



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550, cd.customerservice@cityofalbany.net

Notice of Public Hearings

Comprehensive Plan and Zoning Map Amendments

Files: CP-04-23 and ZC-02-23

June 12, 2023

Hearings Information

- **Albany Planning Commission hearing: Monday, June 26, 2023, at 5:15 p.m.**

Virtual: <https://council.cityofalbany.net/groups/plc/zoom>

Phone: 1-253-215-8782 (long distance charges may apply); Meeting ID: 837-8633-4863; Passcode: 464432

- **Albany City Council hearing: Wednesday, July 12, 2023, at 6:00 p.m.**

Virtual: Open the “join meeting remotely” link on the City calendar, www.cityofalbany.net/calendar

Both hearings will be in the City Council Chambers at Albany City Hall, 333 Broadalbin SW. If you have a disability that requires accommodation, please notify city staff at least 24 hours in advance of the meeting at 541-917-7550, or email cdaa@cityofalbany.net.

What is being proposed?

The City of Albany is considering changing the Comprehensive Plan and Zoning designation of a portion of a property located at 3592 Dunlap Avenue NE. This change was requested through written testimony provided during the East Albany Area plan legislative public hearing process, but discussion about the specific request was overlooked.

When will the staff report be available?

The staff report and associated proposed amendments to the Albany Comprehensive Plan Map and Zoning Map will be posted to the planning project website www.cityofalbany.net/cd/projectreview by 5:00 p.m. on June 20, 2023. A copy of the staff report can be emailed upon request to cdaa@cityofalbany.net.

For additional information concerning the proposed housing related amendments, please call the Albany Planning division at 541-917-7550, or email anne.catlin@cityofalbany.net.

How to provide comments (testimony):

We invite your comments either in writing prior to the day of the public hearing or in person at the hearing. Your comments will be considered when the planning commission makes a recommendation, and the city council makes a decision on this application. All testimony and evidence must be directed toward the review criteria listed below. Failure to raise an issue in writing or verbally at a hearing before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the applicant an adequate opportunity to respond to each issue raised precludes an appeal based on that issue.

Persons wanting to provide testimony for either the planning commission or city council public hearings may choose one of the following options:

cd.cityofalbany.net



1. Email written comments to anne.catlin@cityofalbany.net **before noon the day of the applicable meeting** and include your name and subject of the public hearing, or mail comments to Albany Planning Division; PO Box 490, Albany, OR 97321; or
2. To testify virtually during the public hearing, register before **noon on the day of the applicable meeting** by emailing cdaa@cityofalbany.net, with your name, address, phone number, and if you are speaking for, against, or neutral on the proposal. The chair/mayor will call upon those who registered (testimony may be limited to three (3) minutes); or
3. Appear in person at the meeting and register to speak using the sign-up sheet. Testimony is limited to three (3) minutes.

Approval Criteria for This Application

The Albany Development Code (ADC) contains the following review criteria that must be met in order to approve the legislative land use application as described.

Comprehensive Plan Amendments (ADC 2.220)

- (1) A legislative amendment is consistent with the goals and policies of the Comprehensive Plan, the statewide planning goals, and any relevant area plans adopted by the City Council.
- (2) A legislative amendment is needed to meet changing conditions or new laws.

Zoning Map Amendments (ADC 2.740)

- (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.
- (2) Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation.
- (3) Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.
- (4) The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.
- (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.

Appeals

Any person who submits written comments or testifies at a public hearing will receive a copy of the notice of decision and the date the decision takes effect. Within five business days following adoption of an amendment or new land use regulation, the Community Development Director will notify any person who participated in the proceedings leading to the decision and explain the requirements for appealing the action under ORS 197.830 to 197.845.

The City Council's decision on a legislative land use application not related to periodic review may be appealed to the Oregon Land Use Board of Appeals (LUBA).

The Director will also forward to the Department of Land Conservation and Development a copy of the adopted amendments, findings, and any changes that may have occurred in the proposals and will notify any other parties entitled to notice.