

ORDINANCE NO. 4865

TITLE: ZONE CHANGE AMENDMENT NO. 20 UNDER ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY DEVELOPMENT CODE AND THE CITY OF ALBANY ZONING MAP, AND PROVIDING FOR THE REZONING OF PROPERTY LOCATED SOUTH OF 44TH AVENUE SE; WEST OF SHORTRIDGE STREET SE; NORTH OF SOUTHERN PACIFIC RAILROAD TRACKS; AND EAST OF WAVERLY DRIVE SE AND ADOPTING ATTACHED EXHIBIT "A" KNOWN AS "FINDINGS."

WHEREAS the Planning Commission of the City of Albany has held such hearings as are required by law and the ordinances of this city and has made findings concerning the appropriate zone for the property being considered, said findings being based upon evidence produced at hearings; and

WHEREAS, the Council of the City of Albany has duly advertised and caused notices to be given as required by law and has had a public hearing concerning the zoning of the property described below.

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

Section 1. EXHIBIT "A"

Exhibit "A" known as "Findings" is hereby adopted as the Albany City Council's findings in support of this decision.

Section 2. PLANNING DEPARTMENT ZONE CHANGE CASE NO. ZC-03-89

The official Albany Zoning Map is hereby amended from R-2 (Limited Multiple Family) to R-1 (Single Family Residential) and is hereby rezoned as R-1 (Single Family Residential) and will be known as Zone Change Amendment No. 20 for an area described as follows:

Lots 3-14, Block 14; Lots 1-20, Block 16; Lots 1-31, Block 18 in the First Addition to Deerfield Subdivision as recorded in Volume 8, Page 98, Linn County Records, Book of Plats, Linn County, Oregon.

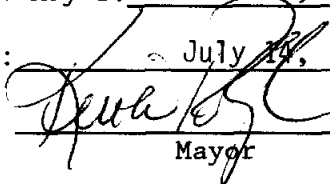
Section 3. COPY FILED

A copy of this zone change amendment shall be filed in the Office of the City Recorder of the City of Albany and the number noted on the official zoning map of the City of Albany.

Passed by the Council: June 14, 1989

Approved by the Mayor: June 15, 1989

Effective Date: July 14, 1989


Mayor

ATTEST:


Debbie Andrews
Deputy City Recorder

EXHIBIT A
FINDINGS & CONCLUSIONS
FILE NO. ZC-03-89

1. Although the Comprehensive Plan Map designates the subject property as Medium Density Residential, the R-1 (Single Family Residential) zoning designation is more appropriate as the area is developing as a single family residential neighborhood.
2. The proposed Zone Change is in conformance with the following Comprehensive Plan Goal and Policies:

Goal: Provide a variety of development and program opportunities that meet the housing needs of all Albany's citizens.

Policy 1: Ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents.

Policy 8: Encourage the development of higher standard housing types to assist in attracting new businesses as well as keep local business executives within the community.

Policy 11: Encourage residential development on already serviced and vacant residential lots or in areas within which services are available or can be economically provided.

Goal: Achieve stable land use growth which results in an desirable and efficient land use pattern.

Policy 9: Encourage the use of already serviced vacant and underdeveloped land through adaptive reuse of older areas of the community and the development and/or partitioning of lots which can meet minimum lot size requirements.

3. The subject property is located in an area which has been predominately developing with single family homes.
4. The proposed rezoning of the area is based on the change in circumstances which has occurred over the past several years.
5. The subject property lies east of Waverly Drive, a designated major arterial street. Access to Waverly Drive is via either Del Rio Avenue SE or 44th Avenue SE. There is no direct access to Waverly Drive from any residential lot in the area. The amount of traffic generated from the area will be less if the lots are developed with single family homes than if duplexes or triplexes were constructed on each of the lots.
6. All public facilities are currently available to serve each of the lots. The rezoning of the subject property will not have a significant impact on the existing public facilities as they were sized to accommodate multiple family housing.

EXHIBIT A
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7. The subject property has no significant natural features and is equally conducive to R-1 (Single Family Residential) or R-2 (Limited Multiple Family Residential) zoning.

8. Those lots abutting Waverly Drive fall within the special noise corridor areas included within the Albany Development Code. Development within this area must provide an additional setback area of 10 feet. The R-1 (Single Family Residential) zoning will not be impacted any more significantly than if the property were to remain R-2 (Limited Multiple Family Residential).