendment

AN-03-23 and ZC-06-23

January 12, 2024

MAIL DATE: January 12, 2024

DECISION DATE: January 10, 2024

TYPE OF APPLICATION: 1) Annexation of 12 separate parcels of land that are outside the City limits and subject to Irrevocable Requests to Annex; 2) Application of City zoning designation(s) to said parcels; and 3) Annex four areas of right-of-way that were not annexed when the adjacent properties were annexed.

REVIEW BODY: Planning Commission and City Council (Type IV, Legislative and Quasi-Judicial Decision)

APPLICANT: City of Albany, Community Development Department,
333 Broadalbin Street SW, Albany, OR 97321

The properties proposed for annexation are as follows:

No.	Property Owner	Street Address	Linn County Tax Assessor's Map/Tax Lot	County Zone Designation	Proposed Zone Designation
1	City of Albany	Unassigned	11S03W09D 03200	UGA-RR-1	RM
2	City of Albany	Unassigned	11S03W04DD01300	UGA-RR-1	RS-6.5
3	Linn Benton Community College	2958 53rd Avenue SE	11S04W24 00625	UGA-UGM-20	RS-6.5 / Open Space
4	Jennifer Neskahi	3525 Circle Drive SE	11S03W09AC01000	UGA-RR-1	RM
5	Lucas Teeter	3605 Circle Drive SE	11S03W09AC00600	UGA-RR-1	RM
6	Alexandra & Matthew Golsan	3545 Spicer Road SE	11S03W09AC02700	UGA-RR-1	RM
7	Valley Homes 2022, LLC	3815 Spicer Drive SE	11S03W09D 02300	UGA-RR-1	RM
8	City of Albany	3907 Spicer Drive SE	11S03W09D 02600	UGA-UGM-5	RM
9	Raymond Johnston	4580 Knox Butte Road E	11S03W03A 07700	UGA-UGM-20	RS-6.5
10	Wesley & Lila Lokey	4610 Knox Butte Road E	11S03W03A 07800	UGA-UGM-20	RS-6.5



11	Cheryn & Harold Lareau	488 Goldfish Farm Road SE	11S03W04DD01100	UGA-UGM-5	RS-6.5
12	Everett & Shirley Ann Wright	937 Goldfish Farm Road SE	11S03W10 00401	UGA-UGM-20	RM

The right-of-way areas are:

1. Interstate 5 (I-5)/Century Drive area north of Knox Butte Road; and
2. Sections of Goldfish Farm Road south of Knox Butte Road and north of Highway 20; and
3. I-5 south of Highway 20; and
4. An area of Highway 20 east of I-5.
5. 53rd Avenue west of Highway 99E

On January 10, 2024, the Albany City Council adopted Ordinance No. 6032 to annex the subject properties and amend the zoning map as described above.

On January 10, 2024, the Albany City Council adopted Ordinance No. 6033 to withdraw the subject properties from the Albany Rural Fire Protection District.

A copy of Ordinance No. 6032 and Ordinance No. 6033 are 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 David Martineau, project planner, at 541-917-7555 or david.martineau@albanyoregon.gov.

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 decision is mailed or otherwise submitted to parties entitled to notice.

Signature on file

City of Albany Mayor

Appeal to LUBA Expiration Date: February 2, 2024

Condition of Approval

Condition 1 At the time of annexation, the subject properties shall be removed from the taxing district of the Albany Rural Fire Protection District (ARFPD) and be annexed into the Albany Fire District.

Information for the Applicant

Please read the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or Albany Development Code (ADC) regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

ENGINEERING

The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.