

ORDINANCE NO. 5556

AN ORDINANCE AMENDING ORDINANCE NO. 5555, WHICH AMENDED THE CITY OF ALBANY DEVELOPMENT CODE AND ZONING MAP, BY AMENDING THE DEVELOPMENT CODE TEXT AND THE ZONING MAP AS PART OF PERIODIC REVIEW AND ADOPTING FINDINGS. (FILES DC-01-02 AND ZC -01-02)

WHEREAS, from time to time it is appropriate to amend the Albany Development Code and Zoning Map based on changing conditions; and

WHEREAS, the City is in Periodic Review, a process through which the City is updating its Comprehensive Plan, Plan Map, Development Code and Zoning Map in accordance with a work program approved by the State Department of Land Conservation and Development in 1997, and

WHEREAS, the City Council authorized the Great Neighborhoods Project in December 1997 as the initial step in Periodic Review to gauge the desires of the community, and several hundred citizens turned out for five meetings in November 1998 to express many ways to improve the livability of the community; and

WHEREAS, the Balanced Development Patterns Project in the winter of 2000 and spring of 2001 was the next step in Periodic Review to look at land use relationships and identify areas for future employment, commercial and housing growth; and

WHEREAS, the Planning Commission reviewed the proposed Development Code text and Zoning Map amendments in work sessions, and then directed staff to prepare specific changes to the text and map; and

WHEREAS, on May 22, 2002, the City mailed a "Measure 56" notice of the Planning Commission and City Council public hearings on the proposed Comprehensive Plan, Development Code and Zoning Map amendments to all commercial and industrial property owners in the city; and

WHEREAS, on June 3, 2002, the Planning Commission held a public hearing on the proposed amendments and then recommended approval based on findings contained in the staff report and evidence presented at the public hearings; and

WHEREAS, the Albany City Council held public hearings on June 17, 2002, and November 13, 2002, concerning the proposed amendments to the commercial and industrial zoning districts; and

WHEREAS, the Albany City Council reviewed the amendments recommended by the Planning Commission and the testimony presented at the public hearings and deliberated on them in work sessions and at City Council meetings

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

Section 1. The Albany Development Code, Article 5 (Mixed Use Village Center Zoning Districts including previous Article 14, Central Albany), is hereby amended to create a Mixed Use Commercial (MUC) Zoning District; to establish a Schedule of Permitted Uses in the MUC zone, to establish development standards for the MUC zone (including a maximum footprint

size), and to add references to the MUC zone to the provisions on setbacks and outside storage. (Exhibit A)

Section 2: The Albany Development Code, Article 2 (Review Criteria), is hereby amended to add the Mixed Use Commercial Zoning District as a compatible zoning district in the Village Center Comprehensive Plan designation. (Exhibit B)

Section 3 The Albany Development Code, Article 8 (Design Standards), is hereby amended to add Design Standards for Commercial and Residential uses in Village Centers. (Exhibit C)

Section 4: The Albany Development Code, Article 13 (Sign Code), is hereby amended to add the Mixed Use Commercial Zoning District as a Pedestrian Area (Exhibit D)

Section 5: The Albany Development Code, Article 4 (Commercial and Industrial Zoning Districts), is hereby amended to establish a maximum building size of 100,000 square feet in the Community Commercial Zoning District. (Exhibit E)

These exhibits, upon adoption of this Ordinance, shall supercede the corresponding sections of the Development Code. Language shown in the exhibits as having been struck is removed from the Development Code and language shown in bold is added to the existing text.

Section 6. The Albany Zoning Map is hereby amended to rezone certain properties in North Albany and East Albany as Mixed Use Commercial. (Exhibit F)

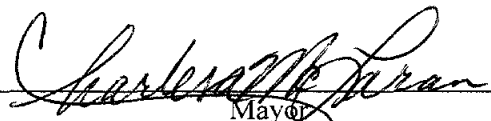
This exhibit, upon the adoption of this ordinance, shall supercede the previous zoning of the properties that have been rezoned.

Section 7: The attached Findings and Conclusions are hereby adopted in support of this decision. (Exhibit G)

Passed by Council: January 22, 2003

Approved by Mayor: January 22, 2003

Effective Date: February 21, 2003



Mayor

ATTEST:



City Recorder

The Code revisions proposed in this Article would add the Mixed Use Commercial (MUC) zone to this Article.

ARTICLE 5 MIXED USE VILLAGE CENTER ZONING DISTRICTS

No changes are proposed to 5.000 to 5.020 at this time.

5.030 Establishment of Village Center Zoning Districts. In order to implement the mixed-use and livability concepts in the Town Center and Albany Comprehensive Plans, the following zoning districts are created

- (9) **MUC--MIXED USE COMMERCIAL DISTRICT.** The MUC zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices and medium density residential uses in the North Albany and East Albany Village Centers. The district would typically be anchored by a grocery store, and may include a mix of smaller retailers, offices, live-work units and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods. Uses in the MUC zone will serve the North Albany or East Albany area residents and should not draw from the region.

SCHEDULE OF PERMITTED USES

No Changes are proposed to 5.050 to and the text in 5.060 at this time.

5.060 Schedule of Permitted Uses.

SCHEDULE OF PERMITTED USES

Mixed-Use Village Center Uses		
Use Categories (See Article 22 for use category descriptions.)	Spec. Cond.	MUC
INDUSTRIAL		
Contractors and Industrial Services		N
Manufacturing and Production		N
Warehousing and Distribution		N
Waste and Recycling		N
Wholesale Sales		N
COMMERCIAL		
Adult Entertainment		N
Entertainment and Recreation		
Indoor		S-6
Outdoor		CU
Offices		S
Parking		S
Restaurants, no drive-thru		S
with drive-thru or mostly delivery		CU
Retail Sales and Service		S-10
Self-Serve Storage	11	N
Vehicle Repair		N
Vehicle Service, Quick (gas/oil/wash)		S
INSTITUTIONAL		
Basic Utilities	12	CU
Community Services	13	CU
Daycare		S
Educational Institutions	14	CU
Hospitals		N
Jails & Detention Facilities		N
Parks, Open Areas and Cemeteries	15	CU
Religious Institutions	14	CU
RESIDENTIAL		
Group or Residential Care Facilities	16	Y/S
Assisted Living		CU
Single and Two Family Homes	17	Y-19
Live Work		S-19
Three or More Units	20	S-19
Units Above Business		S-19
Residential Accessory Buildings	21	Y/S
OTHER CATEGORIES		
Agriculture (on Vacant Land)	22	N
Communication Towers & Poles >= 50 ft	23	CU
Kennels	25	N
Passenger Terminals		CU
Rail And Utility Corridors		CU

Y = Yes allowed, no Site Plan review required

N = No, not allowed

CU = Conditional Use review required

S = Site Plan review required

SPECIAL CONDITIONS

5.070 General. Where numbers appear in the "Special Conditions" column in the Schedule of Permitted Uses, the corresponding numbered conditions below shall apply to the particular use category as additional clarification or restriction.

Staff Comment: Only the Special Conditions applicable to the MUC zone are listed below.

- (6) Indoor Entertainment and Recreation in the WF, PB, MS, ~~and ES~~ and MUC zones.
- (b) Prohibited Uses in WF, ~~and PB~~ and MUC. The following indoor entertainment and recreation uses are prohibited: movie theaters, indoor firing ranges, paint gun, coliseums, stadiums and similar facilities.
- (10) Retail Sales and Service in the MS, ES, MUC and MUR zones.
- (b) Prohibited Uses in MUC. Sale, leasing and rental of vehicles and trucks; hotels, motels, and recreational vehicle parks.
- (14) Conditional Use Approval for Religious and Educational Institutions includes the following secondary uses: educational activities; sports and other recreational activities; religious activities; political activities; meals programs; before- and after-school childcare activities, fund raising activities, and cultural programs. Such uses will not be required to go through the land use process if all of the activities that constitute the use (excluding parking and travel to and from the site) take place on the site and no external noise is audible or light visible between 10:30 p m and 8:00 a.m.

Expansion of an educational or religious institution includes the addition of building area, increase in parking lot coverage, or expansion of athletic facilities. Any expansion must be reviewed through the conditional use process.

An educational institution having a capacity greater than twenty-five students shall have a driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children

- (15) Public park development activity subject to conditional use review includes major development; expansions of activities and development within parks which currently generate substantial traffic; or construction of major structures such as swimming pools, lighted ball fields, and community centers. Conditional use review is not required, however, for construction of play equipment, tennis courts, bike paths, picnic shelters, restrooms, landscaping, and similar activities within existing improved parks
- (16) Group or Residential Care Facilities. Group care homes or "residential homes" (as defined in ORS) that include five or fewer residents are permitted outright in any zone that allows single-family residences outright. (This is indicated by a Y in the schedule) Residential group care facilities (6 or more residents) require a Site Plan review
- (17) Existing Single Family Homes Single-family homes built before December 11, 2002, may remain as a permitted use in any zone without being nonconforming. See Section 5 080.

Accessory Apartments. One accessory apartment is permitted as an addition to or within a single-family residence, hereafter called the "primary residence," or in an existing detached accessory structure built before February 1, 1998, that is located on one lot or contiguous lots under one ownership, and that results in no more than two units per lot. Accessory apartments are intended to be incidental and subordinate to the primary residence and must meet the following regulations:

- (a) One of the residences is owner-occupied.
 - (b) The size of an accessory apartment may not exceed 50 percent of the gross floor area of the primary residence (excluding garages or carports) or 800 square feet, whichever is less.
 - (c) The size of the property meets the minimum single-family lot area requirements for the zoning district in which the lot is located.
 - (d) The front door of an accessory apartment may not be located on the same façade as the front door of the primary residence unless the door already exists or the wall that contains the apartment front door is set back at least five feet from the front facade of the primary residence.
 - (e) At least two off-street parking spaces are provided on the property to serve the two residences
 - (f) Exterior additions must substantially match the existing materials, colors and finish of the primary structure.
 - (g) The property owner must obtain all required building permits and go through historic review if on the Local Historic Inventory.
- (19) **Residential Development in MUC. Residential development shall develop at a minimum gross density of 10 units an acre. Residences above a business or office are exempt from meeting the minimum density.**

(21) Residential Accessory Buildings.

Accessory buildings are permitted outright in MUR, WF, HD, CB and ES, and with Site Plan review in MS **and MUC**, if they meet the following conditions:

- (a) Detached accessory buildings, garages and carports are less than 750 square feet and have walls equal to or less than eleven feet in height.
- (b) Attached accessory buildings, garages or carports are less than 1,000 square feet.

All other residential accessory buildings, garages or carports require a Site Plan review in RM-5, MUR, WF and ES, and are considered through a Conditional Use review in HD, CB, **and MS and MUC.** (This is indicated by the use of a “/” in the matrix. For example, “Y/S” means accessory uses that don’t meet the standards above require a Site Plan review.)

- (22) Agriculture. All agricultural uses in existence before December 11, 2002, are allowed to remain. New agriculture uses are limited to the raising of crops and plants on vacant land.
- (23) Communication Tower and Pole Placement Standards. The placement of antennas, satellite dishes and monopoles less than 50 feet in height when measured from the ground or within 15 feet of a roof top is permitted outright in all districts subject to the following standards and those found in Section 8 400:
- (a) No antennas, antenna supports, satellite dishes or monopoles shall be located within any front yard setback area or within any required landscape buffer yard
 - (b) Dish antennas larger than three feet in diameter, and located within ten feet of a residential lot line or visible from a public street, shall be screened with a six-foot solid screen fence, wall, hedge, or other landscaping.
 - (c) Antennas used to display sign messages shall conform to all district sign regulations in addition to the above
 - (d) Towers are not permitted.

- (e) Antennas, satellite dishes, monopoles and other communication structures less than 50 feet in height, not in conformance with the above, may be considered through a Conditional Use review. [Ord. 5445, 4/12/00]

- (25) Kennels. Kennels do not include indoor veterinary hospital kennels.

No changes are proposed to 5.080 to 5.085 at this time.

DEVELOPMENT STANDARDS

5.090 Purpose. Development standards are intended to promote site planning and design that consider the natural environment; maintain the required dimensional standards while promoting energy conservation, needed privacy, and safe and efficient parking areas for new development, and improve the general living environment and economic life of a development Table 1 summarizes the basic development standards. It should be used with the sections immediately following the table, which address special circumstances and exceptions Additional design standards for commercial and multi-family developments are located in Article 8 [Ord. 5445, 4/12/00]

TABLE 1

MIXED-USE VILLAGE CENTER DEVELOPMENT STANDARDS

STANDARD	MUC
Min Lot Size (sq ft) (3) Single-family (s-f) Attached s-f, per lot Two-family 3 or more 1-bdrm 3 or more 2+bdrm All other uses	 None None None None None 6,000
Max. Building Size (sq.ft.) Non-grocery Grocery-anchored	 20,000 80,000 (13)
Max Business Footprint (sq ft) (17) Non-grocery Grocery-anchored	 20,000 80,000 (13)
Lot Width, min	None
Lot Depth, min	None
Landscaped Area (2)	100%
Min Open Space	(12)
Maximum Front Setbacks (10)	10' (15)
Minimum Setbacks: Front (5) (14) Interior (5) (14) Garage Entrance (9)	 5' (1) (4) 20'(8)
Height, max	50'
Lot Coverage, max (6)	80%

N/A means not applicable.

- (1) Single-family homes or duplexes must have a 5' interior yard for single-story buildings, and an 8' interior yard for two-story buildings See 5 150 and 5 160 for zero lot line options
- (2) All yards adjacent to streets
- (3) Lots with alley access may be up to 10% smaller than the minimum lot size for the zone [Ord 5338, 1/28/98, Ord 5445, 4/12/00]

- (4) Commercial or office buildings abutting residential districts and/or uses require 1 foot of setback for each foot of wall height with a minimum setback of 10 feet. For yards abutting commercial or industrial districts, no interior setback is required
- (5) No setbacks are required for buildings abutting railroad rights-of-way
- (6) Lot coverage includes building and parking area coverage
- (7) See ADC 5 120
- (8) Garage setback for non-vehicle entrance must conform with the requirements for interior setbacks
- (9) For garages with alley access, see Table 2
- (10) The maximum setback may be increased with the condition that 100% of the increased setback is used for pedestrian amenities associated with the building use, such as patio dining for a restaurant, sidewalk café, plaza, or courtyard. See ADC 8 320(4)
- (11) For multi-family and commercial developments, no parking or circulation will be allowed within the front yard between the building with the primary entrance and the adjacent street
- (12) Ten or more residential units require open space. See ADC 8 210
- (13) **The building and business footprint maximum is 80,000 square feet if a grocery store occupies at least fifty percent (50%) of the total square footage. This footprint may include one or more businesses or attached buildings. For purposes of this section, a grocery store is defined as a business that sells primarily food and household supplies. Ancillary grocery uses include uses such as pharmacy, bakery, and florist. Excluding grocery stores, which may be up to 60,000 square feet. For purposes of this section, a business is considered a grocery store if foods, toiletries, and cleaning supply items occupy more than 50 percent (50%) of the sales floor area.**
- (14) Properties adjacent to the Willamette River, see also the Willamette Greenway standards in 5 200 and ADC 6 310
- (15) Except for residential development, which has a maximum setback of 25 feet. See Section 8 240 for residential design standards
- (16) No minimum lot size for structures on the Local Historic Inventory
- (17) In shopping centers with multiple tenants, "business" refers to each individually leasable space. "Footprint" refers to the amount of area covered by the first floor. Businesses may build on additional floors

SETBACKS

5.100 Minimum Standards. Primary structures must meet the minimum setback standards in Table 1, Development Standards. In addition to the setbacks in this Article, all development must comply with Section 12.180, Clear Vision Area.

The Accessory Structure Standards (Table 2) apply to residential accessory structures in the MUR, WF, MS, ~~and~~ ES, ~~and~~ MUC districts.

No changes are proposed to 5.110 to 5.350 at this time.

OUTSIDE STORAGE

5 360 General.

- (1) In the HD, CB, LE, MS, ES, ~~and~~ WF ~~and~~ MUC districts, outside storage or display of materials, junk, parts, or merchandise is not permitted within required front yards or required buffer areas, except for automobile sales, where allowed.
- (2) In the HD, CB, LE, MS, ES, WF and MUC districts, open storage is permitted in yards not listed in (1) above, provided that such storage is enclosed with a sight-obscuring fence, wall, hedge, or berm, which must be constructed of non-combustible material. This enclosure must be located on the property at the required setback line as if the berm, fence, wall, or hedge was a building.

FENCES

MUC AND MUR DISTRICTS

No changes are proposed to 5.380 to 5.410 at this time.

The Code revisions proposed in this Article would add the Mixed Use Commercial (MUC) zone as a compatible zone in the Village Center plan designation

ARTICLE 2 REVIEW CRITERIA

No changes are proposed to 2.010 to 2.560 at this time.

ZONING MAP AMENDMENTS

2.570 Zoning. Upon annexation, the zoning of annexed property shall be compatible with the Comprehensive Plan designation as provided on the annexation zoning matrix. The particular zoning district will be determined in an Annexation Agreement between the City and the property owner Zoning other than shown on the matrix requires approval of a Comprehensive Plan map and/or zoning map amendment.

ANNEXATION ZONING MATRIX

Plan Designation	Compatible Zoning Districts
Village Center	Historic Downtown (HD), Central Business (CB), Lyon-Ellsworth (LE), Pacific Boulevard (PB), Elm Street (ES), Main Street (MS), Waterfront (WF), Mixed Use Commercial (MUC) , Residential Limited Multiple Family (RM-5), Mixed Use Residential (MUR), Office Professional (OP), Community Commercial (CC)

No changes are proposed to 2.600 to 2.780 at this time.

The Code revisions proposed in this Article would add the Mixed Use Commercial (MUC) design standards to the Code.

ARTICLE 8 DESIGN STANDARDS

No changes are proposed to Sections 8.000 to 8.330 at this time

8.340 **General Building Design.** New commercial buildings shall provide architectural relief and interest, with emphasis at building entrances and along sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided **except when not feasible.** ~~practicable~~

- (1) Ground-floor windows shall be provided along frontages adjacent to sidewalks. The main front elevation(s) of buildings shall provide windows or transparency at the pedestrian level in the following minimum proportions:

District	% Transparency
RC, CC, NC, OP, MUC	25%
MS, LE, PB, ES, MUR, WF	50%
HD, CB	75%



The minimum window and door requirements are measured between 2 and 8 feet from the ground. Only the glass portion of doors may be used in the calculation.

If there are upper floor windows, they shall continue the vertical and horizontal character of the ground level windows.

- (2) Walls that are visible from a public street shall include a combination of architectural elements and features such as offsets, windows, entry treatments, wood siding, brick stucco, synthetic stucco, textured concrete block, textured concrete, and landscaping

No changes are proposed to sections 8.350 to 8.390 at this time.

SUPPLEMENTAL COMMERCIAL DESIGN STANDARDS IN VILLAGE CENTERS

8.405 **Village Center Character.** The purpose of these standards is to contribute to the desired character of the village center. They are intended to promote the design of an urban environment that is built to human scale with attractive street fronts and interconnected walkways that promote pedestrian usage and accommodate vehicles. Development in the village center must contribute to a cohesive, visually compatible and functionally linked pattern through street and sidewalk layout, building siting and character, and site design. Details count.

8.410 **Applicability.** These standards apply to commercially zoned properties within the Village Center Comprehensive Plan designation. They are in addition to the Commercial Design Standards in this article for commercial and office development. Taken together, these design standards are intended to foster a mixed-use character for village centers.

8.415 Buildings Along Public Streets.

Purpose. The siting of buildings along the public street defines the street edge and frames the streetscape. In larger development, the locations of pad site buildings also provide opportunities to frame entries into the shopping center and contribute to the visual interest of the site. These provisions are intended to avoid deep building setbacks behind large expanses of parking areas or vacant land.

Standards.

- (1) Buildings and plazas shall be located within the maximum setback area for at least 40% of one public street frontage.**
- (2) For sites with frontage on more than one public street (i.e., corner lots), this standard applies to one frontage only.**
- (3) The public street frontage is the length of the property as measured along the street right-of-way excluding the width of entrance driveways and/or streets.**
- (4) Building facades that face public streets shall be subdivided into human-scale proportions using at least two features such as windows, entrances, arcades, arbors, awnings, trellises with vines, or an equivalent element. A blank, uninterrupted wall shall not be longer than thirty feet.**
- (5) No parking, loading or travel aisles shall be located between the public street and buildings within 50 feet of the street, except that a designated park-and-ride lot or one drive-through lane may be permitted. See Section 8.420(b).**
- (6) To count toward this standard, a plaza shall:
 - (a) Be well defined at the street edge by a low decorative architectural wall (no higher than three feet), a line of shrubs or trees of the same species, or similar landscaped or built feature;**
 - (b) Be constructed/landscaped of materials that are similar in quality to the principal materials of the primary building(s) and landscape. Landscaping with drought-resistant native species is strongly encouraged;**
 - (c) Have direct access to the public street sidewalk and be located the shortest distance to the nearest building main entrance; and**
 - (d) Extend at least the full depth of the maximum setback.****

8.420 Maximum Setback.

Purpose. Customer entrances should be readily accessible from the public street sidewalk as well as from the parking lot. Build-to lines form visually continuous, pedestrian-oriented street fronts with no vehicle use area between building fronts and the street.

Standards.

- (1) Buildings within 50 feet of a public street shall have 40% of the building located within the maximum setback except that:**

(a) If a previously recorded easement precludes meeting the maximum setback, the applicant shall demonstrate that an alternative layout best addresses the intent of this standard and the character of the village center.

(b) A building with drive-through service may have one drive-through lane between the building and the street provided that the building is set back no more than 25 feet and the drive-through lane is screened according to standards for perimeter parking area landscaping in ADC 8.470.

(2) Any building more than 50 feet from a public street is exempt from this standard.

8.430 Size Limitations. See building size limitations in Article 5, Table 1, Development Standards, ADC 5.090.

8.440 Building Design.

Purpose. These provisions are intended to reduce the visual appearance of larger scale buildings to a smaller, pedestrian-level scale that is appropriate for a village center. They are not intended to limit the size of the building.

Standards.

(1) Building facades longer than 100 feet shall have relief such as recessed entries, offsets, jogs, bays, columns, ribs, pilasters, piers, cornices, bases, or other distinctive constructed changes. Changes in relief in the building façade shall occur at least every 100 feet for at least 20% of the exterior wall area. At least two colors or textures shall be used (not including stripes or bands).

(2) Rooflines longer than 100 feet shall be relieved by elements such as parapets, gables, dormers, towers, steeples, etc.

(3) No building wall shall be longer than 300 feet unless the building façade has one or more major offsets in wall plane. A major offset in wall plane shall have a depth of at least 10% of the length of the longest abutting wall and shall continue for at least 20% of the building facade. Minor changes in wall plane such as entries, jogs, bays, columns, ribs, pilasters, piers, or cornices do not count toward meeting this standard.

(4) In developments with multiple buildings, each individual building shall include predominant characteristics shared by all buildings in the development, so that the development forms a cohesive place within the district. A standardized prototype design shall be modified if necessary to meet the provisions of this Code and character of this district.

(5) Corrugated metal siding is prohibited on any building. Corrugated metal roofing is allowed.

8.445 Pedestrian Network.

Purpose. By creating a safe, continuous network of sidewalks within and between developments, pedestrians will feel more inclined to walk (rather than drive). A pedestrian network that offers clear circulation corridors from the parking areas to building entries creates a friendlier, more inviting image. A detailed pedestrian circulation plan must demonstrate that the layout of sidewalks contributes to the overall pedestrian connectivity of the village center.

Standards.

- (1) Sidewalks must be located to provide the shortest direct connection from the public street sidewalk(s) to all customer entrances.
- (2) Sidewalks must be located to provide the shortest direct connection between all on-site customer entrances.
- (3) Sidewalks must be located along every public street frontage and both sides of on-site private streets. These sidewalks must be separated from the street by a tree-lined landscape strip.
- (4) Extra-wide sidewalks are encouraged to provide space for tables and chairs and other pedestrian amenities, creating a concentration of activity to serve as the neighborhood center.
- (5) Sites larger than 8 acres shall create an open space or plaza with amenities such as benches, monuments, kiosks or public art. Amenities shall be in prominent locations, interconnected with the uses and walkways on the site, and be landscaped.

8.450 Privacy Considerations.

Purpose. Village centers are mixed-use areas where special attention is given to resolving potentially incompatible situations. General standards provide the flexibility to adjust the design and operating characteristics to given circumstances.

Standard.

- (1) Non-residential uses and parking areas shall be arranged to minimize infringement on the privacy of adjoining residents.

8.460 Parking Areas.

Purpose. While recognizing the paramount role of cars in everyday life and the need to provide adequate and convenient space for them, these standards move away from the typical suburban pattern of predominant and highly-visible parking areas in commercial developments. They are intended to reduce the scale of parking areas by siting a portion of the parking lot out of view, and using increased landscaping to screen spaces and reduce the overall visual impact of large parking areas.

Standards.

- (1) On-street parking spaces within 100 feet of a commercial or office development may count towards meeting the parking requirement.
- (2) Shared parking is encouraged for all uses.
- (3) Trees intended for parking area landscaping shall provide a canopy cover of at least 20% of the parking area at maturity. Existing trees may be included to meet the canopy requirement, provided the site plan identifies such trees and the trees meet the standards of size, health, and placement. The extent of canopy at maturity shall be based on published reference texts generally accepted by landscape architects, nurserymen, and arborists.

(4) Bioswales shall be considered as the initial storm water collection system.

8.470 Perimeter Parking Area Landscaping.

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

Standards.

- (1) All parking areas (excluding entranceways) adjacent to a public street shall be screened with:
 - (a) A low continuous hedge of evergreen shrubs, trees and plantings that are at least 3 feet tall within 2 years and grow to provide an evergreen screen of at least 70%; OR
 - (b) A berm three feet high with a maximum slope of 3:1, in combination with coniferous and deciduous trees and shrubs; or
 - (c) A low decorative masonry wall at least three feet high in combination with landscaping; or
 - (d) A combination of any of these methods.
- (2) The landscape plan shall be prepared by a licensed landscape architect.

8.475 Signs.

Purpose. Signs must be scaled appropriately to appeal to both pedestrians walking on the adjacent sidewalks and to nearby motorists. The following standards are intended to create aesthetically pleasing and cohesive sign standards while reinforcing the context of the village center.

Standards.

- (1) For integrated centers, an overall signage and graphics program shall be provided as part of the development application to ensure that stand-alone signs are consolidated and that signs complement the character of the neighborhood.
- (2) Monument signs are preferred rather than freestanding signs.

SUPPLEMENTAL RESIDENTIAL DESIGN STANDARDS IN VILLAGE CENTERS

- 8.480 **Applicability.** These standards apply to residential development in mixed-use and residential zones within the Village Center Comprehensive Plan designation. They are in addition to the residential design standards for Single-Family Homes and Multiple Family Homes in this article.
- 8.485 **Purpose.** These provisions are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers with an emphasis on a high-quality pedestrian environment.

Standards.

- (1) Building exteriors shall be surfaced with wood, brick, stucco, stone, masonry, or lap siding on all sides.
- (2) Rooflines should be designed to reduce the exterior mass of multiple attached units and shall incorporate elements such as parapets, gables, dormers, etc.
- (3) All exterior HVAC equipment shall be screened from street-level view.
- (4) Covered bike parking shall be provided for 50% of the dwelling units in shelters, individual storage lockers or garages.
- (5) Alleys are encouraged to provide friendly street frontage and to set driveways and garages in the rear.

TELECOMMUNICATION FACILITIES

~~8.4008.500~~ **Telecommunication Facilities.** Every telecommunication facility shall comply with the following standards and applicable standards of the zone.

No changes are proposed to the rest of the article.

The Code revisions proposed in this Article would add the Mixed Use Commercial (MUC) zone to the Sign Code, and supplement the revisions to this article in the first Ordinance, Exhibit G, Article 13.

ARTICLE 13 ALBANY SIGN CODE

13.100 to 13.360 - *No changes proposed at this time.*

STANDARDS BY SIGN DISTRICT

13.410 **PEDESTRIAN AREAS.**

13.411 District Areas. The Pedestrian Area shall consist of the CB (Central Business), HD (Historic Downtown), **MUC (Mixed Use Commercial)** and LE (Lyon-Ellsworth) zones [Ord. 5446, 5/10/00]

13.412 to 13.816 - *No changes proposed at this time.*

ARTICLE 4 COMMERCIAL & INDUSTRIAL ZONING DISTRICTS

The Code revisions proposed in this Article would add a building size limit in the Community Commercial zone.

No changes are proposed to 4.010 to 4.080 at this time

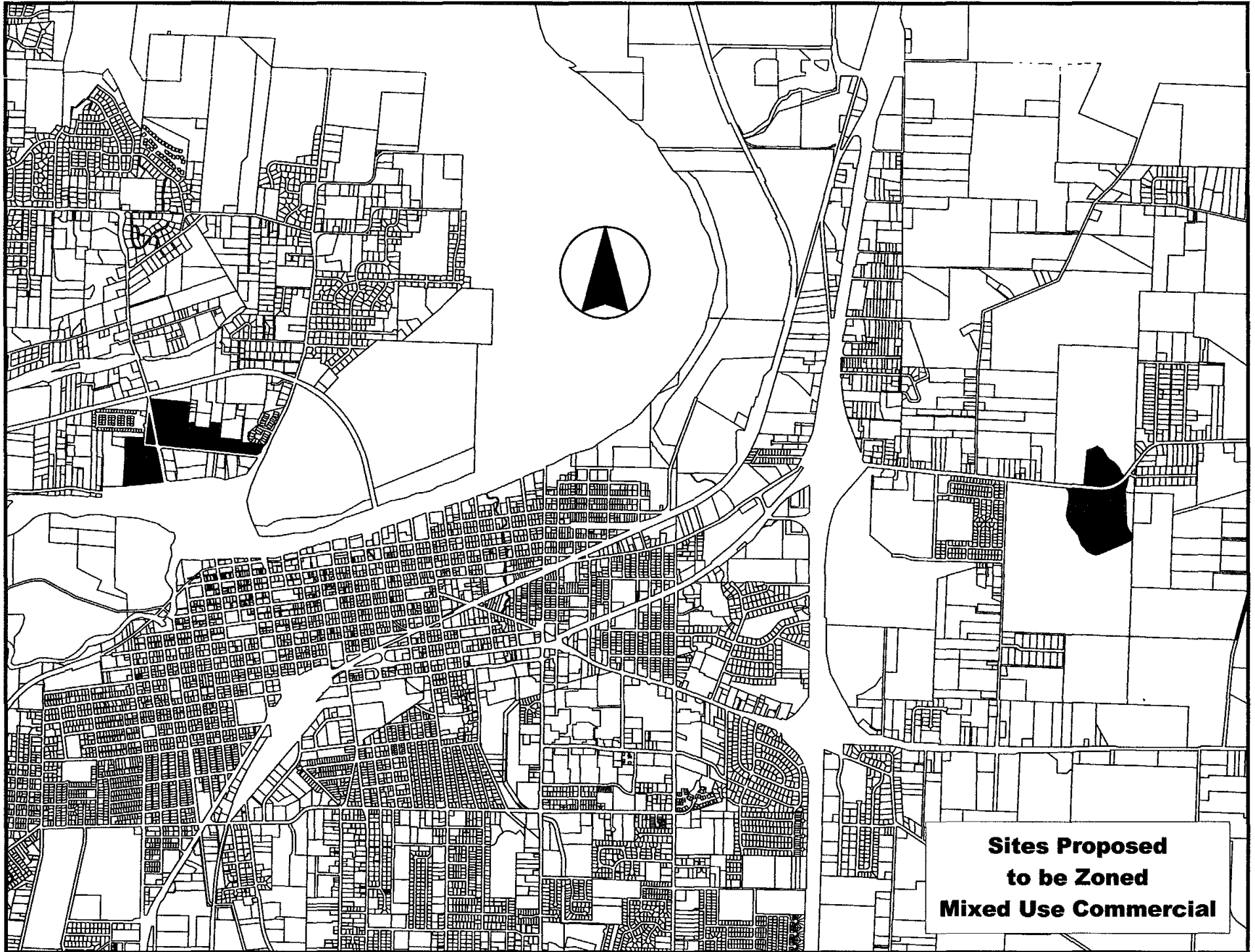
DEVELOPMENT STANDARDS

4.090 Purpose. Development standards are intended to promote site planning and design which that consider the natural environment,; maintain the required dimensional standards while promoting energy conservation, needed privacy, and safe and efficient parking areas for new development; and improve the general living environment and economic life of a development Table 1, on the following page, summarizes the basic development standards. It should be used in conjunction with the sections immediately succeeding following the table, which address special circumstances and exceptions. Design standards for multiple -family and commercial development are located in Article 8. [Ord 5445, 4/12/00]

TABLE 1

Commercial & Industrial District Development Standards								
STANDARD	OP	NC	CC	RC	TD	IP	LI	HI
MAXIMUMS								
Building Size	None	None	100,000	None	None	None(10)	None	None

No changes are proposed to 4.100 to 4.320 at this time.



FINDINGS AND CONCLUSIONS

Albany Development Code and Zoning Map Amendments

The Albany Development Code contains the following review criteria that must be met for these legislative Development Code and Zoning Map amendments to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions

Staff Comment: Due to the similarity of the following review criteria, the findings for these criteria are all located under under (1).

(1) The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing regulatory language (Development Code Amendment criterion)

The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan. (Zoning Map Amendment criterion)

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. (Zoning Map Amendment criterion)

FINDINGS

- 1.1 The proposed Code amendments have been considered concurrently with amendments to the Comprehensive Plan, Comprehensive Plan Map and Zoning Map in a legislative proceeding (The Comprehensive Plan amendments are adopted.) The impetus for this review is to satisfy state Periodic Review work tasks for a Buildable Lands Inventory and Growth Management Implementation.
- 1.2 Albany recently completed the Balanced Development Patterns project, which looked at the relationships between land uses and land uses and the transportation system and tried to determine where to locate future jobs and housing over the next 20 years. The project included a review of the Comprehensive Plan and Zoning maps and recommended a modified development pattern using village centers and employment centers to better distribute goods and services, to reduce cross-town trips and enhance community livability.

Mixed-Use Commercial (MUC) Zone

- 1.3 The Comprehensive Plan map designates Village Centers (in North Albany, East Albany, south of Oak Creek and Central Albany) to provide services close to neighborhoods and reduce cross-town trips for daily needs. The Mixed-Use Commercial (MUC) zone is proposed in new Village Centers to serve as the commercial core of the center.
- 1.4 The North Albany MUC zone is proposed to include properties north of Hickory Street between Springhill Road and North Albany Road, and land west of North Albany Road. The MUC zone boundary follows property lines, except the west boundary. The west boundary includes portions of the "Griffin" and "Turnbull" tracts as shown on the North Albany Village Center Re-Zone Map submitted by K&D Engineering dated December 4, 2002.
- 1.5 The East Albany MUC zone straddles Knox Butte Road and is proposed to follow the 2002 Brandis Annexation plan. South of Knox Butte Road, the zone boundary follows Burkhardt Creek to the south and west, and a tributary to Truax Creek to the east. North of Knox Butte Road, the northeastern boundary is a tributary to Truax Creek and the west boundary is a proposed road coming off Knox Butte Road to the north (running north/south).

The following Comprehensive Plan goals and policies (found in the Goal 9: Economic Development section of the plan) are relevant to the proposed Development Code amendments. Each goal or policy is written in *italic* type and considered as a separate review criterion.

Designate new village and mixed-use centers that provide a mix of commercial, office, entertainment and medium-to-high density residential uses that are integrated into the desired character of the neighborhood.

- 1.6 The purpose statement for Village Centers in the Comprehensive Plan states that they are to provide for a “mixture of uses to serve nearby neighborhoods. These uses must include retail and residential uses and may include offices, community and personal services, and live-work units. Development within a Village Center will be pedestrian friendly, fit the desired scale and character of nearby neighborhoods and prevent the appearance of strip commercial development ”
- 1.7 The proposed Mixed-Use Commercial (MUC) zone is compatible with the Village Center Comprehensive Plan designation. The MUC zone is intended to provide a mix of housing with retail and offices that meet daily goods and service needs. The design standards and proposed maximum building sizes support the plan goals of creating a pedestrian friendly center that fits the character and scale of nearby neighborhoods and prevents the appearance of strip commercial development.
- 1.8 The objectives for the new North Albany Village Center are spelled out in the *Question and Answer* piece reviewed by the City Council at their October 21 work session. Here are those objectives:
 - Create a mixed use center for the Hickory Street area that allows retail, services, employment and residential opportunities.
 - Allow a shopping area(s) suitable for retail tenants that sell daily living or convenience goods such as food, drugs, hardware, personal services, and a small amount of non-retail uses typically found in a neighborhood shopping center.
 - Limit commercial uses to those that meet the daily needs of the North Albany trade area.
 - Coordinate design of a mixed use center to complement and enhance the Hickory Street Village Center as well as serve the needs of the larger North Albany area.
 - Establish design and performance standards to achieve compatibility between the different land uses in the Village Center.
 - Provide an environment that is pedestrian-friendly and accommodating to vehicles.
 - Create a “gathering place” for the North Albany neighborhood.
 - Establish a level playing field for known commercial developers.

Provide opportunities for Village Centers to be located close to the areas they are intended to serve. Village Center commercial uses must

- a Be located, designed, and operated so as to be compatible with surrounding residential uses*
- b Be oriented to provide for the common and frequently recurring shopping needs of the area they are intended to serve .*

- 1.7 The Mixed-Use Commercial zones in Village Centers are located close to neighborhoods they are intended to serve and are sized to meet the convenience commercial needs of the nearby residents. They are clustered near neighborhoods for easy accessibility and to reduce vehicle miles traveled by Albany's residents
- 1.8 A Village Center is intended to achieve the look, feel and efficiency of a small village. The mix is enhanced if residential and commercial are integrated and interspersed. Commercial buildings are limited in size so that they will be compatible with the scale of the surrounding residential development. Very large buildings would create a suburban mall effect. Separate smaller buildings will create easier, more pedestrian friendly development.
- 1.9 Design standards also address compatibility with surrounding residential uses.

Use land use controls and other tools to reserve Village Centers for intended uses

- 1 10 A maximum building size is proposed in MUC of 20,000 square feet for non-grocery businesses, and 80,000 square feet if a grocery store occupies at least fifty percent (50%) of the total square footage. One intent of the building size limits is to keep uses that may serve a regional market and/or generate excessive traffic from locating in the MUC zone. *[Other MUC footprint findings are under Review Criterion (3), Transportation.]*

Maximum Building Size in the Community Commercial Zone

The size and type of future regional and community commercial sites shall be commensurate with the area to be served and located so as to be easily accessible to the service area.

- 1.11 Albany's commercial zoning is intended to provide for a variety of types and sizes of users. There are different commercial zoning districts based on intensity of use and compatibility with surrounding development. These are primarily a function of the transportation system and proximity to residential neighborhoods.
- 1.12 The Community Commercial zone is intended to serve the Albany community, but not the region and other communities. All of the CC zoning is located on arterial streets running through town.
- 1 13 A maximum building size of 100,000 square feet is proposed for the CC zone. 100,000 square feet represents a size that would allow retailers to serve Albany residents' needs, but not so large that it will enable development that will draw heavily from outside the community.
- 1.14 Properties designated as Community Commercial are located to easily serve the community, primarily on arterial streets. A maximum building size of 100,000 square feet is proposed to encourage the larger retailers to locate in the Regional Commercial zone.
- 1 15 Albany is bisected by Interstate 5 (I-5). Highways 20 and 99E cross the freeway. Because the highest volume roadway is I-5, it makes sense to locate the Regional Commercial (RC) zone near I-5, especially where other arterials bisect I-5. The RC zone is intended to serve properties that will draw patrons from outside the Albany city limits. We anticipate that from the east they are likely to come from Lebanon and Sweet Home; north from Salem; south from Tangent and Halsey, and west from Corvallis. Locating the regional-draw retailers near I-5 will help to reduce the amount of non-Albany traffic on our local streets.

- 1.16 Most of the large retailers (proposed to be zoned RC) that have developed in Albany over the past 10 years have chosen to be near the I-5 corridor (e.g., Home Depot, Costco, Coastal Farm). The market is determining that I-5 is best location for RC.
- 1.17 The property on the east side of Highway 99E at 53rd Avenue is zoned Regional Commercial, in the southwest area of the city. This property is suitable for the RC zone because it has easy access to Interstate 5 via Highway 99E, Highway 20 and Highway 34.

CONCLUSIONS

- 1.1 The proposed text and map amendments are consistent with the Balanced Development Patterns planning project outcomes and with the Comprehensive Plan Map designation Village Center. A new Village Center zone, Mixed-Use Commercial (MUC), is proposed in North Albany and East Albany. These areas are designated Village Center in the Comprehensive Plan.
- 1.2 The building footprint limitation in the Village Center MUC zone ensures that businesses will draw from the surrounding neighborhoods rather than from the entire city or the region. This is also necessary to reduce vehicle miles traveled and for the area to function as a village rather than a suburban mall.
- 1.3 The building footprint in the Community Commercial zone ensures that very large retailers that serve markets beyond Albany will locate in the Regional Commercial zoning district near Interstate 5.
- 1.4 The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing language. They will help achieve the goals of a more livable community with daily goods and services easily accessible to residents in Village Centers and businesses with a regional market located near Interstate 5.

(2)The proposed amendments are consistent with Development Code policies on purpose and with the purpose statement for the base zone, special purpose district, or development regulation where the amendment is proposed.

FINDINGS

- 2.1 The following policies are relevant to the proposed Development Code amendments:

Establish procedures and standards requiring that the design of site improvements and building improvements are consistent with applicable standards and flexible design guidelines.

The proposed amendments include design standards in the Mixed-Use Commercial zone that support pedestrian friendly design, while encouraging diversity in design in order to meet individual business needs.

Provide for review and approval of the relationship between land uses and traffic circulation in order to minimize congestion, with particular emphasis on not exceeding the planned capacity of residential streets

The new Mixed-Use Commercial zone is being created to reduce the number of daily trips for convenience goods by locating these zones close to residential areas. Encouraging the large-scale retailers to locate in the new Regional Commercial zone (rather than the Community Commercial zone) should reduce the number of non-local trips on local streets.

Protect and enhance the city's aesthetic beauty and character

The proposed amendments to add design guidelines in the Mixed Use Commercial zone will help to make these attractive and pedestrian friendly centers.

- 2.2 The intent and purpose of the MUC zone is “to provide daily goods and services close to residents in a scale that is compatible with the surrounding area and pedestrian friendly. The zone will also provide medium density housing and offices.” A maximum building size of 20,000 square feet is proposed for non-grocery businesses, and 80,000 square feet if a grocery store occupies at least fifty percent (50%) of the total square footage, in order to achieve the purpose of this zone.
- 2.3 The intent and purpose of the CC zone is to “recognize the diversity of small to medium-scale businesses, services and sites mostly located on arterial streets and highways. Design guidelines, building location and front-yard landscaping will provide a coordinated and enhanced community image along these major transportation corridors as they develop or redevelop.” A maximum building size of 100,000 square feet is proposed in order to encourage regional and very large retailers to locate in the RC zone.

CONCLUSIONS

- 2.1 The proposed Development Code text amendments are consistent with Comprehensive Plan policies and with the purpose statements of the Development Code

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

FINDINGS

- 3.1 The purpose of the proposed map and code amendments is to establish a more efficient land use pattern that may reduce vehicle trips for daily needs and to carefully locate businesses that may have significant traffic impacts. The Village Center Comprehensive Plan designation has been applied in North Albany and East Albany (a future center is anticipated in the Oak Creek area) to help reduce trips by providing convenience-oriented retail and services. Commercial uses that draw from the region (proposed to be zoned Regional Commercial) are located near Interstate 5

Mixed-Use Commercial (MUC) Zone

- 3.2 The preferred land use pattern proposed by the Balanced Development Patterns project was analyzed for traffic impacts in the EMME/2 modeling system. The proposed Village Centers are sized to meet the nearby residents’ needs and thus will have less future impact than the current land use pattern because cross-town trips could be reduced
- 3.3 The new MUC zone in North Albany will convert medium-density residential and office land to Mixed-Use Commercial. Highway 20 through North Albany and the Lyon/Ellsworth bridges are quickly approaching capacity. There is concern that the size and scale of the commercial uses not greatly increase the traffic on Highway 20 from south of the river. A maximum building size is proposed in MUC of 20,000 square feet for non-grocery businesses and 80,000 square feet if a grocery store occupies at least fifty percent (50%) of the total square footage. This limitation should keep uses that may generate a lot of traffic from across the river to a minimum.
- 3.4 The North Albany MUC zone is immediately adjacent to Highway 20 and the bridges across the Willamette River. Bridge capacity is limited. Access to Highway 20 (from the Village Center) is limited to two entrances: one at North Albany Road and one at Springhill Drive. These facts

- combine to create various circumstances that make traffic and transportation routes important issues in rezoning land.
- 3.5 At the November 19 City Council work session, Community Development Director Helen Burns Sharp reminded the Council that ODOT is funding the North Albany Refinement Plan with a Transportation and Growth Management grant. The objectives of this plan are spelled out in the *Question and Answer* piece reviewed at the October 21 City Council Work Session. A key objective is to preserve and enhance the “through movement” function of Highway 20 in North Albany and evaluate alternatives to the transportation system that may delay the need for highway capacity improvements. Another key objective is to establish a land use pattern that reduces reliance on the automobile, reduces overall household trip generation and trip length, and provides maximum opportunity for the use of bicycles, walking and transit.
- 3.6 At the November 19 work session, Sharp said that traffic studies required by the refinement plan raise concerns about the capacity of Highway 20. Doing away with footprint limits in MUC could raise issues with ODOT. Allowing large retailers in North Albany may result in large retailers that draw from the region and therefore may result in more traffic than a number of smaller non-regional retailers that generally serve residents within a smaller radius.
- 3.7 At the December 11 City Council meeting, Public Works Director Floyd Collins responded to a question from the Council about a recent meeting with ODOT. He said that ODOT is concerned about traffic impacts from development in the North Albany Road area. If there were no building limitations, ODOT said they would have to model the worst case scenario.
- 3.8 The Council finds that ODOT’s concerns are merited. Allowing regional uses in the MUC zone will encourage traffic from the Linn County side of the Willamette River to visit the site, exacerbating the traffic problem and hastening the date at which Highway 20 reaches capacity. The square-footage limitations in the MUC zone are intended to encourage development on a scale that may reasonably be expected to primarily serve the Benton County residents of Albany and will thus minimize congestion on the bridges and Highway 20 by minimizing their need to travel to Linn County for routine goods and services.
- 3.9 The building size limits in MUC serve two needs. First, by limiting the scale of non-grocery commercial development to 20,000 square feet, the Council finds that the resulting commercial development will likely be of the kind that will principally serve the North Albany and East Albany residents. Commercial users of this size will likely not be large enough to draw Linn County consumers away from similar commercial uses more conveniently located to their own homes. In this manner, the Council finds that this square-foot limitation will reduce Linn County traffic to North Albany and reduce and delay traffic problems on Highway 20 and may also reduce some daily trips from East Albany across Interstate 5.
- 3.10 Second, because of the absence of neighborhood commercial development in North Albany and East Albany, these area residents currently have to travel either across the congested Highway 20 bridges or over Interstate 5 for their daily shopping needs. Non-grocery commercial uses of 20,000 square feet or less and a grocery store should be adequate to meet many of these shopping needs, thus minimizing the need to use Highway 20 to travel to Linn County from North Albany.
- 3.11 The 80,000-square-foot limitation for grocery-anchored businesses in the MUC zone is appropriate to meet current industry standards. It is large enough to attract the kind of grocery and other convenience-oriented retail that presently exists in other parts of Albany. (A small grocery store may not limit North Albany and East Albany residents’ desires to go to other supermarkets for a better selection of produce, meats, pharmacy, etc.) It is Council’s intent to allow the

marketplace to provide grocery stores in North Albany and East Albany that will provide services comparable to those found in Albany, south of the Willamette River and east of the freeway.

Maximum Building Size in the Community Commercial Zone

- 3.12 Retail uses that draw from the region are proposed to be located close to Interstate 5 in order to reduce the number of non-local trips on the local roads. A maximum building size of 100,000 square feet is proposed in the CC zone in order to discourage regional-scale retailers from locating within the heart of the community and heavily drawing non-local traffic onto Albany's streets.

CONCLUSIONS

- 3.1 The proposed MUC zone with building size limits should have the least impact on current or anticipated transportation facilities outlined in the Albany Transportation System Plan. Transportation facilities are generally adequate to meet future development resulting from the proposed MUC amendments, except Highway 20 in North Albany and over the Willamette River.
- 3.2 ODOT, DLCD and the City are concerned that the size and scale of the commercial uses not greatly increase the traffic on Highway 20 from south of the river. A maximum building size of 80,000 square feet is proposed in MUC if a grocery store occupies at least fifty percent (50%) of the total square footage. For non-grocery retailers, the maximum is 20,000 square feet. This proposed limitation should help to reduce the number of trips across the Willamette River.
- 3.3 Retail uses that draw from the region are proposed to be located in the new RC zone, close to I-5, in order to reduce the volume of non-local trips on the local roads.
- 3.4 The Map amendments try to achieve the goal of more efficient land use and transportation patterns.

(4) 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

- 4.1 General. The public facilities plans (water and sewer) were analyzed as part of the land use analysis in Periodic Review.

North Albany/Hickory Street

- 4.2 Water. All of the North Albany area is fed by a single 24-inch water main that crosses the Willamette River at the Lyon Street bridge. The North Albany Water Facility Plan shows the construction of a 27-inch main crossing the river (at the railroad tracks in Lafayette Street) in the future to provide a second feed to the area.
- 4.3 Fire Flow Reservoir storage is available for limited emergency purposes. Currently, fire flows are adequate in the Hickory Street area, but the lack of a second feed is problematic, regardless of the land use designations.
- 4.4 Sewer. All sanitary sewer discharge from the North Albany area goes through the existing lift station at the east end of Hickory Street.

East I-5

- 4.5 Water - Knox Butte. A water reservoir is planned for Knox Butte near Scrael Hill Road. This reservoir will provide emergency storage for the areas east of I-5.
- 4.6 Sewer - Knox Butte. The sanitary sewer master plan indicates that some of the piping along Knox Butte Road to the Century Drive lift station is undersized to accommodate ultimate development within this basin. It is uncertain how much additional development can occur within this basin before upgrades are necessary. Significant development proposals will likely be required to provide the City with a sewer basin study to determine if the existing system has adequate capacity to accommodate the development.

- 4.7 Schools. A tentative school site is proposed in East I-5. This would help to accommodate future elementary and/or middle school needs if the School District decides to use this land

CONCLUSION

- 4.1 In general, the proposed zone changes should not impact the major facility plans. The existing or proposed public utilities can accommodate the proposed zoning changes and Comprehensive Plan land use designations.

(5) 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

- 5.1 In general, the proposed Zoning Map amendments will not significantly change the types of uses currently allowed. Any unique or natural features will be addressed through the development review process (either Site Plan or Conditional Use review)
- 5.2 Floodplains. Several properties proposed to be rezoned to MUC in North Albany are in the 100-year floodplain, based on the July 7, 1999, Flood Insurance Rate Map Community Panels. A portion of the East I-5 MUC zone is also in the 100-year floodplain. When development is proposed in these areas, it will be required to meet standards for floodplain development, which currently requires a Planning Commission public hearing (Type III process)
- 5.3 Wetlands. There are no inventoried wetlands on the properties proposed to be zoned MUC in North Albany. Wetlands have been inventoried (National and Local Wetland Inventories) on the properties proposed to be zoned MUC in East I-5 around Burkhart and Truax creeks.
- 5.4 Slopes. The proposed East I-5 MUC zone is level to gently sloping. There are more slopes in the North Albany MUC zone. Neither area is noted as having significant slopes in the Comprehensive Plan.
- 5.5 Significant Natural Vegetation. No significant natural vegetation is identified in either the East I-5 or North Albany MUC zones on the Natural Vegetation and Wildlife Habitat plate in the Comprehensive Plan. Burkhart and Truax Creeks surround the proposed East I-5 MUC zone. Vegetation would be reviewed at the time of development.
- 5.6 Historic Districts. The properties proposed to be rezoned to MUC are outside the National Register Historic Districts. There is a significant historic property in North Albany the Peacock House, which is not on the Local Historic Inventory or the National Register of Historic Places.
- 5.7 Open Space. The Open Space designation on the Comprehensive Plan Map generally follows open channels mapped in the 1988 wetland inventory and identified in the most current Geographic Information Systems data. The Open Space zoning district is intended to match the Comprehensive Plan Open Space boundaries and follow documented water resources. The city is working to better define the Open Space boundaries for riparian areas and water resources through the Goal 5: Natural Resources work as part of the current periodic review effort. The Open Space zone boundaries may shift slightly to reflect the current water resource locations.

CONCLUSION

- 5.1 Any unique natural features will be addressed through the development review process.

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