



COMMUNITY DEVELOPMENT

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

Notice of Public Hearings

Albany Comprehensive Plan and Development Code Text Amendments: Updates Pursuant to House Bills 2583 and 4027 and Minor Code Corrections

DC-01-22 & CP-03-22

October 3, 2022

Hearing Information

Review Body: **Planning Commission**

Hearing Date and Time: **Monday, October 17, 2022, at 5:15 p.m.**

Hearing Locations: This hearing will be conducted in person and virtually:

In Person: Albany City Hall, Council Chambers, 333 Broadalbin Street SW

Virtual: At 5:15 p.m., join the meeting using the link below:
<https://www.gotomeet.me/CommunityDevelopmentCityofAlbany/pc>

Phone: 1-571-317-3122; access code 498-239-709

Review Body: **City Council**

Hearing Date and Time: **Wednesday, November 9, 2022, at 6:00 p.m.**

Hearing Locations: This hearing will be conducted in person and virtually:

In Person: Albany City Hall, Council Chambers, 333 Broadalbin Street SW

Virtual: To comment/testify, see instructions on next page.

Watch Livestream at 6:00 p.m.: <http://www.cityofalbany.net/livestream>

Application Information

Proposal: Albany Development Code (ADC) legislative amendments to become compliant with House Bills 2583 and 4027, and miscellaneous clarifying updates to other areas of the ADC.

Review Bodies: Planning Commission and City Council (Type IV - Legislative review process)

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

Address/Location: Not applicable; the amendments are not site specific.

House Bill 2583: The proposed code changes removes the term “family” as it is referred to dwelling type. Changes in conformance with HB 2583 are proposed within the entire Albany Development Code (ADC) and Comprehensive Plan.

House Bill 4027: The proposed code changes incorporates the use and standards of “battery-charged fence”. Changes in conformance with HB 4027 are proposed within the Albany Development Code (ADC).

cd.cityofalbany.net



Miscellaneous Updates: Corrections related to script errors contained throughout the ADC.

A copy of the proposed text amendments and staff report will be available by 5:00 p.m., one week before each hearing for inspection at the Planning Division counter in Albany City Hall, 333 Broadalbin Street SW, and will be available online here: www.cityofalbany.net/project.

Upon request to cdaa@cityofalbany.net, a copy of the proposed text amendments and staff report can be emailed at no cost or can be provided by mail at a reasonable cost.

For more information, please contact **Jennifer Cepello**, project planner, at jennifer.cepello@cityofalbany.net, 541-917-7561.

Your Comments (How to testify):

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 for the applications as 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:

1. Email written comments to jennifer.cepello@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; or
3. Appear in person at the meeting and register to speak using the sign-up sheet.

Written comments received by jennifer.cepello@cityofalbany.net on or before October 10, for the planning commission hearing and on or before November 3, 2022, for the city council hearing will be included in the meeting agenda packet.

Any person who submits written comments or testifies at a public hearing will receive a copy of the notice of decision.

This meeting is accessible to the public via phone and video connection. 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.

Review Criteria for This Application

DEVELOPMENT CODE AMENDMENTS (ADC 2.290)

The request may be approved if the council finds that the application meets the following criteria:

- (1) The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing language.
- (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.

COMPREHENSIVE PLAN AMENDMENTS (ADC 2.220)

The request may be approved if the council finds that the application meets the following criteria:

- (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 changes conditions to new laws.