Hearings Board

AGENDA

Thursday, April 27, 2023
4:00 p.m.

This meeting includes in-person and virtual participation.
Santiam Room
333 Broadalbin Street SW
Or join the meeting here:
https://council.cityofalbany.net/groups/hrb/zoom
You can use your microphone or dial in using your phone.
Call: +1 (253) 215-8782 (long distance charges may apply)
Meeting Id: 872-7129-3237 Passcode: 902546

Please help us get Albany's work done.
Be respectful and refer to the rules of conduct posted by the main door to the Chambers and on the website.

1. Call to Order and Pledge of Allegiance

2. Roll Call

3. Approval of Minutes [Pages 3-4]

    - April 6, 2023

4. Scheduled Business:

    A. Business from the Public:
    Persons wanting to address the commission during "business from the public" must send their written comments by email to cdaa@cityofalbany.net. Please limit comments to one page and include your name and address. Emails received before noon on the day of the meeting will be read aloud during "business from the public."

    B. Public Hearing: CU-02-23, Type III – Quasi-Judicial Process [Pages 5-238]
    Summary: Conditional Use Review to expand the existing youth correctional facility operated by the Oregon Youth Authority and modify a previously approved conditional use permit to allow the construction of a parole and probation office. The subject property is zoned Light Industrial (LI) and located at 4400 Lochner Road SE. (Project planner – Alyssa Schrems, alyssa.schrems@cityofalbany.net)
    Persons wanting to address the commission during public hearing have two options. ***Before noon on the day of the meeting:***

    - *Email your comments to cdaa@cityofalbany.net. Please include your name, address, and subject of the public hearing. Written comments will be received by City staff* ***before noon on the day of the meeting****, in order to be considered by the commission.*

- *Register to testify virtually at the hearing by emailing cdaa@cityofalbany.net, with your name, address, phone number, and if you are speaking for, against, or neutral on the project. During the public testimony, the chair will call upon those who have registered to speak first, followed by any others.*

5. Business from the commission

6. Next Meeting Date: TBD

7. Adjournment

If you have a disability that requires accommodation, please notify city staff at least 48-hours in advance of the meeting at: cdaa@cityofalbany.net or call 541-917-7550

MINUTES

Thursday April 6, 2023
Hybrid – 4:00 p.m.
Approved: DRAFT

Call to Order **4:00 p.m.**

Member Joann Miller called the meeting to order at 4:00 p.m.

Pledge of Allegiance

Roll Call

Board Members Present:	JoAnn Miller, Karen Cardosa, Stacey Bartholomew
Board Members Absent:	None
Staff Present:	Current Planning Manager David Martineau, Planner II Liz Olmstead, Administrative Assistant I Kaitlin Martin (Virtual)

Approval of Minutes **4:01 p.m.**

Board Member Bartholomew moved to approve the meeting minutes from March 23, 2023, Member Miller seconded the motion, which passed 3-0.

Business from the Public **4:01 p.m.**

None.

Public Hearing – Type III – Quasi-Judicial Process **4:02 p.m.**

File CU-01-23: Conditional Use Review to expand the existing shelter for low barrier occupancy, create a warming center and a five-room respite facility. The subject property is located at 1100 & 1122 Jackson Street SE and 450 11th Avenue SE and is zoned Light Industrial (LI).

Board member Miller opened the public hearing at 4:02 p.m.

Declarations by the Commission **4:04 p.m.**

No commissioners declared a conflict of interest or reported ex parte contact.

Commissioner Cardosa reported that she had driven by the site, and Commissioner Bartholomew reported that she had not visited the site since 2022.

No commissioners abstained from participating.

No commissioners challenged the declarations.

Current Planning Manager David Martineau read the meeting procedures.

Staff Report **4:07 p.m.**

Project Planner Liz Olmstead presented the staff report for CU-01-23. *

Board member Bartholomew noted that that there are two conditions of approval, one of which concerns landscaping, and asked if this condition needed to be fulfilled before the use can happen. Planning Manager David Martineau confirmed that prior to a certificate of occupancy the landscape setback requirements would need to be met.

Applicant Testimony **4:08 p.m.**

C.H.A.N.C.E. Recovery Shelter Projects Director, Clinton Kendall, shared a brief overview of the building and noted some of the projects/deferred maintenance. Kendall shared that he would do whatever is necessary to expedite the process.

Board member Cardosa inquired what the activity at the shelter has been like for the past year. Kendall responded that they have been at capacity and remain at capacity, and that with the expansion will be able to add 40 beds, which is essential with the uptick of services needed.

Member Cardosa inquired about a timeline to complete the project which Kendall responded that he just needs the land use approval and permits.

Martineau added that the condition to install the landscaping is for the certificate of occupancy, and that a temporary certificate of occupancy is available to provide people with ample time to meet landscaping requirements. Martineau also discussed the appeal period as well as next steps for the applicant.

Commissioner Bartholomew asked how long the appeal period would last, which Martineau concluded that it would last 10 days past the date that the notice of decision was mailed.

Public Testimony **4:18 p.m.**
None.

Applicant Rebuttal Testimony **4:19 p.m.**
None.

Procedural Questions **4:19 p.m.**
None.

Board member Miller closed the public hearing at 4:20 p.m.

Discussion
None.

Motion: Board member Cardosa moved to approve the proposed Conditional Use Review as conditioned under planning file CU-01-23. This motion is based on the findings and conclusions in the March 29, 2023, staff report and the findings in support of the application made by the hearings board during deliberations on this matter. Member Bartholomew seconded the motion, which passed 3-0.

Business from the Commission **4:21 p.m.**
None.

Next meeting date: April 27, 2023

Adjournment **4:22 p.m**.
Hearing no further business, Member Miller adjourned the meeting at 4:22 p.m.

Respectfully submitted,

Kaitlin Martin
Administrative Assistant I

Reviewed by,

David Martineau
Current Planning Manager

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. The documents are available by emailing cdaa@cityofalbany.net.*

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

Staff Report

Conditional Use Review

CU-02-23 **April 20, 2023**

Summary

The proposal is to expand the existing youth correctional facility operated by the Oregon Youth Authority and to modify a previously approved conditional use permit to allow the construction of a parole and probation office. The subject property is zoned Light Industrial (LI), which allows "Jails and Detention Centers" as a conditional use.

The Conditional Use review criteria contained in ADC 2.250 are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application.

In summary, the proposed development application satisfies applicable review criteria; therefore, the staff recommendation is APPROVAL with CONDITIONS.

Application Information

Review Body:	Hearing Board (Type III review)
Staff Report Prepared By:	Alyssa Schrems, project planner
Property Owner/Applicant:	State of Oregon- Oregon Youth Authority, ATTN: Paul Ehenger 530 Center Street NE Suite 500, Salem, OR 97301
Land Use Planner:	BRAND Land Use, LLC ATTN: Britany Randall 12150 Jefferson Highway 99E SE, Jefferson, OR 97352
Address/Location:	4400 Lochner Road SE, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor's Map No: 11S-03W-19A Tax Lot 501
Zoning:	Light Industrial (LI) District/ Open Space (OS) District
Overlays:	Floodplain (/FP), Riparian Corridor (/RC), and Significant Wetland (/SW)
Total Land Area	24.28 acres
Existing Land Use:	Youth Correctional Facility
Neighborhood:	South Albany
Surrounding Zoning:	North: Light Industrial (LI) zone East: Residential Single-Dwelling Unit (RS-6.5) & County Urban Growth Area-Urban Growth Management-20 Acre Minimum (UGA-UGM-20) South: County Urban Growth Area-Urban Growth Management-20 Acre Minimum (UGA-UGM-20) and County Urban Growth Area- Exclusive Farm Use (UGA-EFU) West: Light Industrial (LI) zone and Open Space (OS)
Surrounding Uses:	North: Industrial Business warehouses East: Residential/vacant South: Riparian corridor and farm use

West: Manufacturing Facilities and Industrial Businesses

Prior History: SP-73-96 to establish the youth correctional facility.

CU-01-09 to establish a 7,876-square-foot building and parking lot addition.

CU-04-18 to construct a 4,500 square-foot building for educational enrichment center for the young women's transition facility.

Notice Information

A notice of Public Hearing was mailed to property owners located within 300 feet of the subject property on April 6, 2023. The Notice of Public Hearing was posted on the subject property on April 10, 2023. No written testimony has been received as of the date of this report.

Appeals

Within five days of the hearing board's final decision on this application, the Community Development Director will provide a written notice of decision to the applicant and any other parties entitled to notice. Any person who submitted written comments during a comment period or testified at the public hearing has standing to appeal the Type III decision of the hearing board to the city council by filing a notice of appeal and associated filing fee within ten days from the date the City mails the notice of decision.

Analysis of Development Code Criteria

Albany Development Code (ADC) includes the following approval review criteria for Conditional Use applications (ADC 2.250). Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria. Staff also acknowledge the applicant's written response provided to these criteria (Attachment C).

Conditional Use Review Criteria

Criterion 1

The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

Findings of Fact

1.1 Proposed use. The applicant proposes to expand the existing youth correctional facility to allow the construction of a parole and probation office. The parole and probation office would be housed in a new structure that is proposed to be located in the northeast corner of the property, to the north of the entrance road. The proposed location is currently a vacant field.

1.2 Intended character of the base zones. The subject property is located within the Light Industrial (LI) zoning district. ADC 4.020(7) states "the LI district is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors and related establishments. Uses will have limited impacts on surrounding properties. This district is particularly suited to areas having good access to highways and perhaps to rail. LI may serve as a buffer around the HI district and may be compatible with nearby residential zones or uses."

1.3 Conditional uses. The proposed parole and probation office in conjunction with the youth correctional facility is classified as "Jails and Detention Centers" in ADC 22.230 and is allowed in the LI zoning district with conditional use approval. According to ADC 2.230, "Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these proposed uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use process provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved." The conditional use process provides an opportunity to review projects for potential impacts and impose conditions to address any identified concerns.

1.4 Operating characteristics of the neighborhood. The subject property is located within a transition area between the Heavy Industrial zone and residential zoning districts. The abutting property to the north is located within the LI zoning district and is currently developed with a freeze-drying facility. Further to the north of the subject property, across Lochner Road and the canal, the zoning designation is RS-5 and is developed with single dwelling units. The abutting property to the east is located within the RS-6.5 zoning district and is approved for a 113-lot cluster subdivision pursuant to SD-04-21. To the northeast the zoning designation is RS-6.5 and is vacant with no land use approvals. The abutting properties to the south are in the Urban Growth Boundary, but not yet annexed. These properties are zoned UGA-UGM-20 and UGA-EFU and are either vacant or in farm use. Properties to the west are zoned LI and OS are a mix of manufacturing and industrial services.

The applicant submitted findings stating: "The closest property zoned for residential use is over 400 feet across Lochner Road to the northeast. The closest developed residential neighborhood is over 1,000 feet to the northeast. Single family household is "active" between 6:00 am and 11:00 pm. Vehicle trips are generally related to work, school, recreation, and shopping activities. Residential properties also have private outdoor spaces on the sides, front, and rear of the property. The proposed use operates primarily on-site with youth remaining on-site and not contributing to the vehicle trips. The distance between the residential neighborhood and the facility mitigates any impacts on private outdoor spaces located in conjunction with the residential uses, therefore the proposed use is consistent with the operating characteristics of the neighborhood."

The applicant states that parole and probationary staff currently work on the site in a modular building which will be removed upon completion of the work. Due to this, the proposed expansion is not anticipated to create any additional traffic.

Conclusions

1.1 The proposed development is allowed with Conditional Use Type III review approval in the LI zoning district per ADC 4.050.

1.2 The proposal will not have an impact on the operating characteristics of the neighborhood because the primary use of the property will be consistent with the surrounding area.

1.3 As proposed, the use is consistent with the intended character of the base zones and the operating characteristics of the neighborhood.

1.4 This criterion is met without conditions.

Criterion 2

The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal calls for mitigation of differences in appearance or scale through such means as setbacks, screening, landscaping or other design features.

Findings of Fact

2.1 Definition of compatible. "Compatible" does not mean "the same." *Merriam Webster's Collegiate Dictionary*, Eleventh Edition, defines "compatible" as "(1) capable of existing together in harmony."

2.2 Proposed Use. The proposal is to expand an existing youth correctional facility by constructing a new 4,095-square-foot building to provide parole and probationary offices.

2.3 Existing and Anticipated Uses. According to Linn County Tax Assessment records, the site is currently developed with a youth correctional facility that is 53,419 square feet in size, along with associated parking and circulation areas. The existing development was approved through a site plan review and subsequent conditional use applications for expansion. The subject property has maintained the established landscaping and buffering requirements and is still in compliance with these standards. The applicant proposes to construct an additional building of approximately 4,095 square feet to provide parole and probationary office space.

2.4 Building Size, Scale, and Style. ADC 4.090, Table 1 contains the development standards for properties located within the LI zoning district. The applicant is proposing to expand the existing youth

correctional facility. The applicant provides findings for this criterion as follows: "Oregon Youth Authority (OYA) proposing a new building within the existing facility in order to provide a location for parole and probation office serving the Oak Creek Youth Authority. The size and scale of the modification is a small percentage of the overall facility and by itself will have no impact on surrounding properties. The applicant does not provide any information regarding the style of the proposed building. The applicant will have a chance to address this at the hearing.

2.5 Intensity and Lot Coverage of the Proposed Development. ADC 4.090, Table 1 contains the development standards for properties located within the LI zoning district. The LI zoning district does not have a maximum lot coverage standard. The subject property consists of 24.28 acres and contains several buildings totaling approximately 53,419 square feet and an approximate 50,500-square-foot parking lot. The applicant is proposing to construct a new building for parole and probationary offices that would be 4,095 square feet in size. The total coverage of the subject property with the proposed expansion is approximately 8.78 percent which is consistent with the LI zoning district. The applicant states that staff working for parole and probationary services currently operate on site in a modular building that would be removed if the application is approved. Based on this, it does not appear that approval of this expansion would intensify the use of the property.

2.6 Building and Parking Lot Setbacks. ADC 4.090, Table 1 contains the development standards for properties located within the LI zoning district. The applicant is proposing to expand the existing youth correctional facility by constructing a building for parole and probationary offices. Based on the site plan submitted by the applicant, the proposed structure would be located at least 75 feet from the north property line and at least 70 feet from the east property line. The new parking area proposed to serve the parole and probation offices will be located approximately 60 feet from the north property line and 50 feet from the east property line.

2.7 Lighting. The applicant states that a lighting plan is provided as part of the application, however it was not submitted. As a condition of approval, the applicant shall provide a lighting plan that demonstrates compliance with ADC 8.390(1) and 9.120(14).

2.8 Landscaping. ADC 9.140(1) states all required front and interior setback yards, exclusive of access ways and other permitted intrusions, must be landscaped before an occupancy permit will be issued. The subject property currently contains established landscaping within the required setbacks. Staff finds this standard met.

2.9 Buffering and Screening. Buffering and screening between higher intensity uses on adjacent lower intensity uses is required in order to reduce the potential objectionable impacts. The subject property is located within the LI zoning district with LI zoned properties abutting to the north and west, county zoning to the south, and residential to the east. Table 9.210-1 requires 10 feet of screening for industrial uses when abutting residential zoning districts. ADC 9.210 states in part "where a use would be abutting another use except for separation by right-of-way, buffering (but not screening) shall be required as specified in the matrix". Based on this, the applicant shall be required as a condition of approval to provide evidence that the buffering standards are either currently met on site or will be met with additional landscaping.

2.10 Parking Lot Landscaping. Landscaping in parking lots is required to provide shade, reduce stormwater runoff, and direct traffic. Per ADC 9.150, parking lots must be landscaped in accordance with the following minimum standards:

a) Planter Bays. Parking areas shall be divided into bays of not more than 12 parking spaces. At both ends of each parking bay there shall be curbed planters at least five feet wide, excluding the curb. Each planter shall contain one canopy tree at least ten feet high and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Neither planter bays nor their contents may impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.

b) Entryway Landscaping. Both sides of a parking lot entrance shall be bordered by a minimum five-foot-wide landscape planter strip meeting the same landscaping provisions as planter bays, except that no sight-obscuring trees or shrubs are permitted.

c) Parking Space Buffers. Parking areas shall be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping materials.

d) Alternate Plan. An alternate plan may be submitted that provides landscaping of at least five percent of the total parking area exclusive of required landscaped yard areas and that separates parking areas of more than 100 spaces into clusters divided by landscape strips. Each planter area shall contain one tree at least ten feet tall and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Landscaping may not impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.

The subject property currently has a landscaped parking lot consisting of planter bays, entryway landscaping, and parking space buffers. The applicant is proposing to add an additional 19 parking spaces in association with the new building. The submitted site plans show an uninterrupted span of 14 parking spaces in a row, which does not comply with the requirement to have bays of not more than 12 spaces. The site plan shows landscaping on both sides of the entrance to the new parking area. The applicant does not propose any parking adjacent to the proposed structure. As a condition of approval, the applicant shall be required to submit an updated site plan showing conformance with ADC 9.150.

2.11 Irrigation: ADC 9.160 requires that all required landscape areas be provided with an irrigation system unless a licensed landscape architect or certified nurseryman submits written verification that the proposed plant materials do not require irrigation. The applicant shall be required to provide an irrigation plan for landscaping provided with the new building and new parking area as a condition of approval.

2.12 Outside Storage. The applicant does not propose any new outdoor storage.

Conclusions

2.1 The proposal shows the proposed development will meet the minimum development standards of the zoning district, with the exception of lighting, buffering, and parking lot landscaping.

2.2 Based on the observations above, the proposed development will be compatible with existing or anticipated uses in terms of size, intensity, setbacks, lighting, and landscaping when the following conditions are met.

Conditions

Condition 1 **Site Improvements**. Prior to occupancy of the proposed building, all proposed and required site improvements shall be constructed and completed in accordance with approved plans.

Condition 2 **Lighting Plan.** Prior to issuance of any building permits, the applicant shall provide a lighting plan that demonstrates compliance with ADC 8.390(1) and 9.120(14).

Condition 3 **Buffering**. Prior to issuance of any building permits, the applicant shall either provide evidence that the buffering standards are currently met on site or will be met with additional landscaping, as proposed in the final landscaping plan.

Condition 4 **Parking Lot Landscaping**. Prior to issuance of any building permits, the applicant shall be required to submit an updated site plan showing conformance with ADC 9.150, specifically (a) Planter Bays, and ADC 9.160.

Criterion 3

The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on street parking impacts, access requirements, neighborhood impacts, and pedestrian safety.

Findings of Fact

3.1 The proposed development will construct a 4,095-square-foot addition to the Oak Creek Youth Correctional Facility located at 4400 Lochner Road.

3.2 Lochner Road is classified as a minor arterial street. The road is constructed to city standards along the frontage for the site. Improvements include curb, gutter, and sidewalk along both sides of the street. The street width is 36 feet and provides for a travel lane in both directions and on-street bike lanes. The street improvements widen up at the site's driveway and provide for a northbound left turn lane into the site.

3.3 The development will utilize the site's existing driveway and access to Lochner Road.

3.4 The project will add office space to serve the existing facility. Based on Institute of Transportation Engineers (ITE) trip generation rates for correctional facilities, the project is expected to generate 17 additional vehicle trips per day, of which two are expected to occur during the peak PM traffic hour.

3.5 Albany's Transportation System Plan does not identify level of service or congestion problems occurring along Lochner Road.

3.6 No on-street parking is currently provided along Lochner Road. Because no on-street parking is allowed along Lochner Road and the development is not expected to result in increased trip generation, no on-street impacts are anticipated.

3.7 Sidewalk facilities currently exist along the development's frontage on Lochner Road.

Conclusions

3.1 The development has frontage on, and will take access from, Lochner Road. No changes are being proposed to the site's access.

3.2 Lochner Road is improved to city standards along the frontage of the site.

3.3 The development is expected to generate 17 vehicle trips per day, of which two are projected to occur during the PM peak hour.

3.4 Albany's Transportation System Plan does not identify any level of service or congestion problems occurring along the development's frontage on Lochner Road.

3.5 The public street system can accommodate the proposed development.

Criterion 4

Public services for water, sanitary and storm sewer, water management, and for fire and police protection, are capable of servicing the proposed use.

Findings of Fact

Sanitary Sewer

4.1 City utility maps show a 12-inch public sanitary sewer main along the north boundary of the subject property, and an 8-inch main that runs through the site in a north-south direction east of the main compound.

4.2 ADC 12.470 requires all new developments to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line.

4.3 Albany Municipal Code (AMC) 10.01.080 (2) states that before the City will issue a Building Permit, the applicant must pay to the City the necessary System Development Charges (SDCs) and any other applicable fees for connection to the public sanitary sewer system.

4.4 Sanitary sewer system development charges will be due at the time of building permit issuance. This charge will be based on the number of new wastewater plumbing fixtures installed with the new development.

Water

4.5 City utility maps show a 42-inch public storm drainage main in Lochner Road along the east boundary of the subject property.

4.6 The existing development on the site is served by a private on-site storm drainage collection system that is discharged to the public main in Lochner Road.

Storm Drainage

4.7 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany's Engineering Division.

4.8 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer.

4.9 AMC 12.45.030 and 12.45.040 require that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than on acre, including all phases of the development, where more than 8,100 square feet of impervious surfaces will be created or replaced. (Ord. 5841 § 3, 2014).

4.10 Because the site is larger than one acre and more than 8,100 square feet of impervious surfaces will be created or replaced, the applicant must obtain a stormwater quality permit and construct stormwater quality facilities that meet all City Engineering Standards pertaining to stormwater quality.

4.11 The applicant's preliminary site plan shows the construction of on-site stormwater detention and stormwater quality facilities. Preliminary calculations show an increase in runoff from the site. Private on-site systems will need to be evaluated to determine if capacity is adequate. While the plan appears to be generally acceptable, final design details will be reviewed as part of the required stormwater quality permit.

Fire Department

4.12 Existing hydrants appear to be adequate for the proposed fire sprinklered structure.

4.13 Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an approved route of travel around the exterior of the structure. (OFC 503.1.1)

4.14 This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area will be required to be served by a public water system. The Fire Flow required shall be as specified in Appendix B of the fire code. (OFC 507.3)

Conclusions

4.1 The existing development on the site is currently served by public sanitary sewer, water, and storm drainage.

4.2 Sanitary sewer System Development Charges will be due at the time of building permit issuance. This charge will be based on the number of new wastewater plumbing fixtures installed with the new development.

4.3 Before the City will issue any occupancy permit for the proposed project, the applicant must obtain a stormwater quality permit through the City's Public Works Department and construct stormwater quality facilities that comply with the City's Engineering Standards.

4.4 Before the City will issue any occupancy permit for the proposed project, the applicant must construct stormwater detention facilities that comply with the City's Engineering Standards.

Conditions

Condition 5 Before the City will issue any occupancy permits for the proposed project, the applicant must obtain a stormwater quality permit through the City's Public Works Department and construct stormwater quality facilities that comply with the City's Engineering Standards.

Condition 6 Before the City will issue any occupancy permits for the proposed project, the applicant must

construct stormwater detention facilities that comply with the City's Engineering Standards.

Criterion 5

The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) Noise, glare, odor, litter, and hours of operation; (b) Privacy and safety issues.

Findings of Fact

5.1 The properties located to the north and west are zoned LI and developed with industrial uses. Properties to the east are zoned RS-6.5 and are approved to be developed with a cluster subdivision. Properties to the south are in county zoning and in farm use.

5.2 Noise. The applicant proposes to establish a building for parole and probationary offices. Uses associated with this building are anticipated to occur indoors. Noise impacts are not anticipated.

5.3 Glare. The exiting site contains exterior directional lighting fixtures consisting of pole-mounted heads. All exterior lighting is directed downward, so no glare or light pollution should reach the neighboring properties. The applicant proposes to add a new parking area with associated lighting. As discussed previously in Finding 2.7, the applicant states that a lighting plan is provided as part of the applicant, however it was not submitted. As a condition of approval (as detailed above) the applicant shall be required to provide a lighting plan that demonstrates where the lights will be located and that the

5.4 Odors. The applicant does not propose any new uses that would create a noticeable change in odor from the property.

5.5 Litter. No new trash facilities or changes to trash collection are proposed in conjunction with this request. Available evidence does not indicate the need for additional measures with respect to litter collection.

5.6 Hours of operation. The applicant proposes to operate the parole and probationary offices from 8:00 am to 8:00 pm; though the applicant does note that the existing facility is operated as a 24-hour, seven days a week facility.

5.7 Privacy/Safety. The parole and probationary offices are not anticipated to create a significant impact on privacy and safety in the surrounding area compared to the existing use.

Conclusion

5.1 The impacts due to glare, litter, noise, odors, hours of operation, and safety are not expected to be significant compared to the prior use of the property and surrounding uses.

5.2 The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands.

5.3 This criterion is met without conditions.

Criterion 6

Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Findings of Fact

6.1 Article 6 Significant Natural Vegetation and Wildlife Habitat: C*omprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat,* shows that portions of the subject property contain areas that are identified as having natural vegetation and wildlife habitat. A portion of the property to the south contains Significant Wetlands and Riparian Corridors related to Oak Creek. Based on the site plan submitted by the applicant, the proposed structure will be located in the northeast corner of the property, outside of the areas identified as Significant Wetlands or Riparian Corridors. Based on these facts, no additional Natural Resources Impact appears to be required.

6.2 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains,* shows a 100-year floodplain and floodway on the subject property. FEMA/FIRM Community Panel No. 41043C0526G and 41043C0527G, both

dated September 29, 2010, show that this property is in Zone AE, with areas of 100-year floodplain and floodway. The proposed structure is shown to be located in the northeast corner, outside of the areas identified as part of the 100-year floodplain and floodway.

6.3 Article 6: Wetlands. *Comprehensive Plan Plate 6: Wetland Sites,* shows Significant Wetlands on the subject property on the southern portion and local wetlands on the northern portion of the property. The National Wetlands Inventory shows hydric soils on the northern portion of the property. Notice of the proposed conditional use was provided to the Oregon Department of State Lands (DSL). DSL provided comments stating "area of proposed disturbance has an active wetland delineation concurrence, WD2022-0533. As no wetlands were found within the proposed footprint area, no state permit is needed". Based on these facts, the proposed development complies with regulations regarding wetland sites.

6.4 Article 6: Topography: *Comprehensive Plan, Plate 7: Slopes,* does not show any steep slopes on this property.

6.5 Article 7: Historic and Archaeological Resources. *Comprehensive Plan, Plate 9: Historic Districts,* shows the property is not located in a historic district, nor on the Local Historic Inventory. There are no known archaeological sites on the property.

Conclusions

6.1 The proposed development complies with all policies regarding the Special Purpose Districts. No additional reviews are required based on the proposed location of development.

6.2 This criterion is met without conditions.

Overall Conclusion

As proposed and conditioned, the application for Conditional Use Review satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

Condition 1 **Site Improvements**. Prior to occupancy of the proposed building, all proposed and required site improvements shall be constructed and completed in accordance with approved plans.

Condition 2 **Lighting Plan.** Prior to issuance of any building permits, the applicant shall provide a lighting plan that demonstrates compliance with ADC 8.390(1) and 9.120(14).

Condition 3 **Buffering**. Prior to issuance of any building permits, the applicant shall either provide evidence that the buffering standards are currently met on site or will be met with additional landscaping, as proposed in the final landscaping plan.

Condition 4 **Parking Lot Landscaping**. Prior to issuance of any building permits, the applicant shall be required to submit an updated site plan showing conformance with ADC 9.150, specifically (a) Planter Bays.

Condition 5 Before the City will issue any occupancy permits for the proposed project, the applicant must obtain a stormwater quality permit through the City's Public Works Department and construct stormwater quality facilities that comply with the City's Engineering Standards.

Condition 6 Before the City will issue any occupancy permits for the proposed project, the applicant must construct stormwater detention facilities that comply with the City's Engineering Standards.

Options for the Hearings Board

The hearings board has three options with respect to the proposed conditional use:

Option 1: Approve the request as proposed and conditioned; or

Option 2: Approve the request with amendments; or

Option 3: Deny the request.

Staff Recommendation

Based on the analysis provided in this report, staff recommends the hearings board choose Option 1 and approve with conditions the proposed Conditional Use Review to expand the existing youth correctional facility to allow the construction of a 4,095-square foot parole and probation office at 4400 Lochner Road SE.

If the hearings board follows this recommendation, the following motion is suggested:

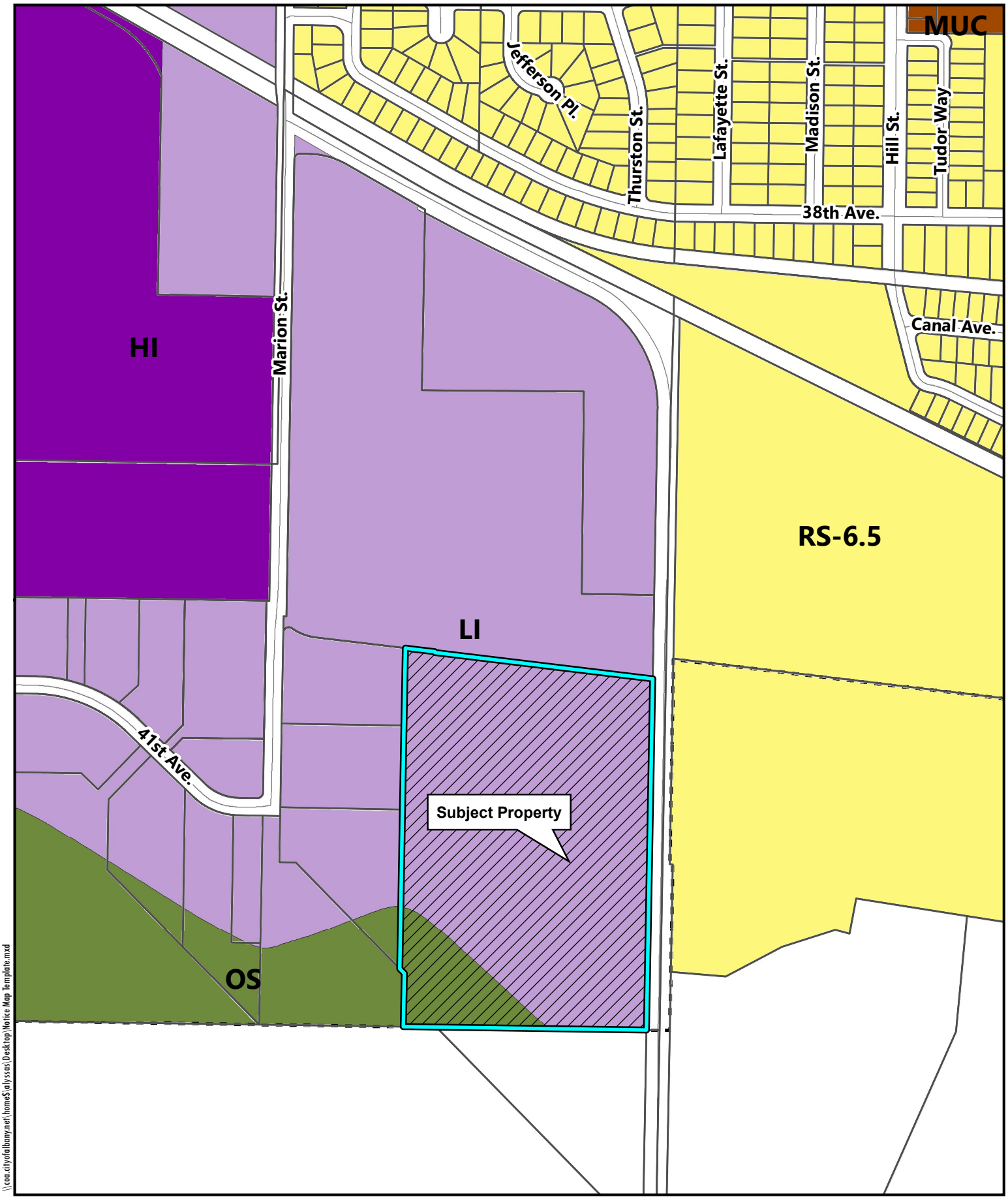
I move to approve the proposed Conditional Use Review as conditioned under planning file CU-02-23. This motion is based on the findings and conclusions in the April 20, 2023, staff report and the findings in support of the application made by the hearings board during deliberations on this matter.

Attachments

A. Location Map
B. Site Plan
C. Applicant's Submittal

Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
CU	Conditional Use (Review)
DSL	Oregon Department of State Lands
FEMA	Federal Emergency Management Agency
FIRM	Floodplain Insurance Rate Map
LI	Light Industrial
OS	Open Space District
RS-6.5	Residential Single-Dwelling Unit District
SP	Site Plan Review
TSP	Transportation Systems Plan
UGA-EFU	Urban Growth Area-Exclusive Farm Use (County Zoning)
UGA-UGM-20	Urban Growth Area-Urban Growth Management-20 Acre Minimum (County Zoning)
(/FP)	Floodplain Overlay
(/RC)	Riparian Corridor Overlay
(/SW)	Significant Wetland Overlay



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N

0 50 100 200
Feet

4400 Lochner Road SE

Date: 2/7/2023 Map Source: City of Albany

Location Map

1 SITE PLAN
0' 10' 25' 50' 100' 150' 1" = 50'-0"

SITE PLAN GENERAL NOTES:

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION.
- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.

SITE DEVELOPMENT CODE REVIEW:

SITE AREA:
PARCEL 1 (north lot not used) 4.37 ac
PARCEL 2 (south lot) 24.28ac

ZONING: LI Light Industrial

BUILDING AREAS:
- BLDG 1 LEVEL 01: 4,095 sf

PARKING:
- OFFICE USES: 1/400sf REQ'D
- = 11 SPACES. (19 PROVIDED)

BIKE PARKING:
- 1 SPACES PER 10 VEHICLE PARKING SPACES.
- THEREFORE PROVIDE 2 SPACES.

LOADING SPACES:

SITE AREA CALCULATIONS

DESCRIPTION	AREA sf	PERCENT	REMARKS
BUILDINGS	0.00	0.00%	
LANDSCAPING	0.00	0.00%	
ASPHALT PAVING	0.00	0.00%	
ACCESSORY STRUCTURES	0.00	0.00%	TRASH ENCLOSURE
CONCRETE SIDEWALKS	0.00	0.00%	
CONCRETE CURBS	0.00	0.00%	
CONCRETE PAVING AND MISC CONCRETE PADS	0.00	0.00%	
MISCELLANEOUS	0.00	0.00%	
8	0.00	0.00%	

CANOPY AREA CALCULATIONS

COVER DESCRIPTION	COVER AREA sf	PERCENT	COVER REMARKS
PORTE COCHERE	0.00	0.00%	
ENTRANCE CANOPIES	0.00	0.00%	
WEATHER COVER CANOPIES	0.00	0.00%	
3	0.00	0.00%	

SITE PLAN NOTES:

1. BIKE RACK FOR 2 BIKE PARKING SPACES.
2. RESTRIPE EXISTING ADA PARKING SPACES TO ADD ADDITIONAL SPACE.
3. NEW BUILDING MAIN ENTRY
4. ENTRY TO STORAGE FACILITY
5. EMPLOYEE ENTRANCE AND COVERED PATIO

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275 COURT ST. NE
SALEM, OR 97301-3445
P: 503.390.6500
www.studio3architecture.com

PRELIMINARY, NOT FOR CONSTRUCTION

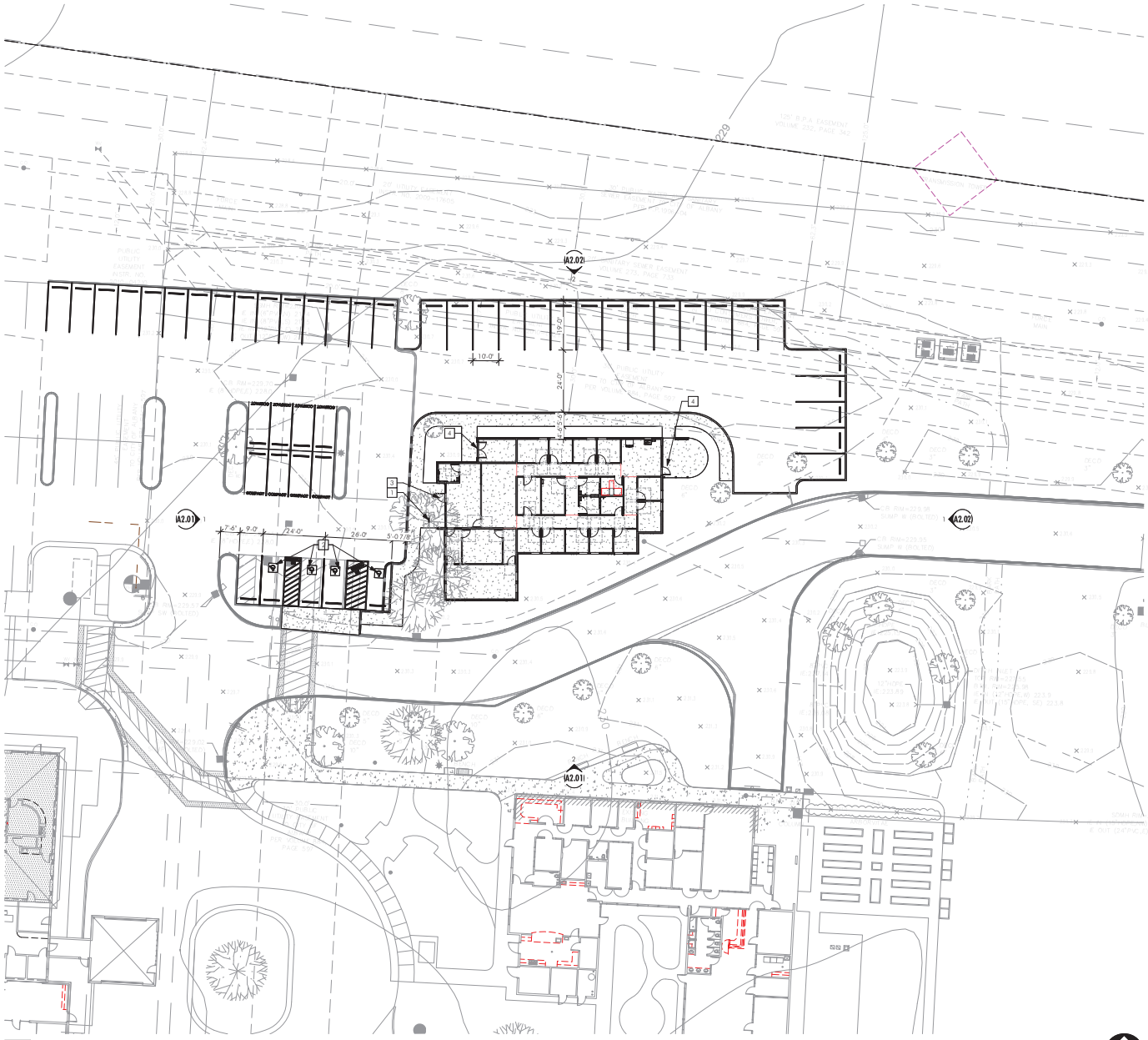
IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY
4400 LOCHNER RD SE ALBANY OR 97322

SHEET
A1.01

Attachment 1



1 SITE PLAN DETAIL
0 5 10 20 40' 60' 1" = 20'-0"

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CONCRETE PAVING AND MISC CONCRETE PADS	0.00	0.00%	
MISCELLANEOUS	0.00	0.00%	
8	0.00	0.00%	

CANOPY AREA CALCULATIONS

COVER DESCRIPTION	COVER AREA sf	PERCENT	COVER REMARKS
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ENTRANCE CANOPIES	0.00	0.00%	
WEATHER COVER CANOPIES	0.00	0.00%	
3	0.00	0.00%	

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PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY
4400 LOCHNER RD SE ALBANY OR 97322

SHEET
A1.02

Attachment 2

Conditional Use Permit Modification

Submittal Date:	January 2023
Submitted To:	City of Albany Planning
Project Location:	4400 Lochner Road SE in Albany, OR
Applicant(s):	State of Oregon OYA
Applicant's Land Use Representative:	Britany Randall of BRAND Land Use Britany@brandlanduse.com

BRAND

FEASABILITY | PLANNING | LAND USE

BRANDLANDUSE.COM

503.680.0949

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Arial View of Subject Property and Existing Development

Section 1: Property Background and Request

The applicant, Oregon Youth Authority (OYA), is presenting modification to their conditional use approval.

The subject property is located at 4400 Lochner Road SE in Albany. The property contains Oak Creek Correction Facility. The correctional facility was constructed after receiving Site Plan Review approval in 1996 (SP-73-96). In 2009, a Conditional Use application was approved for construction of a 7,876-square-foot building and a parking lot addition (CU-01-09) and a 4,500-square-foot building to be used for educational enrichment center for the young women's transition facility (CU-04-18). The subject building situated along the northerly portion of the development site is the focus of this application submittal. The subject property is approximately 24-acres in size and falls within the LI (Light Industrial) zone, SW (Significant Wetland), Overlay, Riparian (RC) Overlay and Floodplain (FP) Overlay.

Section 2: Existing Conditions

The development site is approximately 24 acres in size and is described as Linn County Assessor Map 11S-3W-19A; Tax Lot 501.

The site is located within corporate City limits of the City of Albany. The subject property is zoned Light Industrial (LI) District, Significant Wetland (SW) Overlay, Riparian Corridor (RC) Overlay, Floodplain development (FP) Overlay. Surrounding properties are zoned as follows:

North: Light Industrial (LI) District

South: Urban Growth Management (Linn County)

East: Across Lochner Road; Residential Single Family (RS-6.5), Urban Growth Management (Linn County) and Exclusive Farm Use (Linn County)

West: Light Industrial (LI) District and Open Space (OS)

Section 3: Applicable Zoning Codes

Article 1 – Administration and Procedures

1.000 - Overview

1.100 – Applicability of Review Procedures

1.120 – Time to Process Complete Applications

1.130 – Pre-Application Conference

1.140 – Neighborhood Meeting

1.150 – Initiation of Applications

1.160 – Application Submittal

1.165 – Concurrent Applications

1.170 – Completeness Review

1.180 – Revised Applications

1.185 - Withdrawal of Application

1.240 – Type III Procedure

1.310 – Expiration of Land Use Approvals

1.320 – Extension of a Land Use Approval

1.330 – Modification of Approved Site Plan Review and Conditional Use Applications

1.340 – Request to Modify a Condition of Approval

1.510 – Responsibility for Hearings

1.520 – Hearings Record

1.580 – Burden and Nature of Proof

Article 2 – Review Criteria

2.010 – Overview

2.020 – Function of Review Criteria

2.030 – Burden of Proof

2.040 – Conditions of Approval

2.050 – Relationship to Other Regulations

2.230 – Purpose

2.240 – Procedure

2.250 – Review Criteria

2.260 – Conditions of Approval

2.265 – Application Contents

2.400 – Purpose

2.415 – Procedure

2.420 – Relationship to Other Regulations

2.430 – Applicability

2.450 – Review Criteria

2.455 – Review Criteria – Additional Review Criteria for Non-Residential Applications

2.460 – Conditions of Approval

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2.490 – Application Contents

Article 4 – Commercial and Industrial Zoning Districts

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4.020 - Establishment of Commercial and Industrial Zoning Districts

4.020(7) – Light Industrial District

4.030 – Special Purpose Districts

4.035 – Relationship to State, Federal, and other Local Regulations

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4.100 – Minimum Standards

4.110 – Measurements

4.130 – Setback Alternative in Developed Areas

4.140 – General Exceptions to Setback Requirements

4.220 – Parking Restrictions in Setback Areas

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4.240 – Height Exceptions

4.260 – Loading Standards

4.290(4) – General

4.290(5) – Where Outside Storage is Permitted

4.300 – Screening of Refuse Containers

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6.070 – Purpose

6.080 – Lands to Which These Regulations Apply

6.081 – Warning and Disclaimer of Liability

6.082 – Abrogation and Greater Restrictions

6.090 – Floodplain Administrator

6.091 – Appeals

6.092 – Variances

6.093 – Floodplain Development Permit Required

6.094 – Floodplain Development Permit Exemptions

6.095 – General Information Requirements

6.096 – Flood Insurance Rate Map (FIRM) Revisions

6.170 – Purpose

6.180 – Applicability

6.190 – Procedure

6.200 – Geotechnical Report Required

6.210 – Drainage

6.220 – Street and Driveway Standards

6.230 – Modification of Standards

6.260 – Overview

6.270 – Purpose and Intent

6.280 – Lands to Which These Regulations Apply

6.290 – Exempt Activities

6.300 – Activities Subject to Natural Resource Impact Review

6.310 – Natural Resource Impact Review Standards

6.400 – Mitigation Standards

6.410 – Local Mitigation Plan

6.420 – Native Plant List

6.430 – District Boundary Corrections and Refinements

6.440 – District Amendments

6.450 – Minor Variances and Major Variances

6.460 – Compliance with State and Federal Regulations

6.470 – Violations

Article 8 – Design Standards

8.000 – Overview

8.310 – Purpose

8.315 – Applicability

8.330 – Entrance Orientation and Parking Location

8.345 – Façade Design, Articulation, and Windows

8.350 – Street Connectivity and Internal Circulation

8.360 – Pedestrian Amenities

8.370 – Pedestrian and Bicycle Connections

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8.390 – Compatibility Standards

Article 9 – On-Site Development and Environmental Standards

9.010 – Overview

9.020 – Space Requirements

9.025 – Parking in the Public Right-of-Way

9.030 – Reductions or Exemptions to Minimum Parking Space Requirements

9.035 – Responsibility/Prerequisite

9.040 – Elimination of Existing Space

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9.080 – Joint Use of Parking Facilities

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9.120 – Parking Area Improvement Standards

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9.210 – General Requirement/Matrix

9.220 – Definition of Area

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9.260 – Clear Vision

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9.360 – Purpose

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9.470 – Odors

9.480 – Glare and Heat

9.490 – Insects and Rodents

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Article 22 – Use Categories and Definitions

22.010 – Introduction to the Use Categories

22.230 – Jails and Detention Facilities

Section 4: Findings Applicable to Article 1

Article 1 – Administration and Procedures

1.000 – Overview

This Article establishes the framework for the review and processing of land use applications and legislative land use proposals, as well as ministerial actions. This Article is intended to enable the City, applicants, and the public, where applicable, to reasonably review applications and participate in the local decision-making process in a timely and effective way. The list below is a summary of the topics covered in this chapter.

- General Administration of Title 20

- Review Procedures Generally
- Pre-Application Conferences and Neighborhood Meetings
- Application Submittal and Completeness Review
- Review Type Procedures
- Expirations, Extensions, and Modifications
- Appeals
- Conduct of Quasi-Judicial Hearings
- Conduct of Legislative Hearings
- Enforcement

These headings precede subtopics that can help the user locate information. The table of contents contains a complete listing of the material covered in this Article.

Applicant's Findings: *The applicant is aware of the framework of the proposed land use application. This criterion is met.*

1.100 – Applicability of Review Procedures

Except for those activities and developments listed in Section 1.105, all land use and development permit decisions will be made by using the procedures contained in this Article. The procedure "type" assigned to each application governs the decision-making process for that permit or application. There are six types of permit/application procedures as described in subsections (1) through (6) below. Table 1.100-1 lists the City's land use and development applications and corresponding review procedure(s).

(1) Type I Procedure (Ministerial Staff Review). A Type I procedure is used in applying City land use standards and criteria that do not require the use of discretion, interpretation, or the exercise of policy or legal judgment (i.e., clear and objective standards). Type I decisions are made by the Director without public notice and without a public hearing. Appeals of Type I decisions are to Circuit Court under writ of review.

Applicant's Findings: *The proposal includes and expansion of an existing Jail& Detention Center Facility requiring a Type III process.*

(2) Type I-L Procedure (Staff Review with Notice). A Type I-L procedure is used for some tentative plats and when applying discretionary land use standards that regulate the physical characteristics of a use which is permitted outright. Type I-L decisions are made by the Director and require public notice and an opportunity for appeal to a local hearing body. With the exception of Historic Resource decisions which are appealed to the Landmarks Commission, appeals of Type I-L decisions are heard by the Planning Commission.

Applicant's Findings: *The proposal includes and expansion of an existing Jail& Detention Center Facility requiring a Type III process.*

(3) Type II Procedure (Staff Review with Notice of Decision). A Type II procedure is used when the land use standards and criteria require some discretion, interpretation, or policy or legal judgment. The Director is the person designated in accordance with ORS 227.175 to make Type II decisions. Type II decisions require public notice and an opportunity for appeal to a local hearing body. With the exception of Historic Resource decisions which are appealed to the Landmarks Commission, appeals of Type II decisions are heard by the Planning Commission.

Applicant's Findings: *The proposal includes and expansion of an existing Jail & Detention Center Facility requiring a Type III process.*

(4) Type III Procedure (Quasi-Judicial Review—Public Hearing). A Type III procedure is used when the land use standards and criteria require discretion, interpretation, or policy or legal judgment or for large projects. Quasi-Judicial decisions implement established policy but typically involve discretion. Type III decisions are made by the Planning Commission, Hearings Board or Landmarks Commission and require public notice and a public hearing, with an opportunity for appeal to the City Council.

Applicant's Findings: *The proposal includes and expansion of an existing Jail & Detention Center Facility requiring a Type III process. The applicant has submitted a conditional use permit application.*

(5) Type IV-Q Procedure (Quasi-Judicial Review—City Council Public Hearing). The Type IV-Q procedure is used when the land use standards and criteria require discretion, interpretation, or policy or legal judgment and is the procedure used for site-specific land use actions initiated by an applicant. The application is heard by the Planning Commission, Hearings Board, or Landmarks Commission. If the recommending body makes a favorable recommendation, the City Council will hold a hearing and make a final decision. If the Planning Commission, Hearings Board, or Landmarks Commission recommends against a proposal, the City Council will only consider the proposal on appeal by the applicant. Appeal of the City Council's Type IV-Q decisions are heard by the state Land Use Board of Appeals.

Applicant's Findings: *The proposal includes and expansion of an existing Jail & Detention Center Facility requiring a Type III process.*

(6) Type IV-L Procedure (Legislative Review). Legislative review procedures are used to review proposals to amend the Albany Comprehensive Plan, the City's land use regulations, and large-scale changes to the Comprehensive Plan or Plan Maps, and involve the creation, revision, or implementation of broad public policy. Legislative

proposals are first considered by the Planning Commission, which makes a recommendation to City Council. City Council makes the final decision on a legislative proposal through the enactment of an ordinance. Appeals of legislative decisions are heard by the state Land Use Board of Appeals.

Applicant's Findings: *The proposal includes and expansion of an existing Jail & Detention Center Facility requiring a Type III process.*

1.120 – Time to Process Complete Applications

(1) Time Limit—120-day Rule. The City must take final action on all Type I-L, Type II, Type III, and Type IV-Q land use applications, as provided by ORS 227.178, including resolution of all local appeals, within 120 days after the application has been deemed complete under ADC 1.170, unless the applicant provides written request or consent to an extension in compliance with ORS 227.178. (Note: The 120-day rule does not apply to Type IV-L decisions.)

Applicant's Findings: *The applicant is aware that the City shall take final action on the land use application within 120 days pursuant to ORS 277, unless the applicant grants written extensions.*

(2) Time Limit—100-day Rule. The City must take final action including resolution of all local appeals on qualifying applications under ORS 227.180 within 100 days after the application is deemed complete. An application qualifies if it is submitted under ORS 227.175 and meets the following criteria:

(a) The application is for development of a multiple-family residential building units within the urban growth boundary; [Ord. 5968, 1/14/22]

(b) At least 50 percent of the residential units included in the development will be sold or rented as affordable housing. For the purposes of this section, "affordable housing" means housing that is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater; and

(c) The development is subject to a covenant appurtenant that restricts the owner and each successive owner of the development or a residential unit within the development from selling or renting any residential unit described in paragraph (b) of this subsection as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.

Applicant's Findings: *The proposal is not for an affordable multiple-family building; therefore this section is not applicable.*

(3) Time Periods. "Days" means calendar days unless otherwise specified. In computing time periods prescribed or allowed by this Article, the day of the act or event from

which the designated period of time begins is not included. The last day of the period is included, unless it is a Saturday, Sunday, or a federal holiday, in which case the period runs until the end of the next day that is not on a weekend or City recognized legal holiday.

Applicant's Findings: *The applicant understands that the 120-day timeframe is calendar days.*

1.130 – Pre-Application Conference

(1) Purpose of Pre-Application Conferences. Pre-application conferences are intended to familiarize applicants with the requirements of the ADC; to provide applicants with an opportunity to discuss proposed projects in detail with City staff; and to identify approval criteria, standards, and procedures prior to filing a land use application. The pre-application conference is intended to be a tool to assist applicants in navigating the land use process, but is not intended to be an exhaustive review that identifies or resolves all potential issues, and does not bind or preclude the City from enforcing any applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22), this criterion is met.*

(2) When Mandatory. Pre-application conferences are mandatory for all land use actions identified as requiring a pre-application conference in Table 1.100-1. An applicant may voluntarily request a preapplication conference for any land use action even if it is not required.

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22), this criterion is met.*

(3) Timing of Pre-Application Conference. When mandatory, a pre-application conference must be held with City staff before an applicant submits an application and before an applicant conducts a Neighborhood Meeting (if applicable).

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22), this criterion is met.*

(4) Requesting a Pre-Application Conference.

(a) Request Form. Pre-application conference requests must be made on forms provided by the Director.

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22), this criterion is met.*

(b) Submittal Requirements. Pre-application conference requests must be made in writing and include: i. A description of the development proposal along with a list of any questions the applicant has for staff related to the proposal. ii. A sketch of the development plan. The sketch shall indicate the approximate location of the property boundaries, existing structures, and proposed improvements.; and iii. Any additional information the applicant deems necessary to demonstrate the nature and scope of the proposal in sufficient detail to allow City staff to review and comment.

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22), this criterion is met.*

(5) Scheduling of Pre-Application Conference. Upon receipt of a complete pre-application request, the Director will schedule the pre-application conference. The Director will coordinate the involvement of City departments, as appropriate, in the pre-application conference. Pre-application conferences are not open to the general public.

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22), this criterion is met.*

(6) Validity Period for Mandatory Pre-Application Conferences; Follow-Up Conferences. Unless waived by the Director, a follow-up conference is required for those mandatory pre-application conferences that have previously been held when:

(a) An application relating to the proposed development that was the subject of the pre-application conference has not been submitted within one year of the pre-application conference;

(b) The proposed use, layout, and/or design of the proposal have significantly changed; or

(c) The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22) which was within a year of submittal of this application, this criterion is met.*

(7) Written Summary. Upon the applicant's request, the Director shall provide the applicant with a written summary of the conference.

Applicant's Findings: *The applicant applied for and received departmental feedback during a pre-application conference on May 4, 2022 (PR-27-22), this criterion is met.*

1.140 – Neighborhood Meeting

(1) Purpose. The purpose of a neighborhood meeting is to ensure that applicants pursue early and effective public participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the neighborhood. The meeting is not intended to produce complete consensus on all applications. It is intended to encourage applicants to be good neighbors.

Applicant's Findings: *OYA has been a neighbor for many years in this location and has always taken effects of the facility into consideration and work with those around them to mitigate real or perceived impacts. OYA will continue to work with the neighbors during the land use application process and after.*

(2) When Mandatory. Neighborhood meetings are mandatory for all land use actions identified in Table 1.100-1 as requiring a neighborhood meeting. In addition, the applicant shall hold a neighborhood meeting before submitting the following types of land use applications:
   (a) Multiple-family development that abuts a single-family zoning district.
   (b) Commercial or industrial development that abuts any residential zoning district and the addition of outside seating areas to restaurants or bars/taverns/breweries/night clubs within 300 feet of a residence.
   (c) Manufactured home park adjacent to any residential zoning district.
   (d) Subdivision with more than 10 lots, excluding expedited and middle housing land divisions. [Ord. 5968, 1/14/22]
   (e) Cluster and planned development.
   (f) Retail Sales and Services Uses proposed in existing buildings in the Light Industrial zone that require Conditional Use approval per Section 4.060(11)(b).
   (g) For other non-residential applications or revisions to applications that the Director determines may have a neighborhood impact, such as conditional uses. In these cases, the Director shall determine the minimum notice area for the neighborhood meeting.

Applicant's Findings: *During the pre-application, the director did not deem it necessary for neighborhood meeting.*

(3) Time and Location. The applicant shall consult with City staff to determine an appropriate meeting date, time, and place given the location of the proposed development and availability of staff to attend.

Applicant's Findings: *During the pre-application, the director did not deem it necessary for neighborhood meeting.*

(4) Notice. The applicant shall send mailed notice of the public meeting to the Director and all property owners and designated representative(s) of City Council-recognized neighborhood association(s) within the minimum notice area specified below. The broadest notice area applicable to a proposal shall apply.

Applicant's Findings: *During the pre-application, the director did not deem it necessary for neighborhood meeting.*

1.150 – Initiation of Applications

(1) Type I, Type I-L, Type II, Type III, and Type IV-Q applications. Type I, Type I-L, Type II, Type III, and Type IV-Q applications may be submitted by one or more of the following persons:
   (a) The owner of the subject property;
   (b) The contract purchaser of the subject property, when the application is accompanied by proof of the purchaser's status as such and by the seller's written consent;
   (c) A lessee in possession of the property, when the application is accompanied by the owners' written consent; or
   (d) The agent of any of the foregoing, when the application is duly authorized in writing by a person authorized to submit an application by subsections (a), (b), or (c) and accompanied by proof of the agent's authority.
   (e) A public entity that has the right of eminent domain for projects the entity has the authority to construct.

Applicant's Findings: *The property owner, Oregon Youth Authority, is submitting the application. This criterion is met.*

(2) Type IV-L (Legislative Applications). Legislative applications shall be initiated in accordance with ADC 1.260(1).

Applicant's Findings: *The proposal is a Type III application; this criterion is not applicable.*

1.160 – Application Submittal

(1) Submittal Requirements. Type I – IV-Q land use applications must be submitted on forms provided by the City. A land use application may not be accepted in partial submittals. All information supplied on the application form and accompanying the application must be complete and correct as to the applicable facts. Unless otherwise specified, all of the following must be submitted to initiate completeness review under ADC 1.170:
   (a) Explanation of intent, nature, and proposed use(s) of the development, pertinent background information, and other information that may have a

bearing in determining the action to be taken, including detailed findings when required by the provisions of this Code.

(b) (b) Signed statement that the property affected by the application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property.
(c) Property description and assessor map parcel number(s).
(d) Additional information required by other sections of this Code because of the type of proposal or the area involved.
(e) Duplicates of the above information as required by the Director.
(f) Application fees.
(g) A report documenting the results of any mandatory neighborhood meeting prepared in accordance with ADC 1.140(5).

Applicant's Findings: *The applicant has submitted all required submittal documents; this criterion is met.*

(2) Application Intake. Each application, when received, will be date-stamped with the date the application was received by the City, and designated with a receipt number and a notation of the staff person who received the application.

Applicant's Findings: *The applicant is aware that the City will date-stamp the application, which will start 30-day completeness review.*

(3) Administrative Standards for Applications. The Director is authorized to establish administrative standards for application forms and submittals, including but not limited

Applicant's Findings: *The applicant has submitted applications provided by the Director.*

1.165 – Concurrent Applications

When an applicant files a consolidated set of applications for: (1) a comprehensive plan amendment and/or (2) a Zoning Map amendment that is dependent on that plan map amendment; and/or (3) a development permit that is dependent on that Zoning Map amendment, the goal post rule at ORS 197.427(3)(a) does not apply to "freeze" in place the standards and criteria that applied to that development permit as of the date the applications were filed. Instead, the standards and criteria that apply are those supplied by the new plan and zoning designations.

Applicant's Findings: *The proposal is to modify an existing conditional use permit; no other applications are submitted.*

1.170 – Completeness Review

(1) Duration. Except as otherwise provided under ORS 227.178, the Director must review an application for completeness within 30 days of its receipt.

Applicant's Findings: *The applicant is aware that Staff has 30-days to review the application for completeness, from the date of receipt.*

(2) Considerations. Determination of completeness will be based upon receipt of the information required under ADC 1.160 and will not be based on opinions as to quality or accuracy. Applications that do not respond to relevant Code requirements or standards can be deemed incomplete. A determination that an application is complete indicates only that the application is ready for review on its merits, not that the City will make a favorable decision on the application.

Applicant's Findings: *The applicant is aware that Staff has 30-days to review the application for completeness, from the date of receipt. The materials submitted are accurate and complete. This criterion is met.*

(3) Complete Applications. If an application is determined to be complete, review of the application will commence.

Applicant's Findings: *The applicant is aware that Staff has 30-days to review the application for completeness, from the date of receipt.*

(4) Incomplete Applications. If an application is determined to be incomplete, the Director must provide written notice to the applicant identifying the specific information that is missing and allowing the applicant the opportunity to submit the missing information. An application which has been determined to be incomplete must be deemed complete for purposes of this section upon receipt of:

(a) All of the missing information;
(b) Some of the missing information and written notice from the applicant that no other information will be provided; or
(c) Written notice from the applicant that none of the missing information will be provided.

Applicant's Findings: *The applicant is aware that if missing information or items are not provided, a incomplete letter will be sent to provide noted information.*

(5) Vesting. If an application was complete at the time it was first submitted, or if the applicant otherwise responds as provided in subsection (4) of this section within 180 days of the date the application was first submitted, then:

(a) Approval or denial of the application must be based upon the standards and criteria that were in effect at the time the application was first submitted; or

(b) When a concurrent quasi-judicial Comprehensive Plan and/or Zoning Map is proposed and approved, then approval or denial of the concurrent application will be based on the new zoning district or Comprehensive Plan designation.

Applicant's Findings: *The applicant is aware that the date of submittal vests the application under the current standards and criterion.*

(6) Void Applications. An application is void if the application has been on file with the City for more than 180 days and the applicant has not provided the missing information or otherwise responded, as provided in subsection (4) of this section.

Applicant's Findings: *The applicant is aware that if the application is not deemed complete within 180 days of submittal, the application will expire.*

1.180 – Revised Applications

Revisions or alterations of an application may be made following the determination that an application is complete, provided such revisions or alterations address applicable requirements and do not render the application incomplete. Revisions or alterations desired by the applicant may impact the application processing timelines outlined in Section 1.120.

Applicant's Findings: *The applicant is aware that the items may be altered as long as the criterion is still met.*

1.185 – Withdrawal of Application

(1) Withdrawn by Applicant. An application may be withdrawn by the applicant at any time prior to the issuance of the decision if the owner or contract purchaser consents in writing to withdraw the application.

Applicant's Findings: *The applicant is aware that the proposal can be withdrawn.*

(2) Notice. If an application is withdrawn after the mailing of public notice, the Director must send written notice stating the application has been withdrawn to all persons who were provided mailed notice of the application or public hearing.

Applicant's Findings: *The applicant is aware that the proposal can be withdrawn and public notice will be required.*

1.240 – Type III Procedure

Type III decisions are made by the Planning Commission, Hearings Board, or the Landmarks Commission after a public hearing with an opportunity for appeal to the City Council. The decision body for each application type is specified in Table 1.100-1. A hearing under these procedures provides a forum to apply standards to a specific set of facts to determine whether the facts conform to the applicable criteria.

(1) Submittal Requirements. Type III applications must include the submittal information required by ADC 1.160.

Applicant's Findings: *The applicant has provided all submittal information required by ADC 1.160, this criterion is met.*

(2) Determination of Completeness. After receiving an application for filing, the Director will review the application for completeness in accordance with ADC 1.170.

Applicant's Findings: *The applicant has provided all submittal information required by ADC 1.160. The applicant understands that Staff will review the application for completeness within 30-days of receipt, this criterion is met.*

(3) Written Notice of Public Hearing—Type III. Once the application has been deemed complete, the City must mail by regular first class mail Notice of a Public Hearing to the following individuals and agencies no fewer than 20 days before the hearing.

(a) Recipients:

i. All property owners and designated representative(s) of City Council-recognized neighborhood association(s) within the minimum notice area specified below. The broadest notice area applicable to a proposal shall apply.

ii. Any person who submits a written request to receive a notice;

iii. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City and any other affected agencies, including but not limited to: school districts; fire district; the Oregon Department of Transportation, where the project either adjoins or directly affects a state highway or railway; the County, where the project site would access a County road or otherwise be subject to review by the County. The failure of another agency to respond with written comments on a pending application does not invalidate an action or permit approval made by the City under this Code; and

iv. Utility companies (as applicable).

Applicant's Findings: *The applicant is aware the City will schedule a public hearing and provide at least 20-days' notice to individuals and agencies required by Code to be notified.*

(b) The Notice of a Public Hearing, at a minimum, will contain all of the following information:

i. The names of the applicant(s), any representative(s) thereof, and the owner(s) of the subject property;

ii. The street address if assigned, if no street address has been assigned then Township, Range, Section, Tax Lot or Tax Lot ID or other easily understood geographic reference to the subject property;
iii. The type of application and a concise description of the nature of the land use action;
iv. A list of the approval criteria for the decision and other ordinances or regulations that apply to the application at issue;
v. Brief summary of the local decision making process for the land use decision being made and a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings;
vi. The reviewing body, the date, time, and place of the hearing;
vii. Disclosure statement indicating that if any person fails to address the relevant approval criteria with enough detail, he or she may not be able to appeal to City Council or the state Land Use Board of Appeals on that issue, and that only comments on the relevant approval criteria are considered relevant evidence and that only those persons making an appearance of record, either in person or in writing, shall be entitled to appeal;
viii. The name of a City representative to contact and the telephone number where additional information may be obtained;
ix. Statement that the application and all documents and evidence submitted to the City are in the public record and available for review, and that copies can be obtained at a reasonable cost from the City; and
x. Statement that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at a reasonable cost.

Applicant's Findings: *The applicant is aware that the City will schedule a public hearing and provide at least 20-days' notice to individuals and agencies required by Code to be notified. The applicant is aware that the notice will contain the information above.*

(c) Failure of a person or agency identified in ADC 1.240(3)(a) to receive the notice required in ADC 1.240(3)(b) does not invalidate any proceeding in connection with the application, provided the City can demonstrate by affidavit that required notice was given.

Applicant's Findings: *The applicant is aware that failure of a person or agency to receive notice does not invalidate the processing of the application.*

(4) Posted Notice. Development sites that are the subject of Type III public hearings shall be posted unless otherwise noted in this Code. Posted notice is deemed given on the day

the sign is first posted. The applicant shall be responsible for providing a sign frame for the notice and also for posting the notice at the correct time and location. The actual notice to be posted on the sign shall be provided by the City. The posting shall meet the following requirements:

(a) The notice shall be at least 2 feet by 3 feet.
(b) The notice shall be posted in a location visible from a traveled public road or street abutting the property. (If no public street abuts the property, the notice shall be placed so as to be generally visible to the public.)
(c) The notice shall be posted for at least seven consecutive days before any public hearing on the matter.
(d) If the subject property is a corner lot, then two signs are required in locations defined in (b) above.
(e) At least five days before any hearing (or decision made by the Director), an affidavit of posting shall be filed with the Director.
(f) If the subject property is not properly posted as set forth in this section, the Director may postpone the hearing until such provisions are met.
(g) The posted notice shall display the nature of the application and a telephone number for more information. The posted notice shall also include a photocopy of the original mailed notice sent to affected property owners.

Applicant's Findings: *The applicant is aware the public posted notice is required on the subject property. The applicant will post Director approved signs at least five days before the public hearing.*

(5) Hearings. Type III hearings shall be conducted in accordance with the procedures in ADC 1.510 through 1.590.

Applicant's Findings: *The applicant is aware the Public Hearing will follow procedures in ADC 1.510 through 1.590.*

(6) Notice of a Type III Decision. Notice of Decision must be provided to the property owner, applicant, and any person who provided testimony at the hearing or in writing. The Type III Notice of Decision must contain all of the following information:

(a) A description of the applicant's proposal and the City's decision on the proposal, which may be a summary, provided it references the specifics of the proposal and conditions of approval in the public record;
(b) The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area;

(c) A statement that a copy of the decision and complete case file, including findings, conclusions, and conditions of approval, if any, is available for review and how copies can be obtained;
(d) The date the decision becomes final, unless a request for appeal is submitted; and
(e) The notice must include an explanation of rights to appeal the decision to the City Council in accordance with ADC 1.410.

Applicant's Findings: *The applicant knows that a copy of the notice of decision will be provided.*

(7) Appeal of a Type III Decision. Appeals may be made to the City Council in accordance with ADC 1.410.

Applicant's Findings: *The applicant understands that if the application is appealed, City Council will review the application.*

(8) Effective Date of a Type III Decision.
(a) Unless a local ordinance specifies that the decision becomes final at a later time than defined in this section, a Type III decision becomes final when it is reduced to writing and bears the necessary signatures of the decision maker.

Applicant's Findings: *The applicant understands that a written decision will be provided with necessary signatures.*

(b) A final decision becomes effective when the appeal period expires unless:
i. A written appeal is received at the City offices within 10 calendar days of the date notice of the final decision is mailed; or
ii. The City Council requests a review of the decision within 10 calendar days of the date notice of the final decision is mailed.

Applicant's Findings: *The applicant is aware that an appeal shall be received within 10 calendar days of the final written notice and that City Council can request review within 10 calendar days.*

1.310 – Expiration of Land Use Approvals

All land use approvals, except Type IV approvals, shall expire three years from the date of approval, unless:

(1) The applicant has installed all of the required public infrastructure related to the development and the infrastructure has been accepted by the City, or the applicant has provided financial assurance for all required public infrastructure per Section 12.600 or the first phase, if the development was approved for phased construction; or

Applicant's Findings: *The applicant is aware that the project must be vested prior to the expiration date.*

(2) If the development did not require public infrastructure, a valid approved building permit exists for new construction or improvements, and work has commenced; or

Applicant's Findings: *The applicant is aware that the project must be vested prior to the expiration date.*

(3) In the case of Phased Subdivisions or Planned Developments, when an applicant desires to develop and record final subdivision plats covering portions of an approved tentative plat in phases, the City may authorize a time schedule for platting and otherwise developing the various phases not to exceed five years for all phases. Each phase that is platted and developed shall conform to the applicable requirements of this title; or

Applicant's Findings: *The proposal is not a phase subdivision or planned development; this criterion is not applicable.*

(4) An extension has been filed before the expiration date, and subsequently granted approval pursuant to Section 1.320.

Applicant's Findings: *The applicant is aware that filing an extension prior to the expiration date is required if the project is not yet completed.*

1.320 – Extension of a Land Use Approval

Except as provided in subsection (4), these provisions apply to all land use approvals that have not expired.

(1) Whenever the decision requires exercise of approval rights or satisfaction of conditions of approval within a particular period of time, the approval period may be extended one time for two years for all land use approvals, except for phased or planned developments, a second two-year extension may be granted. Applicants shall apply for an extension by filing an application for extension before the expiration date. For the purposes of this sub-section the expiration date shall be the applicable anniversary date of the Notice of Decision previously given to the applicant.

Applicant's Findings: *The applicant is aware that filing an extension prior to the expiration date is required if the project is not yet completed.*

(2) Requests for extensions shall be processed as a Type I application and shall be granted if there has been no change to all applicable local, state or federal standards since the original approval, or the development complies with any changes or can meet the current standards with limited modifications to the approved development.

Applicant's Findings: *The applicant is aware that filing an extension prior to the expiration date is required if the project is not yet completed.*

(3) If the Type I application for the extension request is not approved, the subject land use approval shall expire on the applicable anniversary date of the Notice of Decision previously issued to the applicant.

Applicant's Findings: *The application is not a Type I application; this criterion is not applicable.*

(4) Tentative approval of a middle housing land division is not eligible for extension.

Applicant's Findings: *The application is not for middle housing land division; this criterion is not applicable.*

While an application for extension is pending, no further action to develop the subject property or expand any use dependent upon the approval shall be taken subsequent to the expiration of the approval period; but existing legally established uses may continue during the time the extension request is pending.

Applicant's Findings: *The applicant is aware that no additional development can be approved if the extension request has not been granted and the expiration date has passed.*

1.330 – Modification of Approved Site Plan Review and Conditional Use Applications

When a property owner wants to make changes to the approved plans and the approval has not expired, the following procedures shall be used to review the proposed modifications.

(1) Definitions: When "property owner" is used in this section, it means the property owner, or the property owner's authorized agent. When "site plan" is used here, it means the site plan approved through either a Site Plan Review application or review of a Conditional Use application.

Applicant's Findings: *The applicant is aware of these definitions. The 'property owner' is the state of Oregon, Oregon Youth Authority and the 'subject property' is 4400 Lochner Road, Albany.*

(2) The property owner must submit an application to modify the approved site plan that identifies the areas of the plan or approval proposed to be modified. The application fee will be determined by the Director and will be based on the scope of the modification(s) and review.

Applicant's Findings: *The applicant has provided an application and a site plan showing the scope of the addition and site work proposed.*

(3) The review body shall be the same one that granted the final approval (including a decision on an appeal, if applicable) for which modification is sought. The same procedures shall be used as for the original approval. The Development Code

regulations in effect at the time the application for modification is submitted will be used to review the proposed modification(s).

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(4) Only the area proposed to be modified will be reviewed.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(5) A modification shall not be filed:
   (a) as a substitute for an appeal, or
   (b) to seek the reduction or elimination of a condition of approval for infrastructure requirements, or
   (c) to provide a new timeline for appealing a previously-accepted infrastructure obligation, or
   (d) to apply for a substantially new proposal, or
   (e) if it would have significant additional impacts on surrounding properties. If any of the above conditions exist, a new application must be submitted.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(6) The modified plan must compensate for any negative effects caused by the requested changes from approved plans such that the intent of the original approval is still met.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(7) The modification(s) shall be consistent with the approved site plan. If the review body determines that the modified site plan meets the standards in 1.330 (6) and is consistent with the original approval as outlined in 1.330 (8), a modification to the site plan may be allowed. If the modified site plan is consistent with the approved site plan and meets the review criteria specified in this section, the modified plan shall be approved. If the review body determines that the modified site plan is not consistent with the original approval, then approval of the site plan will be denied. If a new application is submitted, it will be subject to the Development Code standards in effect at the time the new application is submitted.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(8) The review body's determination on consistency shall be based on a comparison of the approved site plan and the modified site plan, taking into account:
   (a) The land use category;
   (b) The size and scale of the proposed building(s);
   (c) The number of dwelling units;
   (d) Traffic and other off-site impacts;
   (e) Compatibility with surrounding development;
   (f) Capacity of available infrastructure; and
   (g) Unusual obstacles and opportunities associated with the property. The modified site plan will be found to be consistent with the approved site plan if the review body determines that there are no greater adverse impacts, or, if additional adverse impacts are identified, they have been adequately mitigated.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(9) Conditions of approval:
   (a) When reviewing a modified site plan that has different impacts than the approved site plan, the decisionmaker may modify conditions or impose new ones. Only conditions related to the impact of the modified site plan may be imposed on the modified site plan approval. "Impact" means characteristics of the development such as traffic, wastewater discharge, noise, etc.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

   (b) The original conditions of approval imposed for the approved site plan may remain in effect or be increased as necessary to address additional impact. Conditions related to improving existing infrastructure or building new infrastructure (such as streets, sewers, etc.) may be reduced only if the modification substantially reduces the infrastructure burden created by the development.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(10) The property owner may choose to either accept approval of the modified site plan or to retain the original approval. If the property owner accepts approval of the modified site plan and any conditions that may be imposed, the property owner must give written notice to the Planning Division within 14 days of the date on the notice of decision for approval of the modified site plan. If the property owner accepts approval of the modified site plan, the new approval supersedes and voids the original approval.

If the property owner does not provide the required written notice of acceptance, or if the review body does not approve the modified site plan, the project shall continue to be subject to the original conditions of approval and timelines.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

(11) When a modified site plan is approved and accepted, the approval is valid for one year beyond the date that the original site plan approval would have expired. (For example, if the original approval would have expired on July 1, 2001, the approval of the modified site plan is extended to July 1, 2002.) No additional extensions of time will be allowed for subsequent modifications.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

1.340 – Request to Modify a Condition of Approval

A request to modify a condition of approval is processed using the procedure assigned to the land use review and the approval criteria for the original land use review.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

1.510 – Responsibility for Hearings

The Director, or the City Recorder in case of City Council hearings, shall carry out the following duties pertaining to a hearing, in accordance with other provisions of this Code and with the Oregon Public Meetings law:

(1) Schedule and assign the matter for review and hearing;
(2) Conduct the correspondence of the review body;
(3) Provide notices of public hearings as required by this Code and state law;
(4) Maintain a record and enter into the record relevant dates such as those of giving notice, hearings, postponement, and continuances and a summary of action taken by the review body;
(5) Prepare minutes to include the decision on the matter heard and the reasons given for the decision;
(6) Reduce the decisions of the review body to writing and maintain permanent record of such; and
(7) Provide advance notice of all hearings and written decisions to persons requesting the same and not entitled to them by this section (applicant excepted), provided that such persons pay the actual cost for the service provided as established by the City.

Applicant's Findings: *The applicant is not submitting a modification but a conditional use to expand and modify CU-04-18 and CU-01-09. This criterion is met.*

1.520 – Hearings Record

When practical, the recorder to the review body will be present at each hearing and shall cause the proceedings to be recorded either steno graphically or electronically. If the recorder is absent, proceedings will be recorded electronically and minutes will be taken from the tape.

(a) The review body shall, when practical, retain as part of the hearing record each item of physical or documentary evidence presented and shall have the items marked with the identity of the person offering them and whether presented on behalf of a proponent or opponent. Exhibits received into evidence shall be retained in the hearing file until after all appeal periods have expired, when they may be released. Any physical evidence presented at the public hearing shall be submitted to the review body recorder, distributed to members, returned to the recorder, and shall become part of the record.
(b) The staff report and recommendation shall be included in the record.
(c) The public shall have access to the record of the proceedings at reasonable times, places, and circumstances. The public shall be entitled to purchase copies of the record.

Applicant's Findings: *The applicant is aware that the public hearing will be recorded, staff report and other relevant information will be submitted into the record.*

1.580 – Burden and Nature of Proof

The burden of proof is upon the applicant or appellant. The proposal must be supported by proof that it conforms to the applicable provisions of this Code.

Applicant's Findings: *The applicant is aware that the burden of proof is the responsibility of applicant. The findings and exhibits provided in the submittal meet that burden or proof.*

Section 5: Findings Applicable to Article 2

Article 2 – Review Criteria

2.010 – Overview

The Development Code provides nondiscretionary and discretionary standards for the City to use in evaluating how land use proposals comply with the use and development requirements of the Code. The nondiscretionary criteria provide clear and objective standards for certainty in most situations. Discretionary criteria provide flexibility by allowing more subjective standards and objectives, and allow modification of regulations in response to specific site conditions. This chapter contains the criteria for evaluation of the following land use applications:

- Adjustments
- Annexations
- Comprehensive Plan and Map Amendments
- Conditional Uses
- Development Code Amendments
- Nonconforming Situations
- Site Plan Review
- Vacations
- Variances, Major
- Variances, Minor
- Zoning Map Amendments

Applicant's Findings: *The applicant is aware the proposed conditional use has discretionary criteria which is addressed below.*

2.020 – Function of Review Criteria

(1) Review criteria describe the issues the applicant must address and that the City or affected parties may raise. A proposal that complies with all of the criteria will be approved. A proposal that can comply with the criteria with mitigation measures or limitations will be approved with conditions. A proposal that cannot comply with the criteria outright or with mitigation measures will be denied.

Applicant's Findings: *The applicant has provided adequate findings below to address the decision criteria.*

(2) The review criteria are derived from the Comprehensive Plan. Reviews against the goals and policies of the Comprehensive Plan are not required unless specifically stated. The proposal conforms to the Comprehensive Plan if it fulfills the review criteria.

Applicant's Findings: *The proposed use is listed as a conditional use in the zoning district which implements the Comprehensive Plan, therefore is consistent with the Comprehensive Plan.*

(3) When review criteria require an application to meet a specific standard, such as adequate services or no negative offsite impacts, all proposed improvements and mitigation measures must be identified before the review body will make a final decision.

Applicant's Findings: *The applicant has provided adequate findings below to address the decision criteria and standards. This criterion is met.*

2.030 – Burden of Proof

The applicant must show that the review criteria are met. The burden of proof is not on the City or other parties to show that the criteria have or have not been met.

Applicant's Findings: *The applicant has provided adequate findings below to address the decision criteria. The criterion is met.*

2.040 – Conditions of Approval

The City may attach conditions to the approval of a land use decision in order to ensure that the proposal will conform to the applicable review criteria.

Applicant's Findings: *The applicant is aware conditions may be placed on the land use decision. The applicant has adequately addressed the decision criterion and standard and does not believe conditions of approval are needed. The applicant requests to review these conditions prior to the staff report being published.*

2.050 – Relationship to Other Regulations

When a land use application is approved based on review criteria in this Code, the applicant must still comply with other applicable codes, ordinances, statutes, and regulations.

Applicant's Findings: *The applicant understand and will comply with all other applicable codes, ordinances, statues and regulations.*

2.230 – Purpose

The City does not allow some uses outright, although they may have beneficial effects and serve important public interests. These uses are subject to the Conditional Use regulations because they may have adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these proposed uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The Conditional Use review process provides an opportunity to allow the use when it will have minimal impacts, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved.

Uses identified as requiring Conditional Use approval may be permitted, enlarged or altered according to the provisions of this section. In addition, when a use is not authorized in any district or when it is unclear how to classify a particular use or development within the intent of this Code, the use or type of development may be established by a Conditional Use approval in accordance with this section.

Applicant's Findings: *The proposed jail and detention facility use is allowed through a conditional use. The proposed expansion for an additional building and site work is an enlargement of the facility and shall be proceed as a condition use review. The applicant has submitted therefore meeting this requirement.*

2.240 – Procedure

A Conditional Use application is reviewed as either a Type II or a Type III procedure, according to the Schedule of Permitted Uses.

Applicant's Findings: *The applicant is aware that the proposal is a Type III procedure.*

2.250 – Review Criteria

Requests for Conditional Use will be approved if the review body finds that the application conforms with the Albany Development Code and all of the following criteria, either outright or with conditions that bring the proposal into compliance:

(1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

Applicant's Findings: *The proposed 4,095 square foot building is located on the same site as the existing Oak Creek Correction Facility. The correctional facility was constructed after receiving Site Plan review approval is n 1996 (SP-73-96). In 2009, a Conditional Use application was approved for construction of a 7,876 square foot building and parking lot addition (CU01-09). In 2018, a Conditional Use application was approved for the construction of a 4,500 square foot building which did not change the capacity of the facility nor staffing levels.*

The intent of the LI zone '…is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors and related establishments. Uses will have limited impacts on surrounding properties. This district is particularly suited to areas having good access to highways and perhaps to rail. LI may serve as a buffer around the HI district and may be compatible with nearby residential zones or uses.'

Detention facilities are allowed in the LI district through an approved Conditional Use, which is consistent with the character of the base zone.

The southwestern area of the property is zone OpenSpace (OS) along Oak Creek. The proposed building is over one-hundred feet from the OS zone.

The surrounding properties contain industrial, commercial, agricultural land and residential uses. The businesses located to the north, SnoTemp, and industrial warehouses to the west are compatible with the proposed use. The uses have existed prior to the previous expansions of the Oak Creek Facility with no impact on surrounding businesses. The facility is located south of the above-mentioned uses. Given the location there is little conflict between the correctional facility

and adjacent industrial uses regarding truck and rail traffic. There are no level of services or congestion problems occurring along the development's frontage on Lochner Road.

The closest property zoned for residential use is over 400 feet across Lochner Road to the northeast. The closest developed residential neighborhood is over 1,000 feet to the northeast. Single family household is 'active' between 6:00 am and 11:00 pm. Vehicle trips are generally related to work, school, recreation, and shopping activities. Residential properties also have private outdoor spaces on the sides, front and rear of the property. The proposed use operates primarily on-site with youth remaining on -site and not contributing to the vehicle trips. The distance between the residential neighborhood and the facility mitigates any impacts on private outdoor spaces located in conjunction with the residential uses, therefore the proposed use is consistent with the operating characteristics of the neighborhood.

This criterion is satisfied.

(2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal mitigates difference in appearance or scale through such means as setbacks, screening, landscaping or other design features.

Applicant's Findings: *OYA proposing a new building within the existing facility in order to provide a location for parole and probation office serving the Oak Creek Youth Authority. The size and scale of the modification is a small percentage of the overall facility and by itself will have no impact on surrounding properties. This criterion is met.*

(3) The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.

Applicant's Findings: *The proposed development will construct a 4,095-square-foot building to the Oak Creek Youth Correctional Facility located at 4400 Lochner Road. Lochner Road is classified as a minor arterial street. The road is constructed to city standards along the frontage of the site. Improvements include curb, gutter, and sidewalk along both sides of the street. The street width is 36 feet and provides for a travel lane in both directions and on-street bike lanes. The street improvements widen at the site's driveway and provide for a northbound left turn lane into the site. Development will utilize the site's existing driveway and access to Lochner Road. No changes are being proposed to the site's access. The project will add space for the parole and probation section of Oak Creek facility. The project will not expand the facilities program population or the number of employees on site. Based on ITE trip generation rates for correctional facilities, trip rates are based on either the number of employees or the number of beds provided. This project will not add employees or beds, and as a result is not expected to result in additional trip generation to or from the site. Albany's Transportation System Plan does*

not identify level of service or congestion problems occurring along Lochner Road. No on-street parking is currently provided along Lochner Road. Because no on-street parking is allowed along Lochner Road and the development is not expected to result in increased trip generation, no on-street parking impacts are anticipated. Sidewalk facilities currently exist along the development's frontage on Lochner Road. The public street system can accommodate the proposed development. This criterion is satisfied without conditions.

(4) Public services for water, sanitary and storm sewer, water management, and for fire and police protection, can serve the proposed use.

Applicant's Findings: *The existing facility has water, sanitary and storm sewer servicing the property. The property is currently served and will continue to be served by City of Albany police, Linn County Sheriff and Albany Fire Department.*

(5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to:
    (a) (a) Noise, glare, odor, litter, or hours of operation.
    (b) (b) Privacy and safety issues.

Applicant's Findings: *The closest property zoned for residential is over 400 feet away across Lochner Road to the northeast. This property is zoned RS-6.5 (Residential Single Family). The property is owned by Linn-Benton School District 8J and is currently undeveloped. The closest developed residential neighborhood is over 1,000 feet to the northeast. The proposed enrichment center will not be visible from Lochner Road or surrounding properties. The existing facility is operated as a 24-hour, seven days a week fully secured correctional operation. According to the applicant, the proposed enrichment center will be part of this fully secured operation but will operate only between the hours of 8:00 a.m. to 8:00 p.m. The impacts due to glare, litter, noise, odors, hours of operation, and safety are not expected to be significant compared to the existing operations of the Oak Creek Youth Correctional Facility. The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands. This criterion is met without conditions.*

(6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Applicant's Findings: *The subject property is not located within the Airport Approach District. Comprehensive Plan, Plate 7: Slopes, shows that the property where the enrichment facility will be constructed is nearly level with a rise of only two feet from west (228 feet) to east (230 feet), using the NGVD 1929 datum. Comprehensive Plan Plate 5: Floodplains shows that there is an area of 100-year floodplain on this property. FEMA/FIRM Community Panel Number 41043C0526G, dated September 29, 2010, shows the property is in Zone AE and Zone X. Zone AE*

is a special flood hazard area inundated by a 100-year flood where the base flood elevation has been determined. The 100-year flood elevation in this area varies along Oak Creek from 219 feet to 221 feet. The portion of property where the Probation office is located is over 500 feet to the northeast of the 100-year Special Flood Hazard Area. Zone X is an area considered to be outside the 500-year floodplain. The proposed new building will be located in Zone X. The Youth Correctional Facility is located on property that contains floodplains and wetlands, however no development is proposed in either of these areas. Comprehensive Plan, Plate 9: Historic Districts, shows the property is not located in any historic districts. There are no known archaeological sites on this portion of the property. There are no other special purpose districts to consider on this site. This criterion is satisfied without conditions.

2.260 – Conditions of Approval

The review body may attach conditions of approval to ensure that the proposal will conform to the applicable review criteria. Some of the most frequently imposed conditions relate to the following: uses, special yards, and spaces; fences and walls; street dedications and improvement petitions (or bonds); site entry and exit; signs; building textures, colors, architectural features and height; landscaping, screening and buffering; noise, vibration, odors or other similar nuisances; hours for certain activities; time period within which the proposed use shall be developed; duration of use; and preservation of natural vegetation and open space.

Applicant's Findings: *The facility has been in operation since 1996 and has received approval for two expansions. Additional conditions of approval for the proposed building are not warranted.*

2.265 – Application Contents

As applicable, application contents shall be the same as those required for Site Plan Review in Section 2.490.

Applicant's Findings: *The applicant will provide the same content, unless conditions of approval change the proposal, when submitting for a Site Plan Review on the subject property.*

2.400 – Purpose

Site Plan Review is intended to promote functional, safe, and attractive developments that maximize compatibility with surrounding developments and uses and with the natural environment. It mitigates potential land use conflicts through specific conditions attached by the review body. The review focuses on the layout of a proposed development, including building placement, setbacks, parking areas, external storage areas, open areas, and landscaping.

Applicant's Findings: *The applicant is requesting a site plan review. The findings below and site plan (Attachment A) meet all development standards outlined in the Code.*

2.415 – Procedure

An application for Site Plan Review shall be reviewed through either a Type I or Type I-L procedure, as indicated below.

(1) Single-family detached, two primary detached units, and middle housing development: Type I procedure.
(2) Multi-family development, units above or attached to a business, and manufactured home parks: Type I-L procedure.
(3) Non-residential development: Type I-L procedure.

Applicant's Findings: *The proposal is for expansion of the Oak Creek Youth Correction Facility which is a Type I-L procedure type.*

2.420 – Relationship to Other Regulations

When a land use application is approved based on review criteria in this, the applicant must still comply with other applicable codes, ordinances, statutes, and regulations.

Applicant's Findings: *The applicant has provided findings in this document and exhibits addressing all applicable codes, ordinances, statutes and regulations.*

2.430 – Applicability

In general, Site Plan Review is intended for all new development within the city that specifically requires Site Plan Review as listed in Articles 3, 4 and 5. It applies to new construction, additions or expansions, site modifications, and changes in land use categories. Sites that contain a legal nonconforming use will be processed in accordance with Section 2.350.

Applicant's Findings: *The Oak Creek Youth Correction Facility was established legally and then expanded through two conditional use permits (CU-04-18 and CU-01-09); this criterion is met.*

(1) Any development that requires Site Plan Review, unless specifically exempt in Section 1.105.

Applicant's Findings: *The applicant has requested a site plan review application, this criterion is met.*

(2) A change of use or reuse of a building or site when the use is allowed through Site Plan Review, and that requires construction of three or more new parking spaces, additional loading areas, or that modifies site circulation or access.

Applicant's Findings: *The proposal includes a new building for parole and probation offices and modification to the vehicle use area, requiring a site plan review. The applicant has requested as part of a consolidated application a site plan review application; therefore, this criterion is met.*

(3) Building additions or use expansions greater than 2,000 square feet or greater than 50 percent of existing building area, whichever is less, or any expansion that requires three or more new parking spaces, additional loading areas, or modifies site circulation or access.

Applicant's Findings: *The proposal includes a new building for parole and probation offices and modification to the vehicle use area, requiring a site plan review. The applicant has requested as part of a consolidated application a site plan review application; therefore, this criterion is met.*

(4) New parking areas or expansions to existing parking areas greater than 1,000 square feet (contiguous) or modifications that change site circulation or access.

Applicant's Findings: *The proposal includes new building for parole and probation offices and modification to the vehicle use area, requiring a site plan review. The applicant has requested as part of a consolidated application a site plan review application; therefore, this criterion is met.*

(5) Temporary placement of a manufactured home for: (a) night watchman; (b) business office space during construction or remodeling; (c) building space for education, non-profit, and government agencies. (See Sections 10.470-10.490.)

Applicant's Findings: *The applicant is not proposing a manufactured home to be placed on the property, this criterion is not applicable.*

2.450 – Review Criteria

Site Plan Review approval will be granted if the review body finds that the application conforms with the Albany Development Code and meets all of the following criteria that are applicable to the proposed development.

(1) The application is complete in accordance with the applicable requirements.

Applicant's Findings: *The applicant has submitted all required submittal items in accordance tot the Albany Development Code, therefore the application is complete.*

(2) The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.

Applicant's Findings: *The applicant has provided a site plan (Attachment A) detailing that the proposal meets the applicable standards of the Light Industrial (LI) zone. This criterion is met.*

(3) Activities and developments within special purpose districts comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Applicant's Findings: *The subject property is not located within an Airport Approach area, or Historic area. There are local wetlands inventoried on the subject property. The proposal avoids disturbing these areas and if any area is to be disturbed, the applicant will obtain required permits through DEQ.*

(4) The application complies with all applicable Design Standards of Article 8.

Applicant's Findings: *The Design Standards of Article 8 are not applicable.*

(5) The application complies with all applicable Design Standards of Article 10.

Applicant's Findings: *The Design Standards of Article 10 are not applicable.*

(6) The application complies with all applicable On-Site Development and Environmental Standards of Article 9.

Applicant's Findings: *The applicant meets applicable On-Site Development and Environmental of Article 9 are not applicable.*

(7) The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.

Applicant's Findings: *The existing facility has public facilities serving the property. The proposal will be served by the existing facilities.*

(8) The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.

Applicant's Findings: *The proposed new building for parole and probation offices and modification to the vehicle use area will not increase the traffic or have an impact on the transportation system in the area. This criterion is met.*

(9) The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.

Applicant's Findings: *The applicant has addressed stormwater quality and detention, as shown in the submittal items. This criterion is met.*

(10) The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Applicant's Findings: *The previous conditions of approval for the facility have been related to lighting being shielded to reduce the reflection on adjacent properties and streets. In addition,*

to obtain adequate permits from DEQ, DSL and Army Corp of Engineers. The applicant has obtained all required permits and will obtain new permits if required by said agencies. The applicant has installed all lighting to meet this condition and will continue to meet the condition with any new lighting installed for the proposal.

(11) Sites that have lost their nonconforming status must be brought into compliance, and may be brought into compliance incrementally in accordance with Section 2.330.

Applicant's Findings: *The subject property is in compliance with the previous land use approvals and therefore not in a nonconforming status.*

2.455 – Review Criteria – Additional Review Criteria for Non-Residential Applications (including the non-residential portion of a mixed-use development).

Site Plan Review approval will be granted if the review body finds that, in addition to meeting the review criteria in 2.450, the application meets all of the following criteria that are applicable to the proposed development.

(1) The transportation system can safely and adequately accommodate the proposed development.

Applicant's Findings: *Lochhner Road is classified as a minor arterial street and was constructed to city standards along the frontage of the subject property. The street is 36 feet wide and provides for a travel lane in both directions and on-street bike lanes. The street improvements include a northbound left run land into the site. The addition is negligible to the overall development on site and will not provide additional traffic which would change the transportation system or provide for an unsafe transportation system. The existing driveway meets the standards of the Code and has historically provided for a save and adequate ingress and egress to the subject property.*

Albany's Transportation System Plan does not identify level of service or congestion problems occurring along Lochner Road.

This criterion is met.

(2) Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.

Applicant's Findings: *Lochner Road is classified as a minor arterial street and was constructed to city standards along the frontage of the subject property. The street is 36 feet wide and provides for a travel lane in both directions and on-street bike lanes. The street improvements include a northbound left run land into the site and sidewalk facilities along the development's*

frontage. The existing development will be utilized for the proposal and is designed to facilitate traffic and pedestrians in a safe manner.

This Criterion is met.

(3) The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.

Applicant's Findings: *The surrounding properties contain industrial, commercial, agricultural land and residential uses. The businesses located to the north, SnoTemp, and industrial warehouses to the west are compatible with the proposed use. The uses have existed prior to the previous expansions of the Oak Creek Facility with no impact on surrounding businesses. The facility is located south of the above-mentioned uses. Given the location there is little conflict between the correctional facility and adjacent industrial uses regarding truck and rail traffic. There are no level of services or congestion problems occurring along the development's frontage on Lochner Road.*

The closest property zoned for residential use is over 400 feet across Lochner Road to the northeast. The closest developed residential neighborhood is over 1,000 feet to the northeast. Single family household is 'active' between 6:00 am and 11:00 pm. Vehicle trips are generally related to work, school, recreation, and shopping activities. Residential properties also have private outdoor spaces on the sides, front and rear of the property. The proposed use operates primarily on-site with youth remaining on -site and not contributing to the vehicle trips. The distance between the residential neighborhood and the facility mitigates any impacts on private outdoor spaces located in conjunction with the residential uses, therefore the proposed use is consistent with the operating characteristics of the neighborhood.

2.460 – Conditions of Approval

The City may attach conditions to the approval of a Site Plan Review application in order to ensure that the proposal will conform to the applicable review criteria. Conditions of approval should be specific to the proposal and the facts set in the staff report for the application. In addition to conditions of approval, a list of general Code provisions that apply to the application may be attached to the approval.

Applicant's Findings: *The applicant has provided adequate findings meeting the decision criterion, conditions of approval should not be needed. The applicant request to review conditions prior to publishing the staff report.*

2.465 – Approved Plans are Final

Projects shall be completed according to the approved site plan and landscape plan. Modifications to approved plans are subject to the standards in Section 1.330.

Applicant's Findings: *The applicant will submit, for final approval, a site plan and landscaping plan meeting any conditions of approval imposed on the application.*

2.490 – Application Contents

A Site Plan Review application must include:

(1) A completed application form. The application shall be signed by the subject property's owner(s) and/or the owner's legal representative(s). If a legal representative is used as a signatory, written proof of ability to be a signatory shall be furnished to the City. The owner's name(s) and address, and the applicant's name, address, and signature shall also be provided.

Applicant's Findings: *The applicant has submitted a complete application form. This criterion is met.*

(2) A written narrative describing the proposed development and explanation of how the development satisfies applicable Albany Development Code standards and review criteria, including information required by Article 6 – Natural Resource Districts.

Applicant's Findings: *The applicant has submitted a complete written statement. This criterion is met.*

(3) One set of conceptual drawings, including floor plans, lighting details, and building elevations and materials.

Applicant's Findings: *The applicant has submitted a complete set of drawings and plans. This criterion is met.*

(4) A conceptual landscape plan showing the type and location of proposed landscaping and screening, including any vegetated post-construction stormwater quality facilities.

Applicant's Findings: *The applicant has submitted a complete set of plans meeting the applicable standards. If additional landscaping plans are needed, the applicant will submit at building permit. This criterion is met.*

(5) A site plan showing the following applicable information:
   (a) Assessor's map and tax lot number and lot and block description or other legal description.
   (b) Lot dimensions and total lot area.
   (c) North arrow.
   (d) Location of all existing and proposed structures, including minimum distances from all structures to property lines.

(e) Percentage of the lot covered by all existing and proposed structures and paved areas. Clearly identify the boundaries and total square footage of all new and/or replaced impervious surfaces.

Applicant's Findings: *The applicant has submitted a complete site plan meeting the requirements of this section. This criterion is met.*

(f) Adjacent zoning designations and land uses including approximate location of buildings, accesses, streets, sidewalks, curbs, easements, and utilities.

Applicant's Findings: *The applicant has submitted a complete site plan meeting the requirements of this section. This criterion is met.*

(g) Locations and dimensions of rights-of-way of all abutting streets (whether public or private) and existing and proposed driveways.

Applicant's Findings: *The applicant has submitted a complete site plan meeting the requirements of this section. This criterion is met.*

(h) Size and location of all utilities.

Applicant's Findings: *The applicant has submitted a complete utility plan meeting the requirements of this section. This criterion is met.*

(i) Locations, dimensions, and nature of any existing and proposed easements.

Applicant's Findings: *The applicant has submitted a complete site plan meeting the requirements of this section. This criterion is met.*

(j) Location of any non-access strips.

Applicant's Findings: *The applicant has submitted a complete site plan meeting the requirements of this section. This criterion is met.*

(k) Natural drainage patterns, flow arrows showing existing and proposed drainage patterns, and existing and proposed finished grade contours at 1-foot intervals, or at a larger interval if approved by the City Engineer.

Applicant's Findings: *The applicant has submitted a complete drainage plan meeting the requirements of this section. This criterion is met.*

(l) Clearly identify any existing and proposed swales, ditches, or other drainage ways.

Applicant's Findings: *The applicant has submitted a complete drainage plan meeting the requirements of this section. This criterion is met.*

(m) Location, size, type and capacity of the existing and proposed drainage system including pipe size, slope, and detention facilities. Show existing and proposed finished grade elevations at collection points and property lines. Include the location, size, and capacity of the downstream drainage system that would serve the proposed development. Also provide any supporting calculations.

Applicant's Findings: *The applicant has submitted a complete drainage plan meeting the requirements of this section. This criterion is met.*

(n) Location, size, type and capacity of all existing and proposed post-construction stormwater quality facilities. Clearly identify all impervious surfaces and contributing areas draining to each facility.

Applicant's Findings: *The applicant has submitted a complete drainage plan meeting the requirements of this section. This criterion is met.*

(o) Typical cross sections at adjacent property boundaries showing pre-and post-development conditions and clearly identify any changes in elevation at the property line not captured in the typical section.

Applicant's Findings: *The applicant has submitted a complete site plan meeting the requirements of this section. This criterion is met.*

(p) Location and species of trees larger than 25 inches in circumference (approximately 8 inches in diameter) measured at 4-1/2 feet above mean ground level from the base of the trunk. To obtain the circumference of a tree with multiple trunks, add the individual trunks circumferences, which are greater than 6 inches in circumference. Identify any trees proposed for protection and the method of protection.
(q) Location and dimensions of delivery and loading areas.
(r) Location and dimensions of parking and circulation areas.
(s) Location and dimensions of trash disposal areas.
(t) Location of proposed signs.
(u) Location and type of proposed pedestrian amenities and common areas (when applicable).
(v) Location of airport height restrictions.
(w) Location of floodplains.
(x) Location of hillsides with slopes greater than 12 percent.
(y) Location of wetlands.
(z) Location of riparian corridors.
(aa) Location of Willamette Greenway.

(bb) Location of historic districts, structures and sites on the City's adopted Local Historic Inventory, including individually designated National Register Historic Landmarks and archaeological sites.

Applicant's Findings: *The applicant has submitted a complete site plan meeting the requirements of these sections. This criterion is met.*

Section 6: Findings Applicable to Article 4

Article 4 – Commercial and Industrial Zoning Districts

4.010 – Overview

The zones created in this article are intended to provide land for commercial, office and industrial uses. The differences among the zones, in the permitted uses and development standards, reflect the existing and potential intensities of commercial and industrial development. The site development standards allow for flexibility of development while minimizing impacts on surrounding uses. The regulations in this article promote uses and development that will enhance the economic viability of specific commercial and industrial areas and the city as a whole. Development may also be subject to the provisions in Article 8, Design Standards, Article 9, On-Site Development and Environmental Standards, and Article 12, Public Improvements. Sites within overlay districts are also subject to the provisions in Article 6, Special Purpose Districts, and Article 7, Historic Overlay Districts.

The following list is a summary of the topics covered in this article:

- Zoning Districts
- Schedule of Permitted Uses
- Development Standards
- Airport Approach Overlay District

Applicant's Findings: *The property is zoned Light Industrial (LI), this section is appliable.*

4.020 – Establishment of Commercial and Industrial Zoning Districts

In order to regulate and segregate the uses of lands and buildings and to regulate the density of development, the following commercial and industrial zoning districts are created:

OP – OFFICE PROFESSIONAL DISTRICT. The OP district is intended to provide a vertical or horizontal mix of professional offices, personal services, live-work, residential and limited related commercial uses in close proximity to residential and commercial districts. The limited uses allowed in this district are selected for their compatibility with residential uses and the desired character of the neighborhood. OP is typically appropriate along arterial or collector streets as a transitional or buffer zone between residential and more intense commercial or industrial districts.

NC – NEIGHBORHOOD COMMERCIAL DISTRICT. The NC district is intended primarily for small areas of retail establishments serving nearby residents' frequent needs in convenient locations. The NC District is typically appropriate for small clusters or service centers located at intersections within residential neighborhoods. Businesses should fit into the residential pattern of development and not create land use, architectural or traffic conflicts. Generally, uses located within NC Districts should have as their primary market area the population within a one-half mile radius.

(1) CC – COMMUNITY COMMERCIAL DISTRICT. The CC district recognizes 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. Sound and visual buffers should be used to mitigate impacts on nearby residential areas.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(2) RC – REGIONAL COMMERCIAL DISTRICT. The RC district is intended primarily for developments that serve the wider Albany region. RC allows a wide range of retail sales and service uses, and is typically appropriate for developments that require large sites near Interstate 5. Design guidelines, building location and front-yard landscaping will provide an enhanced community image along major transportation corridors. These uses often have significant impacts on the transportation system. Sound and visual buffers may be required to protect nearby residential areas. RC districts may not be appropriate in all locations.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(3) TD – TRANSIT DISTRICT. The TD district is intended primarily for regional transit facilities and related uses. This district is suitable as a major office employment center because of easy access to mass transit. Mixed-use development including a multi-modal transportation facility, a park-and-ride facility, and office space should be developed within this district.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(4) IP – INDUSTRIAL PARK DISTRICT. The IP district is intended primarily for light manufacturing, high-tech, research and development, institutions and offices in a

quality environment. Uses are characterized by attractive building architecture and landscaped yards and streetscapes, and the absence of objectionable external effects. The district is designed for industrial and business parks containing offices together with clean, non-polluting industries. IP is located along or near highly visible corridors to provide a positive image and a transition to residential or natural areas from heavier industrial uses.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(5) LI – LIGHT INDUSTRIAL DISTRICT. The LI district is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors and related establishments. Uses will have limited impacts on surrounding properties. This district is particularly suited to areas having good access to highways and perhaps to rail. LI may serve as a buffer around the HI district and may be compatible with nearby residential zones or uses.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is applicable and is addressed below.*

(6) HI – HEAVY INDUSTRIAL DISTRICT. The HI district is intended primarily for industrial uses and support activities that are potentially incompatible with most other uses and which are characterized by large amounts of traffic, extensive shipping of goods, outside storage or stockpiling of raw materials, by-products, or finished goods, and a controlled but higher level of noise and/or pollution. This district is located away from residential areas and has easy access to highways and perhaps to rail.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

4.020(7) – Light Industrial District

(7) LI – LIGHT INDUSTRIAL DISTRICT. The LI district is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors and related establishments. Uses will have limited impacts on surrounding properties. This district is particularly suited to areas having good access to highways and perhaps to rail. LI may serve as a buffer around the HI district and may be compatible with nearby residential zones or uses.

Applicant's Findings: *The subject property is zoned LI and surrounded to the north and west by LI zoned land. The facility meets the intent of the zoning district by having limited impacts on surrounding properties. The detention facility is an allowed use in the zone through an approved Conditional Use. The facility has been in operation since 1996 and received many approvals over*

the years for renovations and expansions. The property is boarded by Open Space zoning along Oak Creek, which is over 450-feet from the buildings on-site. The proposed use has been compatible within the area and the zoning district for years and will remain at a similar operational manner. This criterion is met.

4.030 – Special Purpose Districts

Special purpose districts are overlay districts that may be combined with a major zoning district. The regulations of a special purpose district are supplementary to the regulations of the underlying major zoning district. The regulations of a special purpose district and the major zoning district shall both apply to any site that has both designations. Where the regulations and permitted uses of a major zoning district conflict with those of a special purpose district, the more restrictive standards shall apply. The special purpose districts and the additional regulations that apply in such districts are summarized below:

Special Purpose District	Applicable Articles
Floodplain	Article 6
Wetlands	Article 6
Willamette Greenway	Article 6
Airport Approach	Article 6
Hillside Development	Article 6
Historic Overlay	Article 7

Applicant's Findings: *The subject property is within the Floodplain and wetland special purpose districts. Those sections are addressed below.*

4.035 – Relationship to State, Federal, and other Local Regulations

In addition to the regulations of this Code, each use, activity, or operation in the City of Albany must comply with applicable state and federal standards. Other local regulations include those in Article 6, Special Purpose Districts, and those of the Building Division and Fire Department.

Applicant's Findings: *The applicant will obtain any required permits from State, Federal or other regulatory agencies, if needed.*

4.090 – Development Standards; Purpose

Development standards are intended to promote site planning and design that consider the natural environment, site intensity, building mass, and open space. The standards also promote energy conservation, needed privacy, safe and efficient parking areas for new development, and improve the general living environment and economic life of a development. Table 4.090-1, on the following page, summarizes the basic development standards. It should be used in conjunction with the sections immediately succeeding the table, which address special

circumstances and exceptions. See Article 8 for design standards for single-family, middle housing, and multiple-family developments.

(1) The minimum lot size for residential units is 1,600 sq. ft. per unit. No minimum lot size is required for non-residential development.

Applicant's Findings: *The subject property is approximately 24 acres, meeting this standard.*

(2) New NC zones may be no more than 30,000 sq. ft. of contiguous land.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(3) All yards adjacent to streets. Approved vegetated post-construction stormwater quality facilities are allowed in landscaped areas.

Applicant's Findings: *This property is zoned LI (Light Industrial). ADC 4.090, Table 1, shows that the front yard setback in LI zoning districts is 15 feet. The property at 4400 Lochner Road has about 1,200 lineal feet of street frontage. Of that distance, only the northerly 530 feet is actually adjacent to developed portions of the site; the remainder being covered in forested wetlands and riparian area. Front yard landscaping has been installed following previous land use approvals. No deficiencies exist that would require additional front yard landscaping. Front yard landscaping was provided following a 2018 Conditional Use review.*

(4) The minimum lot size for supporting commercial uses may be smaller than 3 acres.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(5) Structures on property abutting residential districts and/or uses require 1 foot of setback for each foot of finished wall height with a minimum setback of 10 feet.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(6) No setbacks are required for buildings abutting railroad rights-of-way.

Applicant's Findings: *The subject property does not abut a railroad, therefore this standard is not applicable.*

(7) Lot coverage for single-family detached and middle housing development shall only include the area of the lot covered by buildings or structures.

Applicant's Findings: *The proposal is not a single family or middle housing development; this section is not applicable.*

(8) Unless in Airport Approach Overlay District. See Sections 4.400 to 4.440.

Applicant's Findings: *The subject property zoned Light Industrial (LI) and not within the Airport Approach Overlay Distirct, this section is not applicable.*

(9) Ten or more multiple-family units require common open space. See Section 8.220.

Applicant's Findings: *The proposal is for a jail and detention facility, not multiple family. This standard is not applicable.*

(10) The maximum business footprint for supporting commercial uses allowed in IP is 5,000 square feet. The maximum business footprint for convenience-oriented and personal service-oriented retail uses in NC and OP is 5,000 square feet. Convenience-oriented and personal service-oriented retail uses in buildings constructed prior to February 7, 2003 in the NC and OP districts are exempt from the maximum business footprint.

Applicant's Findings: *The subject property zoned Light Industrial (LI), this section is not applicable.*

(11) When adjacent to or across the street from residentially zoned land, the setback shall be 1 foot for each foot of building height over 30 ft. Buildings may increase in height ("step" up) as the setback increases. For example, at the minimum setback in LI, a building may be 30 feet tall but may increase in height up to 50 feet when set back 50 feet from the property line.

Applicant's Findings: *The proposed building is 20-feet in height and will be greater than 30-feet to the property line abutting the street. This standard is met.*

(12) Higher structures permitted by Conditional Use approval.

Applicant's Findings: *The proposed building is 20-feet in height, a conditional use for height is not warranted.*

(13) The maximum building size may be exceeded for non-commercial and non-office uses when the building is multistory.

Applicant's Findings: *The proposal an 4,095 square foot building within the existing detention facility, this section is not applicable.*

4.100 – Minimum Standards

All setbacks must meet the minimum standards in Table 4.090-1, Development Standards. In addition to the setbacks in this Article, all development must comply with Section 12.180, Clear Vision Area. For residential accessory structures, see also Article 3, Table 3.230-1, Accessory Structure Standards.

Applicant's Findings: *As shown on the site plan, the proposed building and parking are meet applicable setbacks.*

4.110 – Measurements

Setback distances must be measured perpendicular to all portions of a property line.

Applicant's Findings: *setbacks are measured perpendicular to the property lines.*

4.130 – Setback Alternative in Developed Areas

When an addition or new development is proposed in an area containing the same types of uses that were developed to a previous setback standard, the Director or review body may approve setbacks that are the same as those for the existing buildings on the site for additions, or the same as those for buildings on abutting parcels for new development. In such instances, the Type I procedure will be used to process requests, and approval will be based upon the following criteria:

(1) The area between buildings is sufficient for adequate property maintenance and rear
(2) If there are primary structures on both abutting lots with front setbacks less than the required setback, the proposed front setback for a structure is not less than the average of the abutting structures.
(3) If only one abutting property contains a primary structure, the proposed front setback is no less than the setback of the abutting structure on that property.
(4) A driveway extending at least 20 feet from the street right-of-way must precede on-site parking spaces or parking structures.
(5) For detached dwellings, no wall of a dwelling unit may be closer than 10 feet to a window of another dwelling unit.
(6) All other provisions of this Code must be met

Applicant's Findings: *The applicant is not requesting a setback alternative.*

4.140 – General Exceptions to Setback Requirements

The following may project into required setbacks, provided that they conform to the conditions and limitations indicated:

(1) Depressed Areas. In any zoning district, open-work fences, berms, hedges, guard railings, or other landscaping or architectural devices for safety protection around depressed areas, ramps, stairs, or retaining walls may be located in required setbacks, provided that the devices are not more than 3-1/2 feet tall.

Applicant's Findings: *The proposed development is setback more than the 30-foot setback. No additional projections are needed.*

(2) Projecting Building Features. The following may project into the required front setback up to 5 feet and into the required interior setbacks up to 2 feet:
   (a) Awnings, eaves, buttresses, architectural appendages (such as, but not limited to, bay windows, planters, cantilevered stairways).
   (b) Chimneys and fireplaces provided they do not exceed 8 feet in width.
   (c) Porches, steps, platforms or landings, raised patios or decks (applies only to structures above 30 inches in height: structures 30 inches or less are not subject to setback provisions).
   (d) Projecting signs must conform to applicable ordinance requirements. See Article 13, Sign Code.

Applicant's Findings: *The proposed development is setback more than the 30-foot setback. No additional projections are needed.*

4.220 – Parking Restrictions in Setback Areas

Parking and loading spaces must not be located in a required front or interior setback, except:

(1) Paved driveways used to fulfill parking requirements for single-family detached, duplex, triplex, fourplex, cottage cluster, and townhouse residences. Each space must be at least 10 feet wide and 20 feet long.

Applicant's Findings: *The proposal is not for single-family detached or middle housing, therefore this standard is not applicable.*

4.230 – Height Standards

See Table 4.090-1 for height restrictions.

4.240 – Height Exceptions

(1) Roof structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, antennas, steeples, and similar structures may be erected above the height limits prescribed in this article, provided that no roof structure, feature, or any other device above the prescribed height limit may be allowed or used for the purpose of providing additional floor space.

Applicant's Findings: *The applicant is proposing a new building approximately 20-feet in height, which meets the standard.*

(2) Religious Institutions and Public and Semi-Public Buildings. In zoning districts where churches and certain public and semi-public buildings require Conditional Use approval, the height restrictions may be waived as a part of the Conditional Use proceedings, provided that a request for such has been noted in the public hearing notice.

Applicant's Findings: *The applicant is proposing a new building approximately 20-feet in height, which meets the standard.*

4.260 – Loading Standards

Loading spaces for all uses except office and residential uses shall be off the street. Loading spaces shall be provided in addition to the required vehicle parking spaces, and shall meet the following requirements:

(1) Vehicles in the berths shall not protrude into a public right-of-way or sidewalk. Loading berths shall be located so that vehicles are not required to back or maneuver in a public street.

Applicant's Findings: *The applicant does not propose to change the existing loading areas, which currently do not protrude into the right-of-way or sidewalk. This criterion is met.*

(2) A school having a capacity greater than 25 students shall have a driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children.

Applicant's Findings: *The detention facility is not a school; therefore this criterion is not applicable.*

(3) The minimum required loading area is as follows:
   (a) 250 square feet for buildings of 5,000 to 20,000 square feet of gross floor area.
   (b) 500 square feet for buildings of 20,000 to 50,000 square feet of gross floor area.
   (c) 750 square feet for buildings in excess of 50,000 square feet of gross floor area.

Applicant's Findings: *The proposed building is less than 5,000 square feet; therefore a loading space is not required.*

(4) The required loading area shall not be less than 10 feet wide by 25 feet long and shall have an unobstructed height of 14 feet.

Applicant's Findings: *The proposed building is less than 5,000 square feet; therefore a loading space is not required.*

(5) Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.

Applicant's Findings: *The proposed building is less than 5,000 square feet; therefore a loading space is not required.*

(6) Loading areas shall be subject to the same provisions as parking areas relative to plan information, setbacks, buffering/screening requirements, and lighting.

Applicant's Findings: *The existing loading areas met the setbacks, buffering and lighting when installed and will continue to meet appliable standards.*

4.290(4 & 5) – General

(4) In the LI and HI zones, outside storage is permitted in interior yards outside of the required setback. Outside storage is allowed in front yards outside the front setback provided that it 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.

Applicant's Findings: *The applicant does not propose new outdoor storage.*

(5) Where outside storage is permitted.

(a) Materials and equipment stored as permitted in this subsection may be no more than 14 feet above the elevation of the storage area.
(b) Outside storage over six feet tall must be screened in accordance with 9.250.

Applicant's Findings: *The applicant does not propose new outdoor storage.*

4.300 – Screening of Refuse Containers

The following standards apply to all development, except for refuse containers or disposal areas serving four or fewer dwellings. Any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area, must be screened from view by placement of a sight-obscuring fence, wall, or hedge at least 6 feet tall. All refuse materials must be contained within the screened area. Refuse disposal areas may not be located in required setbacks or buffer yards and must be placed at least 15 feet from any dwelling window.

Applicant's Findings: *The applicant is not proposing new refuse containers or disposal areas.*

Section 7: Findings Applicable to Article 6

Article 6 – Natural Resource Districts

6.010 – Overview

The natural resource districts are intended to protect valuable natural resources within the City of Albany while allowing reasonable economic use of property.

The Open Space zoning district is a base zone that specifies allowed land uses adjacent to some water resources in Albany.

The Natural Resource overlay districts address development activities within specific natural resource areas and are applied over a base zone. The overlay district requirements are in addition to the requirements of the base zone and other City of Albany ordinances.

The following zoning and overlay districts are included in this article:

- Open Space Zoning District (OS)
- Floodplain Overlay District (/FP)
- Hillside Development Overlay District (/HD)
- Significant Natural Resource Overlay Districts
    - Riparian Corridor Overlay (/RC)
    - Significant Wetland Overlay (/SW)
    - Habitat Assessment Overlay (/HA)
- Willamette River Greenway Overlay District (/WG)

Applicant's Findings: *The subject property contains Open Space Zoning District (OS) and Floodplain Overlay District (/FP). The proposed building is not located within either overlay area.*

6.070 – Purpose

The Floodplain overlay district (/FP) standards are intended to manage development in the floodplain in a way that promotes public and environmental health and safety and minimizes the economic loss and social disruption caused by impending flood events.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.080 – Lands to Which These Regulations Apply

These regulations apply to all areas in the City of Albany that are subject to inundation from a 100-year flood. These areas have been identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study for Linn County, Oregon and Incorporated Areas effective date September 29, 2010 and as revised effective date December 8, 2016, 2016, and associated Flood Insurance Rate Maps (FIRMs) with Community Number 410137. These areas are depicted on the FIRMs by the letter A and AE. The Flood Insurance Study and FIRMs are on file at the City of Albany, Community Development Department at 333 Broadalbin Street SW.

In addition, the City Council may adopt by resolution more current floodplain studies or boundary information. If the new information conflicts with the current effective Flood Insurance Study of Flood Insurance Rate Maps, the more restrictive information will apply.

Precise Special Flood Hazard Area (100-year floodplain) boundaries may be difficult to determine from the maps referred to above due to their large scale and lack of site specific studies. In such instances, the Floodplain Administrator may apply FEMA base flood elevations

to topographic maps or site surveys in order to determine actual boundaries. In the absence of FEMA base flood elevations, the Floodplain Administrator shall reasonably use other sources of floodplain and floodway data to determine base flood elevations and boundaries. However, when elevation data is not available through FEMA or another authoritative source and the development consists of 4 or more lots, 4 or more structures, or 4 or more acres, the applicant shall generate and have certified by a registered engineer the base flood elevation.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.081 – Warning and Disclaimer of Liability

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased as a result of failure of manmade structures and/or natural causes. This article does not imply that the land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This article does not create any duty or liability on the part of the City of Albany or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.090 – Floodplain Administrator

The Community Development Director is appointed to administer and implement this Article in accordance with its provisions. Duties of the local floodplain administrator shall include, but are not limited to:

(1) Review all development permit applications to determine whether proposed new development will be located in Areas of Special Flood Hazard.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(2) Review applications for modifications of any existing development in Areas of Special Flood Hazard for compliance with the requirements of this Article.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(3) Interpret flood hazard area boundaries, provide available flood hazard information, and provide Base Flood Elevations, where they exist.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(4) Review proposed development to assure that necessary permits have been received from governmental agencies from which approval is required by federal or state law, including but not limited to section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334; the Endangered Species Act of 1973, 16 U.S.C. 1531-1544; and State of Oregon Removal-Fill permits. Copies of such permits shall be maintained on file.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(5) Review all development permit applications to determine if the proposed development is located in the floodway, and if so, ensure that the standards in Sections 6.100 through 6.110 are met.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(6) When Base Flood Elevation data or floodway data are not available, then the Floodplain Administrator shall obtain, review and reasonably utilize any Base Flood Elevation and floodway data available from a federal, state or other authoritative source in order to administer the provisions of this Article.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(7) When Base Flood Elevations or other engineering data are not available from an authoritative source, the Floodplain Administrator shall take into account the flood hazards, to the extent they are known, to determine whether a proposed building site or subdivision will be reasonably safe from flooding.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(8) Where interpretation is needed of the exact location of the Special Flood Hazard Boundary, including regulatory floodway, the Floodplain Administrator shall make the interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 6.091.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(9) Issue floodplain development permits when the provisions of this Article have been met, or disapprove the same in the event of noncompliance.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(10) Coordinate with the Building Official to assure that applications for building permits comply with the requirements of this Article.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(11) Obtain, verify and record the actual elevation in relation to the vertical datum used on the effective FIRM, or highest adjacent grade where no BFE is available, of the lowest floor level, including basement, of all new construction or substantially improved buildings and structures.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(12) Obtain, verify and record the actual elevation, in relation to the vertical datum used on the effective FIRM, or highest adjacent grade where no BFE is available, to which any new or substantially improved buildings or structures have been flood-proofed. When flood-proofing is utilized for a structure, the Floodplain Administrator shall obtain certification of design criteria from a registered professional engineer or architect.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(13) Ensure that all records pertaining to the provisions of this Article are permanently maintained in the Community Development Department and shall be open for public inspection.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(14) Make inspections in Areas of Special Flood Hazard to determine whether development has been undertaken without issuance of a floodplain development permit, ensure that development is undertaken in accordance with a the floodplain development permit and this Article, and verify that existing buildings and structures maintain compliance with this Article.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(15) Coordinate with the Building Official to inspect areas where buildings and structures in flood hazard areas have been damaged, regardless of the cause of damage, and notify owners that permits may be required prior to repair, rehabilitation, demolition, relocation, or reconstruction of the building or structure.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

(16) Make Substantial Improvement or Substantial Damage determinations based on the definitions described in Section 6.075.

Applicant's Findings: *The applicant is aware and will be consistent with Section 6.075.*

6.091 – Appeals

Appeals to the interpretations of the Floodplain Administrator shall be reviewed by the Hearings Board as a Type II procedure in accordance with Sections 1.040 and 1.410 of this Code. Appeals to the land use decisions (Types I-L, II, and III) resulting from the Floodplain Development Permit applications shall be reviewed in accordance with Section 1.410 of this Code.

Applicant's Findings: *The applicant is not proposing development within the Floodplain, therefore this section is not applicable.*

6.092 – Variances

Variances from the terms of this section shall be granted only, when because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this section deprives such property of privileges enjoyed by other property in vicinity and under identical zoning classifications. Variances as interpreted in the National Flood Insurance Program are based on the physical characteristics of the land and are not dependent upon the occupants, type, or use of a structure. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

No variance will be given to the standards for development in a floodway.

Variances from the floodplain management regulations of this section shall be reviewed using the Major Variance procedure (see Article 2) and shall be approved if the review body finds that all of the following criteria have been met:

(1) The applicant can show good and sufficient cause; and
(2) Failure to grant the variance would result in exceptional hardship to the applicant; and

(3) Issuing the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; and
(4) The variance is the minimum necessary, considering the flood hazard, to afford relief.
(5) Variances from the required lowest floor elevation for new construction and substantial improvements may be granted if the review body find that the request meets criteria (1)-(4) and the parcel is one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
(6) Variances may be granted for a water dependent use provided that the structure or other development meets criteria (1)-(4) and is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
(7) Variances may be granted for the reconstruction, rehabilitation, or restoration of structures listed on Albany's Local Historic Inventory or the National Register of Historic Places, without regard to the procedures set forth in this section.
(8) Variances may be granted for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria and otherwise complies with Building Codes.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property, therefore a variance is not requested.*

Upon issuing the variance, the Floodplain Administrator will notify the applicant in writing that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.093 – Floodplain Development Permit Required

A Floodplain Development Permit is required prior to initiating floodplain development activities, as defined in Section 6.075, in the Special Flood Hazard Area. This Article cannot anticipate all development activities that may be located within the Special Flood Hazard Area. The floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and thereafter pursued to completion.

All development activities that require a Floodplain Development Permit shall be processed in accordance with ADC Section 1.100, Land Use Application Procedures. When ambiguity exists concerning the appropriate classification of a particular activity, the use may be reviewed as a

conditional use when the Floodplain Administrator determines that the proposed activity is consistent with other activities allowable within the subject district due to similar characteristics and impacts. When a development proposal involves a combination of activities, the more restrictive provisions of this Code shall apply.

A. The following activities will be processed through a Type I procedure as established in ADC 1.210:
    (1) Any structure 200 square feet or more.
    (2) Any substantial improvement to an existing structure as defined in this code.
    (3) Placement of a recreational vehicle more than 180 consecutive days, as described in 6.124(2)-(3).
    (4) Solid fences and walls that require a permit as listed in Section 6.125.
    (5) Any site improvement for development in the floodplain pursuant to Section 6.110 that is not exempt under Section 6.094 and does not already require a permit elsewhere in this Section of the Code.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

B. The following activities will be processed through a Type I-L procedure as established in ADC 1.220:
    (1) Any development in the floodway allowed by Sections 6.100-6.101.
    (2) Grading, excavation, fill, and paving pursuant to Section 6.111 that cumulatively impacts more than 50 cubic yards of the native elevation and contours of the site or that otherwise requires a permit per this Article, and any associated retaining walls.
    (3) Mining and drilling operations that result in sledge, slag, or other materials remaining in the Special Flood Hazard area will be considered fill for the purposes of this Article and will be reviewed through the applicable criteria in Section 6.111.
    (4) Additions or expansions of Continuous Storage Operations pursuant to Section 6.112.
    (5) New Continuous Storage Operations pursuant to Section 6.112.
    (6) Land Divisions of 19 lots or less pursuant to Section 6.110.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

C. The following activities will be processed through a Type II procedure as established in ADC 1.230: [Ord. 5947, 1/01/21] (1) Any alteration of a Watercourse, pursuant to 6.101 and the applicable criteria in Section 6.111.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

D. The following will be processed through a Type III procedure as established in ADC 1.240: Ord. 5947, 1/01/21
   (1) Land Divisions of 20 or more lots, Cluster Developments and Planned Developments pursuant to Section 6.110.
   (2) Manufactured home parks pursuant to Section 6.110 will be reviewed through the Manufactured Home Park application process.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.094 – Floodplain Development Permit Exemptions

The following development activities in the flood fringe do not require a Floodplain Development Permit. These exemptions do not apply to development in the floodway. (Note: Federal and State laws and regulations, including Oregon Drainage Law, may still apply to exempted development activities.)

(1) Structures less than 200 square feet that meet the provisions of 6.122.
(2) Grading, excavation, fill or paving less than 50 cubic yards (cumulative).
(3) Retaining walls not associated with a grading, fill, excavation, and paving review.
(4) Open barbless wire, pipe, rail, chain link, or wood fences that meet the design guidelines in Section 6.125 of this Article.
(5) Agricultural activities, not including structures.
(6) Short-term storage of equipment or materials that in time of flooding could either be removed from the area, or would not cause harm to property, humans, animals or the environment by becoming buoyant or hazardous.
(7) Signs, markers, aids, etc., placed by a public agency to serve the public.
(8) Minor repairs or improvements to existing structures provided that the alterations do not increase the size or intensity of use, and do not constitute repair of substantial damage, or substantial improvement as defined in this Article.
(9) Customary dredging to maintain existing channel capacity consistent with State or Federal laws and permits.
(10) Replacement of utility facilities that are necessary to serve established and permitted uses, and that are of equal or lesser size and impact.
(11) Subsurface public utility projects that will not ultimately result in modification to existing topography.
(12) Transportation facility

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.095 – General Information Requirements

In addition to the information required in other sections of this code, the application for any development proposed in the Special Flood Hazard Area (100-year floodplain) must include the following information:

(1) Elevations of the original contours.
(2) Final elevations of proposed fills and excavations.
(3) Base flood (100-year flood) elevations of the site based on North American Vertical Datum (NAVD) 1988.
(4) Location of any designated floodway and base flood boundary. If no floodway is designated, estimate the location of the floodway boundary per Section 6.100.
(5) Location of any designated wetlands and/or wildlife habitat (if applicable).
(6) Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures (if applicable).
(7) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development (if applicable).
(8) If floodproofing is required, the proposed description and elevation of floodproofing.
(9) Elevation certificate. The base flood elevation shall be determined based on the applicable flood insurance study and flood profile. A copy of the flood profile with the base flood elevation identified on the flood profile shall be included with the elevation certificate as evidence for determining the base flood elevation.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.096 – Flood Insurance Rate Map (FIRM) Revisions

Requirements to Submit New Technical Data:

(1) It is the responsibility of the applicant to have technical data prepared in a format required for a CLOMR or LOMR and to submit such data to FEMA on the appropriate application forms. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.
(2) Applicants shall be responsible for all costs associated with obtaining a CLOMR or LOMR from FEMA.
(3) The City of Albany shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, without evaluation and concurrence with the information presented.

(4) Within six months of project completion, an applicant who obtains an approved CLOMR from FEMA or whose development modifies floodplain boundaries or Base Flood Elevations shall obtain from FEMA a LOMR reflecting the as-built changes to the FIRM.

Applicant's Findings: *The applicant is proposing a new building more than 100 feet from the mapped floodplain on the property.*

6.170 – Purpose

The Hillside Development overlay district (/HD) is intended to regulate the development of potentially hazardous terrain, minimize public and private losses due to earth movement hazards in specified areas, and minimize erosion and related environmental damage. It is not the intent of Hillside Development standards to transfer density within a development.

Applicant's Findings: *The applicant is meeting the standards as proposed.*

6.180 – Applicability

Except as specified below, the Hillside Development standards apply to any property proposed for development that has slopes of 12 percent or greater as shown on Plate 7 of the Albany Comprehensive Plan. Where Plate 7 shows that there are slopes 12 percent or greater on a property, the applicant may choose to submit a topographic survey, prepared and stamped by a licensed surveyor or civil engineer, showing two foot contour intervals for the entire site. If the applicant chooses to submit survey information, and the survey indicates that the property does not contain slopes 12 percent or greater, the Hillside Development standards will not apply.

The interior remodeling of existing buildings, including the creation of additional dwellings units within an existing dwelling, is exempt from the requirements of the Hillside Development overlay District provided there is no increase in the building footprint.

Applicant's Findings: *The applicant is meeting the standards as proposed.*

6.190 – Procedure

Hillside Development is reviewed concurrently with the land use application(s) required for the development and is processed using the same procedure as the primary land use application. Hillside Development that only requires a building permit is reviewed administratively as a Type I procedure.

Applicant's Findings: *The applicant is meeting the standards as proposed.*

6.200 – Geotechnical Report Required

For any development subject to the applicability criterion in ADC 6.180, an applicant shall provide a geologic and soils report prepared and stamped by a certified engineering geologist

or a licensed civil engineer, licensed in the specialty of geotechnical engineering with the State of Oregon. The report must identify the following:

(1) All geologic and soils hazards and certify that the site, and each individual lot if land division is proposed, are suitable for the proposed development.
(2) Area(s) suitable for building and describe how slopes will be stabilized.
(3) Suitable building footprint(s) for development on each lot.
(4) Any requirements that must be met from the time construction begins to the time construction is completed.
(5) Any requirements that must be met after construction is completed (e.g., maintenance requirements for continued slope stabilization).

Applicant's Findings: *The applicant is meeting the standards as proposed. A report from Terra Science is submitted with the application.*

6.210 – Drainage

In all slope areas, impervious surface drainage from roofs, driveways, and parking areas must be directed to a City storm drain or other City-approved drainage system. Development activities must not block the flow of stormwater in natural drainageways without prior approval from the Public Works Director.

Applicant's Findings: *The applicant is meeting the standards as proposed.*

6.220 – Street and Driveway Standards

Street grades shall generally be 12 percent or less. Grades on Arterial or Collector streets must be no more than 6 percent and 10 percent respectively (see Section 12.210). Street grades of up to 15 percent may be permitted for a distance of no more than 200 feet. No intersections are permitted where street grades exceed 12 percent. Where practical, streets must be contoured to hillside areas in order to minimize environmental and scenic disruption. Driveways must have a grade of 15 percent or less, unless the Public Works Director approves a greater slope.

Applicant's Findings: *The applicant is meeting the standards as proposed.*

6.230 – Modification of Standards

The following Development Code standards may be modified through the application process, if approved by the review body:

(1) Front, side and rear yards may be reduced if the geotechnical report explains why the reduction is warranted. The reduction must be approved by the review body. A variance application is not required, but a developer must make a specific written request for the reduction to the City for consideration.

Applicant's Findings: *The applicant is not requesting a modification.*

(2) Building height limitations may be exceeded on hillside lots, if the geotechnical report explains why the additional height is warranted. The additional height requires approval by the review body, provided it does not exceed 45 feet.

Applicant's Findings: *The applicant is not requesting a modification.*

6.260 – Overview

The Significant Natural Resource overlay districts include Riparian Corridors (/RC) and Significant Wetlands (/SW) and fish-bearing waterways throughout the city, and a Habitat Assessment area (/HA) designated specifically for turtle habitat in and around Thornton Lakes in North Albany.

- Purpose and Intent (6.270)
- Land to which these Regulations Apply (6.280)
- Exempt Activities (6.290)
- Activities Subject to Natural Resource Impact Review (6.300)
- Natural Resource Impact Review Standards (6.310)
- Mitigation Standards (6.400)
- Local Mitigation Plans (6.410)
- Albany Native Plant List (6.420)
- District Boundary Corrections and Refinements (6.430)
- District Amendments (6.440)
- Minor and Major Variances (6.450)
- Compliance with State and Federal Regulations (6.460)
- Violations (6.470)

Per OAR 660-023-0040, two studies were conducted that analyze the Economic, Social, Environmental, and Energy (ESEE) consequences of allowing, limiting, or prohibiting conflicting uses within the three resource areas. The protection programs for the three significant resources are informed by these two ESEE Analyses.

Applicant's Findings: *The subject property contains RC overlay district. The proposed development is located outside of the district and will not impact Oak Creek.*

6.270 – Purpose and Intent

The intent of these supplemental Significant Natural Resource overlay districts is to protect significant natural resources within the City of Albany as designated under Statewide Planning Goal 5 and the provisions of the Goal 5 administrative rule (OAR 660, Division 23), while ensuring reasonable economic use of property.

More specifically, the purpose and intent of each Significant Natural Resource overlay district is as follows:

A. Riparian Corridor overlay district (/RC): To protect and enhance Albany's riparian areas, thereby protecting and restoring the hydrologic, ecological, and land conservation functions these areas provide. Significant riparian corridors support valuable fish and wildlife habitat; improve water quality by regulating stream temperatures, trapping sediment, and stabilizing streambanks; and reduce the effects of flooding. A healthy riparian corridor is comprised of a multi-storied forest of native species of trees, shrubs, and ground cover. Many riparian corridors in Albany have the potential to be restored to higher function and value.

Applicant's Findings: *The subject property contains RC overlay district. The proposed development is located outside of the district and will not impact Oak Creek.*

B. Significant Wetland overlay district (/SW): To protect and enhance the integrity, function and value of Albany's significant wetlands and fish-bearing waterways. Wetlands and waterways provide hydrologic and ecologic functions; and reduce adverse effects of flooding. The vast majority of significant wetlands are in riparian areas. There are a small number of isolated significant wetlands. The higher quality isolated wetlands will be regulated locally (as identified in the Citywide ESEE Analysis); and the lower quality isolated wetlands will not be regulated locally, but must comply with state and federal wetland regulations.

Applicant's Findings: *The subject property is not within the SW overlay.*

C. Habitat Assessment overlay district (/HA): To protect habitat for northwestern pond and western painted turtles in and around Thornton Lakes by reviewing and limiting the impacts of development activities on their habitat. This was the only area in Albany where there is a documented presence of a species listed by either the federal government or the State of Oregon. The State lists the species as "sensitive, critical." The overlay identifies an area of high likelihood of turtle nesting, foraging, or migration routes. The overlay district regulations provide a limited level of protection (as identified in the Thornton Lakes ESEE Analysis). Voluntary methods of turtle habitat protection and enhancement are encouraged and essential.

Applicant's Findings: *The subject property is not within the HA overlay.*

6.280 – Lands to Which These Regulations Apply

The procedures and requirements of this section apply only to property that is within a Significant Natural Resource overlay district.

A. Riparian Corridor overlay district (/RC): The Riparian Corridor overlay district extends 50 feet upland from the Ordinary High Water mark, measured horizontally. If the Riparian Corridor overlay district area includes all or portions of a significant wetland, the district extends upland 50 feet, measured horizontally from the edge of the significant wetland. Fish-bearing waterways, and the significant wetlands associated with such waterways, are included in the Significant Wetland overlay district.

(1) The Riparian Corridor boundary applies to the following Albany water resources (and in-stream lakes):

- Calapooia River
- Burkhart Creek
- Cathey Creek
- Cox Creek
- Crocker Creek
- Horseshoe Creek
- Oak Creek
- Periwinkle Creek
- Thornton Lakes
- Truax Creek

Applicant's Findings: *The subject property contains RC overlay district. The proposed development is located outside of the district and will not impact Oak Creek.*

(2) The Willamette River Riparian Corridor is located within the Willamette River Greenway District boundary. All development on properties within the Willamette River Greenway District is subject to the regulations beginning in Section 6.500, but is not subject to the riparian corridor overlay regulations.

Applicant's Findings: *The subject property is not within the Willamette River Riparian Corridor overlay.*

B. Significant Wetland overlay district (/SW): The Significant Wetland overlay district is comprised of fish-bearing waterways below the Ordinary High Water Mark, the wetlands associated with riparian corridors, and higher quality isolated significant wetlands, in the City's Local Wetland Inventory (LWI), and as amended through wetland delineations approved by the DSL and the ACE, if applicable. Notice to, and potentially permits from, DSL and ACE are still required for potential impact to all wetlands regulated by DSL or ACE.

Applicant's Findings: *The subject property is not within the SW overlay.*

C. Habitat Assessment overlay district (/HA): This overlay district extends 75 feet from the Ordinary High Water mark upland from East and West Thornton Lakes.

Applicant's Findings: *The subject property is not within the HA overlay.*

6.290 – Exempt Activities

The following activities are exempt from Natural Resource Impact Review as would otherwise be required within the Significant Natural Resource overlay districts. Many of these exemptions are provided in recognition of the Albany ESEE analyses and pre-existing uses. Land use reviews as required by other sections of this Code and compliance with other local (floodplain, fill, encroachment, etc.), state, and federal regulations is still required. As a result, these activities should still be conducted in a manner that minimizes impact to Albany's significant natural resources.

(1) Emergency procedures necessary for the immediate safety or protection of life or property, including removing hazardous trees and stream bank stabilization.
(2) Removal of refuse or any fill that is in violation of local, state or federal regulations or in-channel erosion or flood control measures approved by City of Albany Public Works, DSL, ACE and any other applicable state or federal regulatory agency. Removal or placement of material in waters of the State must be consistent with State of Oregon Removal-Fill regulations (ORS 196.795-990) and the ACE fill regulations.
(3) City construction of public infrastructure, such as transportation, stormwater, sewer, and water utilities. This exemption requires unimproved but disturbed areas to be replanted with native vegetation.
(4) Private construction of public infrastructure. The location and construction of public transportation and utility facilities and structures as identified in a City-adopted master plan. This exemption requires that unimproved but disturbed areas are replanted with native vegetation.
(5) The use of pre-existing right-of-way or easements for public infrastructure, franchise utilities, and railroads. Planting and maintaining native vegetation is encouraged.
(6) Implementation of erosion prevention or flood control measures provided the measures have received any required approvals and permits from local, state or federal regulatory agencies with jurisdiction over the proposed activity.
(7) Farming practices such as grazing, plowing, planting, cultivating and harvesting, that either existed on the property prior to the date of adoption of these provisions or do not include new or expanded structures, roads, or other facilities involving grading, excavation, fill, native vegetation removal, or new drainage measures.
(8) Maintenance of existing structures, impervious surfaces, and landscaped areas as described below:
    (a) Ongoing maintenance of pre-existing landscaped areas, including perimeter mowing, as long as natural vegetation is not disturbed and there is no excavation, filling or reduction of natural resource area. Use of integrated pest management methods is encouraged.

(b) Ongoing maintenance of existing development, such as repair, replacement, and use of existing buildings, roads, paths, utilities, bridges, culverts, fences, flood control structures, drainageways or facilities, detention facilities, water quality facilities, and other structures and impervious surfaces, provided that such practices avoid sedimentation and other discharges into streams, lakes, or wetlands and do not add impervious surface or remove additional vegetation.

(9) Removal of live vegetation for the following purposes:

(a) Restoration and enhancement projects that have received required approvals from the appropriate local, state, or federal agency.

(b) Removal of non-native and invasive plants, including noxious weeds if consistent with local, state, and federal regulations, and replanted with species on the City's native plant list.

(c) Planting native vegetation on the City's native plant list.

(d) Felling of trees planted as Christmas trees or orchard trees.

(10) Residential development activities, such as construction of home additions, decks, patios, sheds, gardens, landscaping, etc., that impact no more than 2,000 square feet (cumulatively), or 20 percent of the Habitat Assessment overlay district area within a property, whichever is less. Development activities will be reviewed at the time of application for building permits when applicable. Regardless of the exemption to the local Natural Resource Impact Review requirements, protection of the turtle species is regulated by the State of Oregon. This exemption only applies to the Habitat Assessment overlay district. If the proposed activity is also located within other Significant Natural Resource overlay districts the requirements of those districts still apply.

(11) Construction of an approved, vegetated post-construction stormwater quality facility (e.g. swale), located in a portion of the Riparian Corridor that is in Degraded Quality condition and planted with native plants.

Applicant's Findings: *The applicant is not requesting a modification.*

6.300 – Activities Subject to Natural Resource Impact Review

A Natural Resource Impact Review will be required for proposed development activities in the Significant Natural Resource overlay districts that are not specifically exempted from review. The review will take place concurrent with any land use application or building permit. In instances when neither is required, the Natural Resource Impact Review will be conducted independently through either a Type I or I-L process as designated below. The standards for reviewing proposed development activities in the Significant Natural Resource overlay districts are found in Section 6.305 and Section 6.310.

A. Activities subject to review include:

(1) Land divisions;
(2) New structures, or exterior expansion of the footprint of any structure or driveways (Type I);
(3) Increases in impervious surfaces (Type I-L);
(4) Site modifications, including grading, excavation, fill or native vegetation removal (Type I-L);
(5) Private construction of public and privately owned transportation facilities and utilities not exempt through 6.290(4) or 6.290(11) (Type I-L); and
(6) Activities within the Habitat Assessment overlay district not exempt under ADC 6.290 (Type I).

Applicant's Findings: *The applicant does not propose construction or development within a Natural Resource area.*

B. When a proposed use or activity requires a Natural Resource Impact Review, in addition to what is required for any concurrent land use applications or building permits, the applicant shall submit a scaled site plan to the City that that shows:
(1) Topographic contours at two-foot intervals;
(2) Ordinary high water (OHW) mark of all lakes, streams, or other waterways;
(3) Location of Riparian Corridor and Habitat Assessment overlay districts based on OHW;
(4) Location of Significant Wetland overlay district based on the LWI or DSL-approved delineation or determination;
(5) The 100-year flood boundary and elevation;
(6) Existing vegetative cover and species composition;
(7) Existing and proposed site improvements;
(8) How the requirements of the applicable review standards in ADC 6.310 will be met; and
(9) A mitigation plan if required per ADC 6.400-6.410.

Applicant's Findings: *The applicant does not propose construction or development within a Natural Resource area.*

6.310 – Natural Resource Impact Review Standards

A. A. General Requirements for Significant Natural Resource overlay districts. A proposed activity will not be approved unless all of the following are true:
(1) The proposed activity is allowed under the requirements of the base zone.
(2) There are no other reasonably feasible options or locations outside the Significant Natural Resource overlay districts for the proposed activity on the subject parcel.

(3) The proposed activity is designed, located and constructed to minimize excavation, grading, structures, impervious surfaces, loss of native vegetation, erosion, and adverse hydrological impacts on water resources. All activities are located as far from the water resources, and use as little of the surface area of the Significant Natural Resource overlay districts, to the extent reasonably feasible.
(4) Any proposed impacts to significant natural resources will be mitigated per the standards in Sections 6.400 and 6.410.
(5) Any applicable local, state, and federal permits are secured.
(6) The additional requirements of ADC 6.310 (B) will be met.

Applicant's Findings: *The applicant does not propose construction or development within a Natural Resource area.*

B. Additional Requirements, Limitations, and Exceptions for Specific Activities in Riparian Corridor and Significant Wetland overlay districts. In addition to the general requirements listed above, the following requirements, limitations, and exceptions apply to development activities within the Riparian Corridor and Significant Wetland overlay districts.
(1) Land Divisions. In addition to the regulations in Article 11, land partially situated in one of the City's natural resource districts can be divided only if there is sufficient land outside of any Significant Natural Resource overlay district to establish a development site area and/or separate a developed area from the natural resource areas. For the purposes of this section, for residential land divisions, "sufficient land" means a minimum of 2,000 square feet per proposed lot or parcel. Applicants may also elect to follow the Cluster Development standards for land divisions in Article 11.

Applicant's Findings: *The proposal does not contain a land division. This section is not applicable.*

(2) Structures and Land Altering Activities. The placement of structures and other impervious surfaces, as well as grading, excavation, placement of fill, and vegetation removal, are prohibited. Exceptions may be made for the purposes identified in items a-f of this Section, provided they are necessary to accommodate an approved activity and comply with any stated requirements for the activity or use.
(a) Water-Related and Water-Dependent Uses. Development of water-related and water dependent uses.

Applicant's Findings: *The proposal does not contain a water-related or water-dependent uses. This section is not applicable.*

(b) Permanent Alteration Within the Riparian Corridor. Disturbance or development within the Riparian Corridor overlay district shall be allowed under the following circumstances:

(i) The resource is characterized as 'marginal' or 'degraded' using the standards found in 6.410(5).

(ii) Demonstration that equal or better protection will be ensured through riparian corridor restoration and enhancement within the remaining overlay district area per the mitigation requirements in Sections 6.400 and 6.410. If the site is encumbered by easements or rights-of-way that would preclude onsite restoration or enhancement, an "in-lieu of payment" may be made to the City in the amount equal to the cost of onsite mitigation. Residentially zoned lots that were created prior to December 1, 2011, that are less than 20,000 square feet and can't be further subdivided are allowed to encroach up to 25 feet into the Riparian Corridor overlay district without the requirement for restoration or enhancement of the remaining 25 feet. The mitigation requirements in Section 6.400 still apply.

(iii) In no case shall the site improvements be any closer than 25 feet from the Ordinary High Water mark or upland edge of the wetland, unless the improvements are otherwise allowed or exempted per this Section of the Code.

Applicant's Findings: *The proposal does not contain alterations to the riparian zone. This section is not applicable.*

(c) Vegetation Removal. Removal of live vegetation that is not exempt under 6.290(9) is only allowed to accommodate an approved use or development activity under this section of the Code.

Applicant's Findings: *The proposal does not contain removal of vegetation in the riparian zone. This section is not applicable.*

(d) Private Construction of Public Non-Master Planned Transportation Facilities and Privately Owned Transportation Facilities. In

addition to other City standards, the following standards shall apply to the location and construction of public non-master planned and/or private transportation facilities and structures, such as driveways, local streets, bridges, bridge crossing support structures, culverts, and pedestrian and bike paths. In addition to other City standards, the following standards shall apply to privately constructed transportation facilities and structures:

(i) The facility is designed to be the minimum width necessary to allow for safe passage of vehicles, bicycles and/or pedestrians, and to meet minimum width requirements.

(ii) Where reasonably feasible, crossings of significant natural resources shall be aligned to minimize impact area.

(iii) The number of crossings is the minimum amount necessary to afford safe and efficient access.

(iv) The number of crossings is minimized where reasonably feasible through use and creation of shared access for abutting lots and access through easements for adjacent lots.

(v) Crossing structures have a natural bottom or other design that meets ODFW fish passage requirements.

Applicant's Findings: *The proposal does not contain public or private facilities impacting a riparian zone. This section is not applicable.*

(e) Private Construction of Public Non-Master Planned Utilities and Privately Owned Utilities. In addition to other City standards, the following standards shall apply to permitted crossing, trenching, or boring for the purpose of developing a corridor for public non-master planned utilities and private utilities, within or crossing parcels in Significant Natural Resource overlay districts, as well as any above-ground utility structures. In addition to other City standards, the following standards shall apply to privately constructed utility projects:

(i) Boring under the waterway, directional drilling, or aerial crossing is preferable to trenching. If trenching is the only feasible alternative, it shall be conducted in a dry or dewatered area with stream

flow diverted around the construction area to prevent turbidity.

(ii) Common trenches for private utilities, to the extent allowed by the building code, shall be required where reasonably feasible in order to minimize disturbance of the protected resource.

(iii) Topsoil and sod shall be conserved during trench construction or maintenance, and replaced on top of the trench. Side-casting and storage of excavated material prior to replacement on top of trench is permitted. Any side-cast material not placed back on top of the trench shall be removed and may not be stored in the Significant Natural Resource overlay district after the construction or maintenance work is completed.

(iv) Hydraulic impacts on protected resources are minimized.

(v) Where reasonably feasible, crossings of significant natural resources shall be aligned to minimize impact area.

(vi) Above-ground utilities that cause ground disturbance in the Significant Natural Resource overlay district and are not within an existing right-of-way or easement, and are not shown in an approved master plan, will only be allowed in limited circumstances, and if they meet the general requirements in 6.310(A).

Applicant's Findings: *The proposal does not contain public or private facilities impacting a riparian zone. This section is not applicable*

(f) Minor or Major Variance. Development associated with an approved Minor or Major Variance.

Applicant's Findings: *No minor or major variances are proposed.*

C. Activities within Habitat Assessment overlay district. A wildlife habitat assessment is required if proposed development exceeds the minimum thresholds in 6.290(10). If the wildlife habitat assessment finds evidence of habitat for either the northwestern pond turtle or the western painted turtle within the overlay district, the following standards apply:

(1) New development, expansion of existing development, landscaping and other ground disturbances shall be located outside of the designated turtle habitat areas as determined by the habitat assessment; or
(2) If impacts are approved, the development/use has been proposed in a manner that will minimize the impact of the development on wildlife habitat. The Oregon Department of Fish and Wildlife (ODFW) has reviewed and approved a mitigation plan for any impacts to the habitat area for the proposed development. Local mitigation is not required in addition to that required by ODFW or other state and federal agencies.

Applicant's Findings: *The proposal does not exceed the thresholds of 6.290(10).*

6.400 – Mitigation Standards

Mitigation is a way of compensating for adverse impacts to the functions and values of natural resources caused by development. In many cases, mitigation may result in resource area restoration or enhancement.

If a State or Federal agency has jurisdiction regarding development impacts within the Riparian Corridor and Significant Wetland overlay districts, and they require mitigation for those impacts, the City will not impose additional mitigation requirements over the same area. Those portions of development impacts not mitigated through a State or Federal agency will be subject to local mitigation requirements. Mitigation for impacts to turtle habitat in the Habitat Assessment overlay district will be solely managed by ODFW.

The need for mitigation, restoration, or enhancement will be determined during the Natural Resource Impact Review process. The Director may allow some degree of flexibility to the standards based on the specific location and level of impact.

(1) When Mitigation is Required: Mitigation will be required under the following circumstances:
    (a) Removal of one or more native trees greater than 25 inches in circumference, which requires replacement per section (2)(c).
    (b) Disturbance of more than 2,000 square feet of vegetated surface area. This level of impact will require a mitigation plan per 6.410.
    (c) When a request is made to develop or impact the Riparian Corridor overlay district area per 6.310(B)(2)(b), a mitigation plan will be required for enhancement of the remaining area per 6.410.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(2) Local Mitigation Standards:

(a) On-site enhancement is required when the 50-foot area of the Riparian Corridor overlay district is impacted per 6.310(B)(2)(b), unless the activity is otherwise exempted per this section of the Code.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(b) For other mitigation options, on-site mitigation shall occur within the relevant Significant Resource overlay district as close to the impact area as reasonably feasible, taking into consideration the existing natural and human-made features of the site. If on-site mitigation is not reasonably feasible, off-site mitigation shall be permitted in other locations inside the city in the following priority order:
   (i) Within the impacted Significant Resource overlay district in the same drainage system; or
   (ii) Outside the impacted Significant Resource overlay district, but within 100 feet of a Significant Resource overlay district in the same drainage system; or
   (iii) Outside the same drainage system, but within a Significant Resource overlay district.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(c) Tree replacement requires planting a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6 foot tall native evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(d) Mitigation for impacts shall require a mitigation area ratio of 1:1; however if the quality of the resource is enhanced or restored per 6.410(5) the ratio may be lowered with Director approval.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(e) Planting densities and species composition shall be consistent with native wetland and riparian area plant communities currently or historically found in the drainage basin. Use of a reference site as guidance for developing a revegetation plan is recommended.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(f) Any mitigation requirements resulting from a proposed land division, shall require a mitigation plan concurrent with the land division process.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

6.410 – Local Mitigation Plan

When a local mitigation plan for impact to a significant natural resource is proposed or required as part of a development application, the applicant shall submit a mitigation plan prepared by a qualified professional with demonstrated experience in developing mitigation plans for the specific impacted resource.

(1) The mitigation plan shall document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(2) The mitigation plan shall comply with all applicable State and Federal regulations, in addition to the City's standards. The City may approve a development but shall not issue a building permit until all required State and Federal permit approvals have been granted and copies of those approvals have been submitted to the City.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(3) The applicant or property owner of a development subject to an approved mitigation plan shall provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120% of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance shall be in place before the issuance of development permits to ensure the success of mitigation improvements and the survival of the plants. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented per (4) below. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with

Director's approval to allow for another replanting strategy. When the City of Albany, or another unit of government, is the applicant, it must adhere to the standards in this section, but an assurance is not required.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(4) A report on the survival and health of planted vegetation, and the status of invasive species, shall be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an onsite inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80%, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80%, the bond described in (3) will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80%, the bond will be forfeited.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

(5) Table 6.410-1 below summarizes the quality levels, mitigation requirements and expected condition of the significant wetlands and riparian corridor areas after successful completion of the mitigation plan; ODFW will solely determine the requirements for mitigation of significant wildlife habitat.

Applicant's Findings: *The applicant has submitted a wetland study, detailing the area of construction does not contain identified wetlands.*

6.420 – Native Plant List

The City will establish a native plant list, which includes plants that were historically found in the area at the time of European contact. If a modification is requested, the Director will determine if the modification is warranted based on consultation with knowledgeable people with backgrounds in botany or landscape architecture, as well as scientific documents.

Applicant's Findings: *If native plants are required, the applicant will use the list of plants provided by the Ctiy.*

6.430 – District Boundary Corrections and Refinements

The boundaries for the Significant Natural overlay districts are approximate.

The boundaries of the Significant Wetland overlay district are based on the locations of the significant wetlands identified in the City's Local Wetland Inventory, as reflected in Plate 6 of the Comprehensive Plan. The Riparian Corridor overlay and Habitat Assessment overlay districts were estimated by measuring from the edge of the water, which is based on an aerial photograph.

District boundary corrections and refinements will be processed administratively. District corrections will be made to correct map errors, such as when the map does not properly reflect the Local Wetland Inventory data. A district boundary refinement is an alteration made, based on professional analyses, to refine the boundary of the Significant Natural Resource overlay districts. District refinements must be made in accordance with the provisions in this code to determine the location and extent of the following:

- Riparian Corridor overlay districts as measured from the Ordinary High Water (OHW) mark of rivers, lakes, and streams, and from the upland edge of adjacent significant wetlands. If a DSL-approved wetland delineation or determination results in a change to the boundary of the significant wetland adjacent to the riparian corridor, the Riparian Corridor overlay boundary will be adjusted accordingly.

Applicant's Findings: *The development area is not within the Riparian Corridor.*

- Habitat Assessment overlay districts as measured from the OHW mark of East and West Thornton Lakes. If an ODFW-approved habitat assessment results in a change to the boundary of the habitat area, the habitat assessment overlay boundary will be adjusted accordingly.

Applicant's Findings: *The development area is not within the Habitat Assessment overlay.*

- Ordinary High Water Mark: Changes to the Riparian Corridor or Habitat Assessment overlay boundaries must be based on the location of the OHW that includes supporting information submitted by a qualified professional hydrologist or professional land surveyor.

Applicant's Findings: *The development area is not within the Riparian Corridor.*

- Significant Wetlands overlay district by delineations of significant wetlands that are approved by the DSL or by onsite wetland determinations by DSL when delineations are not needed for other purposes. DSL-approved delineations or determinations shall be required when development is proposed within 30 feet of the overlay district and will supersede the LWI mapping.

Applicant's Findings: *The development area is not within an area of significant wetlands.*

6.440 – District Amendments

To amend the resource inventories or the program to protect significant natural resources on land within any of the Significant Natural Resource overlay districts requires Comprehensive Plan and Development Code amendments per the requirements in Article 2. In all instances the amendments must be based on new site-specific information. The proposed amendments are reviewed by the Oregon Department of Land Conservation and Development (DLCD), with consultation from other State agencies such as ODFW or DSL.

Applicant's Findings: *The applicant is not requesting an amendment to the district*

6.450 – Minor Variances and Major Variances

The City may grant Minor Variances or Major Variances to the standards in the Significant Natural Resource overlay districts in order to avoid rendering a property not buildable through application of this ordinance. Requests that cannot meet the provisions and review criteria for Minor Variances will be processed as a Major Variance. Minor Variance applications will be processed through the Type I-L land use process using the criteria in Section 6.450(2) below. Major Variance applications will be processed through the Type II process using the criteria in Section 2.690. The proposed activity or use must be allowed within the base zoning district in order to be considered for a Minor or Major Variance.

(1) General Standard. In evaluating any Minor or Major Variance request, the decision maker may require the applicant to incorporate design options to reduce the impact on the protected resource. These may include, without limitation, multi-story construction, alternate siting of structures, limiting the length of impervious driveway and other surfaces, and maximizing the use of native landscape materials.

(2) Minor Variances. In order for the Director to approve a Minor Variance application, the applicant shall demonstrate that all the following criteria are fully satisfied:

  (a) It is an existing legal lot and there is insufficient space outside the resource area to construct a use permitted in the underlying zoning district.

  (b) The development site area, including all structures and impervious surfaces, encroaches on the resource area a total of 3,000 square feet or less.

  (c) The Minor Variance is the minimum necessary to allow a permitted use or achieve the minimum buildable area outlined above, while at the same time minimizing disturbance to the significant natural resources. The Director may require modifications to site development standards to enable avoidance of the resource.

  (d) The encroachment does not result in a new structure or impervious surface being located closer than 25 feet from the Ordinary High Water mark. Bridges are an exception to this requirement.

Applicant's Findings: *The applicant is not requesting any minor variances.*

(3) Major Variances. For any existing lot or parcel whose hardship cannot be alleviated with a Minor Variance application, the property owner may apply for a Major Variance per Section 2.690.

Applicant's Findings: *The applicant is not requesting any major variances.*

6.460 – Compliance with State and Federal Regulations

Activities wholly or partially within the Significant Natural Resource Overlay district(s) are subject to all applicable federal and state regulations. The following regulations commonly apply within the resource areas. (Note: other regulations not listed may also apply; it is the property owner's responsibility to adhere to all applicable State and Federal regulations):

(1) Oregon Department of State Lands permit requirements under the Removal-Fill Law.
(2) U.S. Army Corps of Engineers permit for fill activities as required under Section 404 of the Clean Water Act.
(3) Department of Environmental Quality permit requirements for stormwater under the Clean Water Act and state water quality regulations.
(4) Oregon Department of Fish and Wildlife regulations may apply to development activities that could impact one of the sensitive, threatened, critical, or endangered species indigenous to the region.
(5) The federal Endangered Species Act prohibits any action that causes a "taking" of any listed species of endangered fish or wildlife.
(6) The federal Migratory Bird Treaty Act prohibits taking, harming or moving any migratory bird, nest, or egg

Applicant's Findings: *The applicant will meet all state and federal regulations within any significant natural resource overlay.*

6.470 – Violations

Activities within Significant Natural Resource Overlay districts not authorized under this Article are unlawful. The City shall seek compliance with the requirements of this Article and the resolution of violations through the procedures below. These procedures are not exclusive; may be exercised singly, simultaneously, or cumulatively; may be combined with any other remedies authorized under law; and may be exercised in any order.

(1) Voluntary cooperation to resolve violations is the preferred enforcement procedure when appropriate to the circumstances. Violations causing ongoing degradation of natural resources or repeated violations by the same individual, firm or corporation are not appropriate for voluntary enforcement procedures.
(2) Natural resource restoration shall be required for violations that result in unauthorized construction, grading, excavation, placement of fill material, or removal of native

vegetation in a Significant Natural Resource Overlay district. The purpose of the restoration requirements shall be to mitigate impacts to vegetation, soils and hydrology and may include vegetation planting, fill removal, backfilling of excavated areas, restoration of ground surface contours, restoration of hydrological processes or other actions. Restoration recommendations shall be solicited from the Oregon Department of Fish and Wildlife and the Linn or Benton County Soil and Water Conservation Districts.

(3) Violations involving placement of fill material, excavation, grading or alteration of material within a stream or in a wetland shall be reported to the DSL and the U.S. Army Corps of Engineers, in addition to any local actions taken per this section of the code.

(4) Failure of an individual, firm, or corporation to remedy a documented violation may be processed in accordance with the enforcement provision in Article 1.

(5) Criminal or civil sanctions.

Applicant's Findings: *The applicant will meet all state and federal regulations within any significant natural resource overlay. Any violations the applicant will voluntarily cooperate with the City.*

Section 8: Findings Applicable to Article 8

Article 8 – Design Standards

8.000 – Overview

The purpose of this Article is to establish additional standards for certain uses. These standards are intended to reduce adverse effects on surrounding property owners and the general public, to create a business environment that is safe and comfortable, to further energy conservation efforts within the City, to enhance the environment for walking, cycling, and mass transit use, and to ensure that high-quality development is maintained throughout Albany. An applicant for a development that does not meet the design standards in Article 8 may apply for one or more Adjustments pursuant to ADC 2.060-2.080 except that Adjustments are not permitted to the standards in Section 8.500 (Telecommunication Facilities) and Section 8.600 through 8.620 (Supplemental Design Standards for the Oak Creek Transition Area).

The following list is a summary of the topics covered in this article.

- Single-Family Homes and Middle Housing
- Multiple Family Development
- Commercial and Institutional Site Design
- Supplemental Standards in Village Centers
- Telecommunications Facilities
- Supplemental Design Standards for the Oak Creek Transition Area

Applicant's Findings: *The standards below apply to the proposed application.*

8.310 – Purpose

These sections are intended to set threshold standards for quality design in commercial and institutional development, and in the non-residential components of mixed-use development. Good design results in buildings that are visually compatible with one another and adjacent neighborhoods and contribute to an attractive, active, and safe built environment that facilitates easy pedestrian movement and a rich mixture of land uses.

Applicant's Findings: *The applicant understands the purpose and that the code section is applicable.*

8.315 – Applicability

Applicability. These standards apply to the design of new development and to the expansion of existing developments where commercial and/or institutional uses, as defined in Article 22, are existing or proposed, including when such uses are part of a mixed-use development or live/work dwelling unit, with the following exceptions:

- Modifications to existing developments for which the Director has waived review under the provisions of ADC Section 1.105 are not subject to these standards.
- Utility substations and other utility facilities that do not have on-site personnel are not subject to these standards. However, telecommunication facilities are subject to other design standards in Article 8.
- Only the non-residential portion of a mixed-use development is subject to these standards. New residential Units Above or Attached to a Business are subject to Multiple-Family Design Standard as stated in Section 8.205.

Certain standards provide additional exemptions for modifications to existing sites or buildings. Unless otherwise specified, these standards apply in any zoning district except the Heavy Industrial (HI) Zoning District.

Applicant's Findings: *The subject property is zoned LI and is subject to this section of Code.*

8.330 – Entrance Orientation and Parking Location

The purpose of the entrance orientation and parking location standards is to help create an attractive streetscape and pleasant pedestrian environment that is conducive to walking, and to help further Crime Prevention Through Environmental Design (CPTED) principles such as natural surveillance of public spaces. These standards apply to new buildings (excluding accessory buildings) in all zoning districts except HD, DMU, CB, and WF. Development in HD, CB, DMU, and WF shall demonstrate appropriate building orientation through compliance with maximum front setback standards in ADC Section 5.120. Except as required to meet building code, fire code, or other regulations, expansions, and modifications to existing buildings and sites shall not decrease conformance with these standards.

(2) Main Entrance. New buildings shall be oriented to existing or new public streets. Building orientation is demonstrated by placing buildings and their public entrances close to streets and providing pedestrians with a direct connection from the street sidewalk to building entrances in conformance with ADC 8.370(2)(b).

(b) At least one main entrance, which is in compliance with subsection (1), must be designed to include at least three (3) of the following architectural features: canopy, portico, arcade, arch, wing wall, planters, recessed doorway, transom windows, ornamental light fixtures, larger or more prominent doors, pilasters or columns that frame the doorway, or other similar features that increase the visibility of the entrance for pedestrians.

Applicant's Findings: *The employee entrance is facing Lochner Road.*

(c) Buildings separated from the street by other buildings are exempt from this standard.

Applicant's Findings: *The employee entrance is facing Lochner Road.*

(3) Parking Location. Off-street parking must be located to the side or rear of the building(s) and not between the building and the street, except where the applicant demonstrates that one or more of the situations listed in (a)-(e) below applies and the buffer standard in subsection (3) is met (see Figure 8.330-1). Adjustments to this standard pursuant to ADC 2.060-2.080 to allow parking in front of the building may be approved upon finding that the proposed setbacks are comparable to the setbacks on adjacent developed non-residential sites and steps have been taken to mitigate the impact of parking in order to meet the purpose of the standard.

(b) Locating parking to the side or rear of the building is not feasible due to the dimensions of the site including, but not limited to, the width, shape, or size of the site or the amount of site frontage.

(c) Locating parking to the rear or side of the building is not feasible due to the conservation of designated natural resources or the preservation of five or more trees over 25 inches in circumference (approximately 8 inches in diameter) or one or more individual trees equal to or greater than six and one-half feet in circumference (approximately 25 inches in diameter). Trees must be healthy specimens that can and will be retained and which are not exempt from site plan review for tree felling pursuant to ADC 9.204.

(d) Locating parking to the rear or side of the building is not feasible due to topographic constraints or natural hazards on the site.

(e) The site frontage is subject to access restrictions from a public street that would preclude placement of the parking to the side or rear of the building.

(f) The site is larger than three acres and the parking lot has been designed in accordance with the standards in Section 8.380, regardless of the number of parking spaces.

Applicant's Findings: *The proposed parking is located to the side of the new proposed building. Therefore, meeting this standard.*

(4) Parking Lot Buffer. Where a landscape buffer is required pursuant to subsection (2), a minimum 10- foot-wide landscape buffer meeting the landscaping standards in ADC 9.240 must be placed between the parking area and the street, running the length of the parking area. In zoning districts that require a landscaped front setback, the parking lot buffer requirement may be met by the required front setback standard if landscape plantings are provided at the same or greater density.

Applicant's Findings: *The applicant is providing more than a* 10- foot-wide landscape buffer meeting the landscaping standards

8.345 – Façade Design, Articulation, and Windows

The following standards are intended to provide architectural relief and interest and to promote pedestrian-oriented design. These standards apply to new buildings (excluding accessory buildings). Except as required to meet building code, fire code, or other regulations, expansions and modifications to existing buildings and sites shall not decrease conformance with these standards.

(2) Regulated façades. The following standards apply to any façade that faces toward or within 45 degrees of a front lot line, with the exceptions below. See definition of front lot line in Article 22 for application on lots with multiple frontages; however, a lot line abutting First or Second Avenue shall always be considered a front lot line for purposes of these standards. A Willamette River setback line established pursuant to ADC 5.200 through 5.207 may be considered a front lot line for purposes of these standards.

(a) Where there is more than one building on the site, these standards do not apply to any portion of a building that is separated from the front lot line by another building, based on a line perpendicular to the front lot line (see Figure 8.345-1).

(b) Accessory buildings less than 750 square feet are exempt from these standards.

Applicant's Findings: *The proposed building meets a regulated façade.*

(3) Facade design and articulation. In order to promote buildings that provide visual interest and facade details that give a sense of quality and permanence, regulated facades shall include a minimum of two types of architectural features from the list below. Buildings that include units above or attached to a business may use features

listed in ADC 8.255(2) to meet this standard as well as those listed below; however, features included in both lists may only be counted once.

(d) Recessed entrance(s): three to six feet deep.

(e) Inset windows: windows inset 4 inches to 18 inches from the adjacent building facade.

(f) Weather protection: awnings or other weather protection constructed of durable materials that extend at least four feet in horizontal distance from the building wall over all public entrances.

(g) Decorative top: e.g., cornice, pediment, or parapet with a flat roof.

(h) Other: feature not listed but providing visual relief or contextually appropriate design similar to options a-d.

Applicant's Findings: *The proposed building has a recessed entrance and decorative top, meeting the standard.*

(4) Ground Floor Windows. Ground floor windows or entrance doors shall be provided along regulated facades at the pedestrian level in accordance with the standards below.

(g) The minimum required percentage of the ground floor facade that must contain windows is specified in Table 8.345-1 by zoning district. The ground floor facade subject to this standard shall be the area measured between two and eight feet above grade.

Applicant's Findings: *The proposed building as shown on the elevation meets the minimum ground floor standard in Table 8.345-1.*

(h) For the ground floor window requirements in the RC, CC, NC, OP, MUC, MS, LE, PB, ES, and MUR zones, "primary facade" means a regulated façade that includes a main entrance pursuant to ADC 8.330. "Secondary facade" means a regulated façade on a lot with two or more frontages that is not the primary facade. If there is no façade which meets the definition of "primary façade," the primary façade shall be the longest regulated façade. If more than one façade meets the definition of "primary facade," then the applicant can choose which regulated façade shall be subject to the primary facade standard and which regulated façade shall be subject to the secondary facade standard or they can distribute the required windows across both facades. (See Figure 8.345-2, which illustrates minimum ground-floor window coverage on primary and secondary façades in the RC, CC, NC, OP, and MUC zoning districts.) No minimum ground-floor windows are required for secondary facades if an applicant demonstrates that one or more of the situations applies:

i. The facade is more than 50 feet from the street.

ii. More than 70 percent of the façade contains loading bays or docks.

iii. The façade is screened from the street by another structure or by a sight-obscuring hedge, wall, or fence with a minimum height of six feet.

Applicant's Findings: *The subject property is zone LI zoning district, these standards are not applicable.*

(i) In the CB, DMU, and HD zoning districts, building elevations that are separated from the street by a rail line require at least 50 percent windows.

(j) In order to count towards the required window area, windows must meet all of the criteria in (i) through (iii), below.

i. Made of transparent material with a minimum visible transmittance of 0.5. (The transparent portion of doors may count towards required window areas.) Windows with a visible transmittance rating less than 0.5 and windows that are frosted, fritted, patterned, or obscure may be counted towards up to half of the required window area provided that the ground floor windows in total allow views from the building to the street.

ii. Located in any part of the building except garages and parking areas.

iii. Face towards or within 45 degrees of the front lot line.

Applicant's Findings: *The subject property is zone LI zoning district, these standards are not applicable.*

(5) Windows on upper stories. In the HD, CB, DMU, and WF zoning districts, buildings with two or more stories shall provide windows occupying at least 25 percent of the regulated facade on the upper stories. Windows on upper stories must meet all of the criteria in (a) through (c), below.

(b) Made of transparent material with a minimum visible transmittance of 0.4. (The transparent portion of doors may count towards required window areas.) Windows with a visible transmittance rating less than 0.4 and windows that are frosted, fritted, patterned, or obscure may be counted towards up to half of the required window area provided that the windows in total allow views from the building to the street.

(c) Located in any part of the building except garages and parking areas.

(d) Face towards or within 45 degrees of the front lot line.

Applicant's Findings: *The subject property is zone LI zoning district, these standards are not applicable.*

8.350 – Street Connectivity and Internal Circulation

The following standards emphasize the importance of connections and circulation between uses and properties. They are intended to promote efficient circulation between properties and a pedestrian-friendly street edge and to improve safety for both drivers and pedestrians.

(6) Applicability. The standards apply to both public and private streets. Development in the HD, DMU, CB and WF zoning districts on sites under three acres is exempt from these standards.

Applicant's Findings: *The subject property is zone LI zoning district, these standards are applicable.*

(7) Connectivity between sites. To promote connectivity and dispersal of traffic and efficient circulation between properties, new development may be required to provide street or driveway stubs and reciprocal access easements to, and for, adjacent properties.

Applicant's Findings: *The detention facility has been approved since 1996 and has internal circulation for vehicles and pedestrians on-site. Due to the nature of the use additional streets or driveway stubs are not provided.*

(8) Internal circulation system.

(a) Interior drive aisles meeting the standards in subsection (b) are required when a connecting drive aisle is more than 100 feet in length. "Connecting drive aisles" provide a link between public or private streets and parking stalls and do not include those drive aisles that are lined with angled or perpendicular parking stalls.

Applicant's Findings: *The drive aisle serving the subject property is existing. No changes are proposed.*

(b) Interior drive aisles required by subsection (a) shall meet standards (i) through (iii), below. See Figure 8.350-1.

i. Drive aisles shall have raised curbs and a minimum 5-foot-wide sidewalk on at least one side, which in unobstructed by obstacles that would impede pedestrians, including overhanging cars.

Applicant's Findings: *As shown on the site plan new and exiting sidewalks are five feet wide and do not impede pedestrians.*

ii. Drive aisles shall have a minimum 5-foot wise landscaped strip on at least one side of the drive aisle with trees planted in accordance with the standards in ADC 9.240(1).

Applicant's Findings: *As shown on the site plan new and existing landscaping strips are landscaped to meet the standards of ADC 9.240(1).*

iii. Traffic calming shall be provided through at least one of the following techniques:

- Meandering the drive aisle to achieve a maximum design speed of 15 mph.
- Installing speed bumps or speed humps at a minimum interval of one every 300 feet of drive aisle. A minimum of one speed hump or speed bump must be provided if the drive aisle is less than 300 feet long.
- Providing parallel parking on at least one side for at least 50 percent of the length of the drive aisle.
- Planting trees on both sides along the full length of the drive aisle in accordance with the standards in ADC 9.240(1) to visually narrow the drive aisle.

Applicant's Findings: *The existing vehicle use area has meandering drive aisles designed for a maximum speed of 15 mph.*

(9) Drive aisles shall continue the adjacent public street pattern wherever possible.

Applicant's Findings: *The driveway connects to the existing public street.*

(10) Drive aisles shall not be located between the building(s) and the sidewalk(s), except as provided in (a) or (b) below:

(e) Where drive-through windows are permitted, sites are constrained by natural resources, or are infill sites less than one acre.

Applicant's Findings: *The proposal does not include a drive-through window.*

(f) Where drop-off facilities are provided that have been designed to meet the requirements of the Americans with Disabilities Act but that still provide for direct pedestrian circulation.

Applicant's Findings: *As shown on the site plan, the parking areas all meet ADA requirements.*

8.360 – Pedestrian Amenities

The following standards apply in all zoning districts except HD, CB, DMU, and WF, which are subject to ADC Section 8.365. The purpose of the pedestrian amenity requirements is to enhance pedestrian comfort by providing awnings, seating, special paving, and planters and similar improvements. The standards for pedestrian amenities are related to the scale of the

development and also provide the flexibility for the developer to select the most appropriate amenities for the particular site and use.

(7) Required number of amenities. New buildings or expansions or modifications to existing buildings except those where a land use application is not required pursuant to ADC Section 1.105 shall provide pedestrian amenities with a total point value not less than the amount shown in Table 8.360-1. The point value of each pedestrian amenity is specified in Table 8.360-2.

Applicant's Findings: *The proposed building is providing weather protection of 10-feet over sidewalks abutting the building.*

(8) Value of amenities. The point value of acceptable pedestrian amenities is specified in Table 8.360-2. Pedestrian amenities shall be installed on private property except where otherwise noted.

Applicant's Findings: *The proposed building is providing weather protection of 10-feet over sidewalks abutting the building.*

(9) Additional standards for pedestrian amenities. Pedestrian amenities shall meet the following standards:

(a) Amenities shall be located outside the building main entrance, along pedestrian corridors, or within 50 feet of a transit stop. Amenities shall be visible and accessible to the general public from an improved public or private street. Amenities may be located within the public right-of-way if approved by the Public Works Director or designee. Public access must be provided to pocket parks, plazas, and sidewalks.

Applicant's Findings: *The proposed building is providing weather protection of 10-feet over sidewalks abutting the building.*

(b) Amenities are not subject to setback requirements.

Applicant's Findings: *The proposed building is providing weather protection of 10-feet over sidewalks abutting the building and is not within the setback.*

(c) Amenities should be consistent with the character and scale of surrounding developments. For example, the similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials should be suitable for outdoor use and permanently maintained.

Applicant's Findings: *The proposed building is providing weather protection of 10-feet over sidewalks abutting the building.*

(d) Amenities existing on the development site may be used to meet the requirement in subsection (1) for new building area provided that their point value is in excess of the number of points that would be required if the current standards were applied to the existing level of development on the site.

Applicant's Findings: *The proposed building is providing weather protection of 10-feet over sidewalks abutting the building.*

8.370 – Pedestrian and Bicycle Connections

The intent of these standards is to help ensure convenient pedestrian and bicycle access to nearby streets, adjacent uses, and transit stops in compliance with the Transportation Planning Rule (OAR 660-012). The following standards apply in all zoning districts except HD, CB, DMU, and WF, where pedestrian connections are provided by existing sidewalks and small block sizes.

(1) Definitions. The following definitions shall apply for the purposes of this section:
   (a) "Direct and convenient" means the route is not more than 120 percent of the straight-line distance except as necessary to accommodate topographic constraints, natural resources, or hazards.
   (b) "Major transit stop" means transit transfer stations and any additional stops designated as "major transit stops" in the Transportation System Plan.
   (c) "Impractical" means where one or more of the following conditions exist:
      i. Physical or topographic conditions make a connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
      ii. Buildings or other existing development physically preclude a connection; or
      iii. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.

(2) Pedestrian and bicycle connections required. Except where impractical, pedestrian, and bicycle connections shall be provided in the following locations:
   (a) Between an existing or planned transit stops and new development that is at, or within, 200 feet of the existing or planned transit stop. Development sites at major transit stops are also subject to subsection (3).
   (b) A direct and convenient pedestrian route shall be provided between the building main entrance(s) and the nearest sidewalk abutting the site or roadway where there is no sidewalk. A direct and convenient bicycle route shall be provided between the bicycle parking and the nearest bicycle path abutting the site or roadway where there is no bicycle path.

(c) Between the development site and abutting properties. Pedestrian and bicycle connections shall connect the onsite circulation system to existing or proposed walkways and bicycle routes, respectively, that abut the property. When abutting properties are undeveloped or have the potential to be redeveloped, accessways and walkways on site shall be laid out or stubbed to allow for an extension to the abutting property.

Applicant's Findings: *The correction facility does not encourage public pedestrian traffic on site and therefore it is impractical to provide all of the amenities above. If said amenities are determined to not be impractical, the applicant accepts a condition of approval to meet the standard.*

(3) Major Transit Stops. Except where impractical, sites at major transit stops shall provide the following:
   (a) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza at the transit stop or a street intersection;
   (b) A direct and convenient pedestrian connection between the transit stop and building entrances on the site;
   (c) A transit passenger landing pad accessible to disabled persons;
   (d) An easement or dedication for a passenger shelter, if requested by the transit provider; and
   (e) Lighting at the transit stop.

Applicant's Findings: *The proposed building does not have a transit stop within 20-feet or along the street frontage.*

(4) Pedestrian and bicycle connections standard. Pedestrian and bicycle accessways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.

Applicant's Findings: *The correction facility does not encourage public pedestrian traffic on site and therefore it is impractical to provide all of the amenities above. If said amenities are determined to not be impractical, the applicant accepts a condition of approval to meet the standard.*

8.380 – Large Parking Areas

The amount of parking needed by some developments can result in a large expanse of pavement. The purpose of these standards is to help ensure that landscaping is incorporated into parking lot design in a manner that is both attractive and easy to maintain, that minimizes the visual impact of surface parking, and that improves environmental and climatic impacts

(Figure 8.380-1). These standards are also intended to help ensure pedestrian safety and comfort within large parking lots.

(1) Applicability. In addition to the provisions of Article 9, the following standards apply when more than 75 new parking spaces are proposed or when the re-construction of a parking area with more than 75 spaces is proposed (i.e., when pavement, curbs, and planter bays are completely replaced).

Applicant's Findings: *The proposal does not include 75 new parking spaces, therefore the standard is not applicable.*

(2) Walkways. When a required pedestrian walkway connecting a main building entrance to the street, pursuant to ADC 8.370(2)(b), must cross a large parking area with more than 75 spaces, standards (a) and (b) below shall apply.
   (a) The walkway shall be at least seven feet wide and must meet standards for an accessible path of travel in accordance with the Americans with Disabilities Act (ADA).
   (b) The walkway shall incorporate a mix of landscaping, benches, and drop-off bays for at least 50 percent of the length of the walkway.

Applicant's Findings: *The proposal does not include 75 new parking spaces, therefore the standard is not applicable.*

(3) For the safety of pedestrians, parking lots shall be designed to separate pedestrians from vehicles and include protected pedestrian walkways from parking areas to building entrances. Walkways shall be protected by landscaping, curbs, or parking bumpers. Walkways may cross a vehicle aisle if distinguished by a color, texture or elevation different from the parking and driving areas. Walkways shall not share a vehicle aisle.

Applicant's Findings: *The proposal does not include 75 new parking spaces, therefore the standard is not applicable.*

(4) Parking Subareas. To reduce the visual impact of large expanses of paving, to direct vehicular traffic through the parking lot, and to provide a location for pedestrian walkways, parking areas shall be divided into subareas of no more than 75 parking spaces each. Parking subareas shall be separated from each other with physical breaks by providing one or more of the following: building pads, landscapes strips, landscaped pedestrian walkways, interior streets, or accessways. Landscape strips or landscaped pedestrian walkways used for subarea separation shall meet the following standards.
   (a) Landscape strips shall have a minimum width of five feet that is unobstructed by obstacles that would impede landscape viability, including overhanging cars.

(b) Landscaped pedestrian walkways shall have a minimum unobstructed walkway width of five feet. Landscaping may be on one or both sides of a pedestrian walkway, with a minimum landscape strip width of five feet when provided.

Applicant's Findings: *The applicant is not proposing changes to the existing parking area. The new parking area will include required pedestrian walkways and landscaping to provide separation.*

(5) Landscaping for large parking areas shall consist of at least seven (7) percent of the total parking area plus one tree per eight parking spaces to create a canopy effect. The total parking area includes parking spaces, travel aisles, sidewalks and abutting landscaped areas.

Applicant's Findings: *The applicant is not proposing to alter the existing parking area. The new parking area will have one tree per eight parking spaces.*

8.390 – Compatibility Standards

Attention to detail can significantly increase the compatibility of commercial and institutional development with adjacent uses. Commercial and institutional development shall be designed to comply with the following compatibility standards and any other improvements needed to reduce negative impacts on adjacent uses:

(1) Light shielding. Any light source or lamp that emits more than 900 lumens (15 watt fluorescent/LED or 60 watt incandescent) shall be concealed or shielded with an Illumination Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on adjacent property. Examples of shielded light fixtures are shown in Figure 8.390-1.

Applicant's Findings: *The applicant will provide for light shielding on site.*

(2) On site impacts. Any undesirable impacts produced on the site, such as noise, glare, odors, dust, or vibrations have been adequately screened from adjacent properties.

Applicant's Findings: *The facility has been in operation since 1996 and have not generated any undesirable impacts that have not been mitigated by screening and operational characteristics.*

(3) Off-site impacts. The site is protected from any undesirable impacts that are generated on abutting properties.

Applicant's Findings: *The facility has been in operation since 1996 and have not generated any undesirable impacts on neighboring properties.*

(4) Screening. Service areas, equipment, utilities, and similar exterior improvements shall be screened as provided in (a) through (c) below and must meet the standards in (d).

(a) Service areas, such as waste and recycling containers, outdoor storage, and ground-level mechanical equipment shall be screened by a sight-obscuring fence, wall, or hedge.

Applicant's Findings: *The applicant, as proposed, will screen all service areas, equipment and utilities.*

(b) Roof-mounted equipment or utilities shall be screened by a parapet wall or sight-obscuring structure or located so that it is not visible from abutting public rights-of-way.

Applicant's Findings: *The applicant, as proposed, will screen all service areas, equipment and utilities.*

(c) Wall-mounted equipment or utilities shall be architecturally incorporated into the building or shall be screened by a sight-obscuring fence, wall, hedge, or structure.

Applicant's Findings: *The applicant, as proposed, will screen all service areas, equipment and utilities.*

(d) Screening required in subsections (a) through (c) above must be of appropriate height and width so that the item to be screened is not visible from a public sidewalk or from abutting residential districts or development. Hedge screens must be composed of evergreen shrubs that will grow to form a continuous hedge that is sight-obscuring within two years of planting.

Applicant's Findings: *The applicant, as proposed, will screen all service areas, equipment and utilities.*

Section 9: Findings Applicable to Article 9

Article 9 – On-Site Development and Environmental Standards

9.010 – Overview

The City of Albany has established standards for on-site improvements and environmental protection. These standards are intended to foster high-quality development throughout the City and to minimize adverse effects on surrounding property owners or the general public. This article contains the following standards:

- Off-Street Parking

- Landscaping
- Tree Protection
- Buffering and Screening*
- Fences
- Environmental

*As identified in Section 9.210, in limited circumstances, an applicant can apply for an Adjustment to the Buffering and Screening standards.

Applicant's Findings: *As shown in the applicant's materials, development and environmental standards are met.*

9.020 – Space Requirements

Off-street parking and loading must be provided for all development in the amounts indicated in Table 9.020-1 subject to any applicable reductions permitted in this Article. All required parking must be developed in accordance with the standards in this Article.

(1) Calculating Floor Area for Parking. The area measured is the combined floor area of each level of a building exclusive of vent shafts, courtyards, stairwells, elevator shafts, restrooms, storage rooms and rooms designed and used for the purpose of storage and operation of maintenance equipment, and covered or enclosed parking areas.

Applicant's Findings: *The detention facility parking is determined by the number of beds, not gross floor area.*

(2) Employees. The number of employees shall include those working on the premises, plus proprietors, during the largest shift at peak season.

Applicant's Findings: *The detention facility parking is determined by the number of beds, not employees.*

(3) Fractional Space Requirements shall be counted to the nearest whole space; half spaces will be rounded up.

Applicant's Findings: *The applicant has calculated for parking to the nearest whole space and has rounded up.*

(4) Unspecified Uses and Alternative Standards. When a use is not specifically listed in Table 9.020-1: Parking Requirements, the Director will determine if the use is similar to a listed use in terms of parking needs. When a use is not similar to a use listed in Table 9.020-1 or the applicant has documentation that demonstrates a different parking demand, the Director may approve alternative parking standards. Acceptable documentation may include parking standards from other cities of similar size, company

data on parking demand, parking demand studies, or the ITE Parking Generation Manual.

Applicant's Findings: *Table 9-1 of ADC Section 9.020 lists minimum parking space requirements for various commercial, institutional, and industrial uses. The proposed enrichment center will not add staff or number of youths served. The site presently has 125 parking spaces. Since the time the original correctional facility was approved (1996) and today, parking requirements have been updated to include jails and detention facilities. Under this classification alone, one parking space is required for every five (5) beds. Given the facility has 75 beds, 15 parking spaces would be all that is required for the overall facility.*

(5) Off-street parking for one use shall not be considered as providing parking facilities for any other use except through the provisions of Section 9.080, Joint Use of Parking Facilities.

Applicant's Findings: *The facility provides for all required parking and will not have a joint use parking under Section 9.080.*

(6) Downtown Assessment District. Parking spaces are not required for uses located within the Downtown Off-Street Assessment District as established by separate ordinance. (A map of the district is located at the end of this Article as Figure 9.020-1.) However, improvement of parking areas within this District must comply with the standards of this Article.

Applicant's Findings: *The subject property is not located within the Downtown Assessment District; therefore, this standard is not applicable.*

(7) Maximum Parking in the ES, Elm Street Medical District. Parking provided with new development in the ES zone shall be only the minimum required. No additional off-street parking will be allowed for development in this district.

Applicant's Findings: *The subject property is not located within the Elm Street Medical District; therefore, this standard is not applicable.*

(8) Site Plan Review may be required for new parking areas or expansions to existing parking areas unless specified in Section 2.430.

Applicant's Findings: *The application submitted includes a Stie Plan Review application.*

(9) Temporary uses of less than 120 days, as defined in AMC Chapter 5.10 Transient and Itinerant Merchants and Vendors, are not required to meet the standards in this section.

Applicant's Findings: *The applicant is not proposing a temporary use; therefore, this standard is not applicable.*

9.025 – Parking in the Public Right-of-Way

Parking spaces in a public right-for-way may not be counted as fulfilling any part of the parking requirements except when permitted below. Any parallel parking spaces in the right-of-way that are counted toward fulfilling the parking requirements must be at least 25 feet long.

(1) Religious Assembly. On-street parking within 500 feet of the building, except in residential zones, may be used toward fulfilling the minimum parking requirements.

Applicant's Findings: *The proposal is not a religious assembly use; therefore, this standard is not applicable.*

(2) Private Clubs, Lodges or Meeting Rooms. On-street parking in non-residential zones within 800 feet of the main assembly room or building may be used toward fulfilling the minimum parking requirements.

Applicant's Findings: *The proposal is not a private club, lodge or meeting room use; therefore, this standard is not applicable.*

(3) Stadiums, grandstands, coliseums, auditoriums, and theaters. On-street parking in non-residential zones within 1,000 feet of the main assembly room or building may be used toward fulfilling the minimum parking requirements.

Applicant's Findings: *The proposal is not a stadium, grandstand, coliseum, auditorium or theater use; therefore, this standard is not applicable.*

(4) Mixed Use Zones. On-street parking spaces abutting the development may be counted towards meeting parking requirements in the MUR, Mixed Use Residential District; HD, Historic Downtown District; DMU, Downtown Mixed Use District; CB, Central Business District; WF, Waterfront District; and LE, Lyon Ellsworth District.

Applicant's Findings: *The proposal is located within any of the above referenced districts; therefore, this standard is not applicable.*

Non-Residential Development. The amount of off-street parking required may be reduced by one space for every on-street space abutting the development for up to 25 percent of the minimum parking requirement, except when the development is proposed in a residential zoning district in Article 3 or in the ES (Elm Street) zone.

(a) The on-street parking spaces must be at least 100 feet from a residential zoning district or the ES zoning district.

(b) On-street parking credits can only be granted for developments with frontage on streets that allow parking on both sides and with approval from the Director of Public Works.

Applicant's Findings: *The proposal is located within any of the above referenced districts; therefore, this standard is not applicable.*

(5) Village Centers. Pursuant to ADC Section 8.460, a commercial or office development within the Village Center Comprehensive Plan designation may count on-street parking spaces within 100 feet of the development towards meeting the parking requirement.

Applicant's Findings: *The proposal is located within the Village Center Comprehensive Plan designation; therefore, this standard is not applicable.*

9.030 – Reductions or Exemptions to Minimum Parking Space Requirements

The following actions and situations can further reduce the minimum parking required on-site.

(1) Change of Use or Redevelopment. No additional parking shall be required when an existing structure is changed from one Use Category to another as listed in Article 22 when the new use requires no more than two additional vehicle and/or bicycle parking spaces. No additional parking shall be required when a duplex, triplex, or fourplex is created through internal conversion of, or addition to, an existing single-family detached dwelling.

Applicant's Findings: *The subject property has adequate parking to meet the minimum requirements for vehicle and bike parking under the Code.*

(2) Tree Preservation. Minimum parking may be reduced by one parking space for each tree 8 inches in diameter and larger that is preserved within the developable area, for up to a maximum of 10 percent of the total parking space requirement.

Applicant's Findings: *The applicant is proposing to remove four trees and not requesting to reduce parking requirements.*

(3) Outdoor Seating Areas. Seasonal outdoor seating up to 500 square feet shall be exempt from the parking calculations. Permanent outdoor seating is not exempt.

Applicant's Findings: *The proposal does not include outdoor seating; therefore, this standard is not applicable.*

(4) Mixed-Use or Multi-Tenant Developments. In the case of mixed-uses and multi-tenant developments, the total requirements for off-street parking are the sum of the requirements for the various uses, except that the total may be reduced by up to 10 percent of the minimum total requirement.

Applicant's Findings: *The proposal is a mixed-use development; therefore, this standard is not applicable.*

(5) Alternative Modes, Carpooling. For businesses that will employ 10 or more people, the total number of required vehicle spaces may be reduced up to a maximum of 10 percent based on the following incentives:

(a) Up to two vehicle spaces may be waived if sheltered bicycle parking is provided beyond the minimum requirements in Section 9.120 (13) at a rate of three bicycle spaces to one motor vehicle space.

(b) One vehicle space may be waived for each shower and two lockers provided for employees who commute by bicycle.

(c) Each vehicle space designated for carpool/vanpool parking only that is also located closer to the building than other employee spaces will count as two required parking spaces. One carpool/vanpool parking space is permitted per 20 employees, with a minimum of 1 space. Spaces must be clearly marked "Reserved-Carpool/Vanpool Only".

Applicant's Findings: *The applicant is not proposing a reduction in parking, therefore this standard is not applicable.*

(6) Reduction for Transit. Existing development will be allowed to redevelop up to 25 percent of existing parking areas for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations, transit-oriented developments, and similar facilities, where appropriate.

Applicant's Findings: *The applicant is not proposing a reduction in parking, therefore this standard is not applicable.*

(7) Reduced parking minimums in the HD, CB, DMU, and WF zoning districts. To promote more pedestrian-friendly development, minimum parking requirements in HD, CB, DMU, and WF are reduced as follows.

(a) All commercial and recreation uses listed in Table 9.020-1 shall provide parking at a minimum of one space per 600 square feet or the minimum stated in Table 9.020-1, whichever is less.

Applicant's Findings: *The proposal is located within any of the above referenced districts; therefore, this standard is not applicable.*

(b) Middle housing and developments of up to 70 multiple-family dwelling units shall provide parking at the ratios in paragraphs i and ii below. Developments of more than 70 multiple-family dwelling units shall provide parking at the ratios listed in Table 9.020-1, except that visitor parking shall not be required.

i. Studio, one-bedroom, and two-bedroom units: one space per unit

ii. three or more bedroom units: 1.75 spaces per unit.

Applicant's Findings: *The proposal does not include middle housing; therefore, this standard is not applicable.*

9.035 – Responsibility/Prerequisite

Provision for and maintenance of off-street parking and loading spaces are responsibilities of the property owner. Plans showing property that is and will be available for exclusive use as off-street parking and loading must be presented before the city will issue building permits or approve land use applications.

Applicant's Findings: *The applicant will obtain appropriate building permits and the current application is obtaining appropriate land use application. The applicant is aware of the responsibilities of maintaining the existing parking and loading areas on-site.*

9.050 – Company Vehicles

Required parking spaces must be made available for the parking of passenger automobiles of residents, customers, patrons, and employees only, and may not be used for storage of company vehicles or materials. Spaces for company vehicles must be provided in addition to the number of spaces required by this Code.

Applicant's Findings: *The applicant is not proposing a reduction in parking, therefore this standard is not applicable.*

9.060 – Maintenance

Parking lots must be maintained by the property owner or tenant in a condition free of litter and dust, and deteriorated conditions must be improved to comply with the standards of Section 9.120.

Applicant's Findings: *The applicant has and will continue to maintain the entire site free of litter and address deterioration of facilities, including parking lots on-site.*

9.080 – Joint Use of Parking Facilities

The Planning Commission or Hearings Board, upon application by all involved property owners, may authorize the joint use of parking facilities, provided that:

(1) The applicant shows that there is no substantial conflict in the principal operating hours of the buildings or uses for which the joint use of parking facilities is proposed.
(2) The parking facility for which joint use is proposed is no further than 500 feet from the building or use required to provide parking.
(3) The parties concerned in the joint use of off-street parking facilities shall provide evidence of an agreement for the joint use by a legal instrument approved by the City

Attorney. An agreement for joint use of parking facilities shall be for a period of at least 10 years and shall provide for maintenance of jointly used parking facilities.

Applicant's Findings: *The facility provides for all required parking and will not have a joint use parking under Section 9.080.*

9.090 – Parking Plan

A parking plan, drawn to scale, must accompany land use applications. Depending on the nature and magnitude of the development, it may be possible to show the needed parking information on the site plan (see Section 9.120). The plan must show the following elements, which are necessary to indicate that the requirements of this Code are being met.

(1) Delineation of individual parking spaces, including handicapped parking spaces.
(2) Loading areas and docks.
(3) Circulation area necessary to serve spaces.
(4) Location of bicycle and motorcycle parking areas.
(5) Access to streets, alleys, and properties to be served.
(6) Curb cuts.
(7) Type of landscaping, fencing or other screening materials.
(8) Abutting land uses.
(9) Grading, drainage, post-construction stormwater quality facilities, surfacing, and sub grading details.
(10) Location of lighting fixtures.
(11) Delineation of all structures and obstacles to circulation on the site.
(12) Specifications of signs and bumper guards.
(13) Location of planter bays when required.
(14) Proposed number of employees and amount of floor area applicable to the parking requirements for the proposed use.

Applicant's Findings: *The applicant has provided a parking plan meeting the standards above.*

9.120 – Parking Area Improvement Standards

All public or private parking areas, loading areas and outdoor vehicle sales areas must be improved based on the following standards:

(1) General. All parking spaces must be improved in accordance with these standards and available for use at the time of project completion.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards.*

(2) Other Requirements. All parking areas shall conform to the setback, clear vision, landscaping, and buffering/screening provisions of this Code.

Applicant's Findings: *The proposed parking area is setback more than 20-feet from any property line and is providing adequate landscaping and buffering, as required by Code.*

(3) Surfacing. All required parking, including travel aisles and access, shall have a durable, dust-free surface of asphalt, cement concrete, or other materials approved by the Director. Parking lot surfacing shall not encroach upon the public right-of-way except when it abuts a concrete public sidewalk or has been otherwise approved by the Director of Public Works. Pervious pavements, such as pervious asphalt or pervious concrete, may be allowed by the Director of Public Works.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(4) Drainage. All parking lots must provide a drainage system to dispose of the runoff generated by the impervious surface. Post-construction stormwater quality facilities are required per Title 12 of the Albany Municipal Code when applicable. Provisions shall be made for the on-site collection of drainage water to eliminate sheet flow of such water onto sidewalks, public rights-of-way, and abutting private property. All drainage systems must be approved by the Director of Public Works.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(5) Perimeter Curb. Perimeter curbing is required for protection of landscaped areas and pedestrian walkways, and to prevent runoff onto adjacent properties. All parking areas over 1,000 square feet (contiguous) for residential dwellings, parking areas of any size for all other uses, or approved overflow parking areas shall provide a curb at least 6 inches high along the perimeter of all parking areas. Exceptions may be allowed for connections to approved vegetated post-construction stormwater quality facilities.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(6) Wheel Bumper. In parking areas over 1,000 square feet (contiguous) for residential dwellings, or parking areas of any size for all other uses, all parking stalls fronting a sidewalk, alleyway, street or property line shall provide a secured wheel bumper at least six inches high and at least six feet long, set back from the front of the stall at least 2-1/2 feet, but no more than three feet. If the sidewalk is widened to seven feet six inches to allow for vehicle encroachment, no wheel bumpers are required.

Applicant's Findings: *The applicant is providing wheel bumpers for each new parking space provided as part of the proposal.*

(7) Turnaround. For parking areas that meet one of the thresholds in subsections (a) or (b), parking spaces must be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way other than an alley.

(a) Residential dwellings: Parking areas over 1,000 square feet (contiguous). Driveways that could provide additional tandem parking spaces are not included in this calculation.

(b) All other development: Two or more parking spaces.

Applicant's Findings: *The proposal isn't residential dwellings, therefore this standard is not applicable.*

(8) Striping. Lots containing more than two parking spaces must have all required spaces permanently and clearly striped. Stripes must be at least four inches wide. When motorcycle parking, compact, or handicapped parking spaces are provided, they shall be designated within the stall.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(9) Connecting to Adjacent Parking Areas. Where an existing or proposed parking area is adjacent to a developed or undeveloped site within the same zoning district, any modifications to the parking areas must be designed to connect to the existing or future adjacent parking area. This requirement may be waived by the Director when it is deemed impractical or inappropriate due to the nature of the adjoining uses.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(10) Parking Lot Landscaping. Parking lots over 1,000 square feet (contiguous) shall be landscaped according to the standards in Section 9.150.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(11) Compact Car Parking. No more than 40 percent of parking spaces provided may be designated for compact cars. Compact spaces must be signed and/or the space painted with the words "Compact Car Only."

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(12) Parking Accessible to the Disabled. All parking areas must provide accessible parking spaces in conformance with the Oregon Structural Specialty Code.

Applicant's Findings: *The applicant's site plan show the new parking area meeting all applicable standards. Final review will be conducted at building permit.*

(13) Bicycle Parking. Bicycle parking space requirements are as follows:

(a) For multiple-family dwellings and units above or attached to a business – one space per four units.

(b) For industrial development – one space for every 10 automobile spaces required.

(c) For commercial or office development - one space for every 10 automobile spaces required with a minimum of two spaces.

(d) Exemptions -- the Director may allow exemptions to or reductions in required bicycle spaces in connection with temporary uses or uses that are not likely to need bicycle parking.

Bicycle parking spaces shall meet the following standards:

(e) Required spaces should be visible and not hidden, and must be located as near as possible to building entrances used by automobile occupants. Within the HD, CB, CMU, and WF zoning districts, bicycle parking may be located on a public sidewalk with approval from the City Engineer.

Applicant's Findings: *All spaces are visible, meeting this requirement.*

(f) Each required bicycle parking space must have a parking rack securely fastened to the ground. Parking racks must support each bicycle at a minimum of two points, including at least one point on the frame, and must allow the frame and at least one wheel to be locked with a U-type lock.

Applicant's Findings: *The bicycle parking spaces are a U-type rack, as shown near the entrance of the proposed building.*

(g) Bicycle parking areas must provide at least three feet of clearance around all three sides of a fully loaded bicycle rack and have an overhead clearance of at least seven feet.

Applicant's Findings: *As shown on the site plan, the bicycle parking is provides at least three feet of clearance around the space.*

(h) At least one-half of required bicycle parking spaces must be sheltered. Spaces must be protected from precipitation by a roof overhang or a separate roof at least seven feet tall. Bicycle parking spaces within roofed buildings and bike lockers are considered sheltered spaces.

Applicant's Findings: *All spaces are under the proposed awing near the entrance of the building.*

(14) Lighting. Any lights provided to illuminate any public or private parking area or vehicle sales area must be arranged to reflect the light away from any abutting or adjacent properties.

Applicant's Findings: *The applicant intends to provide adequate lighting which can be verified at building permit.*

(15) Pedestrian Access. Walkways and accessways shall be provided in all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. All new public walkways and handicapped accessible parking spaces must meet the minimum requirements of the Oregon Structural Specialty Code.

Applicant's Findings: *Pedestrian access is provided from the existing and new parking area and each building.*

(16) When employee parking is designated in new developments, parking for carpools and vanpools shall be provided and located near the employee entrances to buildings.

Applicant's Findings: *Pedestrian access is provided from the parking area and each building.*

9.125 – Occasional Overflow Parking Needs

The Director may approve for the use of gravel surfacing for parking above the minimum parking requirements intended for occasional needs. As used in this section, "occasional" means limited to a unique or an annually occurring event or condition or infrequent use. The application must demonstrate how the site and owners will meet the following minimum standards:

(1) The construction plans for the unpaved parking area must be approved by the Building Official and Public Works Director or their designees.
(2) The overflow parking area must conform to the dimensional standards in Table 9.130-1 - Parking Lot Design, applicable Americans with Disabilities Act (ADA) requirements, and storm drainage requirements.
(3) Overflow parking areas may not exceed 15,000 square feet per property, site or use.
(4) Wheel stops shall be provided to designate and protect each parking space.
(5) Gravel parking and loading areas shall be screened from all adjacent uses by a sight-obscuring fence, wall, or hedge.
(6) A buffer area at least five feet in depth, which may include the required screening, shall be provided along the perimeter of each gravel parking area and be landscaped in accordance with Section 9.240.

(7) The overflow parking area must be at least 20 feet from a public right-of-way and have at least 20 feet of pavement travel distance to the right-of-way. Gravel is not permitted in or within 500 ft of the HD, DMU, LE, ES, CB, or any residential zone or use unless allowed through Conditional Use approval.

Applicant's Findings: *The applicant is not proposing overflow parking; therefore this section is not applicable.*

9.130 – Off-Street Parking Lot Design

All off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with City standards for stalls and aisles as set forth in Table 9.130-1: Parking Lot Design and supplemental drawings. Stall dimensions are measured from inside the stripes.

(1) Compact spaces shall be at least 8 feet wide by 16 feet long.

Applicant's Findings: *The applicant is providing standard parking space, therefore this standard is not applicable.*

(2) Accessible spaces shall be a minimum of 9 feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent access aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and six feet wide for a standard accessible space.

Applicant's Findings: *As shown on the provided site plan all ADA spaces meet minimum requirements.*

(3) Stall Width. Long-term parking spaces must be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands must be at least 9.5 feet wide.

Applicant's Findings: *Long-term parking is not provided and the proposal does not include a grocery store, therefore the standard is not applicable.*

(4) Minimum Aisle Widths. Aisles for two-way traffic and emergency vehicle operations must be at least 24 feet wide. One-way aisles and one-way emergency vehicle access must be at least 20 feet wide.

Applicant's Findings: *AS shown on the site plan, two -way traffic is provided throughout the site meeting the minimum 24-foot wide aisle width.*

(5) The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall include 20 feet of storage length for entering and exiting vehicles, in order to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

Applicant's Findings: *The existing driveway is much longer than 20-feet meeting the standard.*

9.135 – Purpose

These regulations are intended to enhance aesthetic value in new developments and the community as a whole; minimize erosion; slow the rate of surface water runoff and improve water quality; cool buildings and parking lots in summer months with shade; enhance ecological functions; and provide access to nature.

9.140 – General Requirements

Landscaping requirements by type of use are listed below:

(1) Landscaping Required – Residential. All front setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued or final building permit approved. In the case of middle housing land divisions, the minimum landscaping standard below applies to the parent lot, not the child lots. In all residential districts except Rural Residential (RR), the minimum landscaping acceptable for every 50 lineal feet of street frontage (or portion thereof, deducting the width of the driveway) is:
   (a) One tree at least six feet tall.
   (b) Four one-gallon shrubs or accent plants.
   (c) The remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs).

Applicant's Findings: *The subject property is non-residential, therefore this standard is not applicable.*

(2) Landscaping Required – Non-Residential. All required front and interior setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued. Minimum landscaping acceptable for every 1,000 square feet of required setbacks in all commercial-industrial districts is as follows:
   (a) One tree at least six feet tall for every 30 feet of street frontage.

Applicant's Findings: *As shown on the site plan the existing landscaping abutting the street provides adequate trees along the street frontage.*

   (b) Five 5-gallon or eight 1-gallon shrubs, trees or accent plants.

Applicant's Findings: *The trees are existing mature trees exceeding this standard.*

   (c) The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.

Applicant's Findings: *The existing frontage of the subject property is landscaped, meeting this standard.*

(d) When the yard adjacent to a street of an industrially zoned property is across a right-of-way from other industrially or commercially zoned property, only 30 percent of such setback area must be landscaped.

Applicant's Findings: *The existing frontage of the subject property is landscaped, meeting this standard.*

(3) Alternate Plan – Non-Residential. The Director may approve placement of the required setback landscaping in public right-of-way when the following conditions are met:
   (a) The site contains existing development that includes substantial building(s), and is subject to ADC improvement requirements due to a change of use or vacancy; and
   (b) The appropriate government agency grants written permission for use of the right-of-way; and
   (c) The applicant provides written assurance that on-site setback landscaping will be installed within 90 days in the event permission to use the right-of-way is revoked; and
   (d) The Director finds that the required setback landscaping can feasibly be installed on the property without creating other violations of this Code; and
   (e) The Director finds that providing the landscaping in the public right-of-way in the interim fulfills the intent this Code for high-quality development (9.010) and the minimum landscaping requirements in Section 9.140(2)(a) through (c).

Applicant's Findings: *The applicant is not proposing to add landscaping to the right-of-way; therefore, this section is not applicable.*

9.150 – Parking Lot Landscaping

The purpose of landscaping in parking lots is to provide shade, reduce stormwater runoff, and direct traffic. Incorporation of approved vegetated post-construction stormwater quality facilities in landscaped areas is encouraged. Parking lots over 1,000 square feet (contiguous) must be landscaped in accordance with the following minimum standards:

(1) Planter Bays. Parking areas shall be divided into bays of not more than 12 parking spaces. At both ends of each parking bay, there shall be curbed planters at least five feet wide, excluding the curb. Gaps in the curb may be allowed for connections to approved post-construction stormwater quality facilities. Each planter shall contain one canopy tree at least 10 feet high and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Neither planter bays nor their contents may impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.

Applicant's Findings: *The proposal includes parking bays of at least five feet in width, every 12 spaces. At building permit the applicant will provide final landscaping plans with adequate canopy trees within the landscaped area. The applicant understands that a condition of approval is warranted to meet the standard.*

(2) Entryway Landscaping. Both sides of a parking lot entrance shall be bordered by a minimum five foot-wide landscape planter strip meeting the same landscaping provisions as planter bays, except that no sight-obscuring trees or shrubs are permitted.

Applicant's Findings: *As shown on the site plan, the driveway leading to the new parking area has at least five feet in width planters on either side, except where a drive aisle is proposed.*

(3) Parking Space Buffers. Parking areas shall be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping materials.

Applicant's Findings: *As shown on the site plan, the new building is setback at least five feet from all portions of the parking area and driveways, meeting this standard.*

(4) Alternate Plan. An alternate plan may be submitted that provides landscaping of at least five percent of the total parking area exclusive of required landscaped yard areas and that separates parking areas of more than 100 spaces into clusters divided by landscape strips. Each planter area shall contain one tree at least 10 feet tall and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Landscaping may not impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.

Applicant's Findings: *The applicant is not requesting an alternative plan.*

(5) Landscape Protection. Required landscaped areas adjacent to graveled areas must be protected, either by railroad ties secured by rebar driven 18 inches into the ground, by large boulders, or by another acceptable means of protection.

Applicant's Findings: *All landscaping is protected from gravel areas and cars by curbs and wheel stops, meeting this standard.*

9.160 – Irrigation of Required Landscaping

All required landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman submits written verification that the proposed plants do not require irrigation. Irrigation systems installed in the public right-of-way require an encroachment permit.

Applicant's Findings: *The existing landscaping is sufficient and was install during a previous conditional use application.*

9.170 – Identification of Existing Trees

In all proposed developments, existing trees over 25 inches in circumference (8 inches in diameter) as measured 4.5 feet above mean ground level from the base of the trunk shall be noted on all development plans, with notations indicating whether they are to be removed or utilized in the development. To obtain the circumference of a tree with multiple trunks, add the individual trunk circumferences, which are greater than six inches in circumference. Clusters of trees in open space and floodplain areas may be noted in approximate locations.

Applicant's Findings: *The applicant is proposing to remove four trees to site the Parole Office. The applicant will replace the trees within the proposed landscaping area.*

9.180 – Landscape Plans

With the exceptions noted below, all development applications involving buildings and parking areas over 1,000 square feet (contiguous) must include landscape plans. The following uses are required to meet the landscaping requirements of this code but are not required to submit landscape plans:

(1) Single-family dwellings and middle housing.
(2) Accessory buildings.
(3) Changes internal to an existing structure.
(4) Building additions involving less than 500 square feet.

Applicant's Findings: *This property is zoned LI (Light Industrial). ADC 4.090, Table 1, shows that the front yard setback in LI zoning districts is 15 feet. The property at 4400 Lochner Road has about 1,200 lineal feet of street frontage. Of that distance, only the northerly 530 feet is actually adjacent to developed portions of the site; the remainder being covered in forested wetlands and riparian area. Front yard landscaping has been installed following previous land use approvals. No deficiencies exist that would require additional front yard landscaping.*

9.182 – Street Trees Prohibited on Right-of-Way

Because of their potential negative impact on the public infrastructure, it is unlawful to plant any of the following trees in or on any street right-of-way or parking strip in the City: box elder, tree of heaven, golden chain, holly, silver maple, bamboo, poplar, willow, conifer, cottonwood, fruit trees (other than ornamental fruit trees), nut trees (other than ornamental nut trees), and ailanthus.

Applicant's Findings: *The applicant has not proposed to plant the above referenced trees.*

9.184 – Trees Requiring Approval

It is unlawful to plant willow, cottonwood, or poplar trees anywhere in the City unless the Director of Public Works approves the site as one where the tree roots will not be likely to interfere with public sewers.

Applicant's Findings: *The applicant has not proposed to plant the above referenced trees.*

9.186 – Height Requirements in Rights-of-Way

Trees or shrubs growing in the right-of-way or on private property adjacent to a street right-of-way must be trimmed to maintain a minimum canopy height of eight feet above sidewalks or 14 feet above streets or alleys. No trees, shrubs, or plants more than 18 inches tall shall be planted in the public right-of-way abutting roads having no established curb and gutter.

Applicant's Findings: *The applicant is not proposing any trees or shrubs within the right-of-way. The landscaping abutting the street, as shown on the landscaping plan, meets the standard above.*

9.188 – Trimming Removal

The city manager or duly authorized representative may cause any vegetation in or upon any parking strip, street right-of-way or other public place in the City to be trimmed, pruned, or removed.

Applicant's Findings: *The applicant is not proposing trimming or removal of any trees under public ownership.*

9.189 – Planting in Roadways Having No Gutter, Curb

No trees, shrubs, or plantings more than 18 inches tall shall be planted in the public right-of-way abutting roadways having no established curb and gutter.

Applicant's Findings: *Lochner Stret has a gutter and curb; therefore this standard is not applicable.*

9.190 – Completion Guarantees

Final occupancy of a development that required land use approval may be allowed prior to the complete installation of all required landscaping and irrigation only under the following circumstances:

(1) A security is provided to the City equal to 110 percent of the cost of the labor and materials (plants, ground covers, and any required irrigation) that have not been installed, as verified in writing by a landscape contractor. Security may consist of a performance bond payable to the City, cash, certified check, time certificate of deposit,

or lending agency certification that funds are being held until completion or such other assurances as may be approved by the Director and City Attorney. Where a financial assurance is provided for landscaped areas with post-construction stormwater facilities under subsection (4) below, no additional security under this subsection is required for that part of the landscaping.

(2) The required landscaping and irrigation shall be installed within six months of the date the final occupancy permit is issued. If an occupancy permit is not required, the landscaping and irrigation shall be installed within six months of the date of the land use approval.

(3) To verify that the landscaping, and irrigation, if required, has been installed per the approved plan, an inspection shall be made prior to any security being returned.

(4) Required post-construction stormwater quality facilities incorporated into the required landscaped areas have been completed (or financially assured) consistent with Title 12 of the Albany Municipal Code and applicable post-construction stormwater quality permits.

Applicant's Findings: *The applicant does propose to remove four trees for the development. The applicant will be providing additional trees as part of the landscaping review at building permit.*

9.200 – Maintenance of Landscaped Areas

It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained. Private post-construction stormwater quality facilities located in landscaped areas and required under Title 12 of the Albany Municipal Code shall be maintained consistent with the terms of any operation and maintenance agreements between the property owner and the City consistent with the requirements of Albany Municipal Code Title 12.

Applicant's Findings: *The applicant is aware and will continuously maintain required landscaping on-site.*

9.202– Tree Protection; Purpose

Trees of significant size represent a visual and aesthetic resource to the community. Trees provide benefits including shading, reduction in excess stormwater runoff, erosion control, and wildlife habitat. These standards are intended to balance the preservation of significant trees as a benefit to the community with the individual right to use and enjoy property.

Applicant's Findings: *The applicant does propose to remove four trees for the development. The applicant will be providing additional trees as part of the landscaping review at building permit.*

9.204– Applicability

This chapter applies to the design, construction, relocation, reconstruction, enlargement, or alteration o Except as provided below, Site Plan Review approval is required for the felling of 5 or more trees larger than 25 inches in circumference (approximately 8 inches in diameter) on a lot or property in contiguous single ownership in excess of 20,000 square feet in any zone.

The following activities are exempt from Site Plan Review under this section. Notwithstanding the foregoing, all tree felling activities located within Significant Natural Resource Overlay districts must meet the applicable requirements of Article 6:

(1) The action of any City official or of any public utility necessary to remove or alleviate an immediate danger to life or property; to restore utility service or to reopen a public street to traffic.
(2) Felling of any tree that is defined as a nuisance under the Albany Municipal Code.
(3) Any felling necessary to maintain streets or public or private utilities within a public right-of-way or utility easement provided the Tree Commission or City Forester approved the proposed tree felling.
(4) Felling of trees planted as Christmas trees.
(5) Felling of trees on property under a Forest Stewardship Plan approved by the Oregon Department of Forestry.

Applicant's Findings: *The applicant is not proposing any of the above exempt uses.*

9.208 – Buffering and Screening

These regulations provide screening and buffering between uses in order to reduce the potential objectionable impacts of higher intensity uses on adjacent lower intensity uses. These impacts include, but are not limited to, light pollution and glare, noise, visual impacts, and loss of privacy.

Applicant's Findings: *This property is zoned LI (Light Industrial). ADC 4.090, Table 1, shows that the front yard setback in LI zoning districts is 15 feet. The property at 4400 Lochner Road has about 1,200 lineal feet of street frontage. Of that distance, only the northerly 530 feet is actually adjacent to developed portions of the site; the remainder being covered in forested wetlands and riparian area. Front yard landscaping has been installed following previous land use approvals. No deficiencies exist that would require additional front yard landscaping.*

9.210 – General Requirement/Matrix

Buffering and screening are required in accordance with the matrix provided in Table 9.210-1. The property owner of each proposed development is responsible for the installation and maintenance of such buffers and screens. The Director may approve an Adjustment to waive the buffering/screening requirements of this section where such has been provided on the

abutting property in conformance with this Code. Where a use would be abutting another use except for separation by right-of-way, buffering (but not screening) shall be required as specified in the matrix. Where a proposed use abuts undeveloped property, only one-half of the buffer width shall be required.

Applicant's Findings: *This property is zoned LI (Light Industrial). ADC 4.090, Table 1, shows that the front yard setback in LI zoning districts is 15 feet. The property at 4400 Lochner Road has about 1,200 lineal feet of street frontage. Of that distance, only the northerly 530 feet is actually adjacent to developed portions of the site; the remainder being covered in forested wetlands and riparian area. Front yard landscaping has been installed following previous land use approvals. No deficiencies exist that would require additional front yard landscaping.*

9.220 – Definition of Area

A buffer consists of an area within a required setback adjacent to a property line. It has a depth equal to the amount specified in the buffer matrix and contains a length equal to the length of the property line of the abutting use or uses.

Applicant's Findings: *The applicant is aware the buffer area is equal to the setback abutting the property line.*

9.230 – Occupancy

A buffer area may only be occupied by utilities, screening, sidewalks, bikeways, landscaping, and approved vegetated post-construction stormwater quality facilities. No buildings, vehicular access ways or parking areas are allowed in a buffer area except where vehicular access way has been approved by the City.

Applicant's Findings: *The applicant has not proposed to occupy the buffer area with anything other land landscaping.*

9.240 – Buffering

The minimum improvements within a buffer area consist of the following:

(1) At least one row of trees. These trees will be not less than 10 feet high at the time of planting for deciduous trees and spaced not more than 30 feet apart and five feet high at the time of planting for evergreen trees and spaced not more than 15 feet apart. This requirement may be waived by the Director when it can be demonstrated that such trees would conflict with other purposes of this Code (e.g. solar access).
(2) At least 5 five-gallon shrubs or 10 one-gallon shrubs for each 1,000 square feet of required buffer area.
(3) The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, evergreen shrubs).

Applicant's Findings: *This property is zoned LI (Light Industrial). ADC 4.090, Table 1, shows that the front yard setback in LI zoning districts is 15 feet. The property at 4400 Lochner Road has about 1,200 lineal feet of street frontage. Of that distance, only the northerly 530 feet is actually adjacent to developed portions of the site; the remainder being covered in forested wetlands and riparian area. Front yard landscaping has been installed following previous land use approvals. No deficiencies exist that would require additional front yard landscaping. Front yard landscaping was provided following a 2009 Conditional Use review for the Transitional Facility.*

9.250 – Screening

Where screening is required or provided, the following standards apply in addition to conditions (1) and (3) above:

(1) One row of evergreen shrubs that will grow to form a continuous hedge at least four feet tall within two years of planting, or
(2) A fence or masonry wall at least five feet tall constructed to provide a uniform sight-obscuring screen, or
(3) An earth berm combined with evergreen plantings or a fence that forms a sight and noise buffer at least six feet tall within two years of installation.

Applicant's Findings: *The proposed location of the Parole Office within the existing campus, no buffer and screening is required or warranted.*

9.260 – Clear Vision

Buffering and screening provisions are superseded by the clear vision requirements of Section 12.180 and by the fence and wall height restrictions of the zone when applicable.

Applicant's Findings: *A clear vision area consists of a triangular area, two sides of which are lot lines or a driveway, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the two sides. For this use, the measurement along the drive edge and residential district driveways shall be 15 feet, in accordance with ADC 12.180(2). No new landscaping is proposed or required.*

9.270 – Landscape Plan

In lieu of these standards a detailed landscape plan, which provides the same degree of desired buffering utilizing alternative designs, may be submitted for approval.

Applicant's Findings: *The existing site is adequately landscaped. Landscaping plans will be provided at building permit for additional planter bays.*

9.360 – Purpose

Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

9.370 – Materials

Fences and walls shall not be constructed of or contain any material that will do bodily harm, such as electric or barbed wire, broken glass, spikes, or any other hazardous or dangerous materials, except as follows:

(1) Barbed wire is permitted on top of a six-foot-tall fence in commercial, industrial, and mixed-use zones except for HD, DMU, MUC, and MUR. The total height of the fence and barbed wire is limited to 8 feet. Barbed-wire-only fences are prohibited except as allowed under subsection (2).

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(2) Correctional Institutions and High-Security Areas. Concertina wire or barbed-wire only fences may be used around correctional institutions and high-security areas provided that the fences are posted at 15-foot intervals with clearly visible warnings of the hazard.

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(3) Large Animal Containment. Where cattle, sheep, horses or other livestock are permitted or existed when the property was annexed to the City, barbed wire is permitted within six inches from the top of a fence at least four feet tall that is used to contain or restrict large animals. Fences for this purpose must meet the standards in AMC 6.10.

Applicant's Findings: *The applicant does not propose to contain large animals. This section is not applicable*

(4) Electrically charged fences are permitted in the LI and HI zones when the following standards can be met:

(a) The fence is located outside the front setback and required landscaping, buffering or screening; and

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(b) The electrically charged fence shall not exceed 10 feet in height; and

Applicant's Findings: *The applicant is not proposing additional fencing; therefore, the standard is not applicable.*

(c) The electrically charged fence shall be a pulsed charge system and not a continuous charge system.

Applicant's Findings: *The applicant is not proposing additional fencing; therefore, the standard is not applicable.*

(d) No electric fence shall be installed or used unless it is completely surrounded by a perimeter nonelectrical fence or wall that is not less than six feet tall; and

Applicant's Findings: *The applicant is not proposing additional fencing; therefore, the standard is not applicable.*

(e) Warning signs stating, "Warning, Electric Fence" shall be posted at intervals not less than 50 feet; and

Applicant's Findings: *The applicant is not proposing additional fencing; therefore, the standard is not applicable.*

(f) When property lines are shared with a residential zoning district, the following additional standard shall be met:
    i. A solid fence or wall between 6 and 8 feet tall shall be placed at the shared property line(s); and
    ii. Warning signs shall be posted at intervals of not less than 25 feet.

Applicant's Findings: *The subject property does not share a property line with a residential zoning district.*

(g) The fence shall be tested and approved by the State of Oregon approved testing laboratory; and

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(h) The fence shall be installed and used accordance with the Oregon Electrical Specialty Code, the listing, and the manufacturer's installation instructions; and

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(i) Electrical permits and inspections shall be required for the installation. Work must be performed by a licensed Oregon electrician.

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(j) In addition to the Fire Department access requirements in the Oregon Fire Code, the following additional standards are required for properties protected by an electric fence:

i. Each vehicle gate shall open automatically using a sensing device approved by the fire department. This automatic operation shall be supplemented by the installation of a Knox electric switch (with dust cover) to be installed in an approved location.

ii. The gate opening equipment shall be equipped with a battery backup in the advent of power failure (both ingress & egress sides).

iii. Power to the electrified fence, excluding gate opening controls, shall be deactivated upon activation of automatic or manual fire department access for ingress or egress through the gate.

iv. The vehicle gate shall provide a means for the fire department to egress from the site.

v. A pedestrian type gate shall be installed immediately adjacent to all vehicle access gates.

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

9.380 – Standards

Fences and walls shall meet the following standards. If a fence or wall is used to meet required screening, it shall meet the provisions of Section 9.385.

Standards in Residential, MUR and MUC zones:

(1) Fences in front setbacks. Fences shall be no taller than 4 feet in required front setbacks unless allowed below.

(a) Properties listed on the National Register of Historic Places may have front yard fences taller than 4 feet if the fence is appropriate to the building style and scale, and is approved by the Landmarks Commission.

Applicant's Findings: *The subject property is not located within the above referenced districts. This section is not applicable.*

(2) Corner properties, which by definition have two front yards, may have a fence no taller than 6 feet in the front yard adjacent to the street that does not contain the main door entrance when the fence does not extend in front of the building and one of the following conditions is met:
    (a) If the adjoining street is improved with sidewalks and a planter strip, the fence may be on or behind the property line.
    (b) If the adjoining street is improved with sidewalks but no planter strip, the fence is located a minimum of three feet from the sidewalk.
    (c) If the adjoining street is improved with curbs and gutters but no sidewalks, the fence is located 10 feet from the face of the curb.
    (d) If the adjoining street is unimproved, the fence is no closer than three feet from the property line.

Applicant's Findings: *The subject property is not located within the above referenced districts. This section is not applicable.*

(3) Interior Setbacks.
    (a) Fences in a residential zone in Article 3 or in the MUR or MUC zone may have fences up to six feet tall in the interior setbacks except that a single-family use or zone that shares an interior property line with a multiple-family, commercial or industrial use or zone may have a fence up to eight feet tall along the property line.

Applicant's Findings: *The subject property is not located within the above referenced districts. This section is not applicable.*

Standards in Commercial, Industrial, ES, LE, MS, PB, and TD zones:

(4) Fences in front setbacks. Fences shall be no taller than 6 feet in required front setbacks. 6-foot fences containing barbed wire on top or fences taller than 6 feet are not permitted in the front setback.

Applicant's Findings: *The applicant does not propose new fencing. The existing security fencing has been in place prior to the 2018 site plan approval.*

Standards in HD, DMU, CB, and WF zones:

(5) Fences in front setbacks. Fences shall be no taller than 4 feet within 10 feet of a front lot line unless allowed under (a)-(c), below. Barbed wire on top of fences is not permitted within 10 feet of a front lot line.
    (a) Properties listed on the National Register of Historic Places may have fences taller than four feet within 10 feet of a front lot line if the fence is appropriate to the building style and scale and is approved by the Landmarks Commission.

Applicant's Findings: *The subject property is not located within the above referenced districts. This section is not applicable.*

(b) The following uses (where allowed in the applicable zone) may have fences up to six feet tall within 10 feet of a front lot line:
  (i) All industrial uses
  (ii) All institutional uses
  (iii) Vehicle Repair iv. Rail and Utility Corridors (c) Corner properties, which by definition have two front yards, may have a fence no taller than six feet within 10 feet of the front lot line that does not contain the main door entrance provided the fence does not extend in front of the building.

Applicant's Findings: *The subject property is not located within the above referenced districts. This section is not applicable.*

9.385 – Screening

Whenever a sight-obscuring fence, wall or hedge is required under the provisions of this Code, it must meet the following provisions and the vision clearance standards in Section 12.180:

(1) Opacity. In order to be "sight-obscuring," fences and walls must be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence or wall. Hedges must be an evergreen species that will meet the standards year-round within two years of planting.

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(2) Height. Fences and walls will be a minimum of 6 feet tall. Hedges will be of a species capable of attaining a height of at least six feet within two years of planting, given their age, height, and health when planted.

Applicant's Findings: *The applicant is not proposing additional fencing; therefore the standard is not applicable.*

(3) Maintenance. Fences and walls will be maintained in safe condition and opacity is maintained as required in subsection (a) of this section. Wooden materials will be protected from rot, decay, and insect infestation. Plants forming hedges will be replaced within six months after dying or becoming diseased to the point that the opacity required in subsection (a) of this section is not met.

Applicant's Findings: *The applicant will maintain existing fencing to ensure it remains in a safe condition.*

9.390 – Non-Conforming Fences

Existing fences that were constructed legally and/or that were in place at the time the property was annexed to the City that do not meet the current fencing standards shall be considered a legal non-conforming use, provided that the barbed wire or upturned barbed selvage does not extend over a street or alley and where it does slant toward the public right-of-way, it is located not less than one foot from said right-of-way.

Applicant's Findings: *The previous development has been approved through a land use process. No additional fencing is proposed.*

9.400 – Environmental; Purpose

These regulations are designed to protect all uses in all zones from certain objectionable off-site impacts associated with nonresidential uses. These impacts include noise, vibration, odors, degraded water quality, and glare. The standards ensure that uses provide adequate control measures or locate in areas where the community is protected from health hazards or nuisances. Use of objective standards provides a measurable means of determining specified off-site impacts. This method protects specific industries or firms from exclusion in a zone-based solely on the general characteristics of similar industries in the past.

Applicant's Findings: *The facility has been operating since 1996 with little to no impacts. Previous conditional use applications have found minimal impacts to surrounding properties and the environment.*

9.405 – Exemptions

The off-site impact standards do not apply to machinery, equipment, and facilities that were at the site and in compliance with existing regulations at the effective date of these regulations. Any new or additional machinery, equipment, and facilities must comply with the standards of this chapter. Documentation is the responsibility of the proprietor of the use if there is any question about when the equipment was brought to the site.

Applicant's Findings: *The facility has been operating since 1996 with little to no impacts. Previous conditional use applications have found minimal impacts to surrounding properties and the environment.*

9.410 – Relationship to Other Regulations

The environmental standards are in addition to all other regulations of the Albany Municipal Code. These standards do not replace or supersede regulations of the Department of Environmental Quality (DEQ), relevant county regulations, or standards such as the Uniform Building Code or Uniform Fire Code.

Applicant's Findings: *The applicant will provide any required evidence demonstrating compliance with applicable state, federal and local environmental regulations.*

9.420 – Evidence of Compliance

Before approving a development application, the Director may require submission of evidence demonstrating compliance with state, federal and local environmental regulations and receipt of necessary permits.

Applicant's Findings: *The applicant will provide any required evidence demonstrating compliance with applicable state, federal and local environmental regulations.*

9.425 – Responsibility

Compliance with state, federal and local environmental regulations is the continuing obligation of the property owner and operator.

Applicant's Findings: *The applicant has applied for or will apply for required state and federal permits for the construction of the new building.*

9.430 – Measurements

Measurements for compliance with these standards are made from the property line or within the property of the affected site. Measurements may be made at ground level or at habitable levels of buildings.

If the City does not have the equipment or expertise to measure and evaluate a specific complaint, it may request assistance from another agency or may contract with an independent expert to perform such measurements. The City may accept measurements made by an independent expert hired by the owner or operator of the off-site impact source. If the City contracts to have measurements made and no violation is found, the City will bear the expense, if any, of the measurements. If a violation is found, City expenses will be charged to the violator. Nonpayment of the costs is a violation of the Code.

Applicant's Findings: *The applicant is aware that standards are measured at ground level.*

9.435 – Neighborhood Compatibility

If a site is located within 300 feet of residentially-zoned property and environmental impacts regulated by this article have not been adequately determined, the Community Development Director may require that a proposed use be considered under the Conditional Use process to provide an opportunity for public review and comment and to establish conditions to mitigate potential impacts.

Applicant's Findings: *The applicant has applied for a conditional use permit, which can establish conditions to mitigate impacts. The facility has been operating for many years, with not*

complaints. The operational characteristics are not proposed to change with the small addition. This standard is met.

9.440 – Noise

The City noise standards are stated in Albany Municipal Code Title 7, Public Peace, Morals and Safety. Oregon Administrative Rules (OAR) 340-035-0035, Noise Control Regulations for Industry and Commerce, is adopted here in its entirety, and as may be subsequently amended by the State of Oregon. Tables 7, 8, and 9 referenced in OAR are included here for reference only. In addition, the Department of Environmental Quality (DEQ) has regulations that apply to firms adjacent to or near noise-sensitive uses such as dwellings, religious institutions, schools, and hospitals.

(1) Additional City Standards. The following restrictions are in addition to the State DEQ standards for purposes of City noise regulation:

(a) For purposes of measuring permitted sound levels from noise-generating sources under the provisions of DEQ rules, any point where a noise-sensitive building could be constructed under the provisions of this Code shall apply as if such point contained a noise sensitive building.

Applicant's Findings: *The facility has been located on the subject property for many years with no noise complaints. The facility will maintain the same operational characteristics, this standard is met.*

(b) Within the Industrial Park (IP) and Waterfront (WF) zoning districts, each property or building under separate ownership shall be considered a noise-sensitive property under the provision of DEQ rules, with the exception that the allowable noise levels shall be increased by 5 dB.

Applicant's Findings: *The proposal is within the Light Industrial (LI) zone, this standard is not applicable.*

(c) The allowable noise levels cited in Tables 7, 8 and 9 shall apply to all non-residential uses.

Applicant's Findings: *The facility has been located on the subject property for many years with no noise complaints. The facility will maintain the same operational characteristics, this standard is met.*

(2) Expert Evaluation. A noise analysis may be required in the development review process to show that a proposed activity can meet the noise standards or that residential uses are adequately buffered from noise sources.

Applicant's Findings: *The facility has been located on the subject property for many years with no noise complaints. The facility will maintain the same operational characteristics, this standard is met.*

(3) Mitigation Measures. The following noise mitigation measures may be required through development review:
   (a) increased building setbacks;
   (b) special berms and heavy vegetation areas;
   (c) site layout to establish buffer areas or locate low-noise buildings to serve as a buffer between the noise-sensitive areas and the sound source; (d) special sound insulation construction techniques;
   (d) improvements as recommended by the DEQ or a qualified noise consultant;
   (e) posting a bond or other financial agreement to ensure that the required noise reduction features are installed.

Applicant's Findings: *The facility has been located on the subject property for many years with no noise complaints. The facility will maintain the same operational characteristics, mitigation is not required.*

9.450 – Visible Emissions

Within the mixed-use, commercial, IP and WF zoning districts, there shall be no use, operation, or activity that results in a stack or other point source emission, other than an emission from space heating, or the emission of pure uncombined water (steam) that is visible from a property line.

Applicant's Findings: *The proposal is within the Light Industrial (LI) zone, this standard is not applicable.*

9.455 – Water Quality

Direct discharge of stormwater and process waste from the operation of industries shall comply with the water quality standards adopted by the City of Albany, DEQ and as authorized by a National Pollutant Discharge Elimination System (NPDES) Permit.

Applicant's Findings: *The applicant will comply with all stormwater and process waste standards.*

9.460 – Vibration

Continuous, frequent, or repetitive vibrations that exceed 0.002g peak may not be produced.

Exceptions: Vibrations from temporary construction and vehicles that leave the site (such as trucks, trains, or aircraft) are exempt; vibrations lasting less than five minutes per day are also exempt. Vibrations from primarily on-site vehicles and equipment are not exempt.

Applicant's Findings: *The proposal will not produce vibrations for more than five minutes each day, this standard is met.*

Measurements. Seismic or electronic vibration measuring equipment may be used for measurements when there are doubts about the level of vibration.

Applicant's Findings: *The applicant will not be using seismic or electronic vibration measuring equipment, this standard is not applicable.*

9.470 – Odors

Continuous, frequent, or repetitive odors or the emission of odorous gases or other matter in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited. Odor is regulated by the Department of Environmental Quality.

Exceptions: An odor detected for less than 15 minutes per day is exempt.

Applicant's Findings: *The applicant has operated the facility, in the current location for many years and have adequately stored materials in a manner to not create odorous gasses or other detectable odors. The addition of the proposed building will not change the operational characteristics of the facility, which currently meet this standard.*

9.480 – Glare and Heat

No direct- or sky-reflected glare in excess of 0.5-foot candles of light, whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this Code. There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line of the source. Strobe lights visible from another property are not allowed, except as may be required by the Federal Aviation Administration.

Applicant's Findings: *The applicant has operated the facility, in the current location for many years and have adequately stored materials in a manner to not create a hazard. The addition of the proposed building will not change the operational characteristics of the facility, which currently meet this standard.*

9.490 – Glare and Heat

All materials including wastes shall be stored and all grounds shall be maintained in a manner that will not attract or aid the propagation of insects or rodents or create a health hazard.

Applicant's Findings: *The applicant has operated the facility, in the current location for many years and have adequately stored materials in a manner to not create a health hazard. The addition of the proposed building will not change the operational characteristics of the facility, which currently meet this standard.*

9.500 – Hazardous Waste

Hazardous wastes are subject to the regulations of Oregon Administrative Rules (OAR) 340.100-110, Hazardous Waste Management.

Applicant's Findings: *The applicant does not propose any Hazardous Waste on-site. This criterion is met.*

Section 10: Findings Applicable to Article 22

Article 22 – Use Categories and Definitions

22.010 – Introduction to the Use Categories

This section classifies land uses and activities into use categories based on common functional, product, or physical characteristics. The use categories provide a systematic basis for assigning present and future uses to zones. The decision to allow or prohibit the use categories in the various zones is based on the zoning district purpose statements.

The Schedules of Permitted Uses (by zoning district), special conditions and the development standards are located in Article 3, Residential Zoning Districts; Article 4, Commercial and Industrial Zoning Districts; and Article 5, Mixed Use Village Center Zoning Districts. The environmental performance standards in Article 9, On-site Development and Environmental Standards, may limit the placement of certain uses in some zoning districts.

INDUSTRIAL USE CATEGORIES

22.030 Contractors and Industrial Services

22.040 Manufacturing and Production

22.045 Small-scale Manufacturing

22.050 Railroad Yards

22.060 Warehousing and Distribution

22.070 Waste and Recycling Related

22.080 Wholesale Sales

COMMERCIAL USE CATEGORIES

22.090 Adult Entertainment

22.100 Entertainment and Recreation, Indoor and Outdoor

22.110 Offices 22.120 Parking Facility

22.125 Recreational Vehicle Park

22.130 Restaurants

22.140 Retail Sales and Service

22.150 Self-Serve Storage

22.155 Taverns, Bars, Breweries and Night Clubs

22.160 Vehicle Repair

22.170 Vehicle Service, Quick

INSTITUTIONAL USE CATEGORIES

22.180 Basic Utilities

22.190 Community Services

22.200 Daycare Facility

22.210 Educational Institutions

22.220 Hospitals

22.230 Jails and Detention Facilities

22.240 Parks, Open Areas and Cemeteries

22.250 Religious Institutions

RESIDENTIAL USE CATEGORIES

22.260 Residential Care or Treatment Facility

22.270 Assisted Living Facility

22.280 Single-Family Detached and Two Detached Units

22.285 Middle Housing

22.300 Multiple Family: Five or More Units

22.310 Unit(s) Above or Attached to a Business

22.320 Residential Accessory Buildings

OTHER USE CATEGORIES

22.325 Accessory Buildings, Non-Residential

22.330 Agriculture

22.340 Communication Facility

22.350 Kennels

22.360 Passenger Terminals

22.370 Rail and Utility Corridors

Applicant's Findings: *The applicant is applying for an expansion to an existing Jail and Detention facility, which requires a Conditional Use permit. The applicant has provided adequate information to meeting the decision criterion above. The expansion will not change the operational characteristics of the facility. This criterion is met.*

22.030 – Jails and Detention Facilities

(4) Contractors and industrial services uses perform services or provide materials related to building construction or remodeling, and the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Contractors are engaged in mostly off-site activities. Industrial service uses serve businesses and industries; relatively few general public customers come to the site.

(5) Use Examples. Types of uses include, but are not limited to: building, heating, plumbing or electrical suppliers and contractors; printing, publishing and lithography; tool repair; exterminators; laundry, dry-cleaning, and carpet cleaning plants; photo-finishing laboratories; bulk landscape materials including rocks, bark chips or compost; welding shops; machine shops; electric motor repair; repair of scientific or professional instruments; rental of equipment; sales, rental, repair, equipment storage, salvage or wrecking of heavy machinery, metal, and building materials; towing and vehicle storage; overnight or long-term equipment storage; heavy truck servicing and repair; tire retreading or recapping; truck fueling stations; janitorial and building maintenance services; fuel oil distributors; solid fuel yards.

(6) Exceptions.

(a) If fabrication is not carried on at the site and equipment and materials are not stored on site, contractors and others who perform services off-site are included in the Office category.

Applicant's Findings: *The facility does not fabricate on-site and there are no equipment or materials stored on site. Therefore, meeting the standards.*

Section 11: Conclusion

Based on the facts and findings presented by the applicant within this detailed written narrative, the applicant believes they have satisfied the burden of proof and demonstrated how the proposed Conditional Use Permit not only satisfies all applicable criteria but would also be a

benefit to the community by providing a needed improvement to this existing development in Albany.

Section 12: Exhibits

Exhibit A – Land Use Application Form

Exhibit B – Project Plans

Exhibit C – Grading Plan

Exhibit D – Preliminary Landscape Plan

Exhibit E – Terra Science Report

Exhibit A – Land Use Application Form

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

PLANNING APPLICATION
APPLICANT/OWNER & AUTHORIZING SIGNATURES

To be included with ALL City of Albany planning submittals

Send completed application and checklist(s) to cd.customerservice@cityofalbany.net.

- ☐ Adjustment (AD)
- ☐ Alternative Setback
- ☐ Annexation (AN)
- ☐ Comprehensive Plan Amendment (CP)
  - ○ Map Amendment
  - ○ Map Amendment; concurrent w/zoning
  - ○ Text Amendment
- ☒ Conditional Use, circle one: Type II or III
  - ○ Existing Building: expand or modify
  - ○ New Construction
  - ○ Home Business (Type III only)
- ☐ Development Code Text Amendment (DC)
- ☐ Floodplain Development Permit (FP)
- ☐ Historic Review (HI)
  - ○ Exterior Alteration – residential, not visible from street (Type I)
  - ○ Exterior Alteration – all commercial and residential visible from street (Type III)
  - ○ New Construction (Type III or I-L)
  - ○ Demolition or Moving (Type III)
  - ○ Substitute Materials (Type III)
- ☐ Interpretation of Code (CI)
  - ○ Quasi-Judicial (Type II)
  - ○ Legislative (Type IV)
- ☐ Land Division (check all that apply)
  - ☐ Partition (PA)
    - ○ Tentative Plat (Type I-L)
    - ○ Tentative Plat PD or CD (Type III)
    - ○ Final Plat (Type I)
  - ☐ Subdivision (SD)
    - ○ Tentative Plat (Type I-L)
    - ○ Tentative Plat PD or CD (Type III)
    - ○ Final Plat (Type I)
  - ☐ Tentative Re-plat Type I-L (RL)
  - ☐ Modification to Approved Site Plan or Conditional Use
  - ☐ Natural Resource Boundary Refinement (NR)
  - ☐ Natural Resource Impact Review (NR)
  - ☐ Non-Conforming Use (MN)
  - ☐ Planned Development (PD)
    - ○ Preliminary (Type III)
    - ○ Final (Type I)
  - ☐ Property Line Adjustment (LA)
  - ☐ Site Plan Review (SP)
    - ○ Accessory Building
    - ○ Change of Use, Temporary or Minor Developments
    - ○ Manufactured Home Park
    - ○ Modify Existing Development
    - ○ Parking Area Expansion (only)
    - ○ New Construction
    - ○ Tree Felling
  - ☐ Temporary Placement (TP)
  - ☐ Urban Growth Boundary (UGB)
  - ☐ Vacation (VC)
    - ○ Public Street or Alley
    - ○ Public Easements
  - ☐ Variance (VR)
    - ○ Major Variance (Type II)
    - ○ Minor Variance (Type I-L)
  - ☐ Willamette Greenway Use (WG)
  - ☐ Zoning Map Amendment (ZC)
    - ○ Quasi-Judicial (Type IV)
    - ○ Legislative (Type IV)
  - ☐ **Other Required (check all that apply)**
    - ○ Design Standards
    - ○ Hillside Development
    - ○ Mitigation
    - ○ Parking/Parking Lot
    - ○ Traffic Report
  - ☐ Other_____

Location/Description of Subject Property(s)

Site Address(es): 4400 Lochner Road SE Albany

Assessor's Map No(s): 11S03W19A000501 Tax Lot No(s): 501

Comprehensive Plan designation: Public/Semi Public Zoning designation: LI SW RC FP

Size of Subject Property(s): 24.28 acres Related Land Use Cases:_____

Project Description:

Expansion of existing youth correctional facility operated by OYA

☐ Historic Overlay ☐ Natural Resource Overlay District ☐ Floodplain or Floodway Overlay

Applicant Information (must be signed)

Name: State of Oregon - Oregon Youth Authority Signature: Paul Ehenger

Mailing Address: 530 Center Street NE, Suite 500 Date: 1/30/2023

City: Salem State: OR Zip: 97301

Phone #: 503-354-4058 Fax #: Email: paul.ehenger@oya.oregon.gov

File #(s): Date Fee & Application Received:

Pre-App File #(s): Pre-App Meeting Date:

Amount Paid: Received By:

Property Owner Information (must be signed)

☑ Same as Applicant

Name: Paul Ehenger Signature: Paul Ehenger

Mailing Address: 530 Center Street NE, Suite 500 Date: 1/30/2023

City: Salem State: OR Zip: 97301

Phone #: 503-354-4058 Fax #:

Email: paul.ehenger@oya.oregon.gov

Authorized Agent or Representative (must be signed, if applicable)

Choose One: ☐ Engineer ☑ Architect ☐ Other

Name: Leonard Lodder, AIA, LEED AP Signature:

Mailing Address: 275 Court Street NE Date:

City: Salem State: OR Zip: 97301

Phone #: 503-390-6500 Fax #:

Email: Leonard@studio3architecture.com

Relationship to property owner(s): Architect

Electronic Plans Representative (if different from applicant)

IF MORE THAN ONE, PROVIDE THE FOLLOWING INFORMATION FOR EACH; THEY WILL BE SENT ALL CITY NOTICES

Choose One: ☐ Engineer ☑ Architect ☐ Other

Name: Signature:

Mailing Address: Date:

City: State: Zip:

Phone #: Fax #:

Email:

Other Representative (must be signed, if applicable)

Choose One: ☐ Engineer ☐ Architect ☑ Other Land Use Planner

Name: BRAND Land Use, LLC - Britany Randall Signature: B Randall

Mailing Address: 12150 Jefferson Hwy 99E SE Date:

City: Jefferson State: OR Zip: 97352

Phone #: 503-680-0949 - Britany Fax #:

Email: Britany@BRANDLandUse.com

Exhibit B – Project Plans

NEW PROBATION / PAROLE FACILITY

Oak Creek Youth Correctional Facility

4400 LOCHNER RD SE ALBANY OR 97322

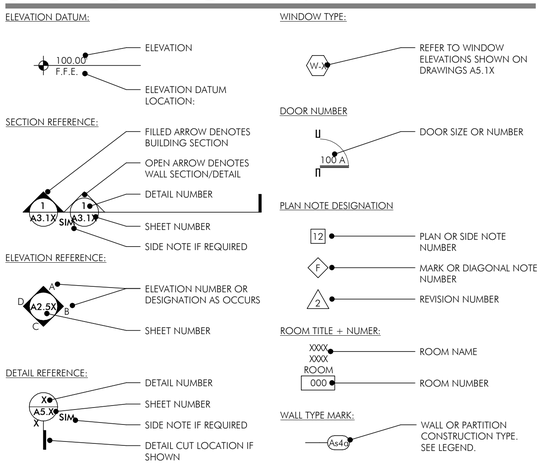
SITE VICINITY IMAGE:

SITE IMAGE:

DRAWINGS LIST:

Sheet Number	Sheet Name	Sheet Issue Date	Current Revision	Revision Description
GENERAL DRAWINGS				
G0.01	COVER SHEET	04/21/2022		
G0.02	GENERAL NOTES	04/21/2022		
G1.01	CODE REVIEW PLANS	04/21/2022		
G3.01	PERSPECTIVE VIEWS	04/21/2022		
G3.02	PERSPECTIVE VIEWS	04/21/2022		
ARCHITECTURAL DRAWINGS				
A0.21	WALL TYPES	04/21/2022		
A1.01	SITE PLAN	04/21/2022		
A1.02	SITE PLAN	04/21/2022		
A1.11	LEVEL 01 - DEMOLITION PLAN	04/21/2022		
A1.21	LEVEL 00 - FOUNDATION PLAN	09/30/22		
A1.22	LEVEL 01 - FLOOR PLAN	04/21/2022		
A1.23	LEVEL 03 - LOW ROOF PLAN	09/30/22		
A1.24	LEVEL 04 - HIGH ROOF PLAN	09/30/22		
A1.61	LEVEL 01 - REFLECTED CEILING PLAN	04/21/2022		
A2.01	ELEVATIONS	04/21/2022		
A2.02	ELEVATIONS	04/21/2022		
A2.51	INTERIOR ELEVATIONS	04/21/2022		
A2.52	INTERIOR ELEVATIONS	09/30/22		
A3.01	BUILDING SECTIONS	04/21/2022		
A3.02	BUILDING SECTIONS	04/21/2022		
A3.11	WALL SECTIONS	04/21/2022		
A4.01	DETAIL RESTROOM PLANS	04/21/2022		
A4.11	DETAIL STAIR PLANS	04/21/2022		
A5.01	EXTERIOR SITE PLAN DETAILS	04/21/2022		
A5.11	DOOR & WINDOW ELEVATIONS	04/21/2022		
A5.21	EXTERIOR DETAILS	04/21/2022		
A5.22	EXTERIOR DETAILS	04/21/2022		
A5.41	INTERIOR DETAILS	04/21/2022		
A5.42	INTERIOR DETAILS	04/21/2022		
A6.01	SCHEDULES	04/21/2022		
A6.02	SCHEDULES	04/21/2022		

SYMBOL LEGEND:



PROJECT TEAM:

OWNER:
OREGON YOUTH AUTHORITY

ARCHITECT:
STUDIO 3 ARCHITECTURE, Inc.
275 Court Street St. NE Salem OR 97303-3442
P: 503.390.6500
Project Architect: Leonard Lodder, AIA, LEED AP
D: 971.239.0207
E: leonard@studio3architecture.com
W: www.studio3architecture.com

CIVIL ENGINEERING:
WESTECH ENGINEERING, Inc.
3841 Fairview Industrial Dr. SE, Suite 100 Salem OR 97302
Ray Engel, P.E.
P: 503.585.2474 E: rengel@westech-eng.com

LANDSCAPE ARCHITECT:
LAURUS DESIGNS, LLC
1012 Pine Street Silverton OR 97381
Laura A. Antonson, LA
P: 503.784.6494 E: laura_a_antonson@hotmail.com

STRUCTURAL ENGINEERING:
MSC ENGINEERS, INC.
1045 13th St. SE Salem, OR 97302-2506
Cameron Swearingen, P.E.
P: 503.399.1399 E: camerons@mscengineers.com

MECHANICAL & ELECTRICAL ENGINEERING:
COLEBREIT ENGINEERING
2021 NW Grant Ave. Corvallis, OR 97330
Adam Boyd, P.E.
P: 541.728.3293 E: adamboyd@colebreit.com

STUDIO 3 ARCHITECTURE INCORPORATED
275 COURT ST. NE
SALEM, OR 97301-3442
P: 503.390.6500
www.studio3architecture.com

PRELIMINARY, NOT FOR CONSTRUCTION

IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY
4400 LOCHNER RD SE ALBANY OR 97322

SHEET:
G0.01

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GENERAL NOTES:

1. General notes apply to all drawings.
2. All construction shall comply with the Oregon Structural Specialty Code (OSSC). Construction shall comply with any titles/rules/laws the local jurisdiction enforces up to and beyond the latest edition of the Oregon Structural Specialty Code. Accessibility shall comply with the ANSI/ICC A117.1.
3. Contractor or its subcontractors shall be responsible for obtaining and paying for all inspections and tests required by any government agency to implement the plans and accept any required special inspections or reports, which shall be paid for by the owner.
4. Work shown on these drawings is to be supplied, furnished, constructed, installed all as per the general conditions and the specifications: exceptions as described by the following abbreviations:
   a. CFCI Contractor Furnished - Contractor Installed
   b. OFCI Owner Furnished - Contractor Installed
   c. OFOI Owner Furnished - Owner Installed
   d. NIC OR N.I.C. Not in contract or not a part of this contract.
5. Do not scale drawings, dimensions govern. The general contractor shall notify the architect of any discrepancies immediately. All dimensions are to face of stud or concrete, unless otherwise noted, those indicated as clear shall be from finish.
6. These drawings have been assembled for use at their current size and scale. The contractor assumes all responsibility for work not conforming to these documents due to the use of reduced scale drawings for estimating or construction purposes.
7. Where construction details are not shown or noted for any part of the work, the work shall be executed consistent with the intent demonstrated by details provided for other work. If questions remain about intent, contact the architect prior to proceeding with the work.
8. All surfaces and materials shall be thoroughly prepared smooth, clean, level and even. By commencing finish installation, the finish contractor signifies its acceptance of the substrate and thereby assumes responsibility for the quality of the installation.
9. Where devices or items or parts thereof are referred to in singular, it is intended that such shall apply to as many such devices, items, or parts as are required to properly complete the work.
10. The contractor shall layout the work prior to proceeding. The contractor shall notify the architect of all discrepancies with the layout. Such inspection shall not relieve the contractor of responsibility to conform to the intent of the contract documents.
11. Unless otherwise noted, dimensions, placements and alignments shown are critical for the installation of furniture and equipment as well as for the use of the space by occupants. Finished dimensions may vary upward by ¼" but may not vary downward. Where +/- is indicated variation of up to 3% shall be allowable. Alignments of new and existing conditions shall be finished to a smooth and monolithic appearance (gap shall be overlapped to an inside or outside corner where practicable to avoid cracking).
12. Do not deviate from the construction documents without the architect's written approval. The contractor agrees to defend indemnify and hold harmless the architect from any claims arising as a result of changes to the work without prior approval from the architect.
13. The general contractor shall be responsible for the timely arrival of all specified finish materials, equipment and any other materials to be utilized on the project. The general contractor shall notify the architect in writing within 10 days of date of contract of those specified items that may not be readily available and substitute items of equal quality and description. If notification is not received by the architect, the contractor accepts responsibility for the proper ordering and follow up of specified cost to the owner to insure availability of all specified items so as not to create a hardship on the owner nor delay progress of the work.
14. If required construction barriers shall be installed by the general contractor, painted, detailed, and illuminated as per the architect's direction. No signs other than those authorized by the architect or owner will be permitted on this barricade.
15. Neither the owner nor the architect will enforce safety measures or regulations. The contractor shall design, install and maintain all safety devices and shall be solely responsible for conforming to all local, state and federal safety and health standards, laws and regulations.
16. All existing facilities to be maintained in-place by the contractor unless otherwise shown or directed. Contractor shall take all precautions necessary to support, maintain or otherwise protect existing utilities and other facilities at all times during construction. Contractor shall leave existing facilities in an equal or better-than-original condition and to the satisfaction of the architect/owner.
17. The general contractor shall locate all existing utilities whether shown hereon or not and to protect them from damage. The general contractor shall bear all expenses of repair or replacement of utilities or other property damaged by operations in conjunction with the execution of his/her work.
18. The general contractor shall secure all permits required by the local jurisdiction, state agency and/or county.
19. Mechanical hvac, plumbing, fire suppression, low voltage and electrical work require separate permits. Trade subcontractors shall secure all required permits affecting their scope of work.
20. Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort. Exit doors shall swing in the direction of exit travel when serving an occupant load greater than 50.
21. Install wall backing for all wall mounted items, including but not limited to the following: door stops, fixtures, wall cabinets, shelving, counters, toilet accessories, security equipment, hand rails, window covering tracks, equipment racks, etc.
22. Coordinate location of recessed or semi-recessed items to avoid back to back installation and to reduce noise transfer through partitions.
23. Provide water resistant gypsum board at bathtub/shower walls and bathroom ceilings.
24. Architect shows fire extinguishers in general logical location: verify requirements and locations with local fire marshal. General contractor to provide fire extinguishers and cabinets (where called out).
25. Specifications of material and equipment by the use of name, model number, and/or general coordinate installations with equipment dimensions, including equipment to be installed by the tenant.
26. All work shall conform to standards of the industry for first quality workmanship and materials and shall conform to manufacturer's recommendations and specifications.
27. Materials are specified by name, model number and description were practicable in order to avoid inaccuracies. The contractor shall review all specifications and notify the architect of any discrepancies in these documents prior to proceeding with the work.
28. Floor material changes shall occur at the centerline of doors except where notes. See threshold details for special conditions (if any).
29. Blocking and grounds at areas which have millwork, shelving, and tenant furnished furniture wall cabinets indicated on the drawings shall be included with the work.

SUBMITTALS:

1. General: the contractor shall submit shop drawings, product data and samples.
2. The general contractor shall thoroughly review and check all submittals, coordinating separate trades and verifying conformance with the contract documents. The designer shall not review and will return without review any drawings or submittals not reviewed and noted by the general contractor.
3. Submittals shall include shop drawings, schedules and manufacturer's product and equipment cuts for all fixtures, equipment, finishes, special materials, specialties, millwork & casework, doors, frames, and hardware.
4. Finish materials: contractor shall submit samples of all finishes and materials, finishes shall be on actual materials.
5. Cut sheets: contractor shall submit manufacturer's cuts and spec sheets for all fixtures, including lighting, equipment, special materials, specialties, doors, frames and hardware.
6. Minimum sample size:
   a. Wood veneered products - 8 ½" x 11" x ¼"
   b. Solid lumber - 50 square inches
   c. Other finishes and miscellaneous materials - 6" x 6"
7. Quantity of submittals:
   a. Material samples: 3
   b. Shop drawings: 1 pdf
   c. Erection drawings: 1 pdf
8. Submittal markings: the samples shall bear identification of the project, designer, general contractor, and the manufacturer.
9. Quality grade of millwork and casework: AWI quality standards and specifications shall govern according to the following grades:
   a. Casework: Premium Grade
   b. Natural finish millwork: Premium Grade
   c. Running trim: Custom Grade
   d. Architectural flush doors (natural finish): Premium Grade

DEFERRED SUBMITTALS:

1. Deferred submittal review process: the portions of the project listed below will be constructed using a design/build approach.
2. The drawings included in this package are preliminary to provide a basis for bidding and planning.
3. Construction drawings for the portions listed are to be provided by the contractor as "deferred submittal" drawings.
4. "Deferred submittal" drawings require approval of both architect/engineer and the authority having jurisdiction prior to construction per O.S.S.C. paragraph 107.3.4.2.
5. The procedure for deferred submittal is as follows:
   a. Contractor to review and provide submittal stamp of approval.
   b. Deferred submittal shall be submitted to the architect for review.
   c. Following the completion of the architects review the contractor shall submit to the authority having jurisdiction.
   d. Work related to deferred submittal items shall not be performed until the deferred submittal documents have been approved by the authority having jurisdiction.
6. The contractor is responsible for the following deferred submittals:
   a. Electrical service design
   b. Mechanical HVAC (Heating Ventilating And Air Conditioning) system design
   c. Plumbing service design
   d. Fire suppression
   e. Fire alarm (where applicable)
7. Design-build coordination, design build services shall include but not be limited to the following:
   a. Electrical system and service design
   b. Mechanical HVAC (Heating Ventilating And Air Conditioning) system design
   c. Plumbing system and service design
   d. Fire suppression
   e. Fire alarm (approved first by general contractor)
8. Final design, engineering and shop drawings shall be submitted to architect for review and approval prior to proceeding, shop drawings shall include all materials, configurations, attachments, and finishes.

DESIGN-BUILD NOTES:

1. Design/Build - mechanical/electrical/plumbing/sprinkler.
2. Design/Build services shall be required of the Contractor for the Mechanical, Electrical, Plumbing, and Sprinkler portions of the work. All systems new and existing shall be designed, modified, provided and/or installed as required by the new layout. Contractor shall submit design drawings and product submittals for all design/build systems to the designer and the building for review and approval.
3. Conform to applicable codes, ordinances, specific building standards and industry standards for first class installations of all systems. Comply with building and lease specific requirements for emergency lighting, electrical service and sub-metering (contractor shall be responsible for the verification of adequacy of service and panel space). Contractor shall field verify and confirm with the building prior to submitting their bid for the work.
4. Contractors shall be responsible for all design and documentation (including required design documents professionally sealed by an engineer where and as required by the local jurisdiction) as may be required for the full and complete installation of HVAC, power, lighting and sprinkler systems, as well as applying and obtaining all permits, approvals, inspections and certificates required for the completion of the project for occupancy.
5. Contractor shall submit HVAC design drawings and product submittals to the designer and the building for review and approval, including clear indications of zones, locations of supply and return diffusers and thermostat locations. Contractor shall provide HVAC balancing report in triplicate to the architect and the building upon completion of the installation and balancing.
6. Fire suppression system: contractor shall modify existing fire suppression system consistent with requirements of code, new use, NFPA, and owner's insurance underwriter. Submit shop drawings for approval of building's engineer.
7. Sprinkler head types:
   a. At gypsum board ceiling: fully recessed flush mounted type with white cover plates.
   b. At suspended acoustic tile ceiling: centering not required, maintain min 6" from grid.
8. Contractor shall be responsible for complete as-built documents at the completion of the project and shall submit reproducible copies to the landlord for their records.

R.C.P. GENERAL NOTES:

1. Light fixtures, exit signs and other ceiling elements shall be located in center of individual ceiling plane or tile unless noted otherwise or as directed by architect.
2. Provide ceiling access as required for equipment and systems maintenance. Verify manufacturer recommendations.
3. Electrical contractor to provide all switches, dimmers and plates as required by design, multiple switches at one location shall be ganged together and furnished with one cover plate.
4. The reflected ceiling plan indicates the location of ceiling types, ceiling fixtures light switches and associated items.
5. Contractor to notify architect of any conflict of light fixture locations with main runners, ducts, etc. Prior to installation.
6. Verify field conditions and locations of all plumbing, mechanical ducts, structural elements and any and all other applicable items. Install new plumbing, mechanical fans, ducts, conduits, and other related items so as to not conflict with lights and any unique field conditions.
7. Furnish and install Underwriters Laboratory, Inc. (UL) labeled devices throughout.
8. Any lighting control systems which utilize an automatic time switch, occupant-sensing device, automatic daylight control device, lumen maintenance control device or interior photocell sensor, shall be installed in accordance with the manufacturers instruction.
9. Automatic daylight control devices and lumen maintenance control devices shall only control luminaries in the day lit area and have photocell sensors that are either ceiling mounted or located so that they are accessible only to authorized personnel.

PLUMBING MECHANICAL GENERAL NOTES:

1. Plumbing systems work for this project is shown for design-build guidance.
2. Plumbing fixtures are located on drawings for location only. Confirm fixture selection with owner prior to installation.
3. Equipment schedule does not specify any plumbing fixtures such as grease traps, faucets, pressure reducing valves, etc. Nor does it include final connection to service. Plumbing contractor to provide if necessary.
4. Contractor or its subcontractors shall be responsible for obtaining and paying for all inspections and tests required by any governmental agency to implement the plans and accept any required special inspections or reports, which shall be paid for by the owner.
5. Plumbing requirements shown only for items listed on equipment schedule.
6. Plumbing contractor to provide rough-in and final connect.
7. Although some floor drains may be shown on plans, provide all required floor drains per the plumbing code.

HVAC MECHANICAL GENERAL NOTES:

1. Mechanical HVAC work for this project is shown for design-build guidance.
2. Mechanical HVAC work for this project consists in exhaust fans and duct work as well as any code mandated ventilation.
3. Exhaust fans and circulation fans are located on drawings for general location only. Sizing is the responsibility of the design build contractor. Confirm equipment selection with owner prior to installation.
4. HVAC subcontractor to provide submittal information and receive owner approval prior to ordering equipment.
5. Contractor is required to review the drawings of all divisions of work contractor is responsible for coordination of this work and the work of all subcontractors with all divisions of work. It is this contractor's responsibility to provide all the subcontractors with a complete set of bid documents.
6. Contractor or its subcontractors shall be responsible for obtaining and paying for all inspections and tests required by any governmental agency to implement the plans and accept any required special inspections or reports, which shall be paid for by the owner.
7. The contractor shall furnish and install any additional structural steel required to support any mechanical equipment. This contractor shall coordinate locations and requirements with the general contractor and landlord prior to bid.

ELECTRICAL GENERAL NOTES:

1. Electrical work for this project is shown for design-build guidance.
2. Light fixtures and electric heating devices are located on drawings for general location only. Sizing of lumen output and power consumption is the responsibility of the design build contractor. Confirm fixture selection with owner prior to installation.
3. Contractor and subcontractors are required to review the drawings for all divisions of work. Contractor is responsible for coordination of this work and the work of all subcontractors with all divisions of work including electrical demolition. It is this contractor's responsibility to provide all the subcontractors with a complete set of bid documents.
4. Contractor or its subcontractors shall be responsible for obtaining and paying for all inspections and tests required by any governmental agency to implement the plans and accept any required special inspections or reports, which shall be paid for by the owner.
5. Electrical information provided on architectural floor plans is for reference only, electrical design build sub-contractor to confirm and coordinate all work.
6. Placement of light fixtures in ceiling planes takes precedence over all other services including fire protection or suppression devices.
7. Placement of receptacles, convenience outlets, switches, smoke detectors, etc must meet electrical code requirements, accessibility requirements and must be rationally laid out in the space available.
8. Circuiting indicated on plan is partially diagrammatic for clarity. Circuiting shall be "thru-wiring" where and whenever possible.
9. Field verify exact location and electrical requirements of all HVAC equipment with mechanical contractor prior to ordering related electrical equipment.
10. Coordinate with tenant's equipment power requirements.
11. Electrical contractor shall make all final connections as required for a fully complete and operable system.
12. All stub-up dimensions from finished floor to center of box.
13. Equipment listed on equipment schedule will be uncrated and set in place only. Rough in and final hookup will performed by the electrical contractor.
14. All electrical outlets and connections to be grounded type.
15. Electrical contractor to furnish disconnects where code requires.
16. Equipment listed on the equipment schedule does not include electrical fittings such as relays or disconnects to the electrical service.
17. Plugs should enter receptacle from the dimension side of symbols unless noted otherwise.

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PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY
4400 LOCHNER RD SE ALBANY OR 97322

SHEET:
G0.02

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CODE LEGEND:

OCCUPIABLE AREA USED IN OCCUPANT LOAD CALCULATIONS.

1/2 — 1/2 HR FIRE RESISTANCE RATED FIRE SEPARATION PARTITION

1 — 1 HR FIRE RESISTANCE RATED PARTITION. ALL EXTERIOR WALLS TO BE RATED FROM INTERIOR UNLESS LOCATED WITHIN 10'-0" OF PROPERTY LINE. SEE WALL TYPE DESIGNATIONS FOR ASSEMBLY LOCATIONS.

2 — 2 HR FIRE RESISTANCE RATED BARRIER

SEMI- RECESSED FIRE EXTINGUISHER CABINET W/ 2A-10BC EXTINGUISHER.

COMBINATION EXIT LIGHT AND EMERGENCY LIGHT W/ BATTERY BACKUP. PROVIDE MINIMUM 1 FOOT CANDLE AT PATH OF TRAVEL. MAX 5 WATTS AT SIGN.

EMERGENCY LIGHT W/ BATTERY BACKUP. PROVIDE MINIMUM 1 FOOT CANDLE AT PATH OF TRAVEL.

COMBINATION CARBON MONOXIDE AND SMOKE DETECTOR. SHALL BE COMPLIANT WITH ANSI/UL 2075 AND ANSI/UL 268.

CLASS I STANDPIPE SYSTEM.

X Occs / Y Max — EXIT CAPACITY ANNOTATION. OCCUPANT LOAD SERVED, OVER MAX OCCUPANT LOAD PERMITTED

X ft. / CPoT. — COMMON PATH OF TRAVEL DISTANCE TO A POINT WHERE MULTIPLE EXGRES PATHS DIVERGE.

DESIGNATES ACCESSIBLE ROUTE INTO BUILDING. (FOR GREATER CERTAINTY, ALL ROUTES INTO BUILDING MUST BE ACCESSIBLE).

PERMITS + SUBMITTALS:

DEFERRED SUBMITTALS:
- PRE-ENGINEERED STEEL STRUCTURE

SEPARATE PERMITS (DESIGN-BUILD WORK):
- PLUMBING
- MECHANICAL HVAC
- ELECTRICAL
- PRIVATE SEPTIC SYSTEM

PROJECT SUMMARY:

THE PROJECT INCLUDES THE CONSTRUCTION OF A NEW BUILDING TO HOUSE THE PAROLE AND PROBATION OFFICE FOR OAK CREEK YOUTH AUTHORITY IN ALBANY OREGON.

THIS FACILITY IS NOT INSIDE THE SECURE ZONE AT THE OAK CREEK YOUTH AUTHORITY FACILITY.

CODE PLAN NOTES:

1 NOT USED

PLUMBING CALCULATIONS:

PER OSSC TABLE 2902.1, MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES IS BASED ON 'OFFICE' USE.

PER OCCUPANT LOAD TABLE, TOTAL NUMBER OF OCCUPANTS IS 23 PERSONS, THE NUMBER OF PERSONS PER GENDER IS 12 MALE AND 12 FEMALE.

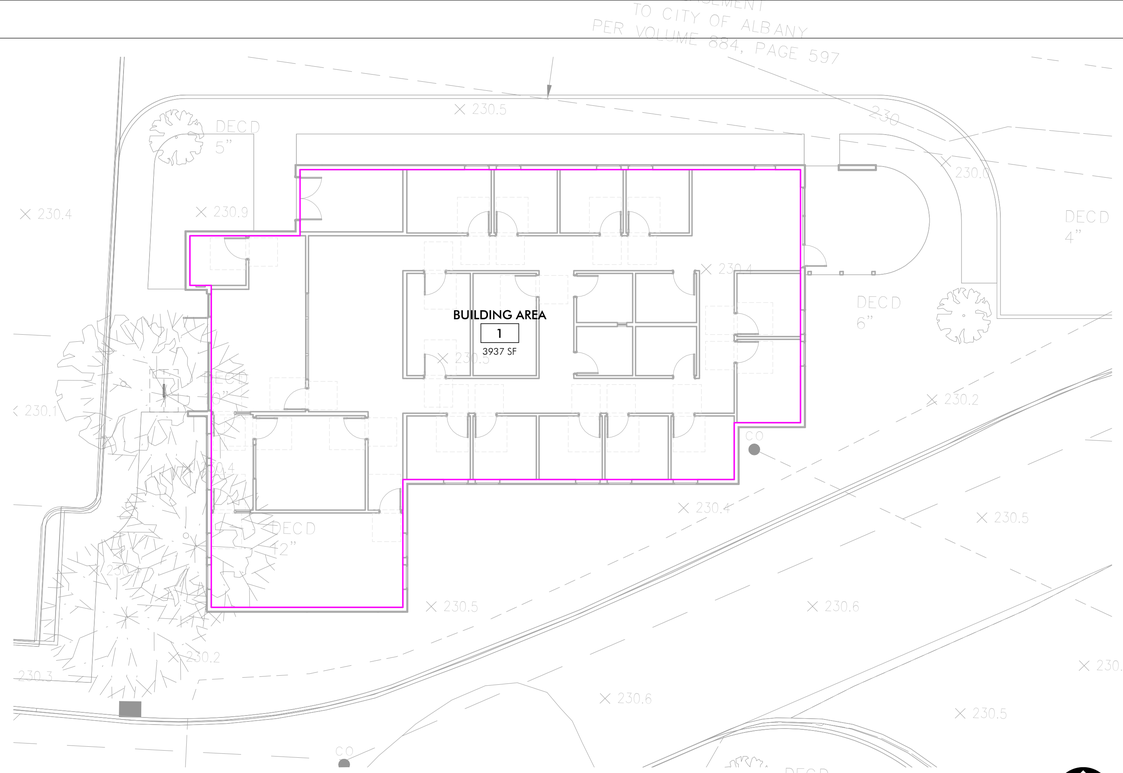
WATER CLOSETS:
- MALES: 1 per 25 1 Required, 1 Provided,
- FEMALES: 1 per 25 1 Required, 1 Provided

LAVATORIES:
- MALES: 1 per 40 1 Required, 1 Provided
- FEMALES: 1 per 40 1 Required, 1 Provided

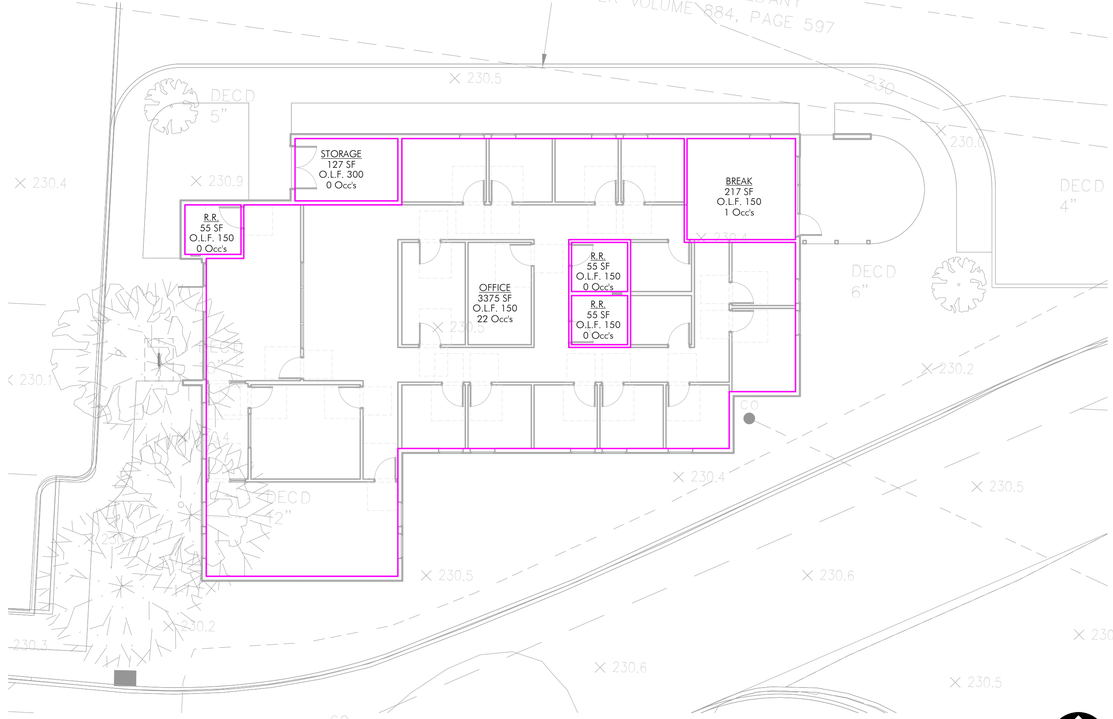
DRINKING FOUNTAINS:
- NOT REQUIRED

MINIMUM VENTILATION RATES (OMSC TABLE 403.3.1.1)

Occupancy Classification	Occupant Density /1000sf	Air Flow Rate CFM/Person	Outdoor Air Rate CFM/sf	Exhaust Rate CFM/sf
SALES FLOOR	15	7.5	0.06	n/a
STORAGE			0.12	n/a
SHIPPING & RECEIVING			0.12	n/a
OFFICES	5	5	0.06	n/a
KITCHENS	20	7.5	0.12	0.7
RESTROOMS				50/70



1 LEVEL 01 - CODE REVIEW PLAN
0' 4' 8' 12' 16' 24' 32' 3/32" = 1'-0"



2 LEVEL 01 - OCCUPANT LOAD PLAN
0' 4' 8' 12' 16' 24' 32' 3/32" = 1'-0"

CODE REVIEW:

PROJECT NAME: OAK CREEK YOUTH CORRECTIONAL FACILITY, PROBATION/PAROLE FACILITY
ADDRESS: 4400 LOCHNER RD SE ALBANY OR 97322
PROJECT No: 2021-208

DEFERRED SUBMITTALS:
- N/A

GOVERNING CODES:
- Structural - Life Safety: 2019 Oregon Structural Specialty Code (OSSC)
- Residential Code: 2021 Oregon Residential Specialty Code (ORSC) (When Applicable)
- Mechanical: 2019 Oregon Mechanical Specialty Code (OMSC)
- Plumbing: 2021 Oregon Plumbing Specialty Code (OPSC)
- Electrical: 2021 Oregon Electrical Specialty Code (OESC)
- Energy: 2021 Oregon Energy Efficiency Specialty Code (OEESC)
  2019 Oregon Zero Energy Ready Specialty Code (OZERCC)
- Fire Sprinklers: NFPA 13 (or 13R) - Standard for the Installation of Sprinkler Systems
- Fire Alarm: NFPA 72 - National Fire Alarm Code
- Gas Code: 2019 Oregon Mechanical Specialty Code
- Accessibility ICC/ANSI A117.1-2009 Standard for Accessible and Usable Buildings and Facilities

USE AND OCCUPANCY CLASSIFICATION:
- "B" "Offices" Section 304
- "S-2" "Storage" Section 311.3 (Storage in this project is actually an accessory to the B occupancy)

CONSTRUCTION TYPE:
- Type V-B.

OCCUPANCY SEPARATIONS: per Section 508.3:
- Project complies with requirements for non-separated uses therefore occupancy separations not required.

ALLOWABLE HEIGHT CALCULATIONS:
For 'B' in Type V-B Construction:
- Allowable Height per Table 504.3: = 40 ft.
- Actual Building Height to top of parapet: = 20 ft.

ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE:
For 'B' in Type V-B Construction:
- Allowable Number of Stories per Table 504.4: = 2 story.
- Actual Number of Stories: = 1 story.

ALLOWABLE AREA CALCULATIONS:
Aa = *At + [NS x If] x Sa* = Allowable area per story in square feet.
At = NS Tabular Area per story in accordance with Table 506.2
NS = Tabular Area for Non Sprinklered Buildings in accordance with Table 506.2
If = *[F/P - 0.25] * W/30* = Area increase due to frontage per Section 506.2.
Sa = Actual number of Stories above Grade Plane, not to exceed 3 for Non-Sprinklered Buildings, and not to exceed 4 for NFPA 13 Sprinklered Buildings.
F = Building Perimeter which fronts on a public way or open space having 20ft min. open width.
P = Perimeter of entire building.
W = Width of public way or open space per 506.3, (Minimum 20ft and Maximum 30ft)

Construction Type: V-B "A-3" Occupancy
At = 9,000
If = 0.750
Sa = 3
F = 562 ft
P = 562 ft
Therefore: Allowable Area per Floor = 35,625 s.f.
Allowable Area per Building = 106,875 s.f.

Construction Type: V-B "B" Occupancy
At = 9,000
Therefore: Allowable Area per Floor = 71,250 s.f.
Allowable Area per Building = 142,500 s.f.

Construction Type: V-B "R-2" Occupancy
At = 7,000
Therefore: Allowable Area per Floor = 60,000 s.f.
Allowable Area per Building = 180,000 s.f.

Construction Type: V-B "S-2"Occupancy
At = 13,500
Therefore: Allowable Area per Floor = 97,500 s.f.
Allowable Area per Building = 292,500 s.f.

ACTUAL AREA PER FLOOR:
- LEVEL 00: (Basement) =
- LEVEL 01: (Ground Floor) = 8,250 s.f. < 35,625 s.f. PERMITTED
- LEVEL 02: (Second Floor) = s.f. < 35,625 s.f. PERMITTED
- LEVEL 03: (Third Floor) = s.f. < 35,625 s.f. PERMITTED

ACTUAL AREA PER BUILDING:
- LEVEL 00: (Basement) = 1,426 s.f.
- LEVEL 01: (Ground Floor) = 8,250 s.f.
- LEVEL 02: (Second Floor) = 4,797 s.f.
- LEVEL 03: (Third Floor) = 1
- TOTAL: = 14,473 s.f. < 106,8750s.f. PERMITTED

FIRE RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS IN HOURS per Table 601 and 602
- Primary Structural Frame Including Columns, and Girders: 0 hrs
- Bearing Walls, Exterior: 0 hrs
- Bearing Walls, Interior: 0 hrs
- Non-bearing Walls, Exterior: < 5' to property line 1 hrs
- Non-bearing Walls, Exterior: > 5' but < 10' to property line 1 hrs
- Non-bearing Walls, Exterior: > 10' but < 30' to property line 1 hrs
- Non-bearing Walls, Exterior: ≥30' to property line 0 hrs
- Non-bearing Walls and Partitions, Interior: 0 hrs
- Floor Construction Including supporting beams and joists: 0 hrs
- Roof Construction: 0 hrs

INTERIOR FINISHES:Table 803.13 for 'B' Occ
- Exit Enclosures and Exit Passages: Class B: Flame Spread 26-75; Smoke -developed 0-450 N/A
- Corridors: Class B: Flame Spread 26-75; Smoke -developed 0-450 N/A
- All other spaces: Class C: Flame Spread 76-200; Smoke -developed 0-450

FIRE PROTECTION SYSTEMS:
- Automatic Sprinkler System required, per OSSC Section 903
- Portable Fire Extinguisers required per OFC Section 906. (Not a Building Code Requirement).
- Fire Alarm System is required per OSSC Section 907, Paragraph 907.2.2.

COMMON PATH OF TRAVEL:
- Common path of travel maximum without fire sprinklers is 75'-0" per paragraph 1006.2.1.

EXIT ACCESS TRAVEL DISTANCE:
- Maximum travel distance without fire sprinklers to the most remote exit doors is 200'-0" for B occupancy per table 1017.2.

ACCESSIBILITY:
BUILDING DESIGNED TO MEET REQUIREMENTS OF OSSC CHAPTER 11 AND ANSI A117.1:
- Design: per 1101.2, accessibility design governed by OSSC Chapter 11 and ICC A117.1.
- Door Opening Force: per 1101.2.2.5, Exterior doors max 8.5 lbs-force, Interior doors max 5 lbs-force.
- Scope Requirements: per Section 1103, Building required to be accessible to people with disabilities. An exception exists for equipment spaces and limited access spaces such as attics.
- Accessible Routes: per Section 1104,
- Accessible Entrances: per Section 1105, 60 percent of all public entrances shall be accessible. For greater certainty all entrances will meet accessibility standards.
- Parking and Passenger Loading Facilities: per Section 1106.
- Special Occupancies: per Section 1108.
- Other Features and Facilities: per Section 1109 and complying with ICC A117.1
- Signage: Per Section 1110

VENTILATION REQUIREMENTS: Table 403.3 (Mechanical Code)

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SHEET:
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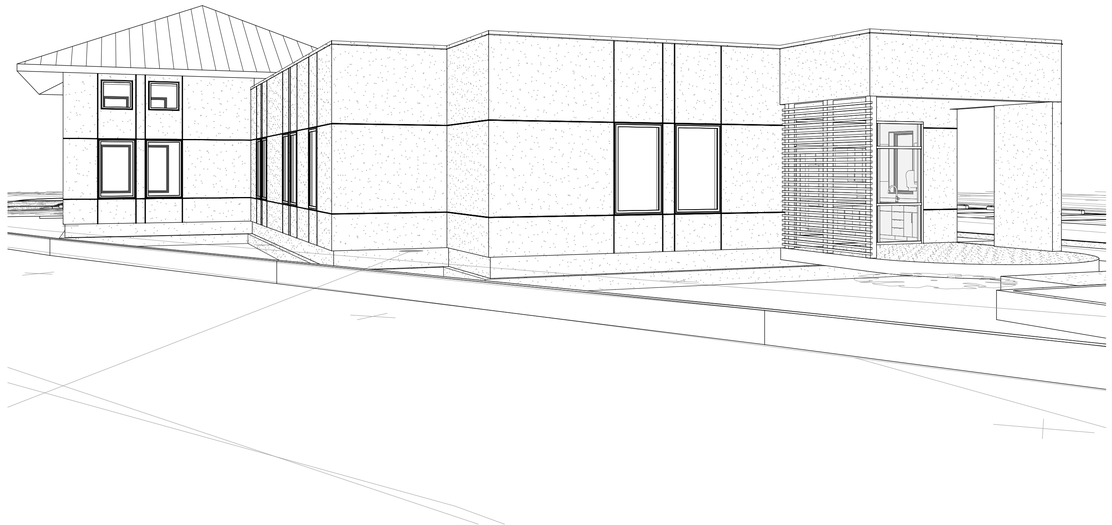
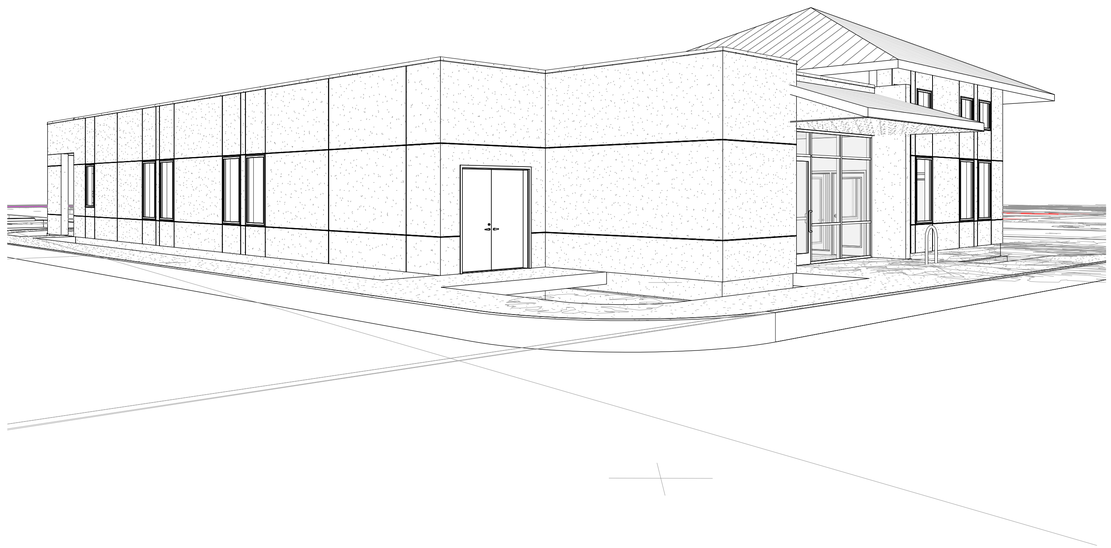
1 3D View WEST ENTRY



2 3D View EAST STAFF ENTRY



3 3D View NORTH-WEST CORNER

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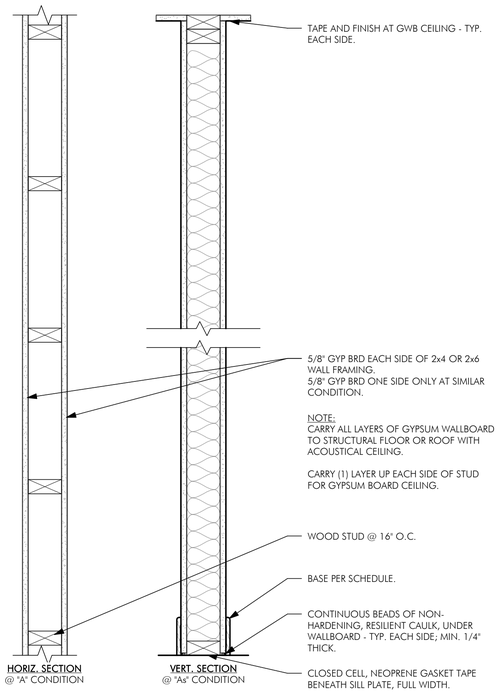
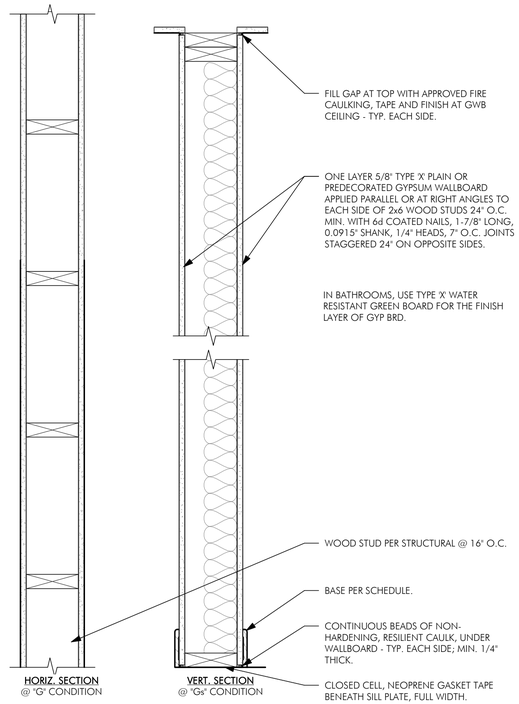
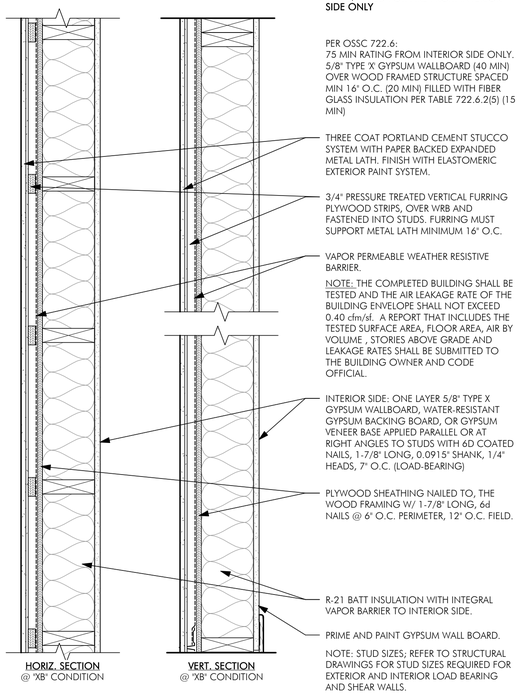


F.R. / STC — INTERIOR PARTITION TYPE: A / As



F.R. / STC — INTERIOR PARTITION TYPE: B / Bs

EXTERIOR WALL ASSEMBLY: PER OSSC 705.5, RATED FOR FIRE FROM INTERIOR SIDE ONLY

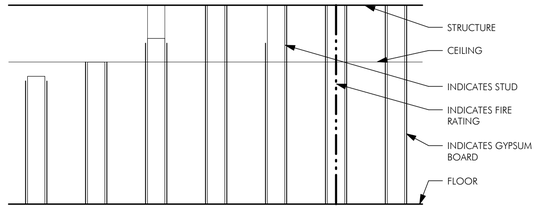


F.R. / STC — EXTERIOR WALL TYPE: XC

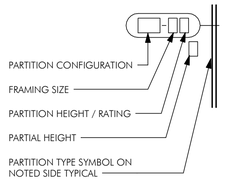
PARTITION NOTES:

1. SEE FLOOR PLAN DRAWINGS FOR WALL TYPE LOCATIONS.
2. SEE REFLECTED CEILING PLAN DRAWINGS FOR HORIZONTAL RATED LOCATIONS.
3. PROVIDE ACOUSTIC SEAL AT PERIMETER AND PENETRATIONS OF SOUND RATED PARTITIONS AND OTHER CONSTRUCTION AS REQUIRED TO ACHIEVE STC RATING INDICATED.
4. MAINTAIN FIRE RATING OF WALLS AROUND FIRE EXTINGUISHER CABINETS, AND OTHER RECESSED ITEMS.
5. FRAME AROUND BEAMS AND OTHER STRUCTURAL ELEMENTS WHEN THEY OCCUR WITHIN THE SPACE OF A FIRE RATED OR ACOUSTICAL PARTITION.
6. WHEN FRAMING CONTINUES PAST INTERMEDIATE STRUCTURE, (AS IN MULTI-STORY STAIR ENCLOSURES AND SIMILAR CONDITIONS), ATTACHMENT TO INTERMEDIATE STRUCTURE SHALL BE WITH A SLOTTED CONNECTION OR OTHER MEANS SO THAT THE STRUCTURAL DEFLECTION WILL NOT TRANSFER LOADS TO THE FRAMING.
7. PLAN DIMENSIONS ARE TO FACE OF FRAMING, OR CENTERLINE OF COLUMN UNLESS OTHERWISE INDICATED.
8. SEE FINISH SCHEDULE, INTERIOR ELEVATIONS, AND DETAILS FOR FINISHES AND SPECIAL CONDITIONS.
9. SEE STRUCTURAL DRAWINGS FOR PLYWOOD PANEL FACE LOCATION AT SHEAR WALL CONDITIONS.
10. AT ALL SMOKE PARTITIONS, PROVIDE SMOKE SEALING JOINTS AT FLOOR, CEILING, EACH SIDE OF THE PARTITION, AND AT PENETRATION FIRE-STOPPING AT ANNULAR SPACE SURROUNDING PENETRATION OF PARTITION FOR DUCTS, PIPING, CONDUITS, ETC. WITH PENETRATION FIRE-STOPPING PER SECTION 07 8413 TO RESIST THE FREE PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION.

PARTITION HEIGHT/RATING LEGEND:



PARTITION TYPE PLAN SYMBOL



FRAMING SIZE DESIGNATION

0	=	7/8" M FURRING		
1	=	1 5/8" MSTUD	or	1x" NOM WOOD
2	=	2 1/2" MSTUD	or	2x" NOM WOOD
3	=	3 1/2" MSTUD	or	3x" NOM WOOD
4	=	4" MSTUD	or	4x" NOM WOOD
6	=	6" MSTUD	or	6x" NOM WOOD
8	=	8" MSTUD	or	8x" NOM WOOD

FIRE BLOCKING NOTES:

PROVIDE FIREBLOCKING IN ALL CONCEALED SPACES AND DOUBLE STUD WALL ASSEMBLIES IN ACCORDANCE WITH OSSC 717.2: SEE SPECIFICATIONS.

PARTITION HEIGHT / RATING LEGEND (SEE DIAGRAM ABOVE)

- a = NON-RATED PARTIAL HEIGHT PARTITION, (SEE PLAN FOR TOP OF PARTITION HEIGHT).
- b = NON-RATED TO UNDERSIDE OF CEILING.
- c = NON-RATED, EXTEND GYPSUM BOARD TO 6" ABOVE CEILING AND BRACE STUDS AS REQUIRED TO STRUCTURE ABOVE.
- d = NON-RATED, EXTEND STUDS AND GYPSUM BOARD TO UNDERSIDE OF STRUCTURE ABOVE.
- e = NON-RATED, EXTEND STUDS AND GYPSUM BOARD FROM CONCRETE S.O.G. TO UNDERSIDE OF STRUCTURE ABOVE. SEAL BOTTOM TRACK TO SLAB WITH SEALANT.
- f = NON-RATED, EXTEND STUDS TO UNDERSIDE OF STRUCTURE ABOVE. EXTEND GYPSUM BOARD TO 6" ABOVE CEILING ON ONE SIDE AND EXTEND TO STRUCTURE ON THE OTHER.
- g = 1/2 HOUR (30 MINUTES) RATED.
- h = 3/4 HOUR (45 MINUTES) RATED.
- j = 1 HOUR (60 MINUTES) RATED.
- k = 2 HOUR (120 MINUTES) RATED.
- l = 3 HOUR (180 MINUTES) RATED
- m = 4 HOUR (240 MINUTES) RATED.
- s = SMOKE RATED.

Attachment C-140
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PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY
4400 LOCHNER RD SE ALBANY OR 97322

SHEET:
A0.21

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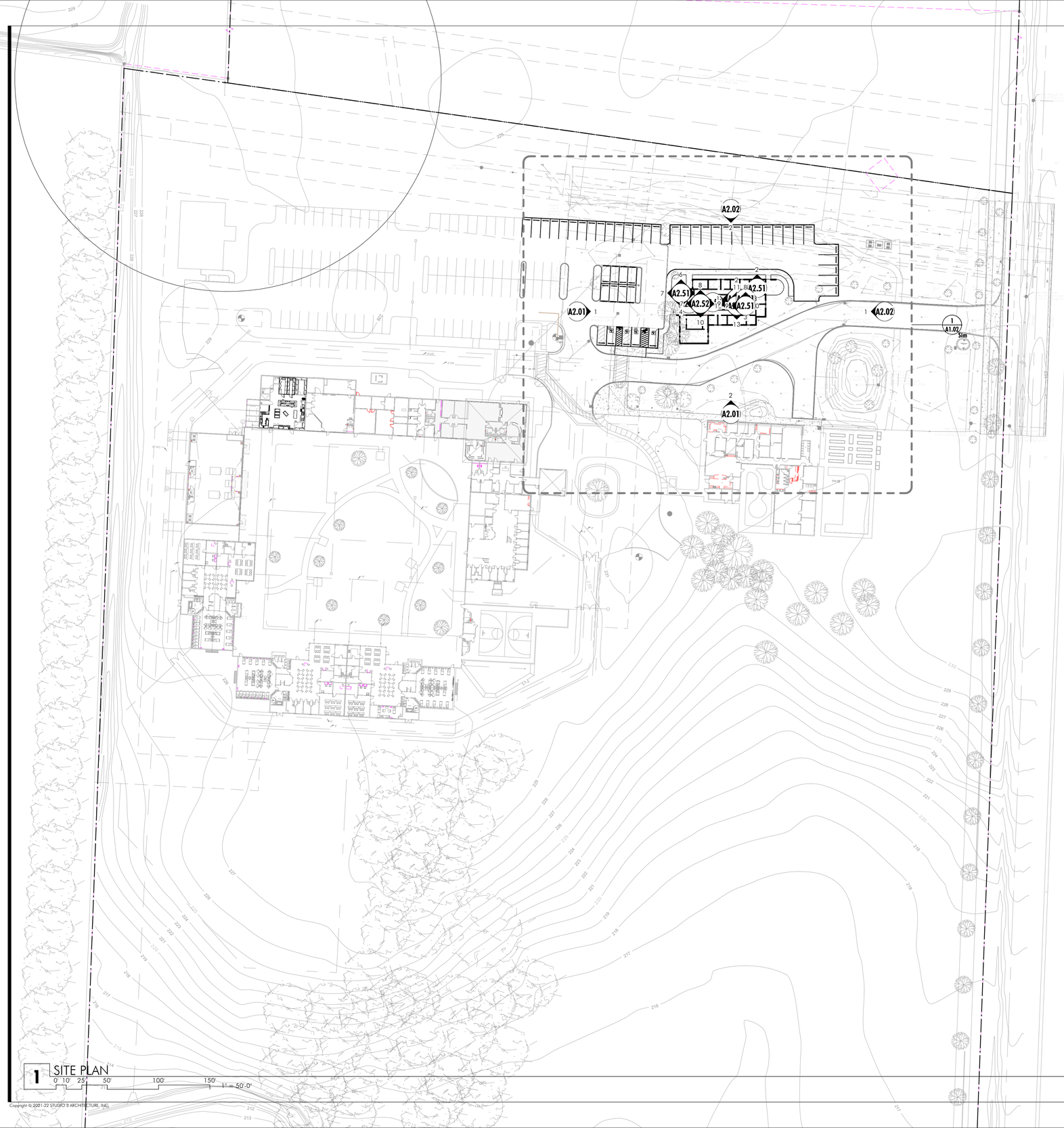

1 SITE PLAN
0' 10' 25' 50' 100' 150' 1" = 50'-0"

SITE PLAN GENERAL NOTES:

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION.
- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.

SITE DEVELOPMENT CODE REVIEW:

SITE AREA:
PARCEL 1 (north lot not used) 4.37ac
PARCEL 2 (south lot) 24.28ac

ZONING: LI Light Industrial

BUILDING AREAS:
- BLDG 1 LEVEL 01: 4,095 sf

PARKING:
- OFFICE USES: 1/400sf REQ'D
- = 11 SPACES. (19 PROVIDED)

BIKE PARKING:
- 1 SPACES PER 10 VEHICLE PARKING SPACES.
- THEREFORE PROVIDE 2 SPACES.

LOADING SPACES:

SITE AREA CALCULATIONS

DESCRIPTION	AREA sf	PERCENT	REMARKS
BUILDINGS	0.00	0.00%	
LANDSCAPING	0.00	0.00%	
ASPHALT PAVING	0.00	0.00%	
ACCESSORY STRUCTURES	0.00	0.00%	TRASH ENCLOSURE
CONCRETE SIDEWALKS	0.00	0.00%	
CONCRETE CURBS	0.00	0.00%	
CONCRETE PAVING AND MISC CONCRETE PADS	0.00	0.00%	
MISCELLANEOUS	0.00	0.00%	
8	0.00	0.00%	

CANOPY AREA CALCULATIONS

COVER DESCRIPTION	COVER AREA sf	PERCENT	COVER REMARKS
PORTE COCHERE	0.00	0.00%	
ENTRANCE CANOPIES	0.00	0.00%	
WEATHER COVER CANOPIES	0.00	0.00%	
3	0.00	0.00%	

SITE PLAN NOTES:

1 BIKE RACK FOR 2 BIKE PARKING SPACES.

2 RESTRIPE EXISTING ADA PARKING SPACES TO ADD ADDITIONAL SPACE.

3 NEW BUILDING MAIN ENTRY

4 ENTRY TO STORAGE FACILITY

5 EMPLOYEE ENTRANCE AND COVERED PATIO

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275 COURT ST. NE
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P: 503.390.6500
www.studio3architecture.com

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SHEET:
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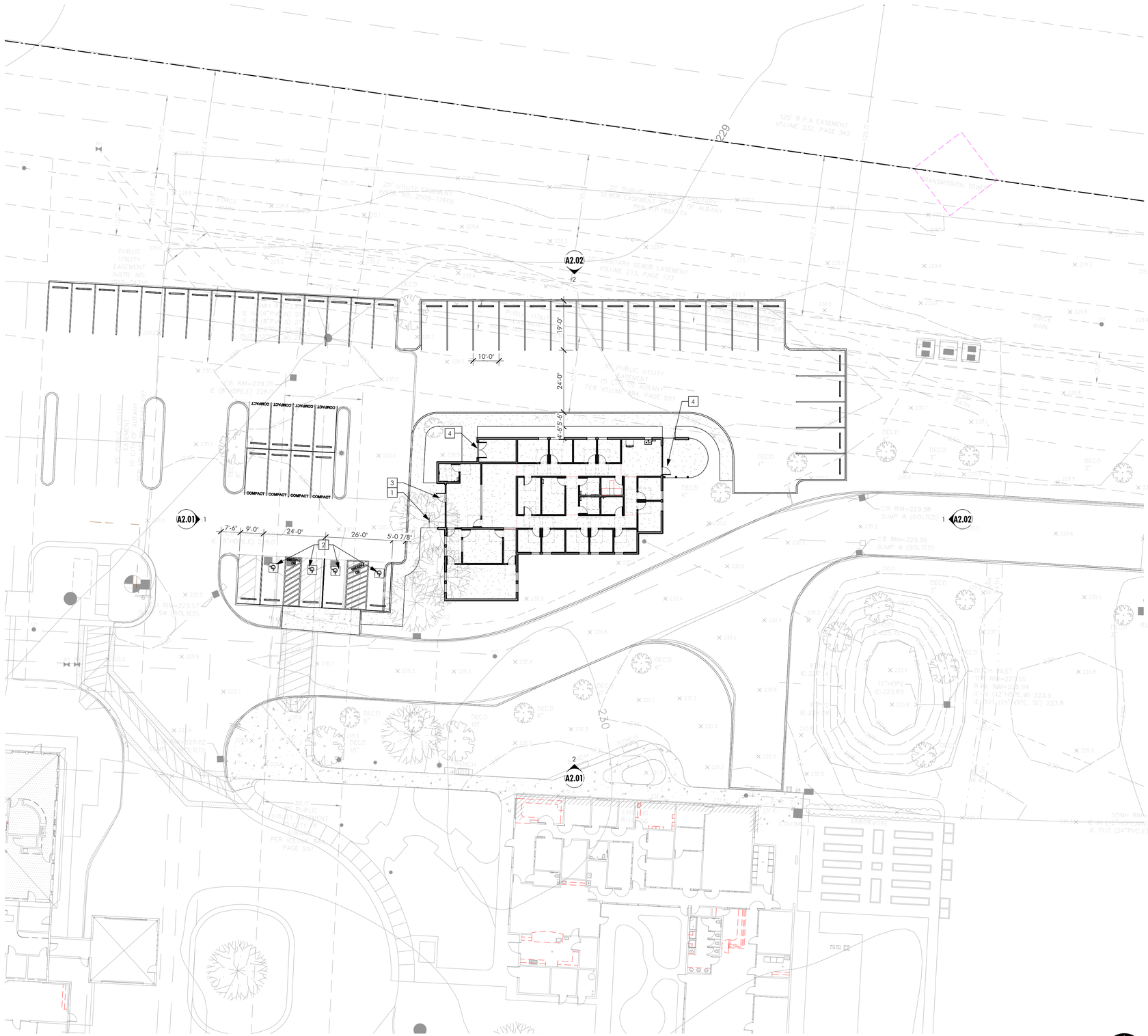

1 SITE PLAN DETAIL
0 5' 10' 20' 40' 60' 1" = 20'-0"

SITE PLAN GENERAL NOTES:

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- THEREFORE PROVIDE 2 SPACES.

LOADING SPACES:

SITE AREA CALCULATIONS

DESCRIPTION	AREA sf	PERCENT	REMARKS
BUILDINGS	0.00	0.00%	
LANDSCAPING	0.00	0.00%	
ASPHALT PAVING	0.00	0.00%	
ACCESSORY STRUCTURES	0.00	0.00%	TRASH ENCLOSURE
CONCRETE SIDEWALKS	0.00	0.00%	
CONCRETE CURBS	0.00	0.00%	
CONCRETE PAVING AND MISC CONCRETE PADS	0.00	0.00%	
MISCELLANEOUS	0.00	0.00%	
8	0.00	0.00%	

CANOPY AREA CALCULATIONS

COVER DESCRIPTION	COVER AREA sf	PERCENT	COVER REMARKS
PORTE COCHERE	0.00	0.00%	
ENTRANCE CANOPIES	0.00	0.00%	
WEATHER COVER CANOPIES	0.00	0.00%	
3	0.00	0.00%	

SITE PLAN NOTES:

1. BIKE RACK FOR 2 BIKE PARKING SPACES.
2. RESTRIPE EXISTING ADA PARKING SPACES TO ADD ADDITIONAL SPACE.
3. NEW BUILDING MAIN ENTRY
4. ENTRY TO STORAGE FACILITY
5. EMPLOYEE ENTRANCE AND COVERED PATIO

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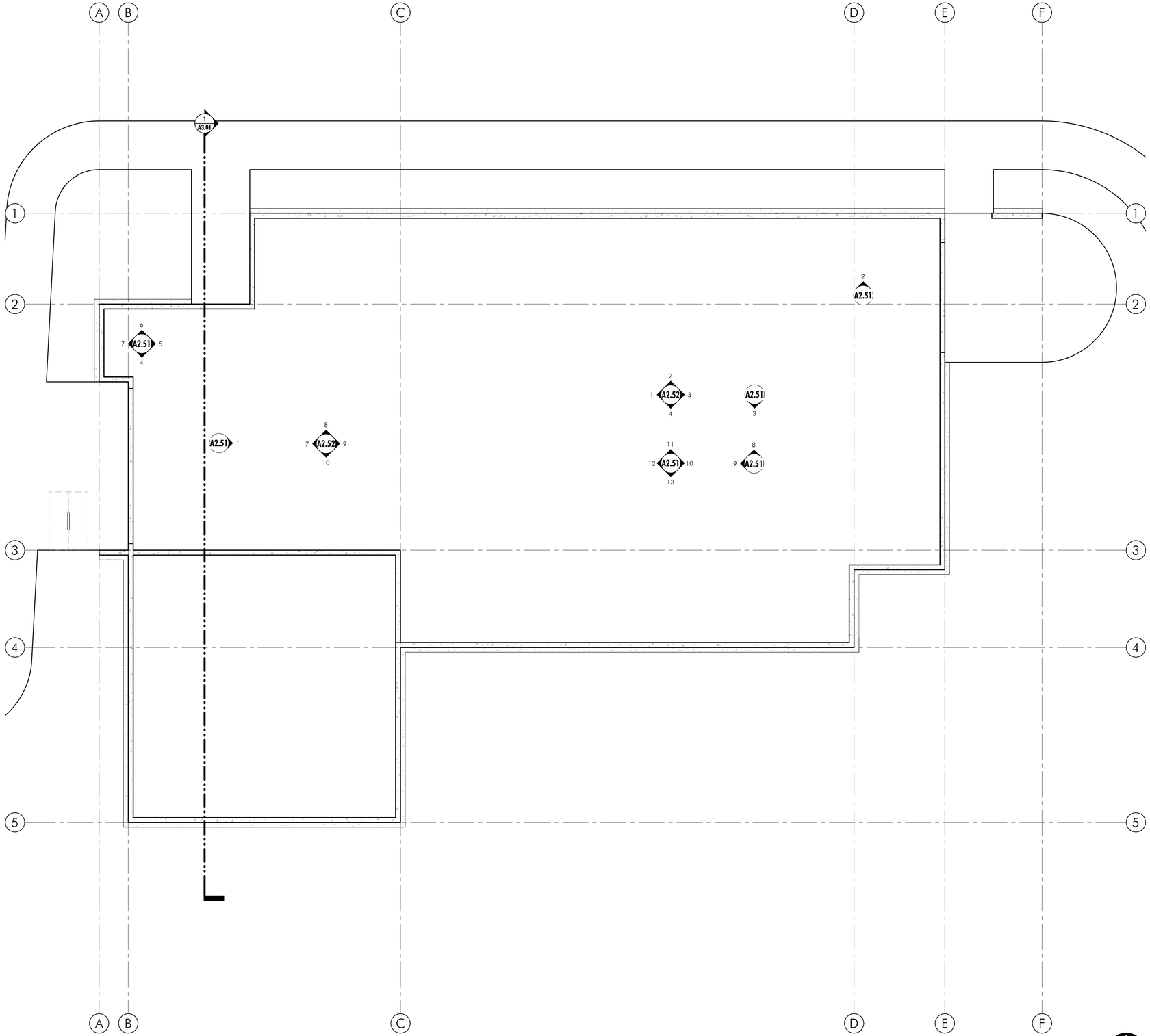

1 LEVEL 00 - ToF
0' 2' 4' 6' 8' 10' 16'
3/16" = 1'-0"

GENERAL PLAN NOTES:

1. GENERAL NOTES APPLY TO ALL DRAWINGS.
2. DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT OF ANY DISCREPANCIES IMMEDIATELY UPON DISCOVERY. OBTAIN CLARIFICATION OF DIMENSIONS OR DISCREPANCIES PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.
3. DIMENSIONS ARE TO FACE OF FRAMING. DIMENSIONS STATED AS CLEAR ARE TO FACE OF FINISH.
4. SEE WALL SECTIONS FOR DESCRIPTION OF EXTERIOR WALL MATERIALS.
5. ALL INTERIOR PARTITIONS TO RECEIVE GLASS FIBER INSULATION, FULL HEIGHT.
6. COORDINATE LOCATION OF RECESSED OR SEMI-RECESSED ITEMS TO AVOID BACK TO BACK INSTALLATION AND TO REDUCE NOISE TRANSFER THROUGH PARTITIONS.
7. INSTALL WALL BACKING FOR ALL WALL MOUNTED ITEMS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: DOOR STOPS, FIXTURES, WALL CABINETS, SHELVING, COUNTERS, TOILET ACCESSORIES, SECURITY EQUIPMENT, TACK BOARDS AND MARKER BOARDS, HAND RAILS AND WINDOW COVERING TRACKS.
8. SEPARATE AREAS IN WHICH WORK IS BEING CONDUCTED FROM OTHER AREAS THAT ARE STILL OCCUPIED.
   A. PROVIDE, ERECT, AND MAINTAIN TEMPORARY DUSTPROOF PARTITIONS OF SUITABLE CONSTRUCTION IN LOCATIONS INDICATED ON DRAWINGS OR AS DIRECTED.
9. PROTECT EXISTING WORK TO REMAIN.
   A. PREVENT MOVEMENT OF STRUCTURE; PROVIDE SHORING AND BRACING IF NECESSARY.
   B. PERFORM CUTTING TO ACCOMPLISH REMOVALS NEATLY AND AS SPECIFIED FOR CUTTING NEW WORK.
   C. REPAIR ADJACENT CONSTRUCTION AND FINISHES DAMAGED DURING REMOVAL WORK.
   D. PATCH AS SPECIFIED FOR PATCHING NEW WORK.
10. REMOVE DEBRIS, JUNK, AND TRASH FROM SITE.
11. REMOVE FROM SITE ALL MATERIALS NOT TO BE REUSED ON SITE; DO NOT BURN OR BURY.
12. LEAVE SITE IN CLEAN CONDITION, READY FOR SUBSEQUENT WORK.
13. CLEAN UP SPILLAGE AND WIND-BLOWN DEBRIS FROM PUBLIC AND PRIVATE LANDS.
14. WORK SHOWN ON THESE DRAWINGS IS TO BE SUPPLIED, FURNISHED, CONSTRUCTED, INSTALLED ALL AS PER THE GENERAL CONDITIONS AND THE SPECIFICATIONS: EXCEPTIONS AS DESCRIBED BY THE FOLLOWING ABBREVIATIONS:
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   B. OFCI OWNER FURNISHED - CONTRACTOR INSTALLED.
   C. OFOI OWNER FURNISHED - OWNER INSTALLED.
   D. NIC OR N.I.C. NOT IN CONTRACT OR NOT A PART OF THIS CONTRACT.

FOUNDATION PLAN NOTES:

REFER TO STRUCTURAL DRAWINGS FOR FOUNDATION STRUCTURAL WORK.

1 SAMPLE FDN PLAN NOTE

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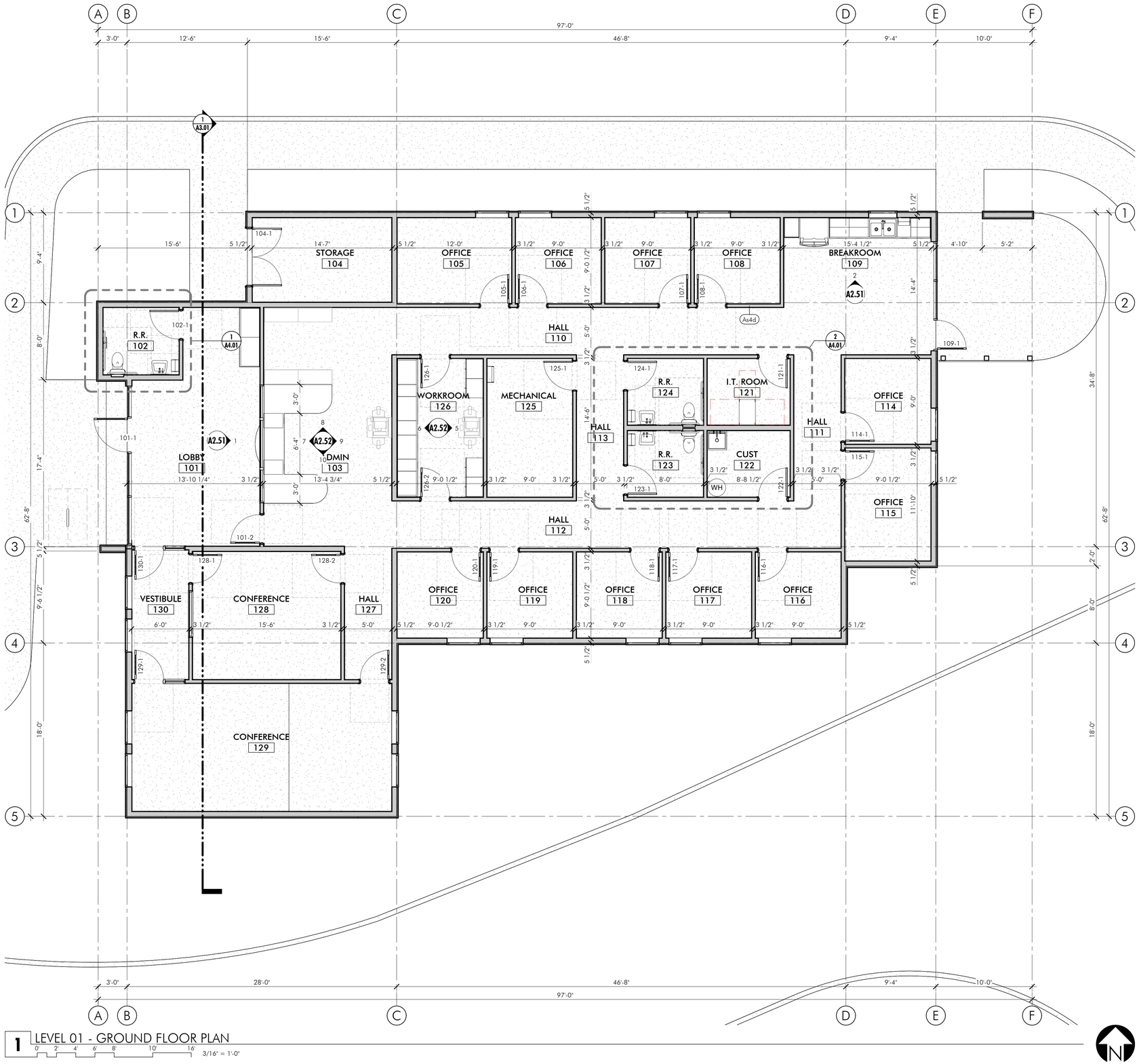

1 LEVEL 01 - GROUND FLOOR PLAN

0' 2' 4' 6' 8' 10' 16'

3/16" = 1'-0"

GENERAL PLAN NOTES:

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   C. OFOI OWNER FURNISHED - OWNER INSTALLED.
   D. NIC OR N.I.C. NOT IN CONTRACT OR NOT A PART OF THIS CONTRACT.

PLAN LEGEND:

FLOOR PLAN NOTES:

1 SAMPLE PLAN NOTE

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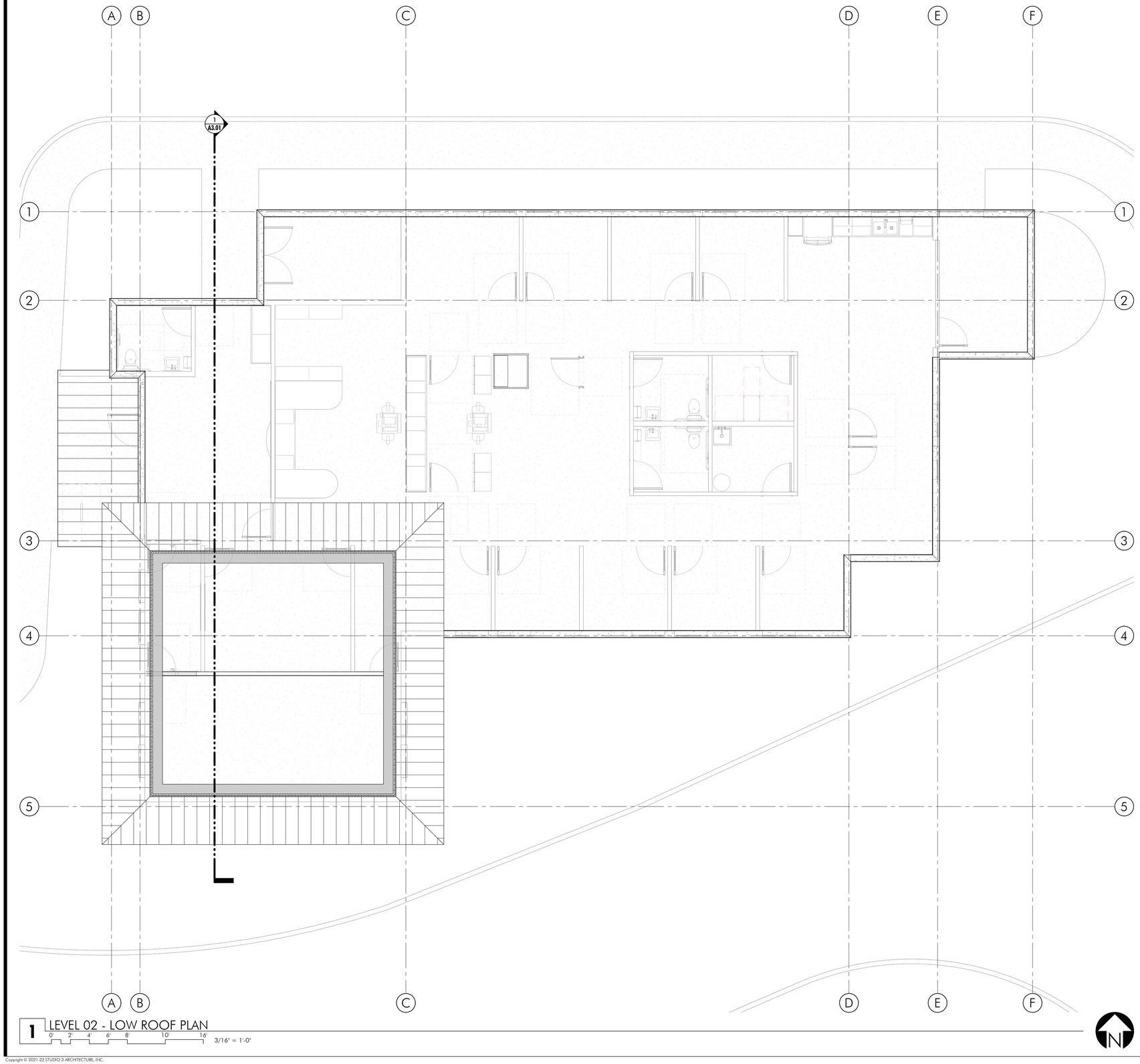

1 LEVEL 02 - LOW ROOF PLAN
0' 2' 4' 6' 8' 10' 16'
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ROOF PLAN NOTES:

[1] SAMPLE ROOF PLAN NOTE

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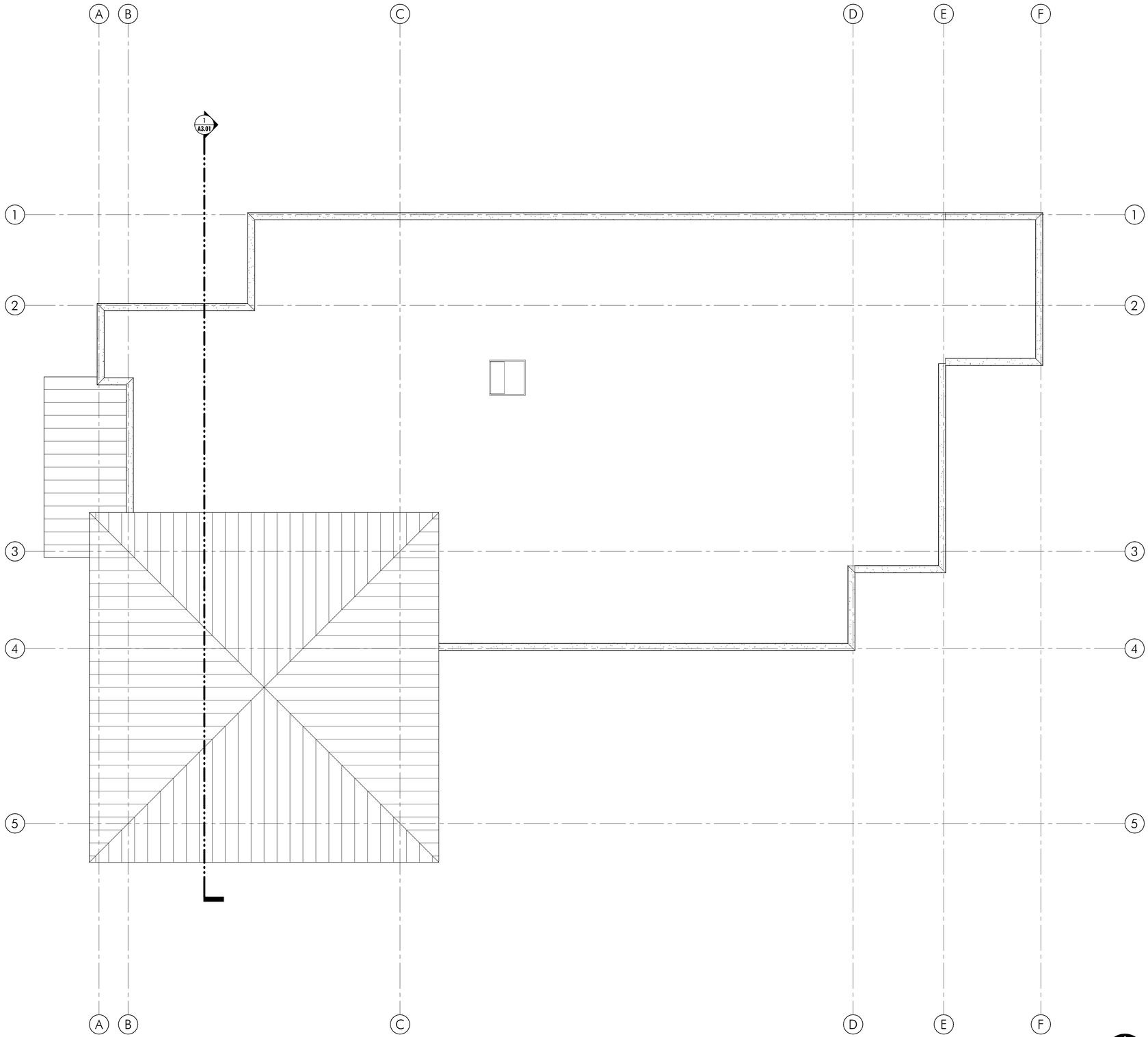

1 LEVEL 03 - HIGH ROOF PLAN
0' 2' 4' 6' 8' 10' 16'
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ROOF PLAN NOTES:

1 SAMPLE ROOF PLAN NOTE

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A1.24

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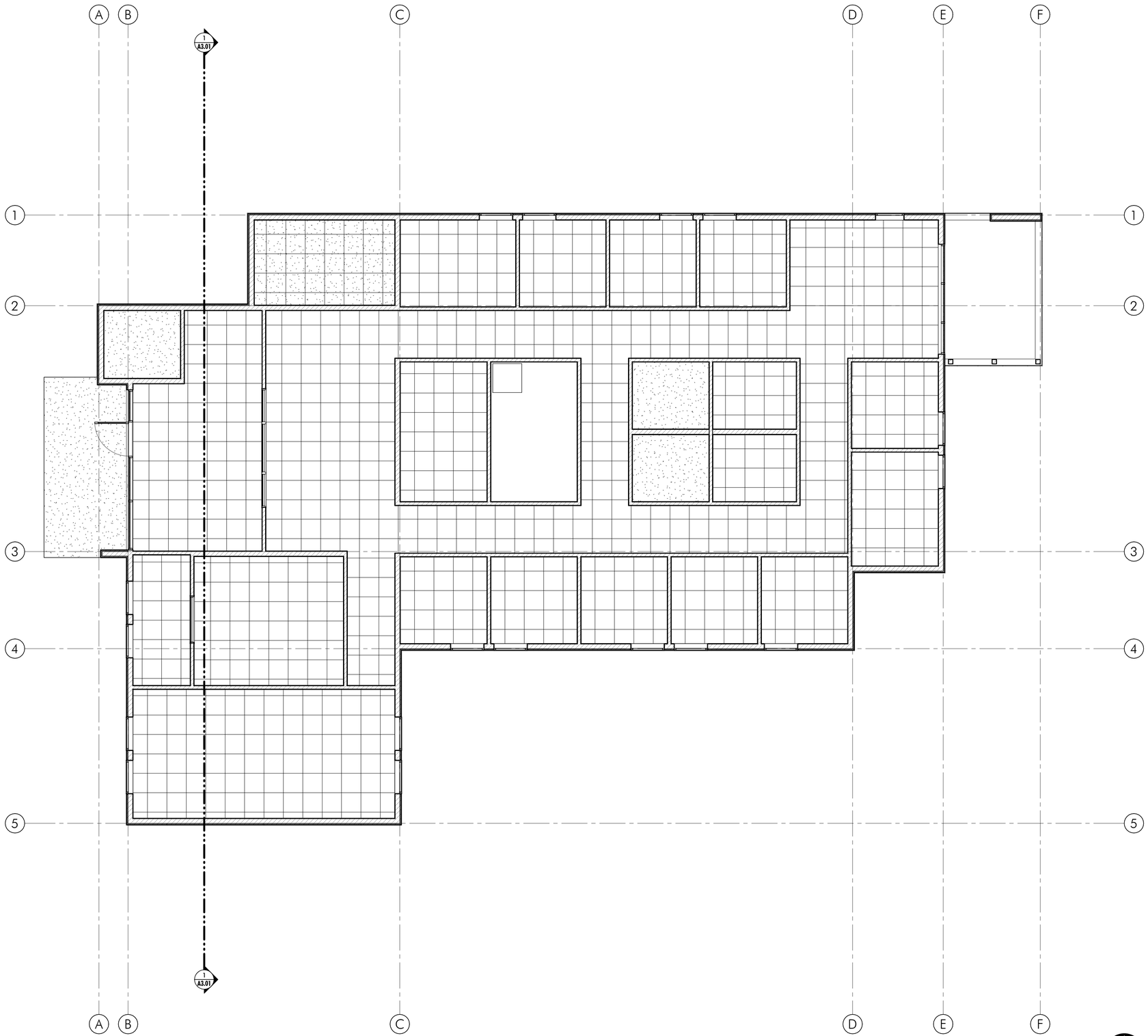

1 LEVEL 01 - REFLECTED CEILING PLAN
0' 2' 4' 6' 8' 10' 16'
3/16" = 1'-0"

GENERAL PLAN NOTES:

1. GENERAL NOTES APPLY TO ALL DRAWINGS.
2. DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT OF ANY DISCREPANCIES IMMEDIATELY UPON DISCOVERY. OBTAIN CLARIFICATION OF DIMENSIONS OR DISCREPANCIES PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.
3. DIMENSIONS ARE TO FACE OF FRAMING. DIMENSIONS STATED AS CLEAR ARE TO FACE OF FINISH.
4. SEE WALL SECTIONS FOR DESCRIPTION OF EXTERIOR WALL MATERIALS.
5. ALL INTERIOR PARTITIONS TO RECEIVE GLASS FIBER INSULATION, FULL HEIGHT.
6. COORDINATE LOCATION OF RECESSED OR SEMI-RECESSED ITEMS TO AVOID BACK TO BACK INSTALLATION AND TO REDUCE NOISE TRANSFER THROUGH PARTITIONS.
7. INSTALL WALL BACKING FOR ALL WALL MOUNTED ITEMS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: DOOR STOPS, FIXTURES, WALL CABINETS, SHELVING, COUNTERS, TOILET ACCESSORIES, SECURITY EQUIPMENT, TACK BOARDS AND MARKER BOARDS, HAND RAILS AND WINDOW COVERING TRACKS.
8. SEPARATE AREAS IN WHICH WORK IS BEING CONDUCTED FROM OTHER AREAS THAT ARE STILL OCCUPIED.
   A. PROVIDE, ERECT, AND MAINTAIN TEMPORARY DUSTPROOF PARTITIONS OF SUITABLE CONSTRUCTION IN LOCATIONS INDICATED ON DRAWINGS OR AS DIRECTED.
9. PROTECT EXISTING WORK TO REMAIN.
   A. PREVENT MOVEMENT OF STRUCTURE; PROVIDE SHORING AND BRACING IF NECESSARY.
   B. PERFORM CUTTING TO ACCOMPLISH REMOVALS NEATLY AND AS SPECIFIED FOR CUTTING NEW WORK.
   C. REPAIR ADJACENT CONSTRUCTION AND FINISHES DAMAGED DURING REMOVAL WORK.
   D. PATCH AS SPECIFIED FOR PATCHING NEW WORK.
10. REMOVE DEBRIS, JUNK, AND TRASH FROM SITE.
11. REMOVE FROM SITE ALL MATERIALS NOT TO BE REUSED ON SITE; DO NOT BURN OR BURY.
12. LEAVE SITE IN CLEAN CONDITION, READY FOR SUBSEQUENT WORK.
13. CLEAN UP SPILLAGE AND WIND-BLOWN DEBRIS FROM PUBLIC AND PRIVATE LANDS.
14. WORK SHOWN ON THESE DRAWINGS IS TO BE SUPPLIED, FURNISHED, CONSTRUCTED, INSTALLED ALL AS PER THE GENERAL CONDITIONS AND THE SPECIFICATIONS: EXCEPTIONS AS DESCRIBED BY THE FOLLOWING ABBREVIATIONS:
   A. CFCI CONTRACTOR FURNISHED - CONTRACTOR INSTALLED.
   B. OFCI OWNER FURNISHED - CONTRACTOR INSTALLED.
   C. OFOI OWNER FURNISHED - OWNER INSTALLED.
   D. NIC OR N.I.C. NOT IN CONTRACT OR NOT A PART OF THIS CONTRACT.

REFLECTED CEILING PLAN LEGEND:

REFLECTED CEILING PLAN NOTES:

1 SAMPLE PLAN NOTE

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www.studio3architecture.com

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DATE: 11/28/2022
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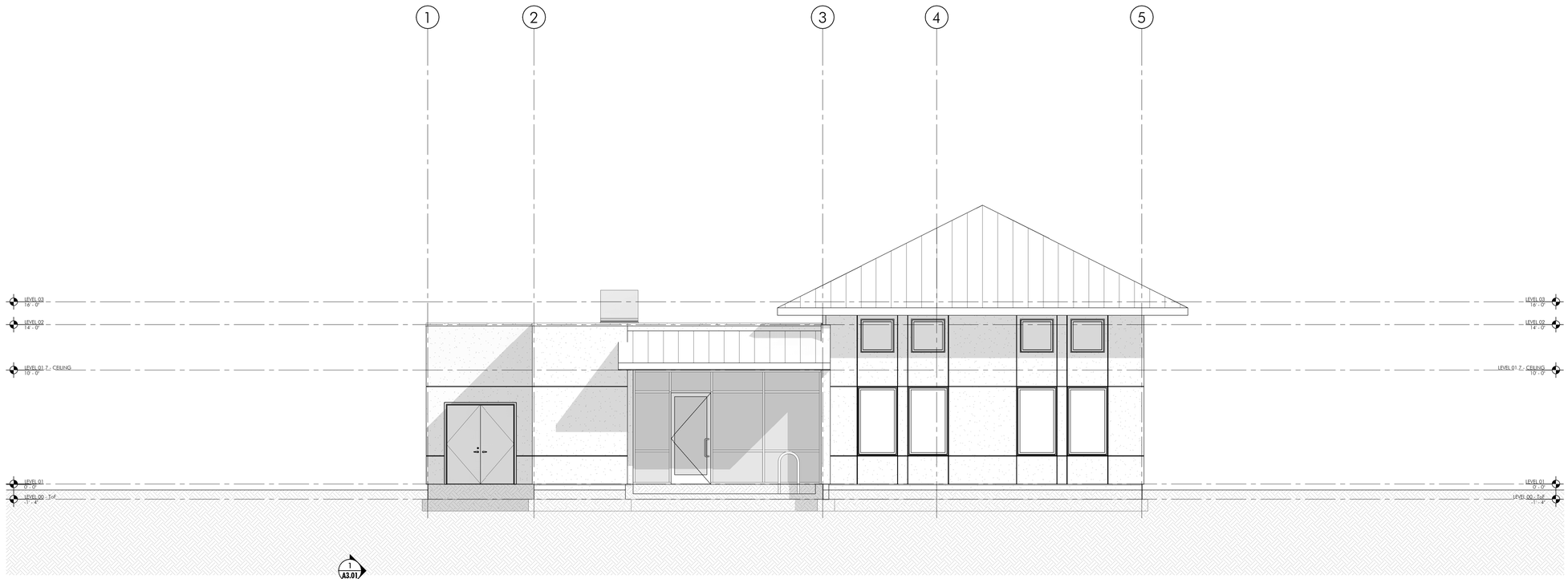
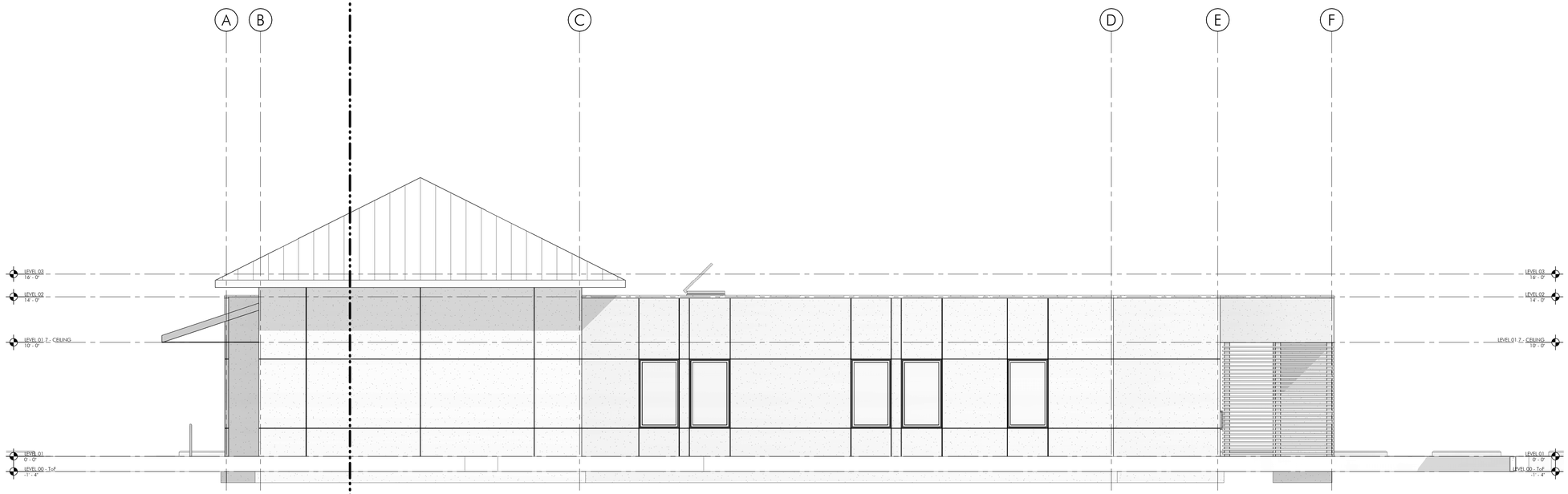


1 WEST ELEVATION
0' 2' 4' 6' 8' 10' 16'
3/16" = 1'-0"



2 SOUTH ELEVATION
0' 2' 4' 6' 8' 10' 16'
3/16" = 1'-0"

ELEVATION NOTES:

1 SAMPLE ELEVATION NOTE

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SHEET:
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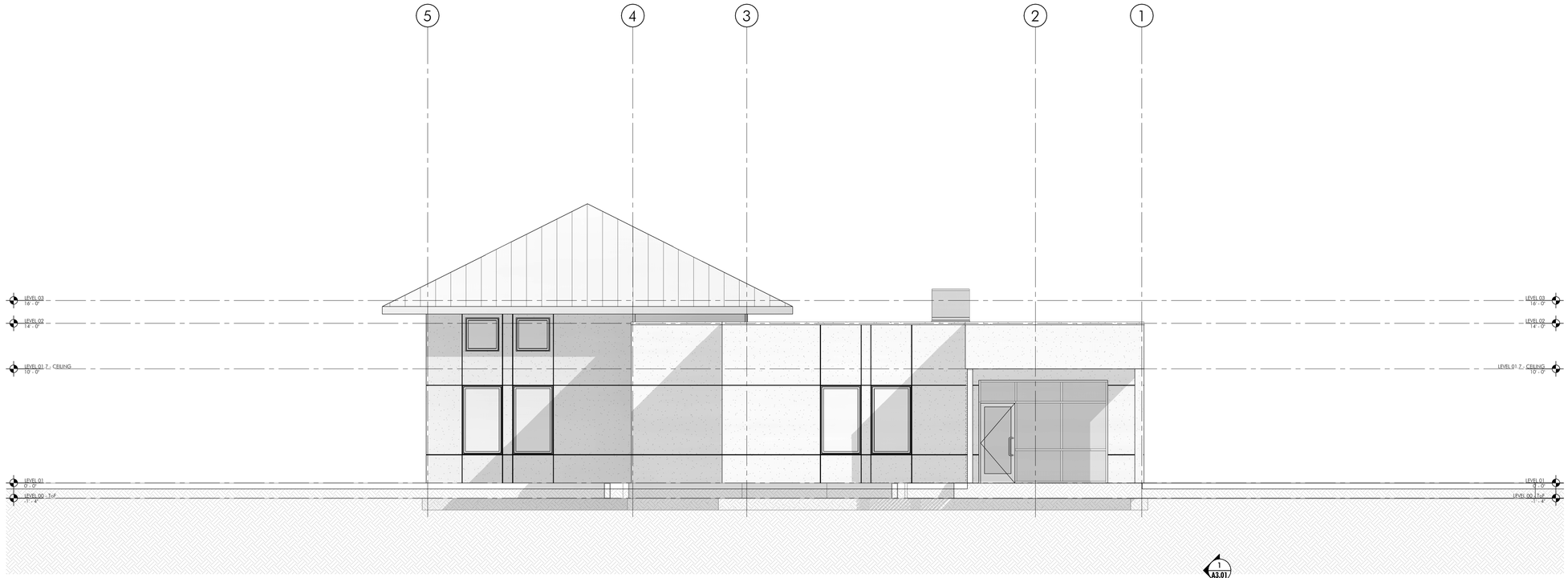
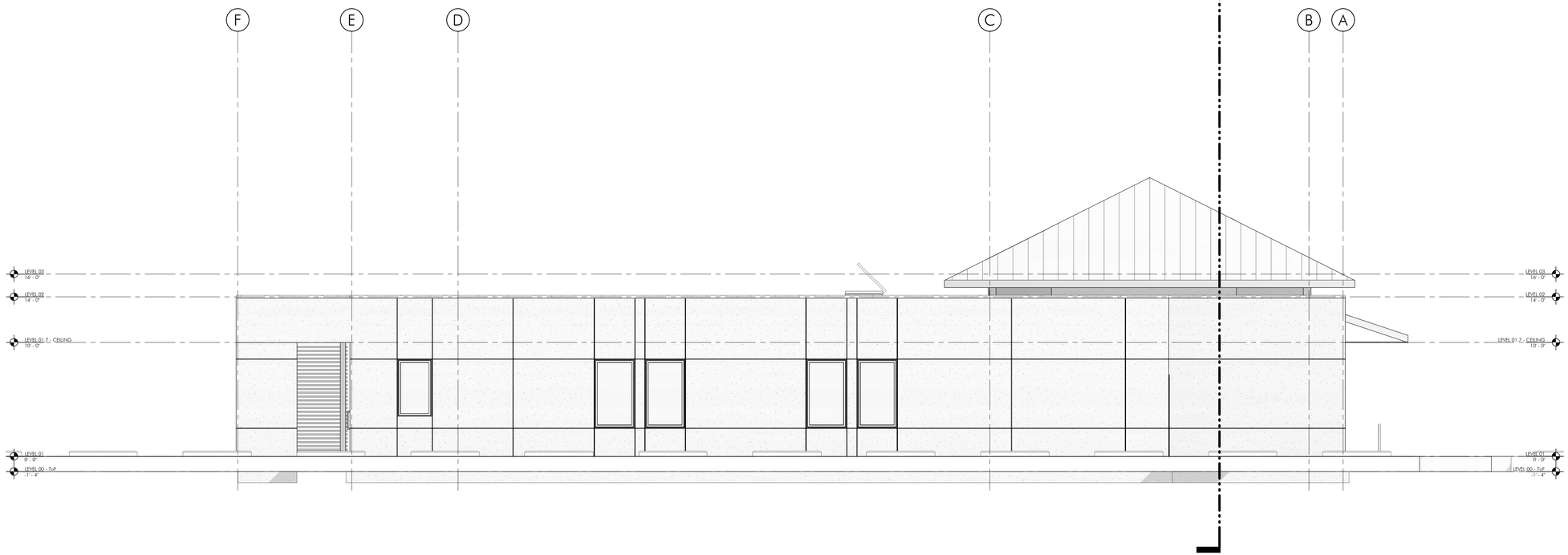


1 EAST ELEVATION

0' 2' 4' 6' 8' 10' 16'

3/16" = 1'-0"



2 NORTH ELEVATION

0' 2' 4' 6' 8' 10' 16'

3/16" = 1'-0"

ELEVATION NOTES:

1 SAMPLE ELEVATION NOTE

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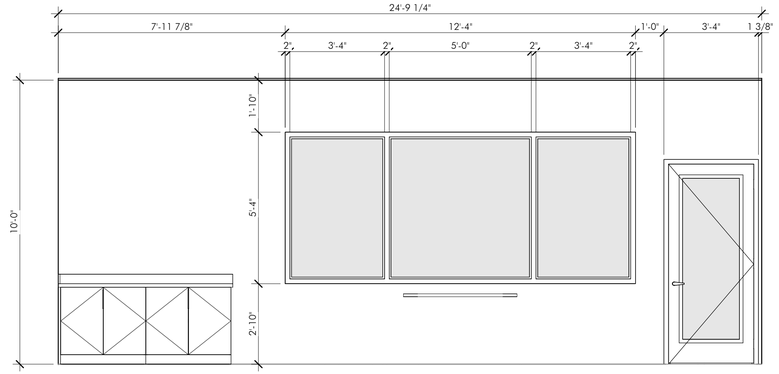
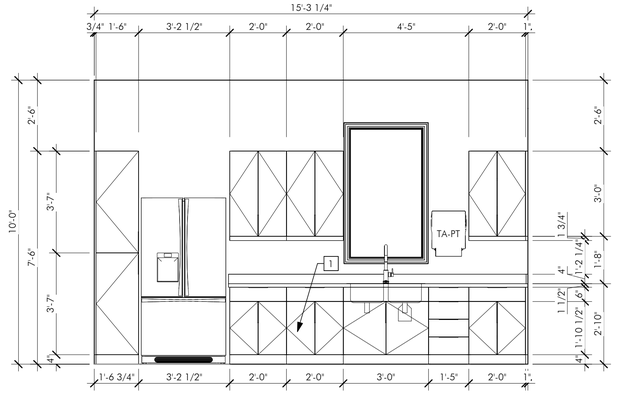
INTERIOR ELEV NOTES:

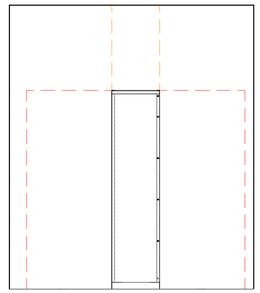
1 2'-0" WIDE BASE CABINET, DESIGNED TO BE FULLY REMOVABLE FOR FUTURE INSTALLATION OF UNDER COUNTER DISHWASHER.



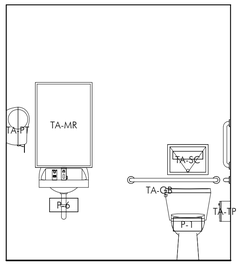
1 LOBBY 101 - INT EAST ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



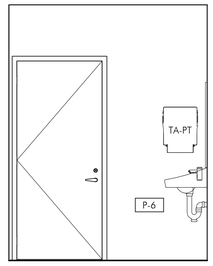
2 BREAKROOM 109 - INT NORTH ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



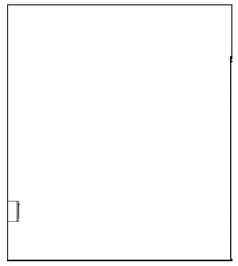
3 I.T. ROOM 121 - INT SOUTH ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



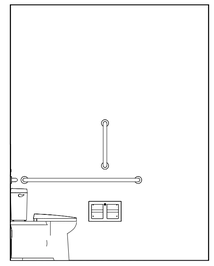
4 R.R. 102 - INT SOUTH ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



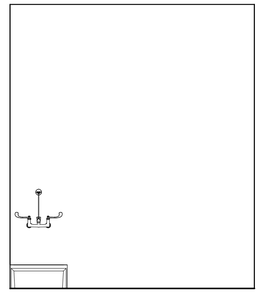
5 R.R. 102 - INT EAST ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



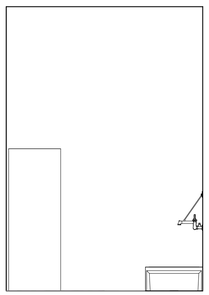
6 R.R. 102 - INT NORTH ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



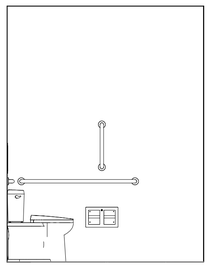
7 R.R. 102 - INT WEST ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



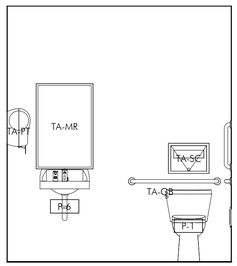
8 CUST 122 - INT NORTH ELEVATION
0" 1" 2" 4" 8" 3/8" = 1'-0"



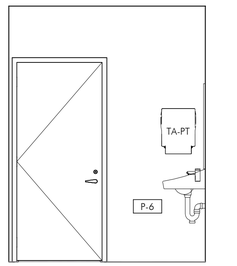
9 CUST 122 - INT WEST ELEVATION
0" 1" 2" 4" 8" 3/8" = 1'-0"



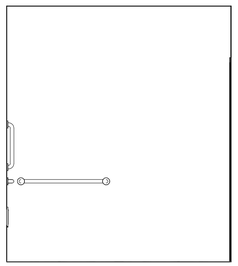
10 R.R. 123 - INT EAST ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



11 R.R. 123 - INT NORTH ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



12 R.R. 123 - INT WEST ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"



13 R.R. 123 - INT SOUTH ELEV
0" 1" 2" 4" 8" 3/8" = 1'-0"

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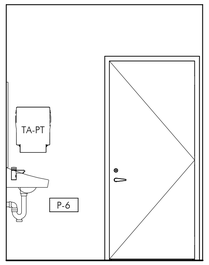
1 2'-0" WIDE BASE CABINET, DESIGNED TO BE FULLY REMOVABLE FOR FUTURE INSTALLATION OF UNDER COUNTER DISHWASHER.



1 R.R. 124 - INT EAST ELEV
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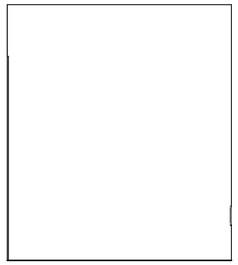
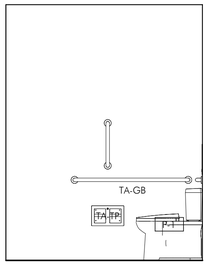
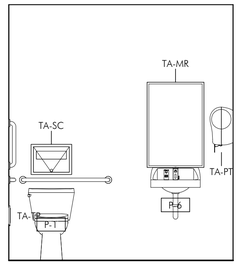


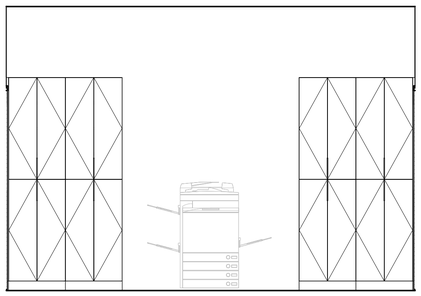
2 R.R. 124 - INT NORTH ELEV
0' 1' 2' 4' 8' 3/8" = 1'-0"



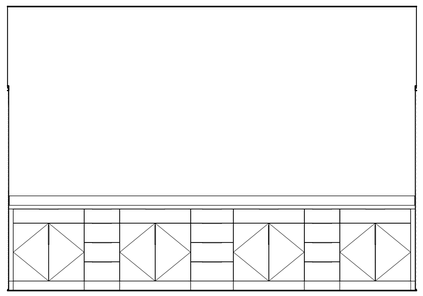
3 R.R. 124 - INT WEST ELEV
0' 1' 2' 4' 8' 3/8" = 1'-0"



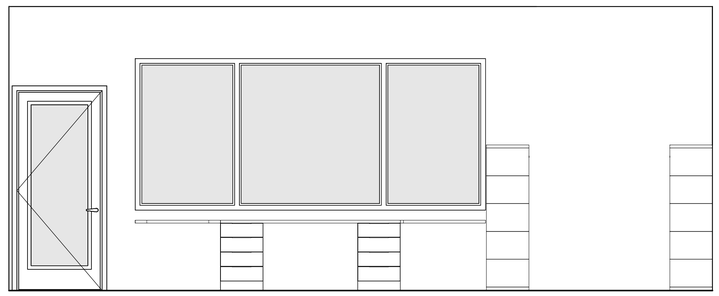
4 R.R. 124 - INT SOUTH ELEV
0' 1' 2' 4' 8' 3/8" = 1'-0"



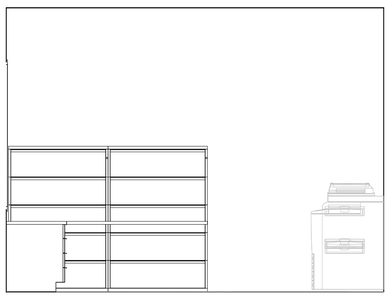
5 WORKROOM 126 - INT EAST ELEV
0' 1' 2' 4' 8' 3/8" = 1'-0"



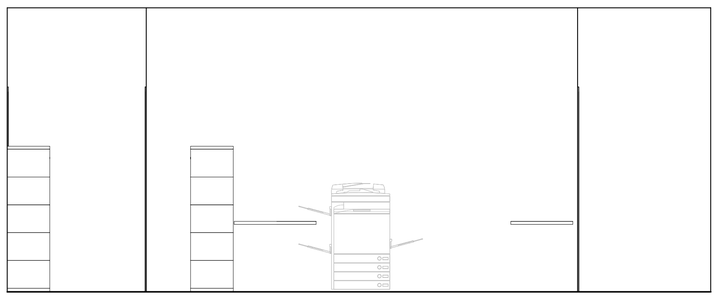
6 WORKROOM 126 - INT WEST ELEV
0' 1' 2' 4' 8' 3/8" = 1'-0"



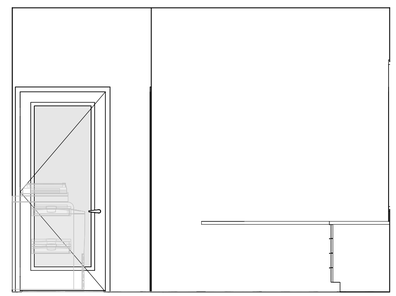
7 ADMIN 103 - INT WEST ELEVATION
0' 1' 2' 4' 8' 3/8" = 1'-0"



8 ADMIN 103 - INT NORTH ELEVATION
0' 1' 2' 4' 8' 3/8" = 1'-0"



9 ADMIN 103 - INT EAST ELEVATION
0' 1' 2' 4' 8' 3/8" = 1'-0"



10 ADMIN 103 - INT SOUTH ELEVATION
0' 1' 2' 4' 8' 3/8" = 1'-0"

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SHEET:
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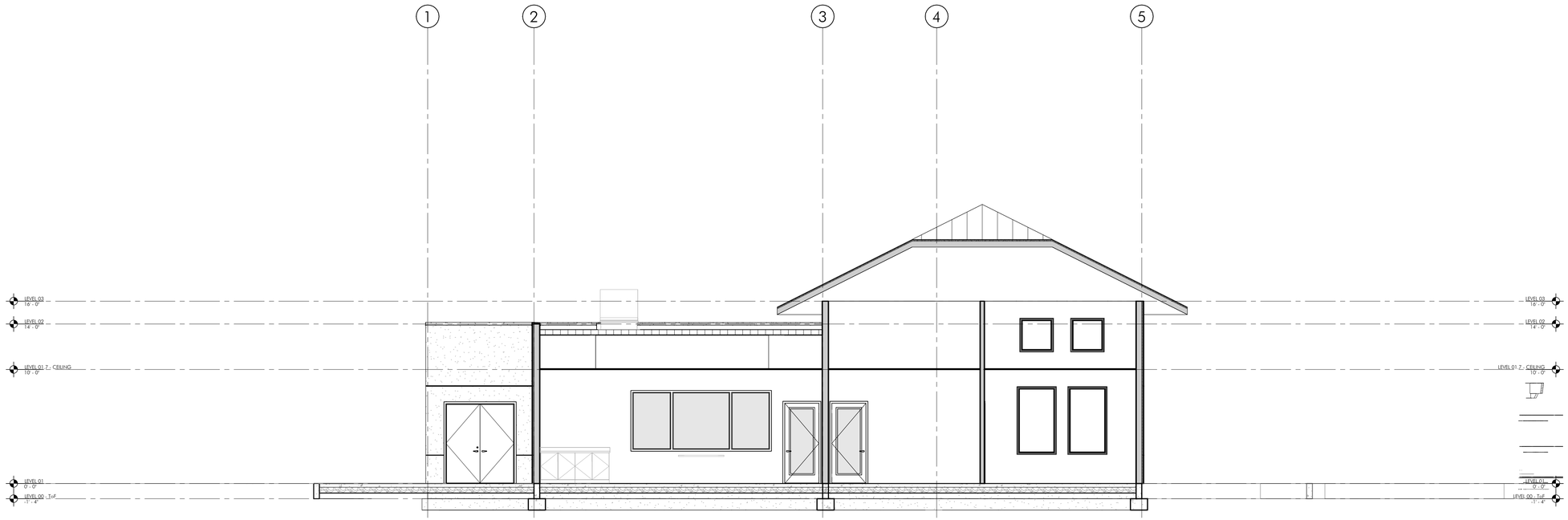

1 BUILDING CROSS SECTION 1

3/16" = 1'-0"

SECTION NOTES:

1 SAMPLE SECTION NOTE

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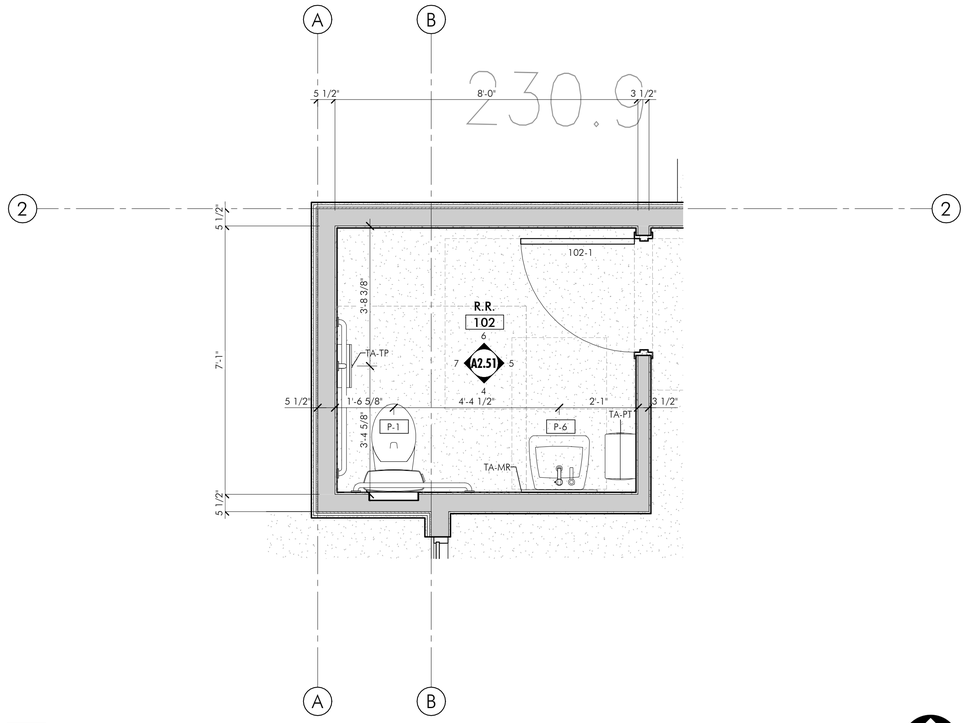
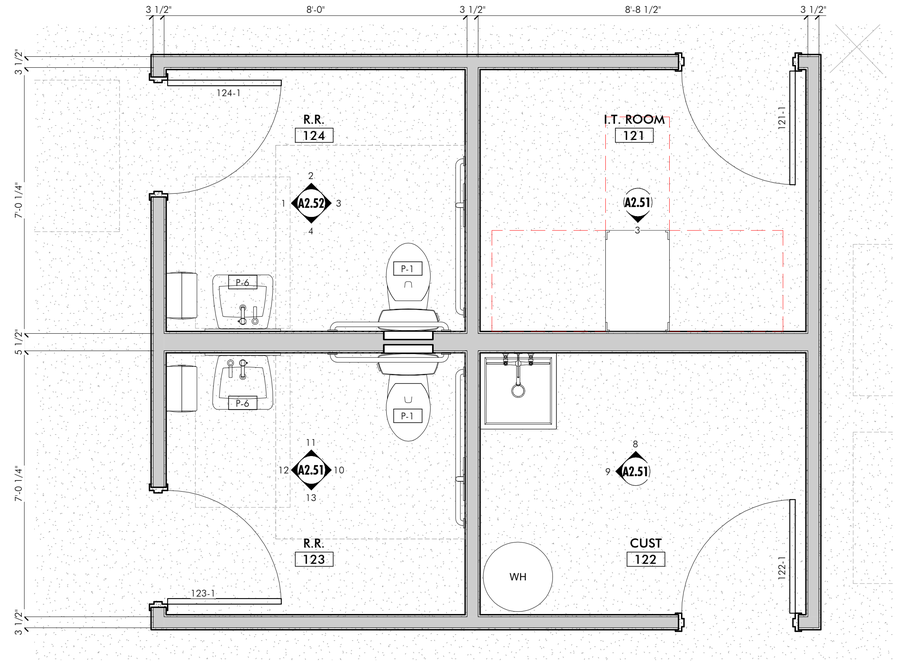


1 R.R. 102 DETAIL PLAN

0' 1' 2' 4' 6'

1/2" = 1'-0"



2 ROOMS 121-124 DETAIL PLAN

0' 1' 2' 4' 6'

1/2" = 1'-0"

DETAIL PLAN NOTES:

REFER TO MATERIALS LEGEND ON DRAWING A6.1 FOR PLUMBING FIXTURE TYPES AND TOILET ACCESSORY TYPES:

1 SAMPLE DETAIL RESTROOM PLAN NOTE

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PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY

4400 LOCHNER RD SE ALBANY OR 97322

SHEET:
A4.01

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INCORPORATED

275 COURT ST. NE
SALEM, OR 97301-3442
P: 503.390.6500
www.studio3architecture.com

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FLUID APPLIED FLASHING SYSTEM NOTES:

GENERAL NOTE:
WINDOW, DOOR, AND OTHER PENETRATIONS, FLUID APPLIED FLASHING, AND ACCESSORY MATERIALS FOR APPLICATION TO EXTERIOR BUILDING ENVELOPE SUBSTRATES AS INDICATED ON THE DRAWINGS.

ADMINISTRATIVE REQUIREMENTS:
PRE-INSTALLATION MEETING: CONVENE BEFORE THE START OF INSTALLATION OF AIR AND WATER-RESISTIVE BARRIER SYSTEM.

1. REQUIRE ATTENDANCE OF PARTIES DIRECTLY AFFECTING THIS WORK, INCLUDING THE OWNER'S REPRESENTATIVE, CONTRACTOR, ARCHITECT, INSTALLING SUBCONTRACTOR, MEMBRANE SYSTEM MANUFACTURER'S REPRESENTATIVE, ROOFING AND FOUNDATION WATERPROOFING SUBCONTRACTORS, AND ALL SUBCONTRACTORS WHO HAVE MATERIALS PENETRATING MEMBRANE SYSTEM OR FINISHES COVERING MEMBRANE SYSTEM.
2. CONTRACTOR SHALL NOTIFY ARCHITECT AT LEAST SEVEN DAYS PRIOR TO TIME FOR CONFERENCE.
3. REVIEW THE FOLLOWING:
   a. SURFACE PREPARATION.
   b. SUBSTRATE CONDITION AND PRETREATMENT.
   c. MINIMUM CURING PERIOD.
   d. SPECIAL DETAILS AND SHEET FLASHING.
   e. SEQUENCE OF CONSTRUCTION, RESPONSIBILITIES, AND SCHEDULE FOR SUBSEQUENT OPERATIONS.
   f. INSTALLATION PROCEDURES.
   g. INSPECTION PROCEDURES.
   h. PROTECTION AND REPAIR PROCEDURES.

PERFORMANCE REQUIREMENTS:
PERFORMANCE DESCRIPTION:

1. THE BUILDING ENVELOPE SHALL BE CONSTRUCTED WITH A CONTINUOUS, AIR AND WATER-RESISTIVE BARRIER TO CONTROL AIR LEAKAGE, AVOID CONDENSATION IN THE INTERIOR WALL ASSEMBLY AND PREVENT WATER INTRUSION.
2. JOINTS, PENETRATIONS AND PATHS OF WATER AND AIR INFILTRATION SHALL BE MADE WATERTIGHT AND AIRTIGHT.
3. SYSTEM SHALL BE CAPABLE OF WITHSTANDING POSITIVE AND NEGATIVE COMBINED WIND, STACK AND HVAC PRESSURES ON THE ENVELOPE WITHOUT DAMAGE OR DISPLACEMENT.
4. SYSTEM SHALL BE INSTALLED IN AN AIRTIGHT AND FLEXIBLE MANNER, ALLOWING FOR THE RELATIVE MOVEMENT OF SYSTEMS DUE TO THERMAL AND MOISTURE VARIATIONS.

MATERIALS:
Type WRB-1: PROSOCO R-GUARD POROUSPREP; WATER BASED PRIMER FOR RAW GYPSUM BOARD EDGES. PRIMER TO SEAL THE CUT EDGES OF GYPSUM WALL BOARDS WHERE THEY ARE EXPOSED IN ROUGH OPENINGS FOR WINDOWS AND DOORS. THE SEALED EDGE MAKES A COMPATIBLE SURFACE FOR EASY APPLICATION OF LIQUID APPLIED FIBER-REINFORCED FILL COAT AND SEAM TREATMENT FOR THROUGH-WALL COMPONENTS.

Type WRB-2: PROSOCO R-GUARD JOINT & SEAM FILLER; LIQUID APPLIED FILL COAT AND SEAM FILLER. HIGH MODULUS, GUN-GRADE, CRACK AND JOINT FILLER, ADHESIVE AND DETAILING COMPOUND THAT COMBINES THE BEST SILICONE AND POLYURETHANE PROPERTIES. THE SINGLE-COMPONENT, SILYL-TERMINATED-POLYMER (STP) PREPARES OPEN JOINTS, SEAMS AND CRACKS BEFORE INSTALLING PRIMARY WATER AND AIR BARRIER SYSTEM TO PREVENT THE MOVEMENT OF WATER AND AIR THROUGH BUILDING ENVELOPES.

Type WRB-3: PROSOCO R-GUARD FASTFLASH; LIQUID-APPLIED FLASHING AND DETAILING MEMBRANE. GUN-GRADE, SPREAD AND TOOL OR ROLLER APPLY WATERPROOFING, ADHESIVE AND DETAILING COMPOUND THAT COMBINES THE BEST OF SILICONE AND POLYURETHANE PROPERTIES. THE SINGLE COMPONENT, SILYL-TERMINATED-POLYMER (STP) PRODUCES A HIGHLY DURABLE, SEAMLESS, ELASTOMERIC SHOULD TREAT JOINTS, SEAMS, CRACKS AND PROVIDE THE FLASHING MEMBRANE IN ROUGH OPENINGS OF STRUCTURAL WALLS AND TO COUNTER-FLASH WATERPROOFING AND AIR BARRIER COMPONENTS.

Type WRB-4: PROSOCO R-GUARD CAT 5; FLUID APPLIED AIR AND WATER-RESISTIVE BARRIER THAT COMBINES SILICONE AND POLYURETHANE PROPERTIES. SINGLE COMPONENT, SILYL-TERMINATED-POLYMER (STP) THAT IS ROLLER APPLIED TO PRODUCE A HIGHLY DURABLE, SEAMLESS, ELASTOMERIC WEATHERPROOFING MEMBRANE ON EXTERIOR SHEATHING, CMU BACK-UP WALLS, AND PRE-CAST CONCRETE. PREVENTS WATER AND AIR PENETRATION OF THE BUILDING ENVELOPE IN WEATHER UP TO 155 MPH WINDS OF A CATEGORY 5 HURRICANE.

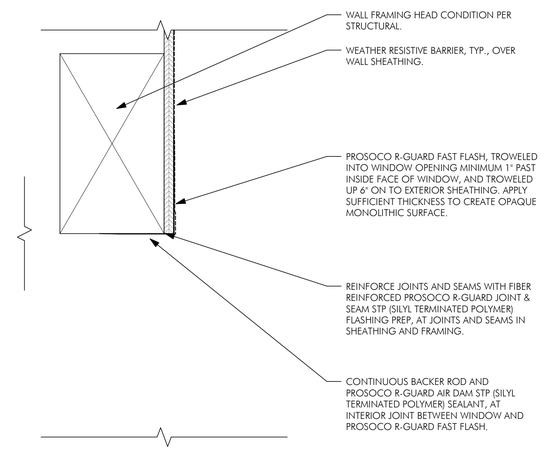
Type SLT-1: PROSOCO R-GUARD AIRDAM; HIGH PERFORMANCE, GUN-GRADE WATERPROOFING SEALANT THAT COMBINES THE SILICONE AND POLYURETHANE PROPERTIES. SINGLE COMPONENT, SILYL-TERMINATED-POLYMER (STP) THAT IS DURABLE, AND STOPS THE MOVEMENT OF MOIST AIR THROUGH CRACKS SURROUNDING WINDOWS AND DOORS.

INSTALLATION:

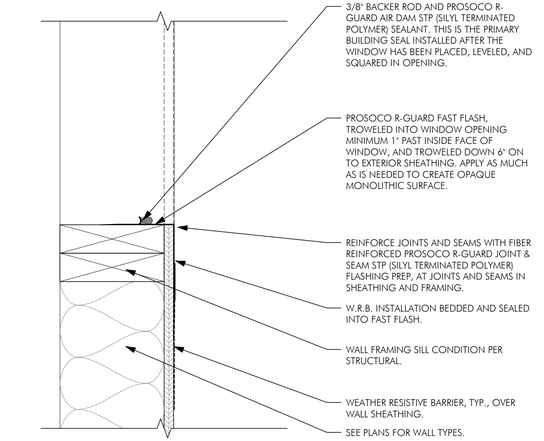
- EXAMINE CONDITIONS FOR COMPLIANCE WITH SYSTEM MANUFACTURER'S REQUIREMENTS FOR INSTALLATION, AND OTHER SPECIFIC CONDITIONS AFFECTING PERFORMANCE OF AIR BARRIER SYSTEM.
- APPLY LIQUID APPLIED FILL COAT AND SEAM FILLER FOR SEAMS, JOINTS, CRACKS, GAPS, PRIMED ROUGH GYPSUM EDGES AT SHEATHING, ROUGH OPENINGS PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- APPLY LIQUID FLASHING MEMBRANE OVER SURFACES TO SEAL AND WATERPROOF ROUGH OPENINGS PER MANUFACTURER'S WRITTEN INSTRUCTIONS. SPREAD THE WET PRODUCT TO CREATE AN OPAQUE, MONOLITHIC FLASHING MEMBRANE WHICH SURROUNDS THE ROUGH OPENING AND EXTENDS 4 TO 6 INCHES OVER THE FACE OF THE STRUCTURAL WALL. APPLY ADDITIONAL COATS AS NEEDED TO ACHIEVE VOID- AND PINHOLE-FREE SURFACE.

INTERIOR SEALANT FOR WINDOWS AND DOORS INSTALLATION:
APPLY INTERIOR WATERPROOFING SEALANT PER MANUFACTURER'S WRITTEN INSTRUCTIONS.

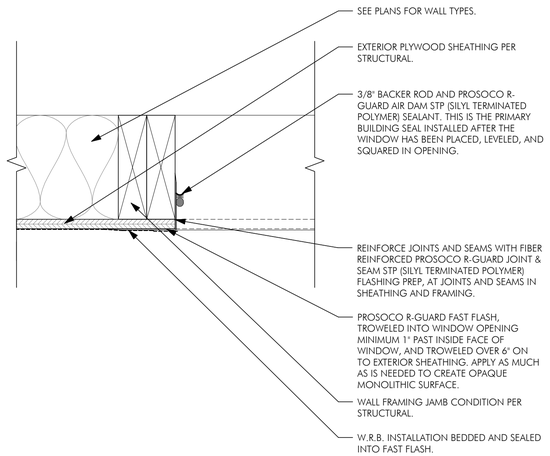
- INSTALL BACKER ROD: COMPRESSIBLE, CLOSED CELL ROD STOCK AS RECOMMENDED BY MANUFACTURER FOR COMPATIBILITY WITH SEALANT. INSTALL BACKER ROD AS NECESSARY PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- APPLY INTERIOR WATERPROOFING SEALANT IN CONTINUOUS BEADS WITHOUT GAPS OR AIR POCKETS.



2 FLUID APPLIED FLASHING HEAD PREPARATION DETAIL
0" 1" 2" 4" 6" 1'-0" 3" = 1'-0"



3 FLUID APPLIED FLASHING SILL PREPARATION DETAIL
0" 1" 2" 4" 6" 1'-0" 3" = 1'-0"



4 FLUID APPLIED FLASHING JAMB PREPARATION DETAIL
0" 1" 2" 4" 6" 1'-0" 3" = 1'-0"

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MATERIALS LEGEND

Section	Type Designation	Material Name	Manufacturer	Material Description	Color	Finish	Remarks
03 - Concrete							
03 3511	CONC-1	CONCRETE S.O.G.		CONCRETE SEALER	CLEAR		THROUGHOUT
04 - Masonry							
04 2200	CMU-1	CONCRETE MASONRY UNITS					
05 - Metals							
05 5213	STL-1	STEEL PIPE RAILINGS		1 3/4" DIAMETER STEEL PIPE		PT-8	
06 - Wood Plastics + Composites							
06 6400	PLAM-1	PLASTIC LAMINATE	WILSONART		TBD	FURNITURE	CASEWORK CABINETS
06 6400	PLAM-2	PLASTIC LAMINATE	WILSONART		TBD	FURNITURE	CASEWORK CABINETS
06 6400	PLAM-3	PLASTIC LAMINATE	WILSONART		TBD	FURNITURE	COUNTERTOPS GENERAL
06 6400	PLAM-4	PLASTIC LAMINATE	WILSONART		TBD	FURNITURE	COUNTERTOPS VANITY + BREAKROOM
06 6400	WB-1	WOOD BASE		3/4" x 4" ACTUAL SIZE	TBD	PT-8	4" BASE
06 6400	WD-1	ARCH. WOOD			TBD	CLEAR SEAL	
06 6400	WD-2	ARCH. WOOD			TBD	CLEAR SEAL	
06 6400	WD-3	ARCH. WOOD					
06 6400	WD-4	D-FIR PLYWOOD		5/8" - G1S			I.T. ROOM / ELECTRICAL ROOM WALLS
07 - Thermal & Moisture Protection							
07 2726	WRB-1	R-GUARD POROUSPREP	PROSOCO	WATER BASED PRIMER FOR RAW GYP BRD EDGES	BLUE		
07 2726	WRB-2	R-GUARD JOINT & SEAM FILLER	PROSOCO	SILYL-TERMINATED POLYMER FLUID APPLIED JOINT & SEAM FILLER	PINK		
07 2726	WRB-3	R-GUARD FAST FLASH	PROSOCO	SILYL-TERMINATED POLYMER FLUID APPLIED FLASHING	RED		
07 2726	WRB-4	R-GUARD CAT 5	PROSOCO	SILYL-TERMINATED POLYMER FLUID APPLIED AIR AND WATER RESISTIVE BARRIER	TAUPE		
07 4646	FCP-1	FIBER CEMENT PLANK SIDING	JAMES HARDI	5/16" THICK, 4" EXPOSURE AND 8" EXPOSURE, CEDARMILL TEXTURE		EPT-2	
07 4646	FCP-2	FIBER CEMENT PLANK SIDING	JAMES HARDI	5/16" THICK, FLAT PANEL, 4' x 8' SMOOTH FINISH		EPT-2	
07 4646	FCP-3	FIBER CEMENT PANEL SIDING	JAMES HARDI	5/16" RANDOM WIDTH, STRAIGHT EDGE SHINGLE PANEL, SMOOTH FINISH		EPT-2	
07 4646	FCP-4	FIBER CEMENT TRIM BOARDS	JAMES HARDI	5/4 RUSTIC		EPT-2	
07 4646	XT-1	XTREME TRIM XOCR516, OR XOCR34	TAMLYN	EXTRUDED ALUMINUM OPEN OUTSIDE CORNER TRIM		EPT-2	
07 4646	XT-2	XTREME TRIM XIC516, OR XIC34	TAMLYN	EXTRUDED ALUMINUM INSIDE CORNER TRIM		EPT-2	
07 4646	XT-3	XTREME TRIM "J" MOLD JMH516, OR JMH34	TAMLYN	EXTRUDED ALUMINUM "J" TRIM		EPT-2	
07 4646	XT-4	XTREME TRIM "F" REVEAL FR516, OR FR34	TAMLYN	EXTRUDED ALUMINUM "F" REVEAL TRIM		EPT-2	
07 4646	XT-5	XTREME TRIM "F" REVEAL F516	TAMLYN	EXTRUDED ALUMINUM "F" REVEAL TRIM		EPT-2	
07 4646	XT-6	XTREME TRIM STARTER STRIP XS	TAMLYN	EXTRUDED ALUMINUM STARTER STRIP		EPT-2	
07 4646	XT-7	XTREME TRIM VERTICAL BEAD REVEAL BRV12516	TAMLYN	EXTRUDED ALUMINUM VERTICAL 1/2" REVEAL		EPT-2	
07 4646	XT-8	XTREME TRIM VERTICAL SIDING "H" MOLD SHM516, OR SHM34	TAMLYN	EXTRUDED ALUMINUM "H" MOLD TRIM		EPT-2	
07 9200	SLT-1	R-GUARD AIRDAM	PROSOCO	SILYL-TERMINATED POLYMER SEALANT	WHITE		
07 9200	SLT-2	DOWSIL 895 STRUCTURAL GLAZING SEALANT	DOW	SINGLE COMPONENT NEUTRAL CURING SILICONE SEALANT	BLACK		STRUCTURAL BONDING OF GLASS, METAL AND OTHER COMPONENTS
07 9200	SLT-3	DOWSIL TUB/TILE/CERAMIC SILICONE SEALANT	DOW	SINGLE COMPONENT ACETOXY-CURE SILICONE SEALANT	CLEAR OR WHITE		BATHROOMS AND KITCHENS
07 9200	SLT-4	DOWSIL 999A SILICONE GLAZING SEALANT	DOW	SINGLE COMPONENT SILICONE GLAZING SEALANT			
08 - Openings							
08 1213	HM-1	HOLLOW METAL FRAME			TBD	PT-8	
08 1416	WD-5	WOOD DOORS	LYNDEN DOOR	VERTICAL GRAIN FIR WOOD DOOR VENEER	CLEAR	CLEAR SEAL	
08 4313	AL-1	ALUMINUM FRAME	KAWNEER	COLOR ANODIZED	DARK BRONZE		ALL ALUMINUM FRAMES
08 8000	G-5	TEMPERED SAFETY GLASS		TEMPERED FLOAT GLASS	CLEAR		INTERIOR GLAZING
08 8000	IG-1	INSULATING GLASS	PPG	SOLARBAN 70 XL	CLEAR		EXTERIOR GLAZING
08 8000	IG-5	INSULATING GLASS	PPG	SOLARBAN 70 XL TEMPERED	CLEAR		EXTERIOR GLAZING
08 8000	MR-1	MIRROR		TEMPERED MIRROR GLASS			RESTROOMS
09 - Finishes							
09 2116	CBB-1	GYPSUM WALL BOARD		CERAMIC TILE BACKER BOARD			5/8" THICK BEHIND CERAMIC TILE WALL FINISH
09 2116	GWB-1	GYPSUM WALL BOARD		PLAIN OR EXISTING			
09 2116	GWB-2	GYPSUM WALL BOARD		TYPE "X"			
09 2116	GWB-3	GYPSUM WALL BOARD		TYPE "C"			FOR CEILINGS
09 2116	GWB-4	GYPSUM WALL BOARD		GREEN BOARD FOR MOIST LOCATIONS			
09 2116	GWB-5	GYPSUM WALL BOARD		ACOUSTICAL SOUND DAMPENING WALL & CEILING BOARD			
09 2116	RV-1	REVEAL MOLDING		MODEL DRM-625-50			
09 2116	RV-2	"L" REVEAL MOLDING		MODEL DRM-625			
09 2116	RV-3	"Z" REVEAL MOLDING		MODEL DRM-625-50			
09 2116	RV-4	DRYWALL CONTROL JOINT		MODEL DRM-50-5 - 2 PC			
09 3000	CT-1	CERAMIC TILE	DAL TILE	COLOR BODY PORCELAIN: FABRIQUE 12"x24"	NOIR LINEN P689	UNPOLISHED	RESTROOM WALL TILE
09 3000	CT-2	CERAMIC TILE	DAL TILE	COLOR BODY PORCELAIN: FABRIQUE 12"x24"	BLANC LINEN P685	UNPOLISHED	RESTROOM WALL FEATURE TILE
09 3000	CT-3	CERAMIC TILE	DAL TILE	COLOR BODY PORCELAIN: HAUT MONDE 12"x24"		UNPOLISHED	
09 3000	GRT-1	GROUT	LATICRETE	EPOXY GROUT	42 PLATINUM	EPOXY	WALL
09 3000	GRT-2	GROUT	LATICRETE	EPOXY GROUT	45 RAVEN	EPOXY	FLOOR
09 6500	LVT-1	RESILIENT PLANK FLOORING	TAS	DESTINATIONS			
09 6500	LVT-2	RESILIENT PLANK FLOORING	TBD	TBD			
09 6500	RF-1	RESILIENT SHEET FLOORING					
09 6500	VCT-1	RESILIENT TILE FLOORING					
09 6813	CPT-1	CARPET	BOLYU	GEO ACCENTS 24x24 CARPET TILE			
09 6813	CPT-2	CARPET	BOLYU				OFFICES
09 7200	VWC-1	VINYL WALL COVERING	TRI-KES				
09 7300	CPT-3	ACOUSTIC WALL CARPET	ACOUSTICORD BY TRIKES				
09 9113	EPT-1	EXTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT EXTERIOR ACRYLIC LATEX	TBD	MPI Gloss Level 2 - Velvet	
09 9113	EPT-2	EXTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT EXTERIOR ACRYLIC LATEX	TBD	MPI Gloss Level 3 - Low Lustre	
09 9113	EPT-3	EXTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT EXTERIOR ACRYLIC LATEX	TBD	MPI Gloss Level 4 - Satin	
09 9113	EPT-4	EXTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT EXTERIOR ACRYLIC LATEX	TBD	MPI Gloss Level 5 - Semi Gloss	
09 9123	PT-1	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	SW 7757 High Reflective White	MPI Gloss Level 1 - Flat	GYP BRD CEILINGS
09 9123	PT-2	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	SW 7757 High Reflective White	MPI Gloss Level 2 - Velvet	GYP BRD CEILINGS, KITCHENS BATH + JANITOR
09 9123	PT-3	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD	MPI Gloss Level 3 - Eggshell	GYP BRD WALLS, KITCHENS BATH + JANITOR
09 9123	PT-4	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD	MPI Gloss Level 2 - Velvet	GYP BRD WALLS
09 9123	PT-5	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD	MPI Gloss Level 2 - Velvet	GYP BRD WALLS, ACCENTED WALLS
09 9123	PT-6	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD	MPI Gloss Level 2 - Velvet	GYP BRD WALLS, ACCENTED WALLS
09 9123	PT-7	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD	MPI Gloss Level 4 - Satin	
09 9123	PT-8	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	SW 7757 High Reflective White	MPI Gloss Level 5 - Semi Gloss	HOLLOW METAL FRAMES + WOOD TRIM
09 9123	PT-9	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD		
09 9123	PT-10	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD	MPI Gloss Level 7 - High Gloss	
09 9123	PT-11	INTERIOR PAINT	SHERWIN WILLIAMS	SUPER PAINT	TBD	MPI Gloss Level 6 - Gloss	

MATERIALS LEGEND

Section	Type Designation	Material Name	Manufacturer	Material Description	Color	Finish	Remarks
10 - Specialties							
10 1101	MB-1	MARKER BOARD	CLAIRIDGE	FIXED MARKER BOARD W/ MARKER TRAY & TACK STRIP/MAP RAIL	WHITE	ALUMINUM FRAME	CONFERENCE ROOM
10 1101	MDR-1	MAP & DISPLAY RAIL	CLAIRIDGE	2" MAP & DISPLAY RAIL			CONFERENCE ROOM
10 1101	TB-1	TACK BOARD	FORBO		TBD		CONFERENCE ROOM
10 2115	TP-1	TOILET PARTITION	BOBRICK	SIERRA SERIES	TBD		RESTROOMS
10 2613	CG-1	CORNER GUARDS	SCHLUTER	QUADEC TILE CORNER GUARD		STAINLESS STEEL	RESTROOMS
10 2613	CG-2	CORNER GUARDS	SCHLUTER	ECK-K SURFACE APPLIED		STAINLESS STEEL	THROUGHOUT
10 2800	TA-BC	BABY CHANGING TABLE	BOBRICK	KB110-SSRE RECESSED	S.S.		
10 2800	TA-GB	GRAB BARS	BOBRICK	FULL ADA SET PER ANSI A117.1	S.S.		
10 2800	TA-HD	HAND DRYER, HANDS FREE	BOBRICK				
10 2800	TA-MR	FIXED MIRROR	BOBRICK	2'-0" WIDE x 3'-0" HIGH, TAMPER PROOF VANDAL RESISTANT			
10 2800	TA-PT	PAPER TOWEL DISPENSER, HANDS FREE	GEORGIA PACIFIC	ENMOTION 2 ROLL HANDS FREE PAPER TOWEL DISPENSER			
10 2800	TA-SC	TOILET SEAT COVER DISPENSER	BOBRICK	B-301 RECESSED SEAT COVER DISPENSER	S.S.		
10 2800	TA-SD	HANDS FREE SOAP DISPENSER	SLOAN	OPTIMA ESD-2000-CP		POLISHED CHROME	AC ADAPTOR 0346090
10 2800	TA-TP	TOILET PAPER DISPENSER	BOBRICK	DUAL ROLL TAMPER PROOF	S.S.		
10 2800	TA-TR	TRASH TRIM RING	BOBRICK	B-532 COUNTERTOP MOUNTED CIRCULAR WASTE CHUTE	S.S.		
11 - Equipment							
	EQP-1						
12 - Furnishings							
12 2000	SURF-1	QUARTZ COMPOSITE	QUARTZ	3/4" THICK QUARTZ COMPOSITE		POLISHED	VANITY TOPS
12 2000	WS-1	WINDOW SHADES	MECHOSHADE	MANUAL - ECOVEIL FABRIC (3% OPENNESS)			INTERIOR
12 2000	WS-2	WINDOW SHADES	MECHOSHADE	MOTORIZED - ECOVEIL FABRIC (3% OPENNESS)			INTERIOR
14 - Conveying Equipment							
	ELEV-1						
21 - Fire Suppression							
	SP-1						
22 - Plumbing							
22 4000	FD	FLOOR DRAIN			S.S.		
22 4000	P-1	TOILET: 2 PIECE ELONGATED BOWL	TOTO	DRAKE CST744S	WHITE		
22 4000	P-2	TOILET: 1 PIECE ELONGATED BOWL	TOTO	ULTRAMAX II, 1.28GPF, MS604114CEFG#01	WHITE		
22 4000	P-3	URINAL: HIGH EFFICIENCY	TOTO	UT447E #01 with ECOPOWER HIGH EFFICIENCY URINAL FLUSH VALVE	WHITE		
22 4000	P-4	UNDERMOUNT LAV	TOTO	LLOYD BM-00046 LT931	WHITE		
22 4000	P-5	SELF RIMMING LAV	TOTO	LT401 #01	WHITE		
22 4000	P-6	WALL HUNG LAV	TOTO	LT307 #01	WHITE		
22 4000	P-7	MOP SINK		2'-0" x 2'-0" FIBER GLASS RESIN	WHITE		JANITOR'S ROOMS
22 4000	P-8	MOP SINK TAPSET		WALL MOUNTED	CHROME		JANITOR'S ROOMS
22 4000	P-9	SINGLE HANDEL KITCHEN FAUCET	DELTA "TRASK"	19933-SPSD-DST	DULL CHROME		BREAKROOM
22 4000	P-10	SINGLE HANDLE DECK FAUCET	DELTA "KRAUS OLETTO"	KPF-2600SS	DULL CHROME		@ BAR SINKS
22 4000	P-11	HARDWIRED HANDSFREE DECK FAUCET	SLOAN	OPTIMA EAF-225		POLISHED CHROME	@ LAVS, HARDWIRED
22 4000	P-12						
22 4000	P-13						
22 4000	P-14						
22 4000	P-15	SHOWER			WHITE		
23 - HVAC							
	DIF-1						
26 - Electrical							
26 0923	SW-1	LIGHT DIMMING SWITCHES					
26 5000	L-1	2' x 2' FLAT PANEL	LITHONIA		WHITE		DIMMER
26 5000	L-2	2' x 4' FLAT PANEL	LITHONIA		WHITE		DIMMER
26 5000	L-3	4" GIMBAL LED MODULE	LITHONIA	LK4G2MWLED	WHITE		DIMMER
26 5000	L-4						
26 5000	L-5						
26 5000	L-6						
27 - Communications							
	DATA-1						
28 - Electronic Safety and Security							
	SEC-1						

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PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY

4400 LOCHNER RD SE ALBANY OR 97322

SHEET:
A6.01

ROOM FINISH SCHEDULE

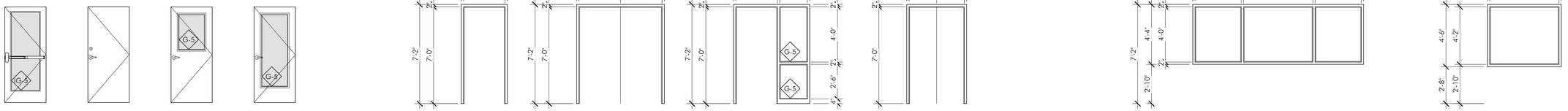
NO.:	NAME:	FLOOR FINISH:	BASE FINISH:	WALL FINISH:	CEILING FINISH:	CEILING HT	COMMENTS:
101	LOBBY						
102	R.R.						
103	ADMIN						
104	STORAGE						
105	OFFICE						
106	OFFICE						
107	OFFICE						
108	OFFICE						
109	BREAKROOM						
110	HALL						
111	HALL						
112	HALL						
113	HALL						
114	OFFICE						
115	OFFICE						
116	OFFICE						
117	OFFICE						
118	OFFICE						
119	OFFICE						
120	OFFICE						
121	I.T. ROOM						
122	CUST						
123	R.R.						
124	R.R.						
125	MECHANICAL						
126	WORKROOM						
127	HALL						
128	CONFERENCE						
129	CONFERENCE						
130	VESTIBULE						

WINDOW SCHEDULE

Type Mark	Type	Rough Width	Rough Height	Head Height	Sill Height	Count	Daylight Area	Egress	Egress Area	Glass Type	Frame Type	Remarks
28	IFCA 3'-0"w x 3'-0"h	3' - 0"	3' - 0"	4' - 6"	1' - 6 1/2"	6	6 SF	Yes	6 SF	IG Low E II with Argon	All Ultrex	
32	5'-0"w x 6'-0"h			8' - 11"	2' - 11"	1						
W-1	IFCA 3'-6"w x 6'-0"h	3' - 6"	6' - 0"	8' - 6"	2' - 6 1/2"	17	16 SF	Yes	15 SF	IG Low E II with Argon	All Ultrex	
W-2	IFCA 3'-0"w x 5'-0"h	3' - 0"	5' - 0"	8' - 6"	3' - 6 1/2"	1	11 SF	Yes	10 SF	IG Low E II with Argon	All Ultrex	
W-3	HM Frame Interior Window 3wide lites Center			8' - 2 3/4"	2' - 10 3/4"	1						

DOOR AND FRAME SCHEDULE

Door Number	From Room	To Room	Width	Height	Thickness	Door Type	Door Mat'l	Door Core	Door Glass	Door Finish	Frame Type	Frame Mat'l	Frame Glass	Frame Finish	Detail Head	Detail Jamb	Detail Sill	Fire Rating	Hardware Group	Remarks
101-2	101	103	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
102-1	101	102	3' - 0"	7' - 0"	0' - 1 3/4"	D-2	WD	Solid		PT-8	F-1	HM-1		PT-8					HW-5	
104-1	104		6' - 0"	7' - 0"	0' - 1 3/4"	D-2					F-2									
105-1	110	105	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
106-1	110	106	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
107-1	110	107	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
108-1	110	108	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
114-1	111	114	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
115-1	111	115	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
116-1	112	116	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
117-1	112	117	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
118-1	112	118	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
119-1	112	119	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
120-1	112	120	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
121-1	110	121	3' - 0"	7' - 0"	0' - 1 3/4"	D-2	WD	Solid		PT-8	F-1	HM-1		PT-8					HW-10	
122-1	112	122	3' - 0"	7' - 0"	0' - 1 3/4"	D-2	WD	Solid		PT-8	F-1	HM-1		PT-8					HW-10	
123-1	113	123	3' - 0"	7' - 0"	0' - 1 3/4"	D-2	WD	Solid		PT-8	F-1	HM-1		PT-8					HW-5	
124-1	113	124	3' - 0"	7' - 0"	0' - 1 3/4"	D-2	WD	Solid		PT-8	F-1	HM-1		PT-8					HW-5	
126-1	110	126	3' - 0"	7' - 0"	0' - 1 3/4"	D-3	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
126-2	112	126	3' - 0"	7' - 0"	0' - 1 3/4"	D-3	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
128-1	128	130	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	
128-2	127	128	3' - 0"	7' - 0"	0' - 1 3/4"	D-4	WD.		G-5	PT-8	F-1	HM-1		PT-8	-	-	-		HW-10	



D-1 D-2 D-3 D-4 D-5 F-1 F-2 F-3 F-4 F-5 F-6 F-7

1 DOOR AND FRAME TYPE ELEVATIONS

0' 1' 2' 4' 8' 12'

1/4" = 1'-0"

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PROJECT # 2021-208
DATE: 11/28/2022
REVISIONS

Oak Creek Youth Correctional Facility
PROBATION/PAROLE FACILITY
4400 LOCHNER RD SE ALBANY OR 97322

SHEET:
A6.02

Exhibit C – Grading Plan

STORMWATER SYSTEM SUMMARY

CONTRIBUTING AREA
15,000 SF

EXISTING CONDITIONS

CN = 77 (15,000 SF)
TC = 15 MINUTES

EXISTING RUN-OFF

WQ	0.00 CFS
2-YR	0.04 CFS
5-YR	0.06 CFS
10-YR	0.09 CFS
25-YR	0.13 CFS

DEVELOPED CONDITIONS

CN = 98 (14,000 SF)
CN = 77 (1,000 SF)
TC = 5 MINUTES

PROPOSED RELEASE

WQ	0.055 CFS	MAX WSE 226.78
2-YR	0.10 CFS	MAX WSE 227.41
2-YR	0.11 CFS	MAX WSE 227.60
10-YR	0.12 CFS	MAX WSE 227.91
25-YR	0.19 CFS	MAX WSE 229.37

TC 230.90
AC 230.40

TC 230.62
AC 230.12

230.98

TC 230.57*
AC 230.12*

TC 230.20
AC 229.70

BARK PATH

CB R 229.30
12" INV 226.90

APPROX
DETENTION
LIMIT 229.37

12" HDPE N-12
L = 31'
S = 0.30%

SDMH R 230.0
12" INV IN 226.81
18" INV OUT 226.61

TC 231.00
AC 230.50

TC 231.00
AC 230.50

TC 231.00
AC 230.50

CB RIM=229.70
(8"HDPE,E) 228.0

SDMH R 230.35
18" INV 226.80

TC 230.80
AC 230.30

TC 230.68
AC 230.18

18" HDPE N-12
L = 118'
S = 0.20%

TC 230.85
AC 230.35

TC 230.75
AC 230.25

18" HDPE N-12
L = 55'
S = 0.20%

TC 230.60
AC 230.10

231.07
230.75
230.75

230.92
230.87

230.95

231.07

TC 230.91*
AC 230.45*

230.91

231.00

230.89

231.00

FF 231.00

230.82

12" HDPE N-12
L = 54'
S = 0.30%

TC 230.50
AC 230.00

TC 230.20
AC 229.70

CB R 229.50
12" INV 226.93

231.00*

231.07

231.00

231.00

230.89

230.57

TC 230.00
AC 229.50

230.92*

231.00

TC 230.30
AC 229.80

230.99

FF 231.00

CB RIM=229.98
SUMP W (BOLTED)

FLOW
CONTROL
MH

8" PVC
D3034 SD
L = 30'
S = 0.50%

230.62*

8" PVC D3034
L = 36'
S = 1.00%

OVERFLOW CB
R 229.80
12" INV 226.77

231.00

230.80*

FF 231.00

230.85*

CB RIM=229.95
SUMP W (BOLTED)

CB RIM=229.65
E (8"HDPE,E) 228.0

UPFLO MANHOLE NOTES
R 230.5
8" INV IN 226.35
8" INV OUT 225.84
WQ FLOW = 0.05 CFS
PROVIDE 1 FILTER CARTRIDGE
WQ CAPACITY = 0.055 CFS

230.92*

230.80*

FF 231.00

UPFLO MH

FLOW CONTROL MH A
R 230.9
18" INV IN 226.50
8" INV OUT 226.50
1.5" ORIFICE
OVERFLOW 229.80 @
CB TO EAST

230.74*

230.66*

8"HDPE
IE: 225.15

12"HDPE
IE: 223.89

8"HDPE
IE: 227.

8"PVC
226.08

0 5 10 20
(feet)

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH, ADJUST SCALES ACCORDINGLY
0 1"

NO.	DATE	DESCRIPTION	BY
		REVISIONS	

DSN. RCE
DRN. RCE
CKD. RCE
DATE: OCT 2022

REVIEW
REGISTERED PROFESSIONAL ENGINEER
RAYMOND C. ENGEL
RENEWS: 12/31/2023

WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westech@westech-eng.com

Oregon Youth Authority
Oak Creek Youth Correctional Facility
Probation/Parole Facility
Salem, Oregon

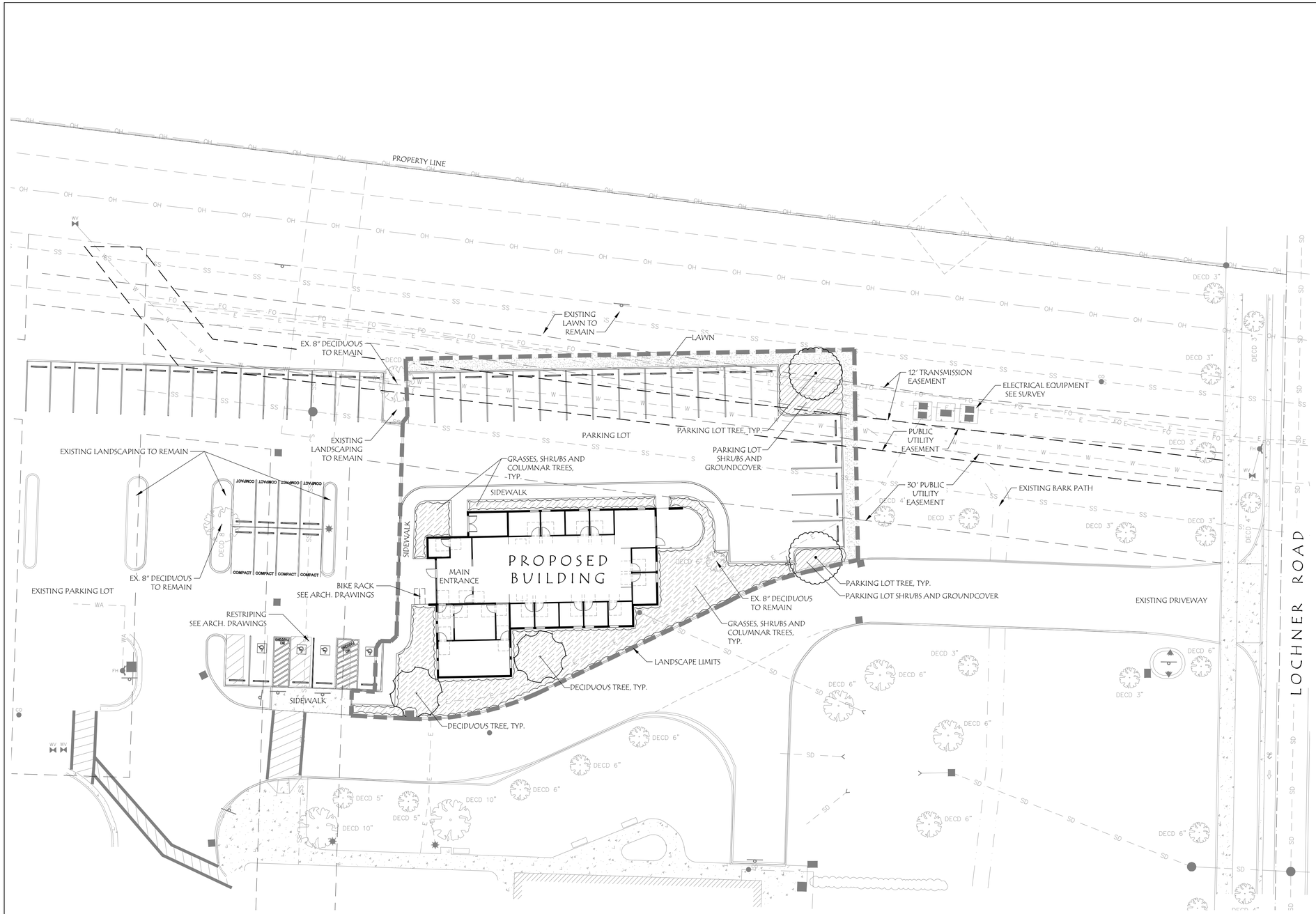
Grading & Drainage Plan

DRAWING
C4.00

JOB NUMBER
3062.1000.0

10/19/2022 1:19:55 PM
R:\Dwg\or-yth-south\2022 Oak Creek\survey\working.dwg, (22x34 grading tab)

Exhibit D – Preliminary Landscape Plan



Legend:

- EXISTING TREES
- PARKING LOT TREE, TYP.
- DECIDUOUS TREE, TYP.
- PARKING LOT SHRUBS AND GROUNDCOVER
- GRASSES, SHRUBS AND COLUMNAR TREES, TYP.
- LAWN
- LANDSCAPE LIMITS

General Notes:

1. DRAWINGS ARE PRELIMINARY, NOT FOR CONSTRUCTION OR BIDDING.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN AND AREA CALCULATIONS.
3. SEE CIVIL DRAWINGS FOR GRADING PLAN AND STORMWATER INFORMATION.
4. PLANTS TO BE SIZED ACCORDING TO CITY OF ALBANY REQUIREMENTS FOR GENERAL PLANTING.
5. LANDSCAPE TO BE IRRIGATED BY AN AUTOMATIC UNDERGROUND SYSTEM DESIGNED BY THE LANDSCAPE ARCHITECT.

Landscape Requirements:

PARKING PLANTERS: (1) TREE PER PLANTER - 10' HT. MIN.
(2) SHRUBS PER 100 SF
GROUND COVER

Laurus Designs, LLC

1012 Pine Street
Silverton, Oregon
503.784.6494

Oak Creek Youth Correctional Fac. New Probation / Parole Facility

4400 Lochner Rd.
SE Albany, OR 97322

REGISTERED 643 PRELIMINARY LAURA A. ANTONSON OREGON 11/16/2007 LANDSCAPE ARCHITECT

CONCEPTUAL PLANTING PLAN

SCALE: 1"=20-0"

0' 10' 20' 40'
SCALE

January 25, 2023

REVISIONS

#	DATE	NOTES	INITIALS

L1.1

SHEET 1 OF 1

PROJECT #: 1505P

Exhibit E – Terra Science Report

Oregon
Tina Kotek, Governor

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 986-5200
FAX (503) 378-4844
www.oregon.gov/dsl

State Land Board

Tina Kotek
Governor

Shemia Fagan
Secretary of State

Tobias Read
State Treasurer

January 17, 2023

Oregon Youth Authority
Attn: Paul Ehenger, Physical Plant Operations Manager
530 Center Street NE, Suite 500
Salem, OR 97301

Re: WD # 2022-0533 **Approved**
Wetland Delineation Report for Portion of Tax Lot 501
Linn County; T11S R3W S19A TL501 (Portion)
Albany SE Industrial Area Local Wetlands Inventory, Wetland ON-K

Dear Paul Ehenger:

The Department of State Lands has reviewed the wetland delineation report prepared by Terra Science, Inc. for the site referenced above. Please note that the study area includes only a portion of the tax lot described above (see the attached map). Based upon the information presented in the report, we concur that there are no jurisdictional wetlands or other waters of the state within the study area, as indicated in attached Figure 7 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

However, available information indicates that there are or may be wetlands or other waters of the state on the parcel beyond the study area boundary. These wetlands or other waters may be subject to the permit requirements of the Removal-Fill Law. Under current regulations, a state permit is required for fill or removal of 50 cubic yards or more in a wetland area or below the ordinary high-water line of a waterway (the 2-year recurrence interval flood elevation, if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only and is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact the Jurisdiction Coordinator for Linn County, Lynne McAllister, at (503) 986-5300.

Sincerely,

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: David Monnin, PWS, Terra Science, Inc.
Albany Planning Department (Maps enclosed for updating LWI)
Benny Dean, Jr., Corps of Engineers
Charles Redon, DSL

CONFIRMATION OF UPLAND CONDITIONS REPORT PREPARED FOR PORTION OF TAX LOT 501, T. 11S, R. 03W, SEC. 19A, W.M. CITY OF ALBANY, LINN COUNTY, OREGON

Prepared for

OREGON YOUTH AUTHORITY
4400 Lochner Road SE
Albany, Oregon 97322

Prepared by

TERRA SCIENCE, INC.
4710 Southwest Kelly Avenue, Suite 100
Portland, Oregon 97239

TSI Project No. 2022-0831

September 2022

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Confirmation of Upland Conditions Report Prepared for Portion of Tax Lot 501
T. 11S, R. 03W, Sec. 19A, W.M., City of Albany, Linn County, Oregon

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Section C. Precipitation Data and Analysis 2
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Section D. Delineation Methodology 3
Section E. Site Description 4
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List of Appendices

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Appendix B. Western Mountains, Valleys and Coasts Data Forms
Appendix C. Ground Level Photographs
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Appendix E. References Cited

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Confirmation of Upland Conditions Report Prepared for Portion of Tax Lot 501
T. 11S, R. 03W, Sec. 19A, W.M., City of Albany, Linn County, Oregon

Section A. Landscape Setting and Land Use

On behalf of Oregon Youth Authority (Applicant), Terra Science, Inc. (TSI) has prepared this delineation report to document existing conditions within a 0.95± acre study area in the City of Albany, Linn County, Oregon. The study area consists of identified portion of Tax lot 501 on Assessor map Township 11 South, Range 03 West, Section 19A, Willamette Meridian. The study area lies within the northeast corner of the Oak Creek Youth Correctional Facility (OCYCF) campus. The site is situated within the Urban Growth Boundary and Incorporated City Limits of City of Albany and is zoned as Light Industrial (LI). The centroid of the study area is approximated at 44.602226° north and -123.903882° west.

The study area is situated atop a historic alluvial terrace of Oak Creek which has experienced varying degrees of disturbance resulting in a relatively flat development terrace. The south and western edges of the study area contain paved OCYCF improvements. The remainder of the site consists of a relatively flat fill terrace dissected by subsurface utility (sanitary sewer, electric, and water) lines. The study area lies beyond Federal Emergency Management Agency (FEMA) inventoried flood hazard zones (Linn County GIS, 2022). Forty Five North Surveying, Inc. topographic contours indicate onsite elevation is 230 feet above mean sea level with only slight undulation.

Conditions within the current study area were most recently documented by EGR & Associates, Inc. May 2009 *Partial Determination On A 2.57 Acre Portion of Township 11S, Range 3W, Section 19, NE Quarter, Tax Lot 501; Linn County Assessor's Map 11-3W-19A, Tax Lot 501 (28.56 Acres).* Said report did not document wetland or other waters within the EGR defined study area. EGR's report was reviewed and concurred with by Department of State Lands via issuance of their June 26, 2009 determination WD#2009-0253.

Section B. Site Alterations Overview

Situated atop a historic alluvial terrace of (offsite) Oak Creek, the study area and immediate vicinity were historically utilized for agricultural crop production. Said agricultural use ceased circa 1997 when the OCYCF was constructed.

As depicted on Figure 6.2, OCYCF expanded operations circa 2010. Expansion included construction of additional parking areas, facilities, pedestrian path, and stormwater infrastructure. The improvement results in a relatively flat development / fill terrace within the contemporary study area. Based on DSL WD#2009-0253, this 2010 expansion did not incur impacts to potentially jurisdictional wetlands.

The study area is actively managed as part of the OCYCF campus. While routinely mowed, no other vegetative disturbances are identified.

Section C. Precipitation Data and Analysis

Precipitation data obtained from the National Weather Service (NWS) Oregon State University (Corvallis) weather station is utilized to assess site conditions for this delineation. Table 1.1 outlines observed and historically averaged precipitation levels from the beginning of the 2021 water year (October 01, 2021) through the August 30, 2022 field investigation while Table 1.2 outlines precipitation levels for one- and two-week intervals preceding the delineation site visit.

Table 1.1. Rainfall summary for Water Year 2022 through the delineation investigation.

	2021			2022							
	October	November	December	January	February	March°	April	May	June	July	August°
Observed Precipitation (in.)	2.7	5.01	10.54×	4.67	1.52	4.35	5.75	4.44	2.37	0.38	0.0
Average Precipitation (in)*	3.48	6.4	7.54	6.53	4.83	4.96	3.3	2.28	1.34	0.34	0.43
Percent of Average	77.6%	78.3%	139.8%	71.5%	31.5%	87.7%	174.2%	194.7%	176.9%	111.8%	0.0%
Normal Range (in.)∞	2.31-4.21	4.32-7.65	5.42-8.91	4.39-7.81	2.91-5.86	3.56-5.86	2.34-3.9	1.4-2.75	0.94-1.59	0.12-0.36	0.15-0.48

Table 1.2. Rainfall summary for immediate intervals preceding delineation investigation.

Field Study Date	Precipitation on Date of Field Investigation	7-Day Interval Preceding Field Visit			14-Day Interval Preceding Field Visit		
		Observed Precipitation	Average Precipitation*	Percent of Average	Observed Precipitation	Average Precipitation*	Percent of Average
August 30, 2022	0.0 in.	0.00 in.	0.1 in.	0.0%	0.0 in.	0.2 in.	0.0%

*: Average precipitation based on observations for period between 1990 and 2020 at the National Weather Service station located at Oregon State University, Corvallis (44.6341° North, -123.1900° West).

×: Total does not include 8.5 inches of snowfall.

°: August precipitation data pro-rated to reflect period between August 01-30, 2022.

∞: WETS information based on Corvallis State University values for period 1990-2020.

As detailed in the USACE Antecedent Precipitation Tool (APT) results, precipitation preceding the delineation was normal. Due to the summer timing (dry season) of the delineation, TSI's field team did not consider the lack of primary indicators (Surface Water (A1), High Water Table (A2), and / or Saturation (A3)) alone as sufficient evidence to disqualify an area as satisfying wetland hydrology. Report Section D details field TSI's interpretation of site hydrology while Appendix B contains site observations.

Section D. Delineation Methodology

The study area was evaluated using methodology outlined within the *1987 Corps of Engineers Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coasts Region* (Version 2.0) with guidance from DSL, USACE, and Environmental Agency. Background analysis involved review of historic and current aerial photography, evaluation of U.S. Fish and Wildlife Service's (USFWS) National Wetland Inventory maps, Natural Resource Conservation Service (NRCS) soil maps, City of Albany Local Wetland Inventory (LWI) mapping, and Forty Five North Surveying, Inc. civil files. Agency file review of previous delineation reports, jurisdictional determinations, and adjacent Eugene Freezing & Storage property (Tax lot 100, T. 11S, R. 01W, Sec. 19A[1]) also occurred prior to field work.

To assess site conditions, TSI conducted a pedestrian survey of the site; representative sample plots were then sited to document shared characteristics of specific landforms boundaries (in accordance with OAR 141-090-0035(7) (a-g)). Representative sample plots reflect similar historical disturbances, local relief, vegetation communities, soils conditions and hydrological condition of similarly situated features. Due to the small site size and homogenous condition, three individual sample plots and three photograph point are established to document the fill terrace.

Vegetation analysis at each sample plot location utilized the routine intermediate-level (level 2) delineation methodology to visually estimate percent cover for herbaceous species. The aerial extent of each plot consists of a typical five-foot radius for herbs and (modified) thirty-foot plot for trees and shrubs. To avoid potential overlap with adjacent landforms, modified plots focused on the sampled landform (development terrace, for example) to avoid overlap with the adjacent (offsite) landform (alluvial terrace, for example). Indicator statuses outlined in 2020 *The National Wetland Plant List* were utilized to evaluate vegetation using the 50 / 20 rule for hydrophytic determinations. Sample Plots SP-1 and SP-2 are established at topographically low portions along the northernmost site boundary. Plot radii overlaps unmowed, referenced vegetation areas immediately beyond the defined study area. The unmowed reference area (which has remained relatively undisturbed for greater than five years) is reflected on respective data sheets. Vegetation throughout the remainder of the site (and as documented by Sample Plot SP-3) is actively managed as lawn. Late season, mowed grass species were only identifiable to the species level.

Soils were evaluated at each sample location using a tape measure and tile spade to examine the upper portion of the soil. All excavated soil profiles were moistened during color analysis using Munsell color charts. Exposed profiles were evaluated for hydric soil characteristics utilizing the NRCS *Field Indicators of Hydric Soils in the United States* (Version 8.2). As indicated, the site was extensively disturbed (filled and partially developed) circa 2010. All three sample plots are observed to contain fill material containing angular gravels, debris, and jumbled profiles. As said disturbances reflect (new) normal conditions, fill profiles are considered reliable for delineation purposes.

[1] DSL WD#2014-0344, Permit 41620-RF, Permit 57229-RF,

Due to the summer (dry season) timing of the delineation, the lack of primary indicators Surface Water (A1), High Water Table (A2), and / or Saturation (A3) was not considered sufficient evidence alone to disqualify a landform as exhibiting potential wetland hydrology. TSI relied upon fill terrace position, fill material depth, and local hydrologic manipulations (offsite stormwater ponds and utility infrastructure drain effects, for example) to determine the site does not have the capacity to support wetland hydrology.

Upon assessment of collected field data, TSI field mapped sample plot locations and photograph points using a Juniper Geode GNSS receiver and Mesa Tablet using ArcPad Version 10.0 software.

Section E. Site Description

The identified study area consists of a relatively flat development terrace created circa 2010. The west and southern edges consist of developed parking / access roads. The site is dissected by subsurface utility lines, including sanitary sewer, electric, and water.

Vegetation along the north, unmowed, area is primarily dominated by *Daucus carota*, *Avena fatua*, *Agrostis capillaris*, and *Holcus lanatus* which does not satisfy Hydrophytic Vegetation Indicators. Mowed areas throughout the remainder of the site primarily support *Lolium spp*., *Agrostis spp*., and *Festuca spp*. with varying coverage of *Hypochaeris radicata* and *Daucus carota.* Several ornamental, deciduous trees line the asphalt entryway.

Soils consist of fill material ranging in depth from nine to twelve inches (9-12"). Placed and contoured circa 2010, fill material appears to consist of construction spoils material generated elsewhere on the OCYCF campus jumbled with angular gravels. Sample Plot SP-2 was observed to contain redoximorphic features within the fill horizon. Identified concentrations are contained entirely within jumbled spoils material (10YR 2/2). As the concentrations are not located throughout the fill horizon they are considered imported and are not considered contemporary. In addition to angular gravels, TSI observed debris and trash throughout the fill horizons.

In addition to fill material placement, the identified study area experiences varying levels of hydrological disturbance. The site is dissected by subsurface utilities, is severed from historical alluvial terrace influence by adjacent developments, and is partially drained by (offsite) stormwater management ponds to the north. Said ponds are approximately three feet (3') lower than the developed fill terrace. No portion of the site exhibits primary or secondary hydrology indicators. Further, previous delineation investigations (DSL WD#2009-0253) document upland throughout the contemporary TSI study area.

Section F. Deviation from National and Local Wetland Inventories

National Wetland Inventory (NWI) mapping is assessed using U.S. Fish and Wildlife Service (USFWS) Wetland Mapper application and shapefiles provided by the interactive National Wetlands Inventory-V2 program. As documented on Figure 3, USFWS does not inventory wetland or other aquatic features in the immediate vicinity of the study area.

Confirmation of Upland Conditions Report Prepared for Portion of Tax Lot 501
T. 11S, R. 03W, Sec. 19A, W.M., City of Albany, Linn County, Oregon

Local Wetland Inventory (LWI) mapping is assessed using SRI Shapiro's 1996 approved *Wetland Conservation Plan Inventory for the City of Albany* and associated GIS shapefiles. As documented on Figure 4, SRI Shapiro 1996 mapping inventories Palustrine, Emergent (PEM) Wetland ON-K extending into the study area.

Two previous EGR delineation investigations have occurred to refute the 1996 LWI polygons. These delineations were previously reviewed and approved by DSL (for WD#2009-0121 and WD#2009-0253). TSI's delineation report confirms EGR's previous determinations via documentation of uplands throughout onsite LWI inventoried polygons.

This delineation confirms the identified study area lacks wetland or other aquatic features.

Section G. Mapping Methodology

Prior to the field work, georeferenced LiDAR topographic contours, contemporary aerial photographs, NRCS soil mapping units, Forty Five North Surveying linework, DOGAMI LiDAR raster files, and digitized boundaries associated with previously determined wetlands (DSL WD#2009-0253, and WD#2009-0121) were uploaded onto a Juniper Mesa Tablet synced with a Geode Global Navigation Satellite System (GNSS) receiver. Field teams then conducted an August 30, 2022 site visit to establish representative sample plots to document existing site conditions.

Upon analysis of field data, sample plot locations and photography points were mapped by the field team utilizing a Juniper Geode GNSS receiver and Mesa Tablet using ArcPad Version 10.0 software. Delineation teams exported real-time processed ArcPad shape files into AutoCAD compatible files using ArcMap 10.2.

Processed delineation files, Linn County georeferenced parcels, aerial imagery, NRCS Web Soil Survey mapping units, Forty Five North Surveying civil files, and NOAA housed LiDAR topographic files were inserted into AutoCAD LT drafting software for analysis and graphic production. All files are presented in the NAD 1983 / 2011 State Plane Oregon Nouth basis of bearings. Field verification confirms sample plots presented on Figure 7 have ±1.0-foot horizontal accuracy.

Section H. Additional Information

Conditions within the current study area were most recently documented by EGR & Associates, Inc. May 2009 *Partial Determination On A 2.57 Acre Portion of Township 11S, Range 3W, Section 19, NE Quarter, Tax Lot 501; Linn County Assessor's Map 11-3W-19A, Tax Lot 501 (28.56 Acres).* Said report did not document wetland or other waters within the EGR defined study area. EGR's report was reviewed and concurred with by Department of State Lands via issuance of their June 26, 2009 determination WD#2009-0253.

TSI confirms EGR's previous delineation which documents uplands throughout the study area. That is, no portion of the site contains wetland or other aquatic features.

Confirmation of Upland Conditions Report Prepared for Portion of Tax Lot 501
T. 11S, R. 03W, Sec. 19A, W.M., City of Albany, Linn County, Oregon

Section I. Results and Conclusions

This delineation was conducted using routine intermediate-level (level 2) delineation methodology outlined in the *1987 Corps of Engineers Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coasts Region* (Version 2.0). Establishment of three individual sample plots confirm the identified study area has been effectively filled and does not contain wetland or other aquatic features.

DSL Required Disclaimer

As required by the DSL, the following statement must be included as part of this document:

"This report documents the investigation, best professional judgment and conclusions of the investigator. It is correct and complete to the best of my knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State Lands in accordance with OAR 141-090-0005 through 141-090-0055."

Limitations of Report

This report does not define conditions beyond identified portion of Tax lot 501 on Assessor map Township 11 South, Range 03 West, Section 19A, Willamette Meridian in the City of Albany, Linn County, Oregon. This report makes no claim or conclusions about those conditions beyond the specified delineation footprint.

The data presented in this report were collected, analyzed and interpreted using standards of skill, care, and diligence ordinarily provided by the qualified professionals of Terra Science, Inc. using the *1987 Corps of Engineers Wetlands Delineation Manual*, *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coasts Region* (Version 2.0). The report findings are based on incidental information the landowner, the observations of the project team and limitations of the wetland delineation methodology. The report findings and their significance should not be extrapolated beyond the immediate area of the delineation footprint. Terra Science, Inc. shall not be liable beyond the fees paid for its services for errors and omissions

This report was generated for the express use of Oregon Youth Authority and their designates. These parties shall not interpret the report findings or conclusions any differently than stated without prior discussion with or consent from Terra Science, Inc.

Respectfully submitted,

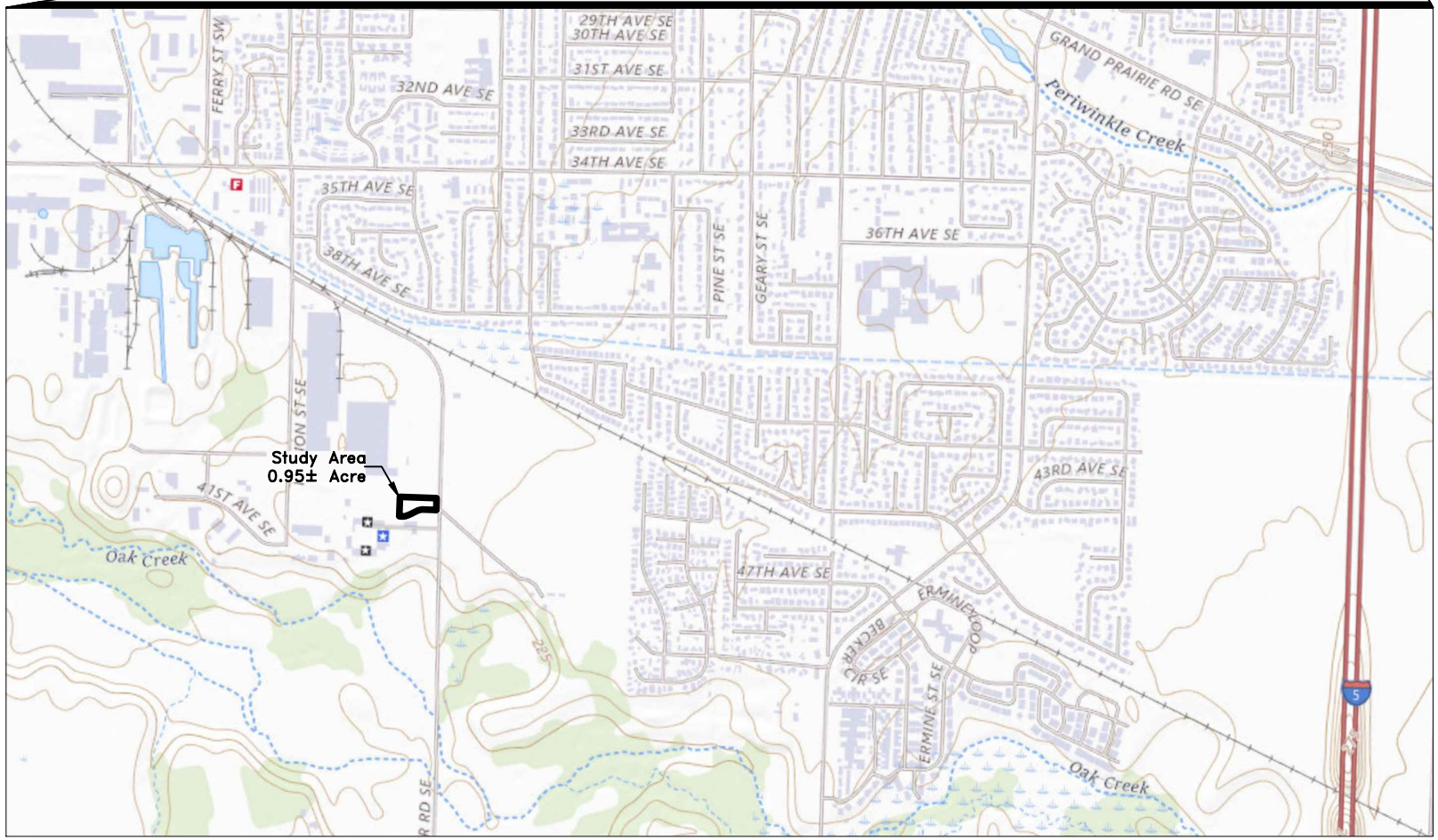
David P. Monnin, PWS #1845
Senior Wetland Scientist

APPENDIX A

Delineation Figures

DIRECTIONS: From Portland / Salem, travel Interstate I-5 south to Oregon Highway 20 (Exit 233) and proceed west for approximately 1.0 mile to SE Geary Street and turn left (south). Proceed south for approximately 1.6 mile to 34th Avenue SE and turn right (west) for approximately 0.8-mile then turn left (south) onto Mission Street SE for approximately 0.2-mile. Turn left (east) onto Lochner Road SE and travel approximately 0.5-mile to the Oak Creek Youth Correctional Facility at 4400 Lochner Road SE. The approximate centroid of the study area is 44.602226° north and -123.903882° west.

In accordance with safety protocol, all site access must be coordinated and approved with Oregon Youth Authority personnel.



Source: Adapted from U.S. Geological Survey National Map and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 750 1500
(IN FEET)

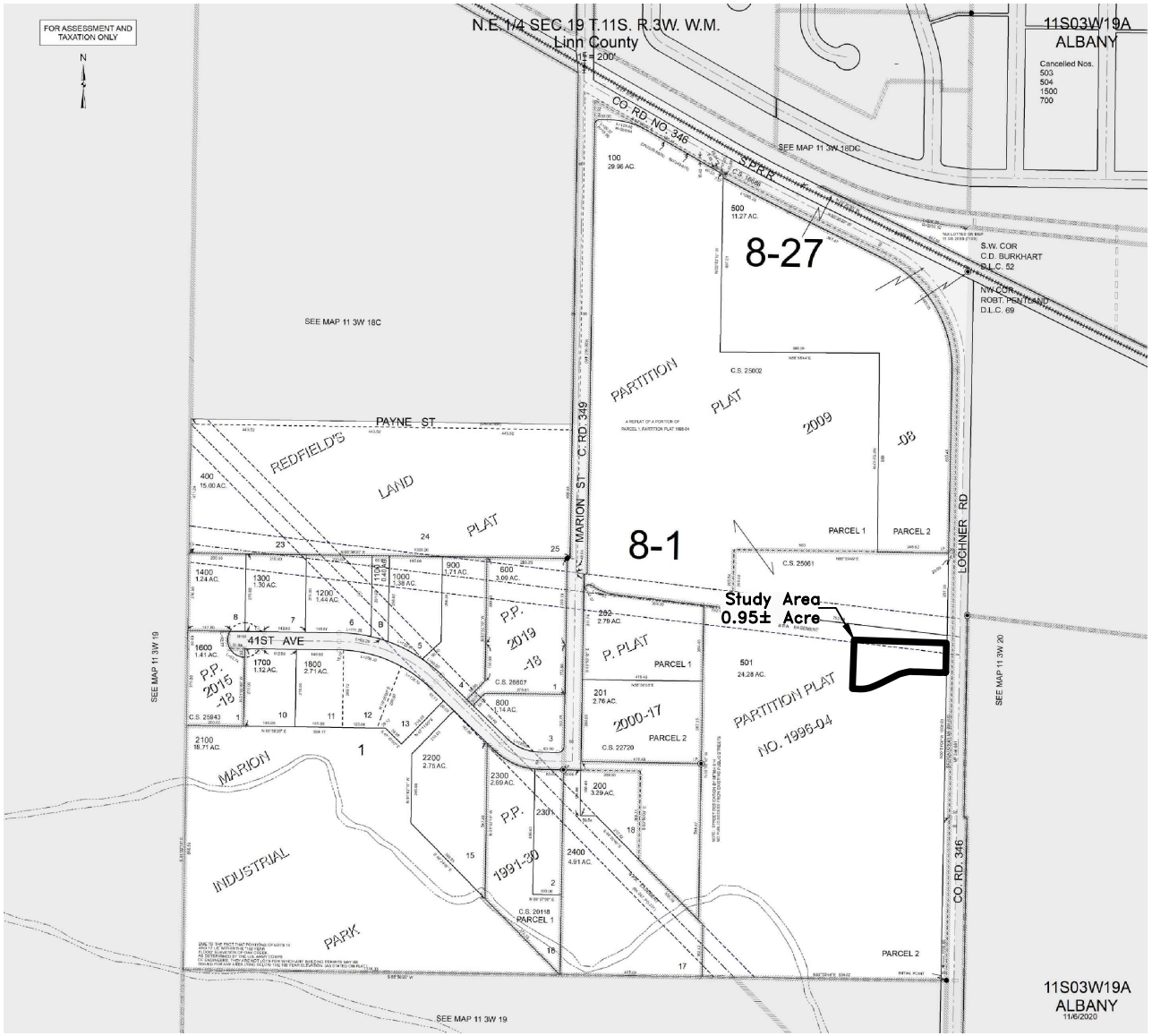
CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

VICINITY MAP

FIGURE 1

September 2022

NOTE: The study area consists of identified portion of Tax lot 501 on Assessor map Township 11 South, Range 03 West, Section 19A, Willamette Meridian. The study area lies within the northeast corner of the Oak Creek Youth Correctional Facility (OCYCF) campus. The site is situated within the Urban Growth Boundary and Incorporated City Limits of City of Albany and is zoned as Light Industrial (LI).



Source: Adapted from Linn County Assessor map T. 11S, R. 03W, Sec. 19A, W.M. and Forty Five Surveying, Inc. civil files.

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Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 300 600
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
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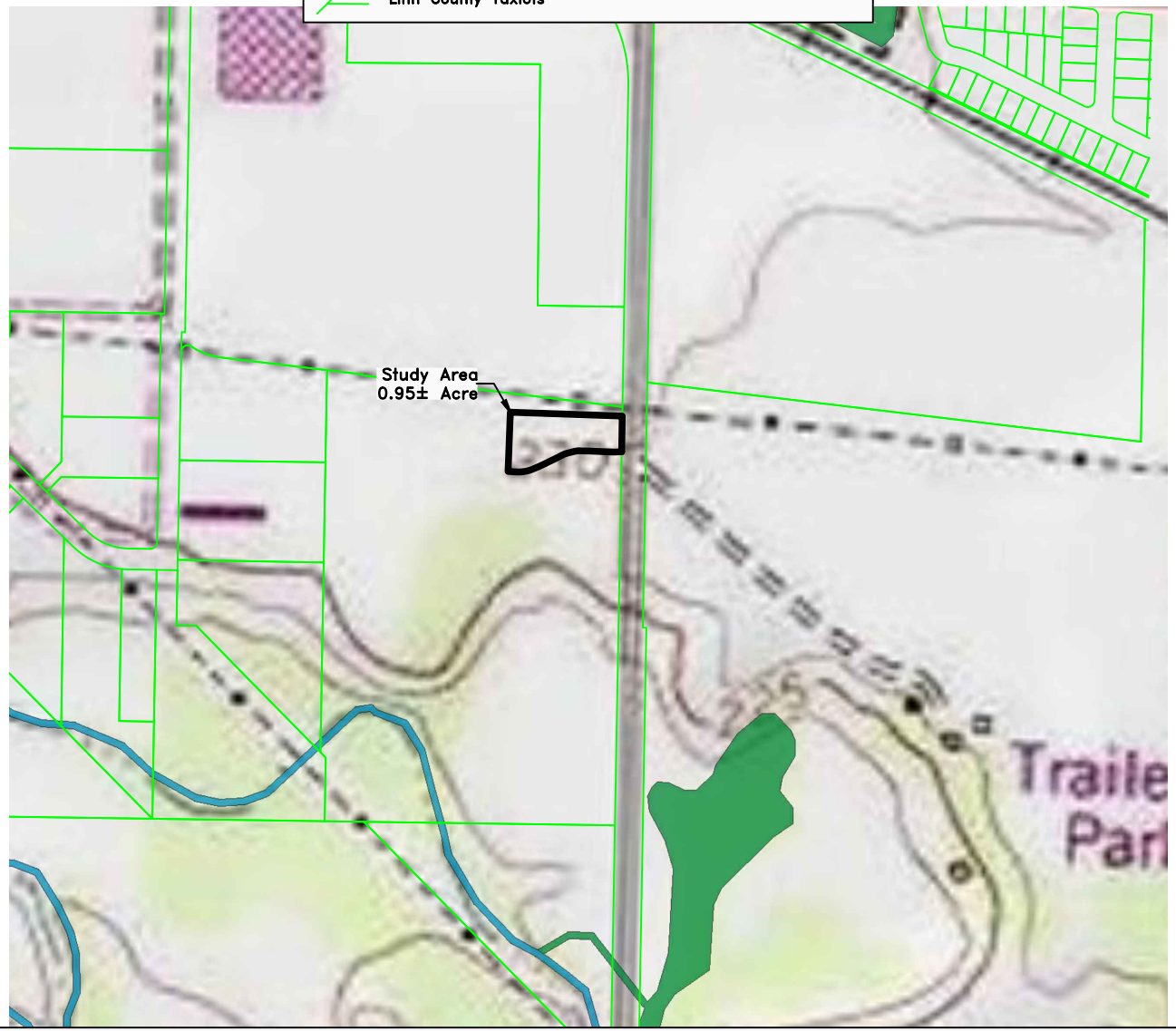
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

September 2022

LINN COUNTY ASSESSOR MAP

FIGURE 2



NOTE: National Wetland Inventory (NWI) mapping is assessed using U.S. Fish and Wildlife Service (USFWS) Wetland Mapper application and shapefiles provided by the interactive National Wetlands Inventory–V2 program. USFWS does not inventory wetland or other aquatic features in the immediate vicinity of the study area

Source: Adapted from U.S. Geological Survey Topographic Map, U.S. Fish and Wildlife Service Wetlands Mapper, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 300 600
(IN FEET)

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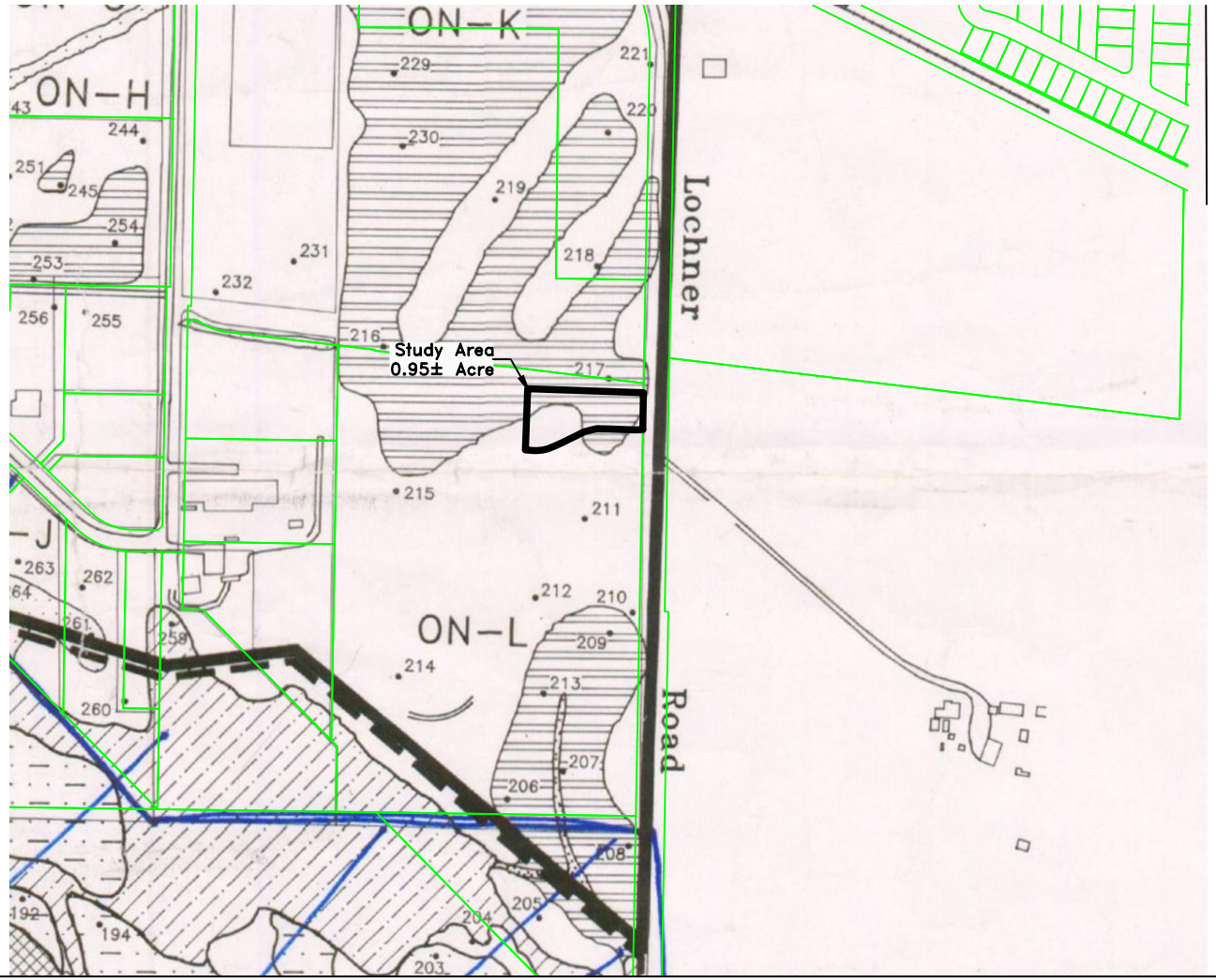
September 2022

NATIONAL WETLAND INVENTORY MAP

FIGURE 3



NOTE: Local Wetland Inventory (LWI) mapping is assessed using SRI Shapiro's 1996 approved Wetland Conservation Plan Inventory for the City of Albany and associated GIS shapefiles. SRI Shapiro 1996 mapping inventories Palustrine, Emergent (PEM) Wetland ON-K extending into the study area.

Two previous EGR delineation investigations have occurred to refute the 1996 LWI polygons. These delineations were previously reviewed and approved by DSL (for WD#2009-0121 and WD#2009-0253). TSI's delineation report confirms EGR's previous determinations via documentation of uplands throughout onsite LWI inventoried polygons.

Source: Adapted from SRI Shapiro Local Wetland Inventory map, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 300 600
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
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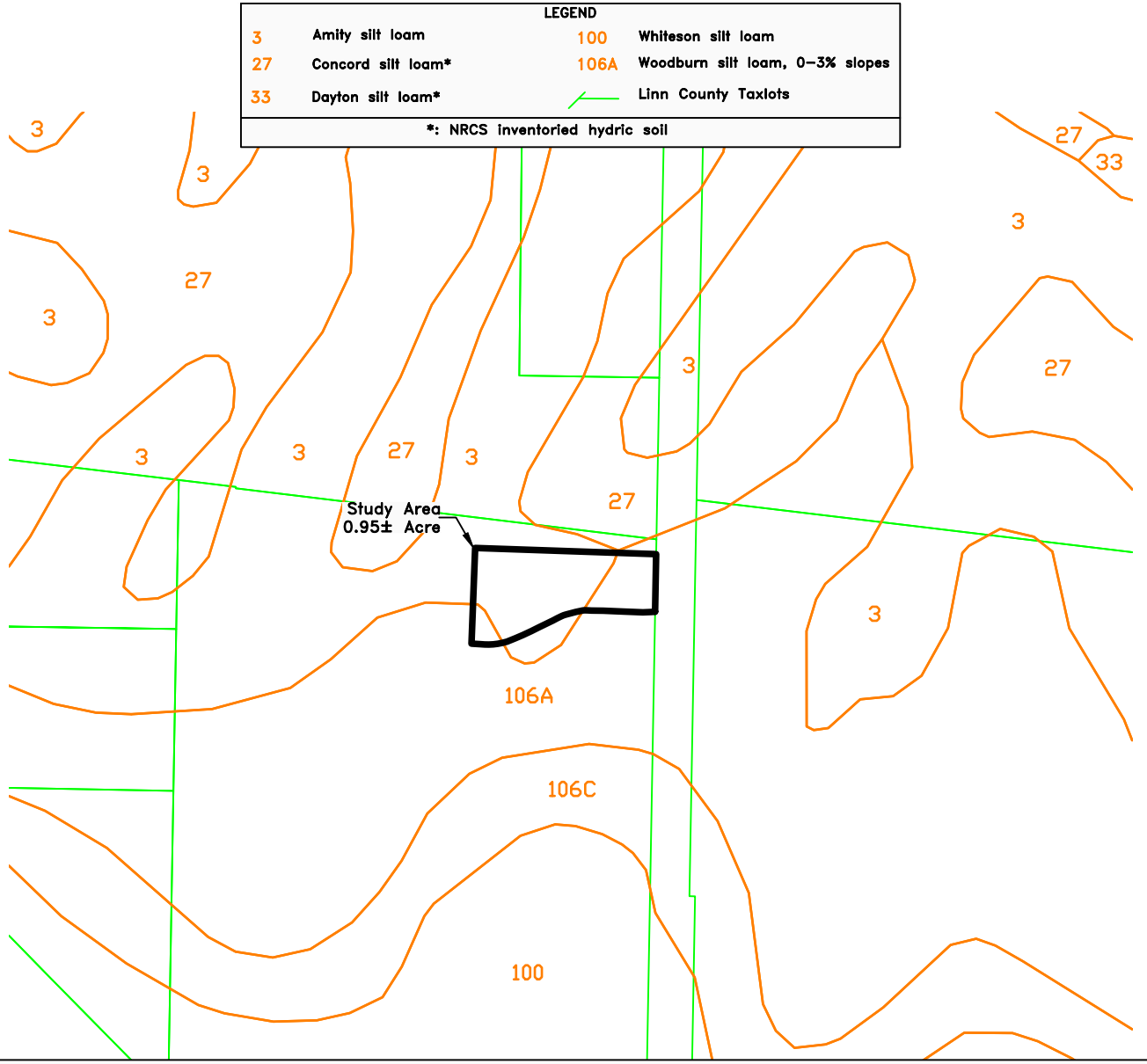
September 2022

LOCAL WETLAND INVENTORY MAP

FIGURE 4



NOTE: The study area is situated atop a historic alluvial terrace of Oak Creek which has experienced varying degrees of disturbance resulting in a relatively flat development terrace. The south and western edges of the study area contain paved OCYCF improvements. The remainder of the site consists of a relatively flat fill terrace dissected by subsurface utility (sanitary sewer, electric, and water) lines. See report text for discussion of known disturbances.

Source: Adapted from Natural Resource Conservation Service, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 200 400
(IN FEET)

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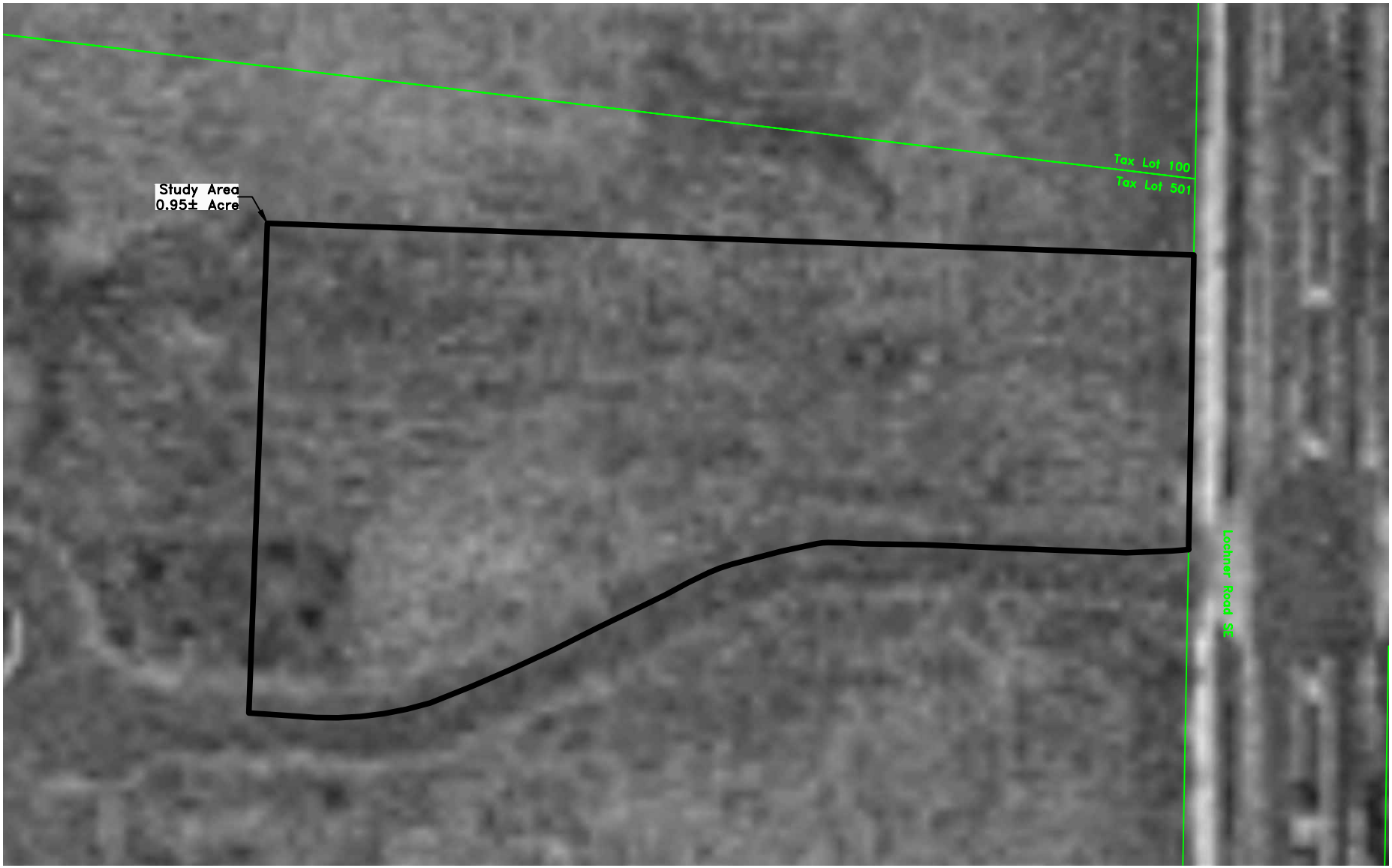
SOILS INVENTORY MAP

September 2022

FIGURE 5



Source: Adapted from U.S. Department of Agriculture NAIP aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

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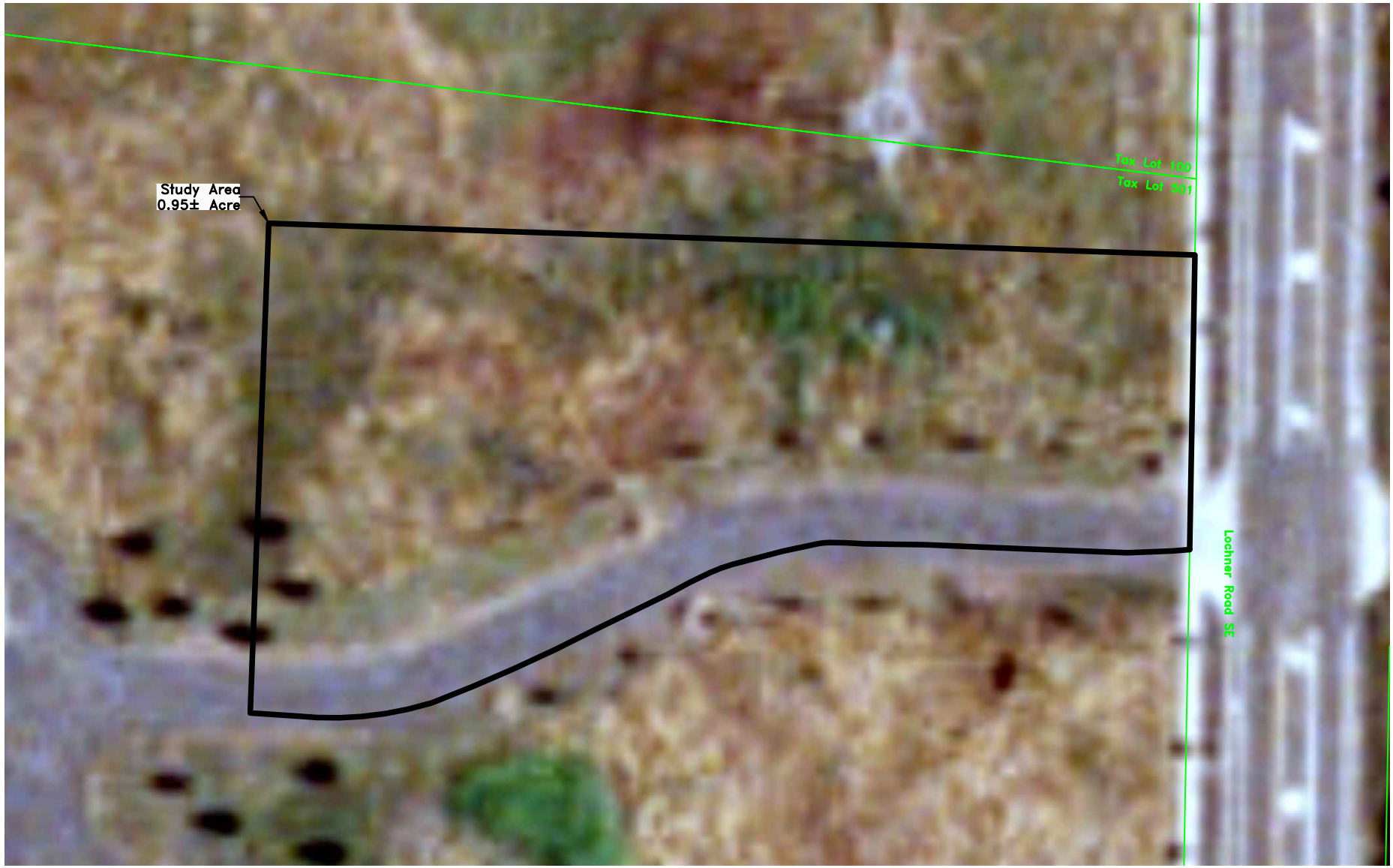
September 2022

2000 AERIAL PHOTOGRAPH

FIGURE 6.1



Source: Adapted from U.S. Department of Agriculture NAIP aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

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2005 AERIAL PHOTOGRAPH

FIGURE 6.2

LEGEND

Linn County Taxlots

Source: Adapted from Google Earth aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

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MARCH 2010 AERIAL PHOTOGRAPH

September 2022

FIGURE 6.3

LEGEND

Linn County Taxlots

Source: Adapted from Google Earth aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

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JULY 2010 AERIAL PHOTOGRAPH

FIGURE 6.4

Source: Adapted from U.S. Department of Agriculture NAIP aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

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2014 AERIAL PHOTOGRAPH

September 2022

FIGURE 6.5

LEGEND

Linn County Taxlots

Source: Adapted from U.S. Department of Agriculture NAIP aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

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2016 AERIAL PHOTOGRAPH

FIGURE 6.6

Source: Adapted from Oregon State Imagery Program aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

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PREPARED FOR PORTION OF TAX LOT 501,
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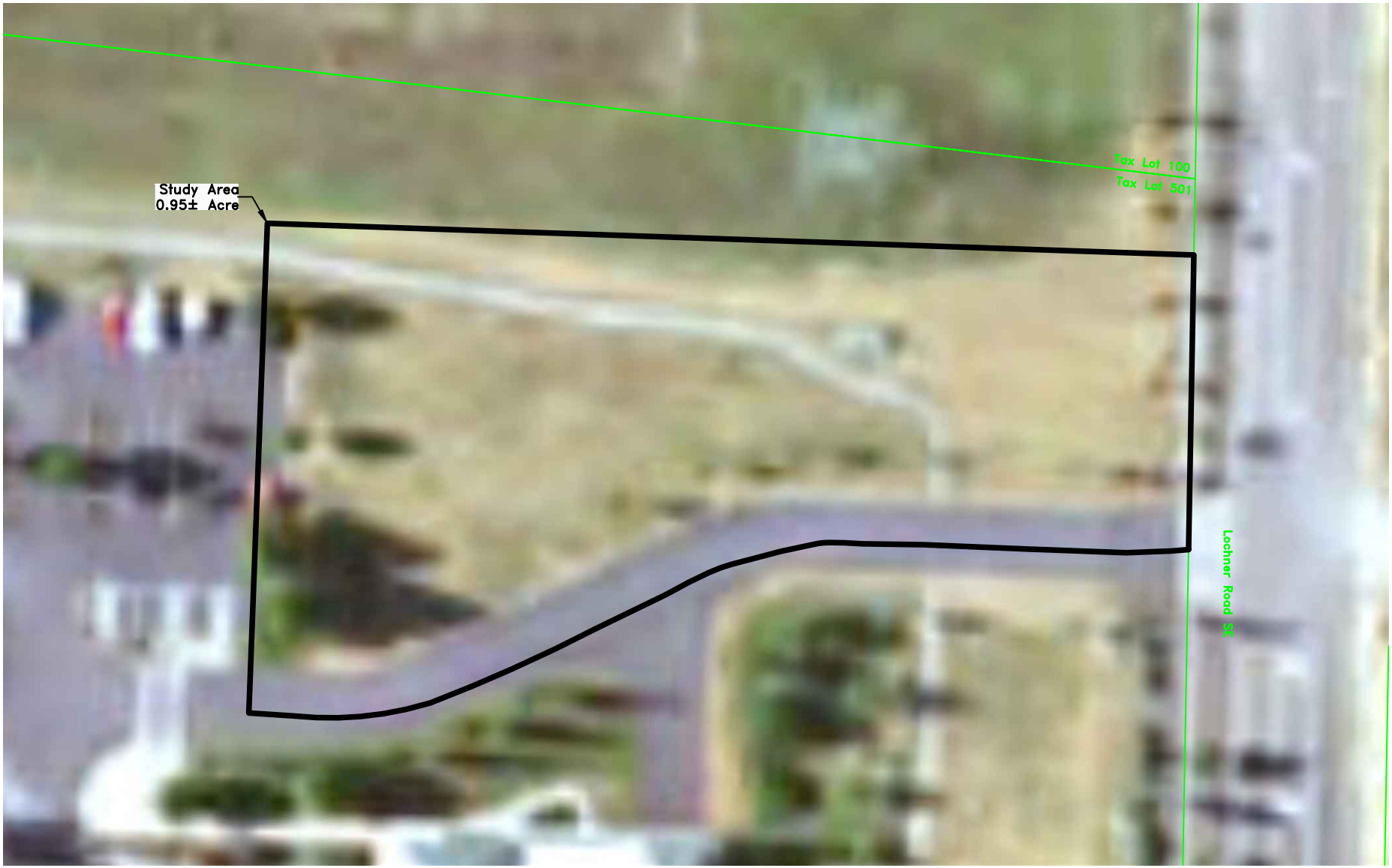
City of Albany, Linn County, Oregon

September 2022

2018 AERIAL PHOTOGRAPH

FIGURE 6.7



Source: Adapted from Oregon State Imagery Program aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
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GRAPHIC SCALE
0 25 50
(IN FEET)

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September 2022

2020 AERIAL PHOTOGRAPH

FIGURE 6.8

Source: Adapted from Google Earth aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

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GRAPHIC SCALE
0 25 50
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
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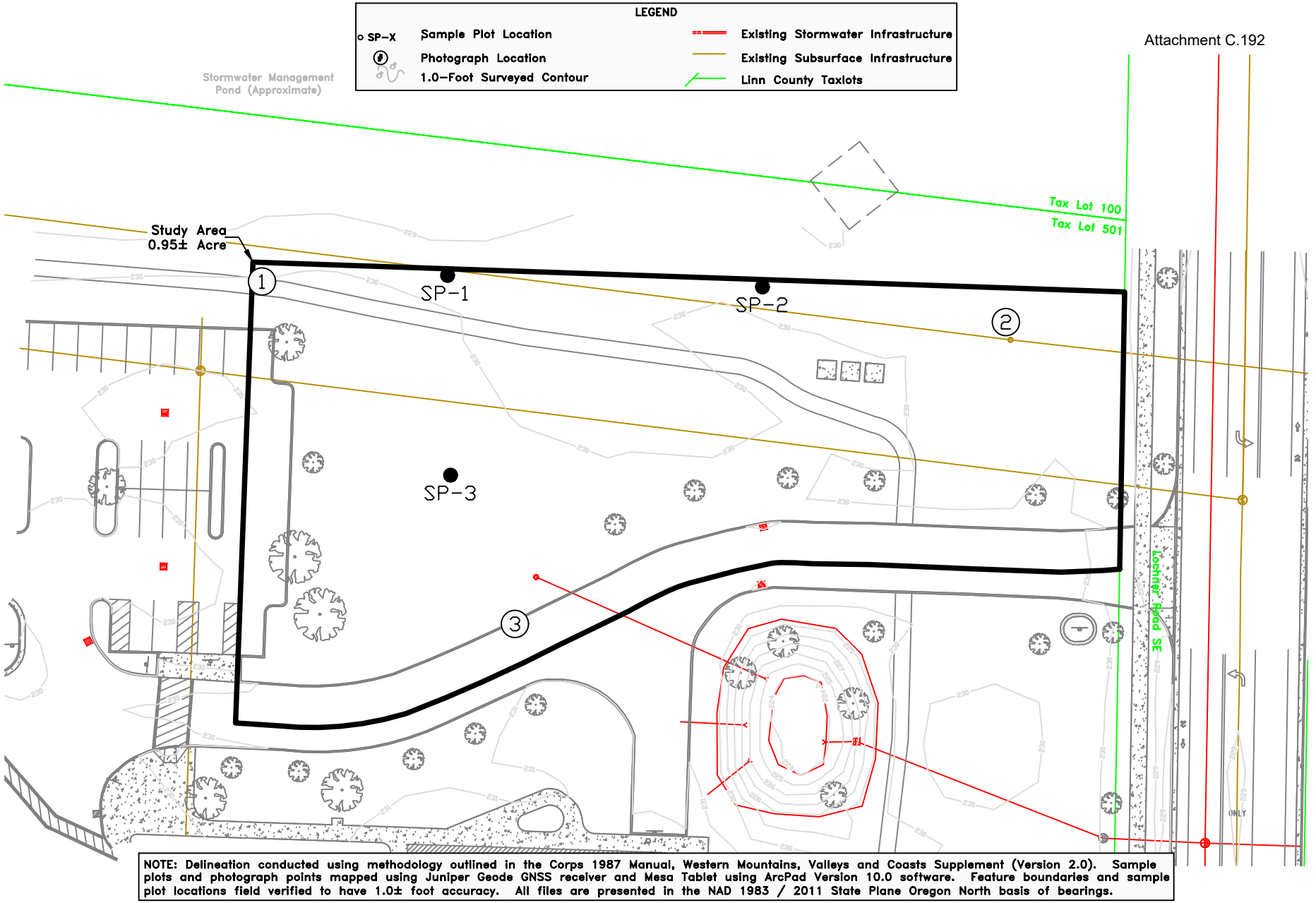
September 2022

2021 AERIAL PHOTOGRAPH

FIGURE 6.9



NOTE: Delineation conducted using methodology outlined in the Corps 1987 Manual, Western Mountains, Valleys and Coasts Supplement (Version 2.0). Sample plots and photograph points mapped using Juniper Geode GNSS receiver and Mesa Tablet using ArcPad Version 10.0 software. Feature boundaries and sample plot locations field verified to have 1.0± foot accuracy. All files are presented in the NAD 1983 / 2011 State Plane Oregon North basis of bearings.

Source: Adapted from Linn County, TSI, and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 25 50
(IN FEET)

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EXISTING SITE CONDITIONS

FIGURE 7

APPENDIX B

Western Mountains, Valleys and Coasts Regional Data Sheets

WETLAND DETERMINATION DATA FORM—Western Mountains, Valleys, and Coast Region

Project/Site: PORTION OF TAX LOT 501	City/County: ALBANY / LINN	Sampling Date: AUGUST 30, 2022	
Applicant: OREGON YOUTH AUTHORITY	State: OREGON	Sampling Point: SP-1	
Investigator(s): D. MONNIN, PWS	Section, Township, Range: T. 11S, R. 03W, SEC. 19, W.M.		
Landform: FILL TERRACE	Local Relief: RELATIVELY FLAT	Slope (%): <1%	
Subregion (LRR): LRR A: NORTHWEST FORESTS & COASTS	Lat: 44.602226°N	Long: -123.903882°W	Datum: NAD 83
Soil Map Unit Name: 3: AMITY SILT LOAM		NWI Classification: NONE	

Are climatic/hydrologic conditions on the site typical for this time of year? Yes √ No (If no, explain in Remarks.)

Are Vegetation Soil √ or Hydrology √ significantly disturbed? Are "Normal Circumstances" present? Yes √ No

Are Vegetation Soil or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS

Hydrophytic Vegetation Present?	Yes	No √	**Is the Sampled Area Within a Wetland? No**
Hydric Soil Present?	Yes	No √	
Wetland Hydrology Present?	Yes	No √	

Remarks: NORTH EDGE OF STUDY AREA, 2.5 FEET SOUTH OF NORTH SITE BOUNDARY AND 70 FEET WEST OF EAST SITE BOUNDARY.

SAMPLE PLOT ESTABLISHED IN TOPOGRAPHICALLY LOW PORTION OF STUDY AREA.

VEGETATION

Tree Stratum (Plot size: 20' x 20')	Absolute % Cover	Dominate Species?	Indicator Status
1. NONE			
2.			
3.			
Total Cover:	0		
Sapling / Shrub Stratum (Plot size: 20' x 20')			
1. RUBUS ARMENIACUS	5	√	FAC
2.			
3.			
4.			
5.			
Total Cover:	5		
Herb Stratum (Plot size: 5' RADIUS)			
1. AGROSTIS CAPILLARIS	35	√	FAC
2. AVENA FATUA	20	√	UPL
3. DAUCUS CAROTA	20	√	FACU
4. HYPOCHAERIS RADICATA	5		FACU
5. SCHEDONORUS ARUNDINACEA	5		FAC
6. ANTHOXANTHUM ODORATUM	5		FACU
7. ALOPECURUS PRATENSIS	5		FAC
8. HOLCUS LANATUS	2		FAC
9. LEUCANTHEMUM VULGARE	2		FACU
10. MADIA SPP.	1		FACU*
Total Cover:	100		
Woody Vine Stratum (20' x 20')			
1. NONE			
2.			
Total Cover:	0		
% Bare Ground in Herb Stratum 0	% Cover of Biotic Crust 0		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: **2** (A)

Total Number of Dominant Species Across All Strata: **4** (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: **50.0%** (A/B)

Prevalence Index Worksheet:

Total % Cover of:	Multiply by:
OBL Species:	x1=
FACW Species:	x2=
FAC Species:	x3=
FACU Species:	x4=
UPL Species:	x5=
Column Totals:	(A) (B)

Prevalence Index = B/A = N/A

Hydrophytic Vegetation Indicators:

1. Rapid Test for Hydrophytic Vegetation
2. Dominance Test >50%
3. Prevalence Index is ≤3.0[1]
4. Morphological Adaptations[1] (Provide supporting data in Remarks)
5. Wetland Non-Vascular Plants[1]

Problematic Hydrophytic Vegetation[1] (Explain

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic Vegetation Present? No

Remarks:

*ESTIMATED INDICATOR STATUS. DOCUMENTED VEGETATION REFLECTS UNMOWED REFERENCE AREA ALONG NORTH STUDY AREA BOUNDARY.

SOIL

Sampling Point: **SP-1**

Profile Description: (Describe to depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-9	10YR 4/3-4	98	10YR 4/6	2	C	M	SILTY CLAY LOAM	FILL MATERIAL
9-12	10YR 4/3-4	50	10YR 4/6	2	C	M	SILTY CLAY LOAM	JUMBLED FILL
	10YR 3/2	47						MATERIAL
12-16	10YR 3/2	97	7.5YR 3/3	3	C	M	SILTY CLAY LOAM	NATIVE MATERIAL
16-18	10YR 3/2	92	5YR 3/4	8	C	M	SILTY CLAY LOAM	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):
Type: **NONE**
Depth (inches): **N/A**

Hydric Soil Present? **No**

Remarks:
REDOXIMORPHIC FEATURES IN A^ HORIZON CONTAINED WITHIN 10YR 3/2 MATRIX; FEATURES ARE IMPORTED WITH FILL MATERIAL AND ARE NOT CONSIDERED RELIABLE OR CONTEMPORARY HYDRIC SOIL CHARACTERISTIC. FILL MATERIAL CONTAINS ANGULAR GRAVELS AND DEBRIS THROUGHOUT.

FILL MATERIAL PLACED AND CONTOURED CIRCA 2010.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B6)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water Stained Leaves (B9)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Live Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water Stained Leaves (B9)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	No	√	Depth:	**NONE**
Water Table Present?	Yes	No	√	Depth:	**>18 IN.**
Saturation Present?	Yes	No	√	Depth:	**>18 IN.**

Wetland Hydrology Present? **No**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

HISTORIC AND CONTEMPORARY AERIAL PHOTOGRAPHY PROVIDED WITHIN DELINEATION REPORT APPENDIX A.

SAMPLE PLOT CONFIRMS UPLAND LANDFORM AS PREVIOUSLY DELINEATED BY EGR & ASSOCIATES, INC. (DSL WD#2009-0253)

Remarks:
LACK OF PRIMARY INDICATORS A1-A3 NOT CONSIDERED SUFFICIENT EVIDENCE TO DISQUALIFY LANDFORM AS WETLAND DUE TO SUMMER TIMING OF DELINEATION.

SAMPLE LANDFORM PARTIALLY DRAINED BY OYA SITE INFRASTRUCTURE AND ADJACENT (OFFSITE) STORMWATER MANAGEMENT PONDS WHICH ARE APPROXIMATELY 3 FEET LOWER THAN SAMPLE LANDFORM.

WETLAND DETERMINATION DATA FORM—Western Mountains, Valleys, and Coast Region

Project/Site	PORTION OF TAX LOT 501	City/County	ALBANY / LINN	Sampling Date	AUGUST 30, 2022
Applicant:	OREGON YOUTH AUTHORITY	State:	OREGON	Sampling Point:	SP-2
Investigator(s):	D. MONNIN, PWS	Section, Township, Range:	T. 11S, R. 03W, SEC. 19, W.M.		
Landform:	FILL TERRACE	Local Relief:	RELATIVELY FLAT	Slope (%):	<1%
Subregion (LRR):	LRR A: NORTHWEST FORESTS & COASTS	Lat:	44.602226°N	Long:	-123.903882°W
Datum:	NAD 83				
Soil Map Unit Name:	3: AMITY SILT LOAM			NWI Classification:	NONE

Are climatic/hydrologic conditions on the site typical for this time of year? Yes √ No (If no, explain in Remarks.)

Are Vegetation Soil √ or Hydrology √ significantly disturbed? Are "Normal Circumstances" present? Yes √ No

Are Vegetation Soil or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS

Hydrophytic Vegetation Present?	Yes		No	√	**Is the Sampled Area Within a Wetland?** **No**
Hydric Soil Present?	Yes	√	No		
Wetland Hydrology Present?	Yes		No	√	

Remarks: NORTH EDGE OF STUDY AREA, 2.5 FEET SOUTH OF NORTH SITE BOUNDARY AND 135 FEET WEST OF EAST SITE BOUNDARY.

VEGETATION

Tree Stratum (Plot size: 20' x 20')	Absolute % Cover	Dominate Species?	Indicator Status
1. NONE			
2.			
3.			
Total Cover:	0		
Sapling / Shrub Stratum (Plot size: 20' x 20')			
1. RUBUS ARMENIACUS	1	√	FAC
2.			
3.			
4.			
5.			
Total Cover:	1		
Herb Stratum (Plot size: 5' RADIUS)			
1. DAUCUS CAROTA	40	√	FACU
2. AGROSTIS CAPILLARIS	15	√	FAC
3. MADIA SPP.	15	√	FACU*
4. HOLCUS LANATUS	15	√	FAC
5. CENTAURIUM ERYTHRAEA	5		FAC
6. HYPOCHAERIS RADICATA	5		FACU
7. RUMEX ACETOSELLA	5		FACU
8.			
9.			
10.			
Total Cover:	100		
Woody Vine Stratum (20' x 20')			
1. NONE			
2.			
Total Cover:	0		
% Bare Ground in Herb Stratum 0	% Cover of Biotic Crust 0		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: **2** (A)

Total Number of Dominant Species Across All Strata: **4** (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: **50.0%** (A/B)

Prevalence Index Worksheet:

Total % Cover of:	Multiply by:
OBL Species:	x1=
FACW Species:	x2=
FAC Species:	x3=
FACU Species:	x4=
UPL Species:	x5=
Column Totals:	(A) (B)

Prevalence Index = B/A = N/A

Hydrophytic Vegetation Indicators:

1. Rapid Test for Hydrophytic Vegetation
2. Dominance Test >50%
3. Prevalence Index is ≤3.0[1]
4. Morphological Adaptations[1] (Provide supporting data in Remarks)
5. Wetland Non-Vascular Plants[1]

Problematic Hydrophytic Vegetation[1] (Explain

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic Vegetation Present? **No**

Remarks:

*ESTIMATED INDICATOR STATUS. DOCUMENTED VEGETATION REFLECTS UNMOWED REFERENCE AREA ALONG NORTH STUDY AREA BOUNDARY.

SOIL Sampling Point: **SP-2**

Profile Description: (Describe to depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-9	10YR 3/2	52	7.5YR 3/4	5	C	M	SILTY CLAY LOAM	JUMBLED FILL
	10YR 2/2	40	10YR 4/6	3	C	M		MATERIAL
9-16	10YR 3/2	98	7.5YR 3/3	1	C	M	SILTY CLAY LOAM	NATIVE MATERIAL
			10YR 3/3	1	C	M		

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12) √
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):
Type: **NONE**
Depth (inches): **N/A**

Hydric Soil Present? Yes

Remarks:
REDOXIMORPHIC FEATURES IN A^ HORIZON CONTAINED WITHIN 10YR 2/2 MATRIX; FEATURES ARE IMPORTED WITH FILL MATERIAL AND ARE NOT CONSIDERED RELIABLE OR CONTEMPORARY HYDRIC SOIL CHARACTERISTIC. FILL MATERIAL CONTAINS ANGULAR GRAVELS AND DEBRIS THROUGHOUT.

FILL MATERIAL PLACED AND CONTOURED CIRCA 2010.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B6)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water Stained Leaves (B9)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Live Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water Stained Leaves (B9)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	No	√	Depth:	NONE
Water Table Present?	Yes	No	√	Depth:	>16 IN.
Saturation Present?	Yes	No	√	Depth:	>16 IN.

Wetland Hydrology Present? No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

HISTORIC AND CONTEMPORARY AERIAL PHOTOGRAPHY PROVIDED WITHIN DELINEATION REPORT APPENDIX A.

SAMPLE PLOT CONFIRMS UPLAND LANDFORM AS PREVIOUSLY DELINEATED BY EGR & ASSOCIATES, INC. (DSL WD#2009-0253)

Remarks:
LACK OF PRIMARY INDICATORS A1-A3 NOT CONSIDERED SUFFICIENT EVIDENCE TO DISQUALIFY LANDFORM AS WETLAND DUE TO SUMMER TIMING OF DELINEATION.

SAMPLE LANDFORM PARTIALLY DRAINED BY OYA SITE INFRASTRUCTURE AND ADJACENT (OFFSITE) STORMWATER MANAGEMENT PONDS WHICH ARE APPROXIMATELY 3 FEET LOWER THAN SAMPLE LANDFORM.

WETLAND DETERMINATION DATA FORM—Western Mountains, Valleys, and Coast Region

Project/Site: PORTION OF TAX LOT 501	City/County: ALBANY / LINN	Sampling Date: AUGUST 30, 2022	
Applicant: OREGON YOUTH AUTHORITY	State: OREGON	Sampling Point: SP-3	
Investigator(s): D. MONNIN, PWS	Section, Township, Range: T. 11S, R. 03W, SEC. 19, W.M.		
Landform: FILL TERRACE	Local Relief: RELATIVELY FLAT	Slope (%): <1%	
Subregion (LRR): LRR A: NORTHWEST FORESTS & COASTS	Lat: 44.602226°N	Long: -123.903882°W	Datum: NAD 83
Soil Map Unit Name: 3: AMITY SILT LOAM		NWI Classification: NONE	

Are climatic/hydrologic conditions on the site typical for this time of year? Yes √ No (If no, explain in Remarks.)

Are Vegetation Soil √ or Hydrology √ significantly disturbed? Are "Normal Circumstances" present? Yes √ No

Are Vegetation Soil or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS

Hydrophytic Vegetation Present?	Yes √	No	**Is the Sampled Area Within a Wetland?**	**No**
Hydric Soil Present?	Yes	No √		
Wetland Hydrology Present?	Yes	No √		

Remarks: NORTH EDGE OF STUDY AREA, 75 FEET SOUTH OF NORTH SITE BOUNDARY AND 75 FEET EAST OF WEST SITE BOUNDARY.

VEGETATION

Tree Stratum (Plot size: 20' x 20')	Absolute % Cover	Dominate Species?	Indicator Status
1. NONE			
2.			
3.			
Total Cover:	0		
Sapling / Shrub Stratum (Plot size: 20' x 20')			
1. NONE			
2.			
3.			
4.			
5.			
Total Cover:	0		
Herb Stratum (Plot size: 5' RADIUS)			
1. AGROSTIS CAPILLARIS	35	√	FAC
2. LOLIUM SPP.	35	√	FAC*
3. SCHEDONORUS ARUNDINACEA	20	√	FAC
4. HYPOCHAERIS RADICATA	10		FACU
5.			
6.			
7.			
8.			
9.			
10.			
Total Cover:	100		
Woody Vine Stratum (20' x 20')			
1. NONE			
2.			
Total Cover:	0		
% Bare Ground in Herb Stratum 0	% Cover of Biotic Crust 0		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index Worksheet:

Total % Cover of:	Multiply by:
OBL Species:	x1=
FACW Species:	x2=
FAC Species:	x3=
FACU Species:	x4=
UPL Species:	x5=
Column Totals:	(A) (B)

Prevalence Index = B/A = N/A

Hydrophytic Vegetation Indicators:

1. Rapid Test for Hydrophytic Vegetation
√ 2. Dominance Test >50%
3. Prevalence Index is ≤3.0[1]
4. Morphological Adaptations[1] (Provide supporting data in Remarks)
5. Wetland Non-Vascular Plants[1]

Problematic Hydrophytic Vegetation[1] (Explain

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic Vegetation Present? Yes

Remarks:
*ESTIMATED INDICATOR STATUS. VEGETATION MANAGED AS LAWN.

SOIL

Sampling Point: **SP-3**

Profile Description: (Describe to depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(Inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-11	**10YR 3/2**	**50**	**7.5YR 3/3**	**3**	**C**	**M**	**GR. SILTY CLAY LOAM**	**FILL MATERIAL**
	10YR 2/2	**45**	**10YR 3/4**	**2**	**C**	**M**		
11-17	**10YR 2/2**	**92**	**7.5YR 3/4**	**8**	**C**	**M**	**SILTY CLAY LOAM**	**NATIVE MATERIAL**

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):
Type: **NONE**
Depth (inches): **N/A**

Hydric Soil Present? No

Remarks:
REDOXIMORPHIC FEATURES IN A^ HORIZON CONTAINED WITHIN 10YR 3/2 MATRIX; FEATURES ARE IMPORTED WITH FILL MATERIAL AND ARE NOT CONSIDERED RELIABLE OR CONTEMPORARY HYDRIC SOIL CHARACTERISTIC. FILL MATERIAL CONTAINS ANGULAR GRAVELS THROUGHOUT.

FILL MATERIAL PLACED AND CONTOURED CIRCA 2010.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B6)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water Stained Leaves (B9)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Live Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water Stained Leaves (B9)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	No	√	Depth:	**NONE**
Water Table Present?	Yes	No	√	Depth:	**>17 IN.**
Saturation Present?	Yes	No	√	Depth:	**>17 IN.**

Wetland Hydrology Present? No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

HISTORIC AND CONTEMPORARY AERIAL PHOTOGRAPHY PROVIDED WITHIN DELINEATION REPORT APPENDIX A.

SAMPLE PLOT CONFIRMS UPLAND LANDFORM AS PREVIOUSLY DELINEATED BY EGR & ASSOCIATES, INC. (DSL WD#2009-0253)

Remarks:
LACK OF PRIMARY INDICATORS A1-A3 NOT CONSIDERED SUFFICIENT EVIDENCE TO DISQUALIFY LANDFORM AS WETLAND DUE TO SUMMER TIMING OF DELINEATION.

SAMPLE LANDFORM PARTIALLY DRAINED BY OYA SITE INFRASTRUCTURE AND ADJACENT (OFFSITE) STORMWATER MANAGEMENT PONDS WHICH ARE APPROXIMATELY 3 FEET LOWER THAN SAMPLE LANDFORM.

APPENDIX C

Ground Level Photographs

Photo 1: View looking northeast (left) to south (right) at study area from Photo Point 1.

Photo 2: View looking south (left) to northwest (right) at study area from Photo Point 2.

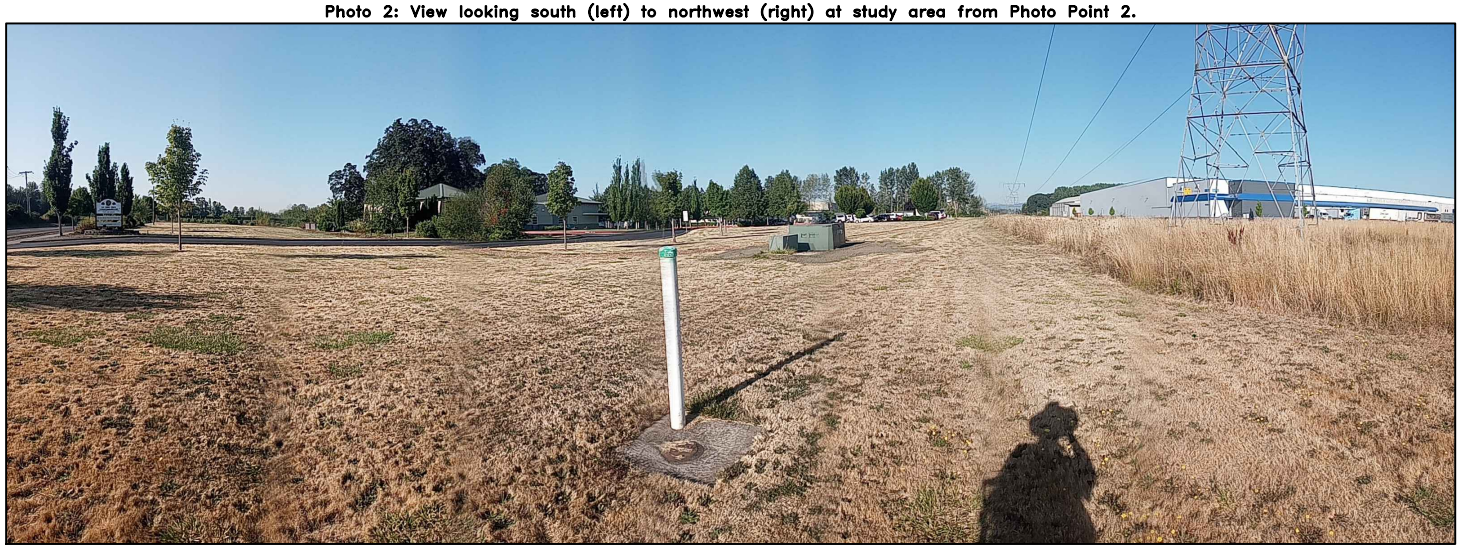
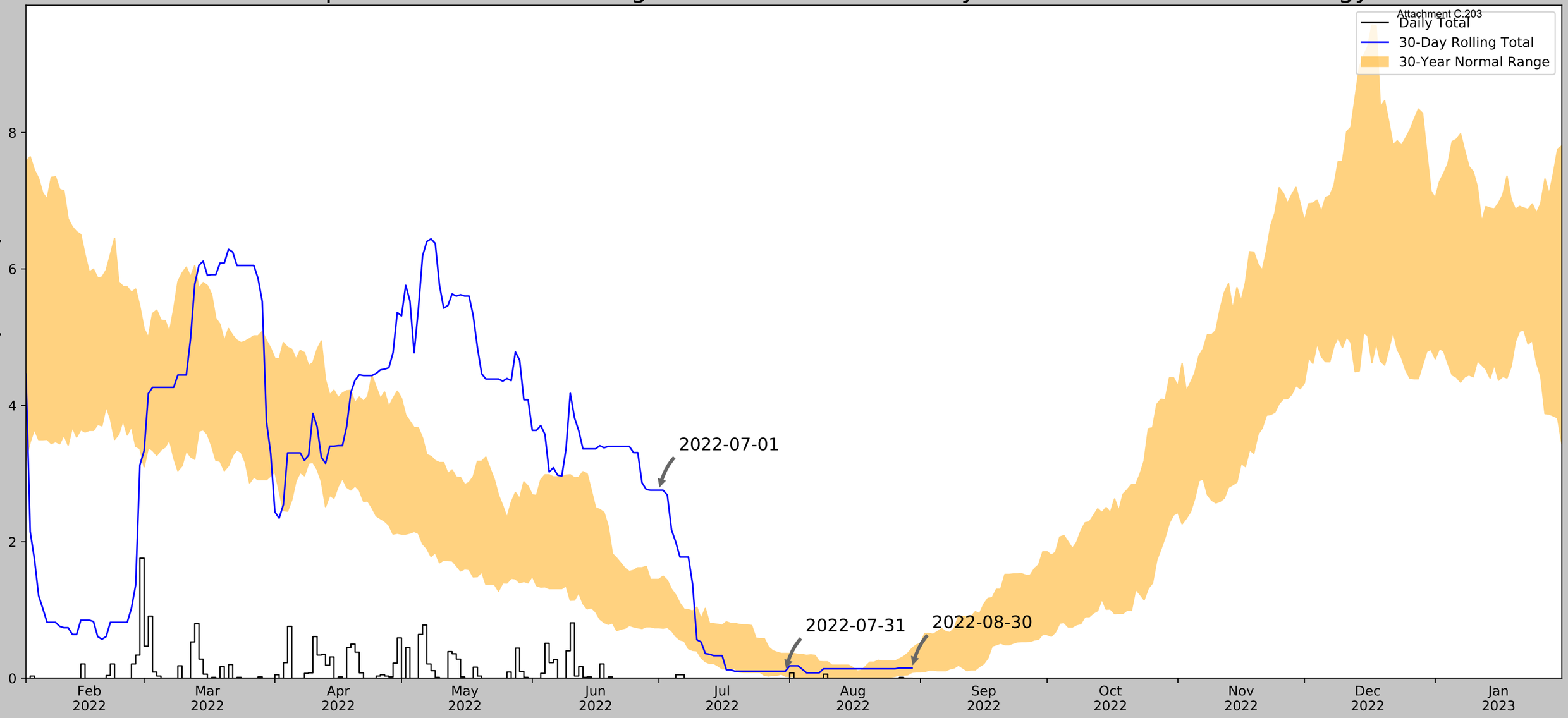


Photo 3: View looking west (left) to east (right) at study area from Photo Point 3.

APPENDIX D

USACE Antecedent Precipitation Tool Results

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	44.602226, -123.903882
Observation Date	2022-08-30
Elevation (ft)	8.64
Drought Index (PDSI)	Moderate wetness (2022-07)
WebWIMP H_2O Balance	Dry Season

30 Days Ending	30^{th} %ile (in)	70^{th} %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2022-08-30	0.087008	0.437008	0.149606	Normal	2	3	6
2022-07-31	0.027953	0.362205	0.102362	Normal	2	2	4
2022-07-01	0.740158	1.447244	2.755906	Wet	3	1	3
Result							Normal Conditions - 13

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
SALEM MCNARY FLD	44.905, -123.0011	205.053	48.987	196.413	31.666	11352	90
DALLAS 2 NE	44.9464, -123.2911	290.026	14.472	84.973	7.742	1	0

APPENDIX E

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Oregon Department of State Lands. 2022. *Division 85 Administrative Rules Governing the Issuance and Enforcement of Removal-Fill Authorizations Within Waters of Oregon Including Wetlands*. Salem, Oregon.

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U.S. Army Engineer Research and Development Center, Environmental Laboratory. 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*. ERDC/EL TR-10-3. 152 pp.

U.S. Department of Agriculture, Natural Resources Conservation Service. 2022. *Custom Soil Resource Report for Portion of Tax Lot 501, Linn County Area, Oregon* and associated shapefiles. Accessed at: https://websoilsurvey.sc.egov.usda.gov/.

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Confirmation of Upland Conditions Report Prepared for Portion of Tax Lot 501
T. 11S, R. 03W, Sec. 19A, W.M., City of Albany, Linn County, Oregon

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U.S. Geological Service. 2022. National Map. Accessed via ArcGIS for Desktop, Version 10.2.2. Redlands, California: Environmental Systems Research Institute.

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

Attachment C.208

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

Ways to submit report:

*__Under 50MB__ - A single unlocked PDF can be emailed to: wetland.delineation@dsl.oregon.gov.

* **50MB or larger** - A single unlocked PDF can be uploaded to DSL's Box.com website. After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.

* OR a hard copy of the unbound report and signed cover form can be mailed to: Orego Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

Ways to pay review fee:

* By credit card on DSL's epayment portal after receiving the unique file number from DSL's emailed confirmation.

8 By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy OR attached to the complete signed cover form if report submitted electronicallyp

Contact and Authorization Information

☒ Applicant ☒ Owner Name, Firm and Address:
Oregon Youth Authority
Attn: Paul Ehenger, Physical Plant Operations Facility Manager
530 Center Street NE, Suite 500
Salem, Oregon 97301

Business phone # **503.354.4058**
Mobile phone # **N/A**
E-mail: **paul.ehenger@oya.oregon.gov**

☐ Authorized Legal Agent, Name and Address:
N/A

Business phone # **N/A**
Mobile phone # **N/A**
E-mail: **N/A**

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

Typed/Printed Name: **Paul Ehenger** Signature: Paul Ehenger

Date: Special instructions regarding site access: **Site access must be coordinated with and approved by OYA.**

Project and Site Information

Project Name: **Portion of Tax Lot 501** Latitude: **44.602226° N** Longitude: **-123.903882° W**

Proposed Use: **Facility Expansion** Tax Map # **11S-03W-19A**

Project Street Address (or other descriptive location):
4400 Lochner Road SE

Township	Range	Section	QQ
11S	**44.602226° N 03W**	**19**	**AD**

Tax Lot (s) **Portion of Tax lot 501**

City: **Albany** County: **Linn** Waterway: **N/A** River Mile: **N/A**

Wetland Delineation Information

Wetland Consultant Name, Firm and Address:
Terra Science, Inc.
Attn: David P. Monnin, PWS
4710 Southwest Kelly Avenue, Suite 100, Portland, Oregon 97239

Phone # **(503) 274-2100**
Mobile phone # **N/A**
E-mail: **david@terrascience.com**

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.

Consultant Signature: Date: 9/22/2022

Primary Contact for report review and site access is ☒ Consultant ☐ Applicant/Owner ☐ Authorized Agent

Wetland Present? ☐ Yes ☒ No Study Area size: **0.95± acre** Wetland Acreage**: N/A**

Check Applicable Boxes Below

☐ R-F permit application submitted
☐ Fee payment submitted
☐ Mitigation bank site
☐ Resubmittal of rejected report ($100)
☐ EFSC/ODE Project Manager:
☐ Request for Reissuance. See eligibility criteria (no fee)
☐ Wetland restoration/enhancement project (not mitigation)
DSL # **N/A** Expiration Date **N/A**
☒ Previous delineation/application been made on parcel?
☒ LWI shows wetland or waters on parcel
If known, previous **WD#2009-0253**
☒ Wetland ID code **ON-K**

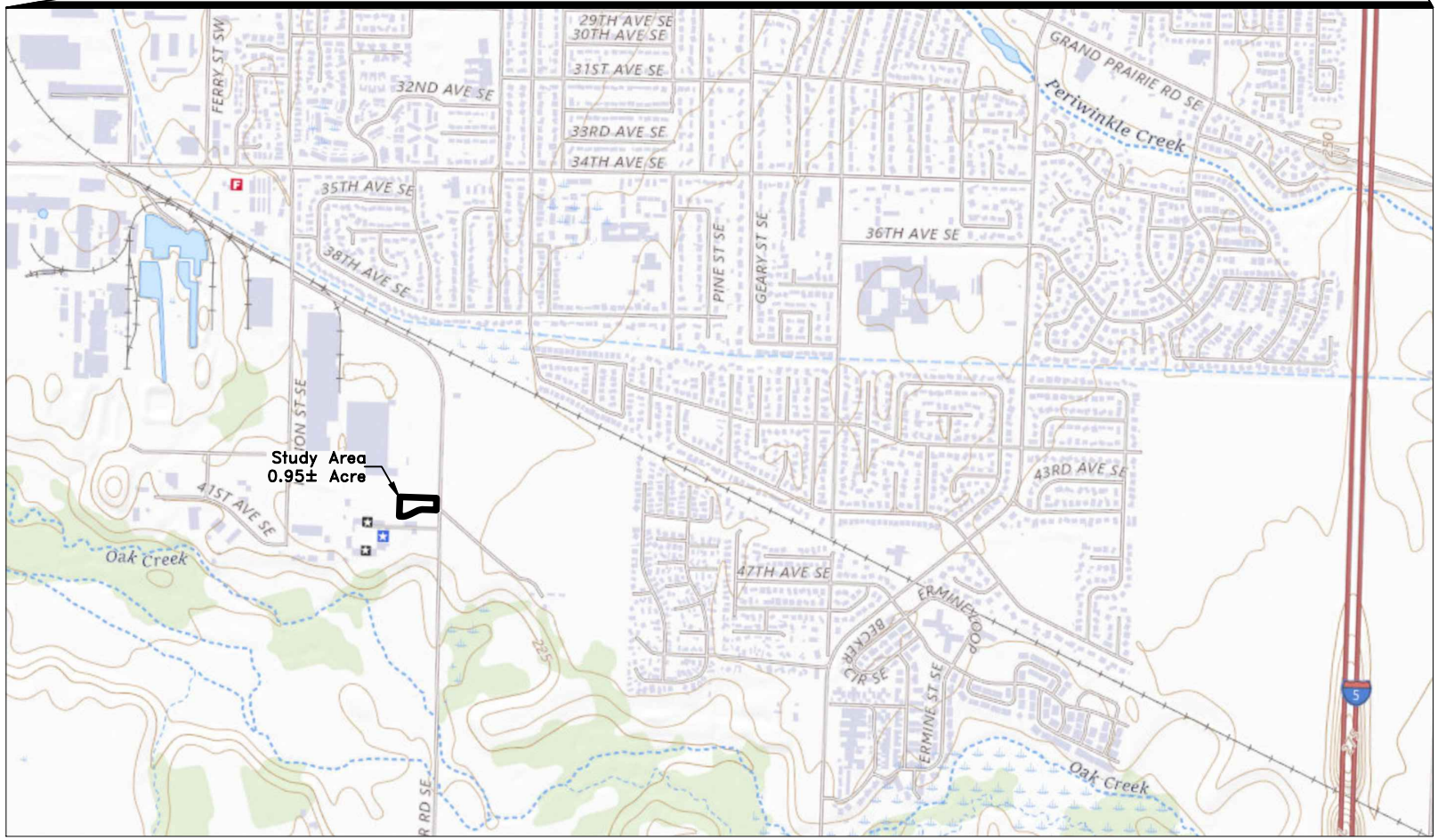
For Office Use Only

DSL Reviewer: LM Fee Paid Date: ____/____/____ DSL WD # 2022-0533

Date Delineation Received: 09/ 22 / 22 Scanned: ☐ Electronic: ☐ DSL App. # _____

DIRECTIONS: From Portland / Salem, travel Interstate I-5 south to Oregon Highway 20 (Exit 233) and proceed west for approximately 1.0 mile to SE Geary Street and turn left (south). Proceed south for approximately 1.6 mile to 34th Avenue SE and turn right (west) for approximately 0.8-mile then turn left (south) onto Mission Street SE for approximately 0.2-mile. Turn left (east) onto Lochner Road SE and travel approximately 0.5-mile to the Oak Creek Youth Correctional Facility at 4400 Lochner Road SE. The approximate centroid of the study area is 44.602226° north and -123.903882° west.

In accordance with safety protocol, all site access must be coordinated and approved with Oregon Youth Authority personnel.



Source: Adapted from U.S. Geological Survey National Map and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 750 1500
(IN FEET)

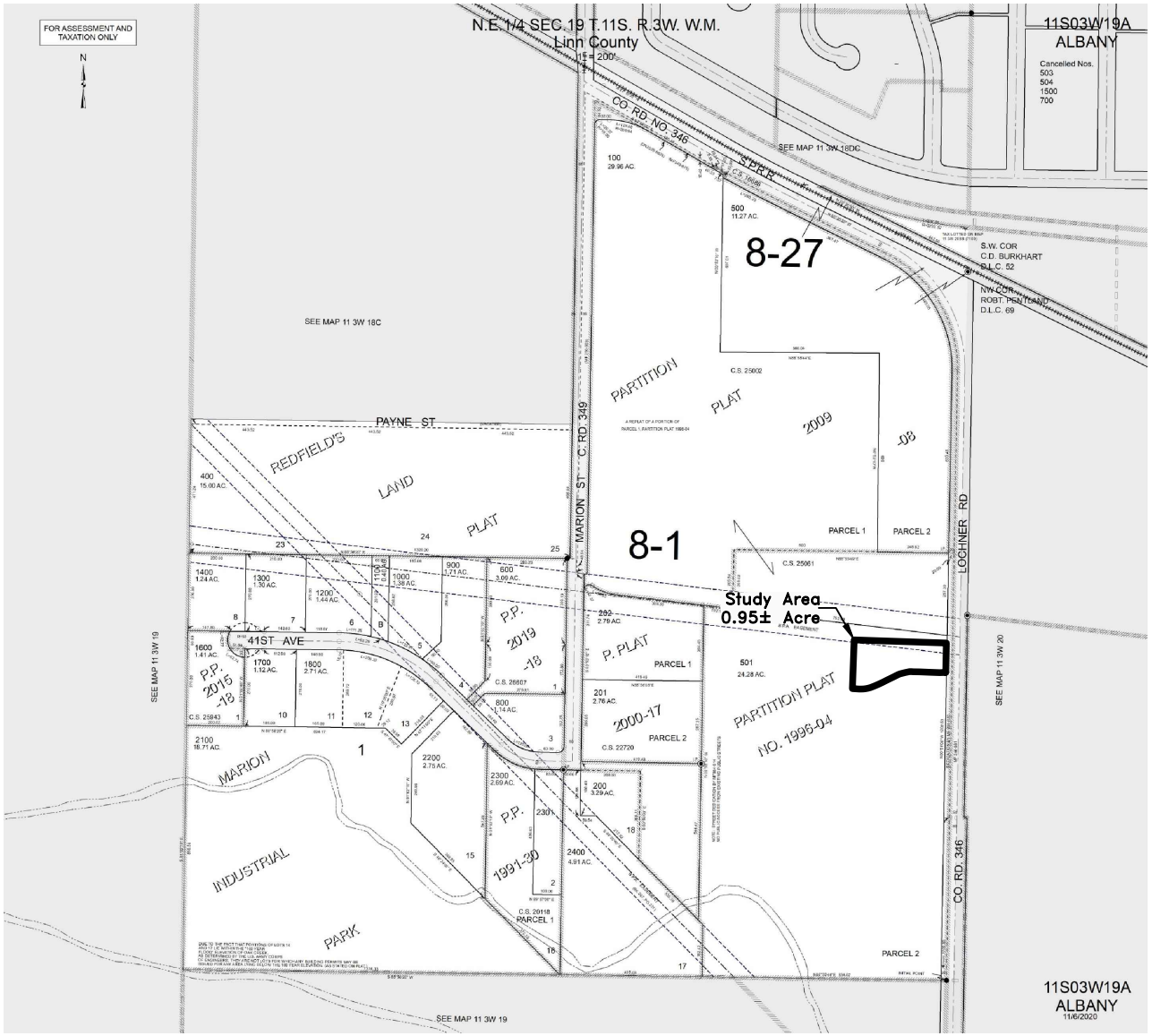
CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

VICINITY MAP

FIGURE 1

September 2022

NOTE: The study area consists of identified portion of Tax lot 501 on Assessor map Township 11 South, Range 03 West, Section 19A, Willamette Meridian. The study area lies within the northeast corner of the Oak Creek Youth Correctional Facility (OCYCF) campus. The site is situated within the Urban Growth Boundary and Incorporated City Limits of City of Albany and is zoned as Light Industrial (LI).



Source: Adapted from Linn County Assessor map T. 11S, R. 03W, Sec. 19A, W.M. and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

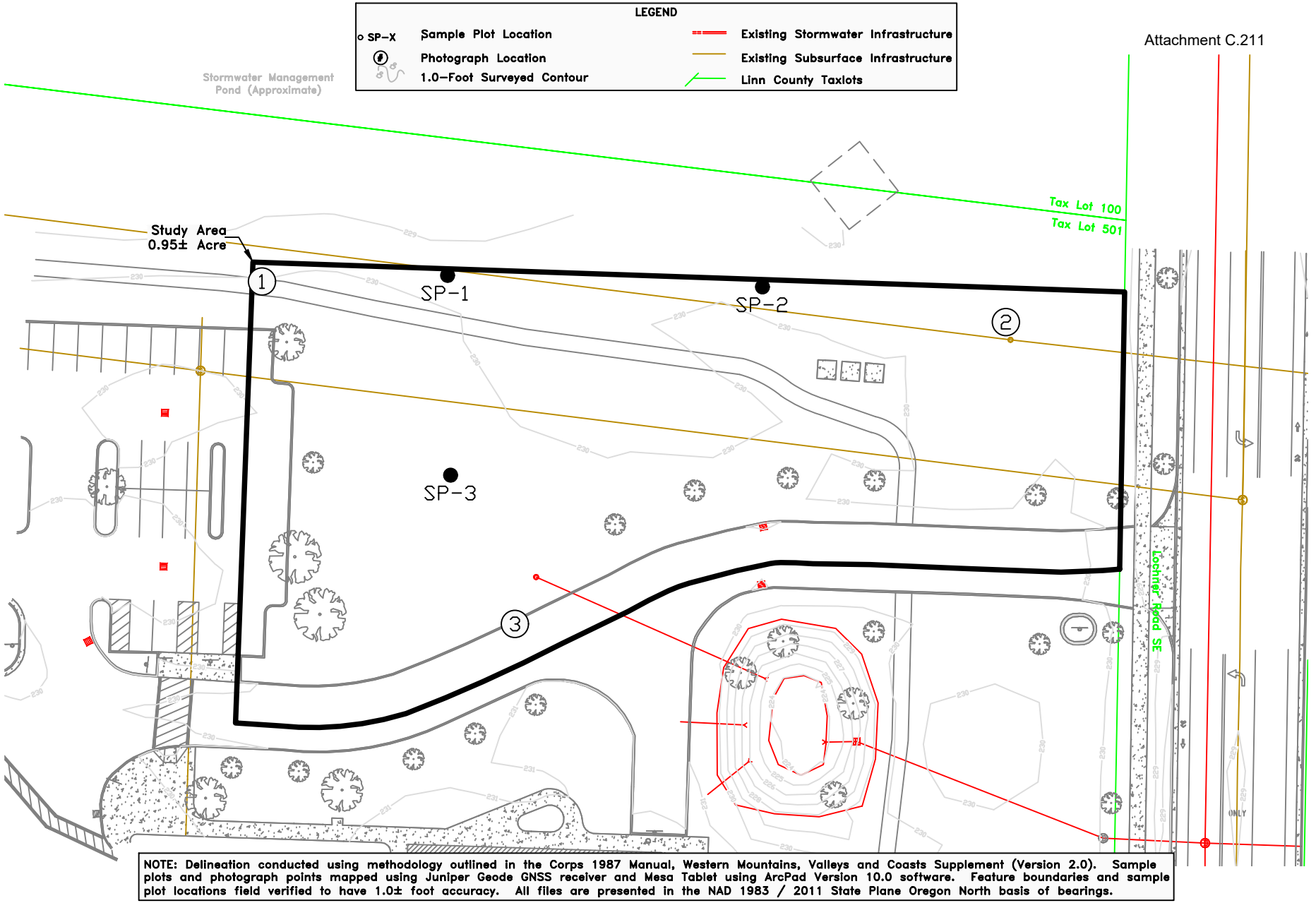
GRAPHIC SCALE
0 300 600
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

September 2022

LINN COUNTY ASSESSOR MAP

FIGURE 2



NOTE: Delineation conducted using methodology outlined in the Corps 1987 Manual, Western Mountains, Valleys and Coasts Supplement (Version 2.0). Sample plots and photograph points mapped using Juniper Geode GNSS receiver and Mesa Tablet using ArcPad Version 10.0 software. Feature boundaries and sample plot locations field verified to have 1.0± foot accuracy. All files are presented in the NAD 1983 / 2011 State Plane Oregon North basis of bearings.

Source: Adapted from Linn County, TSI, and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 25 50
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

DSL WD # 2022-0533
Approval Issued 1/17/2023
Approval Expires 1/17/2028

September 2022

EXISTING SITE CONDITIONS

FIGURE 7

REQUEST FOR CORPS JURISDICTIONAL DETERMINATION (JD)

To: Portland District, U.S. Army Corps of Engineers

- I am requesting a JD on property located: **4400 Lochner Road NE**
  City: **Albany** County: **Linn County** State: **Oregon**
  Acreage of Parcel/Review Area for JD: **0.95± acre**
  Section: **19** Township: **11S** Range: **03W**
  Latitude (decimal degrees): **44.602226° N** Longitude (decimal degrees): **-123.903882° W**
  (For linear projects, please include the center point of the proposed alignment.)
- Please attach a survey/plat map and vicinity map identifying location and review area for the JD.
- ____I currently own this property. _____I plan to purchase this property.
  ☒ I am an agent/consultant acting on behalf of the requestor.
  ____Other (please explain):_____
- Reason for request: (check as many as applicable)
  ☐I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all aquatic resources.
  ☐I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all jurisdictional aquatic resources under Corps authority.
  ☐I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps, and the JD would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
  ☐I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps; this request is accompanied by my permit application and the JD is to be used in the permitting process.
  ☐I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is included on the district Section 10 list and/or is subject to the ebb and flow of the tide.
  ☐A Corps JD is required in order to obtain my local/state authorization.
  ☐I intend to contest jurisdiction over a particular aquatic resource and request the Corps confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
  ☒I believe that the site may be comprised entirely of dry land.
  ☐Other: _____
  ____
- Type of determination being requested:
  ☒I am requesting an approved JD.
  ☐__I am requesting a preliminary JD.
  ☐I am requesting a "no permit required" letter as I believe my proposed activity is not regulated.
  ☐I am unclear as to which JD I would like to request and require additional information to inform my decision.

By signing below, you are indicating that you have the authority, or are acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant Corps personnel right of entry to legally access the site if needed to perform the JD. Your signature shall be an affirmation that you possess the requ ts to request a JD on the subject property.

*Signature: _____ Date: 9/22/2022

_____

- Typed or printed name: **David Monnin, PWS**

Company name: **Terra Science, Inc. (on behalf of Oregon Youth Authority)**
Address: **4710 Southwest Kelly Avenue, Suite 100**
Portland, Oregon 97239
Daytime phone no.: **503.449.2230**
Email address: **david@terrascience.com**

***Authorities**: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.
Principal Purpose: The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced above.
Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.
Disclosure: Submission of requested information is voluntary; however, if information is not provided, the request for an AJD cannot be evaluated nor can an AJD be issued.

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT
P.O. BOX 2946
PORTLAND, OR 97208-2946

January 30, 2023

Regulatory Branch
Corps No. NWP-2022-462

Mr. Paul Ehenger
Oregon Youth Authority
530 Center Street NE, Suite 500
Salem, OR 97301
paul.ehenger@oya.oregon.gov

Dear Mr. Ehenger:

The U.S. Army Corps of Engineers (Corps) received your request for an Approved Jurisdictional Determination (AJD) of the review area on the property located at 4400 Lochner Road NE, Albany, Linn County, Oregon at Latitude/Longitude: 44.602226°, -123.0903882°. Aquatic resources, including wetlands, that may occur on this property or on adjacent properties outside the review area are not the subject of this determination.

The Corps has determined there are no waters of the U.S. within the review area. The enclosed *Dry Land Approved Jurisdictional Determination Form* (Enclosure 1) provides the basis for our determination. A copy of the AJD Form can also be found on our website (https://www.nwp.usace.army.mil/Missions/Regulatory/Determinations/). The boundary of the review area subject to this AJD is identified on the enclosed drawings (Enclosure 2).

If you object to the enclosed AJD, you may request an administrative appeal under 33 CFR Part 331 as described in the enclosed *Notification of Administrative Appeal Options and Process and Request for Appeal* (*RFA*) form (Enclosure 3). To appeal this AJD, you must submit a completed *RFA* form to the Corps Northwestern Division (NWD) office at the address listed on the form. In order for the request for appeal to be accepted, the Corps must determine that the form is complete, that the request meets the criteria for appeal under 33 CFR § 331.5, and the form must be received by the NWD office within 60 days from the date on the form. It is not necessary to submit the form to the NWD office if you do not object to the enclosed AJD.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a

certified wetland determination with the local USDA service center, prior to starting work.

This AJD is valid for a period of five years from the date of this letter unless new information warrants revisions of the determination.

We would like to hear about your experience working with the Portland District, Regulatory Branch. Please complete a customer service survey form available on our website (https://regulatory.ops.usace.army.mil/customer-service-survey/).

If you have any questions regarding our Regulatory Program or permit requirements for work in waters of the U.S., please contact Mr. Benny A. Dean Jr. by telephone at (541) 465-6769 or by email at Benny.A.Dean@usace.army.mil.

Sincerely,

Katharine A. Mott

For: William D. Abadie
Chief, Regulatory Branch

Enclosures

cc with drawings:
Terra Science, Inc. (David Monnin, david@terrascience.com)
Oregon Department of State Lands (Lynn McAllister, Lynne.McAllister@dsl.oregon.gov, WD2022-0533)
Oregon Department of Environmental Quality (401applications@deq.oregon.gov)

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM[1]
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 30 January 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CENWP-ODG, Oregon Youth Authority, NWP-2022-462

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Oregon County/parish/borough: Linn County City: Albany
Center coordinates of site (lat/long in degree decimal format): Lat. 44.602226 °, Long. -123.0903882 °
Universal Transverse Mercator: Refer to Lat/Long above.
Name of nearest waterbody: Oak Creek
Name of watershed or Hydrologic Unit Code (HUC): 170900030402

☑ Check if map/diagram of review area is available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☑ Office (Desk) Determination. Date: January 27, 2023
☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are no** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

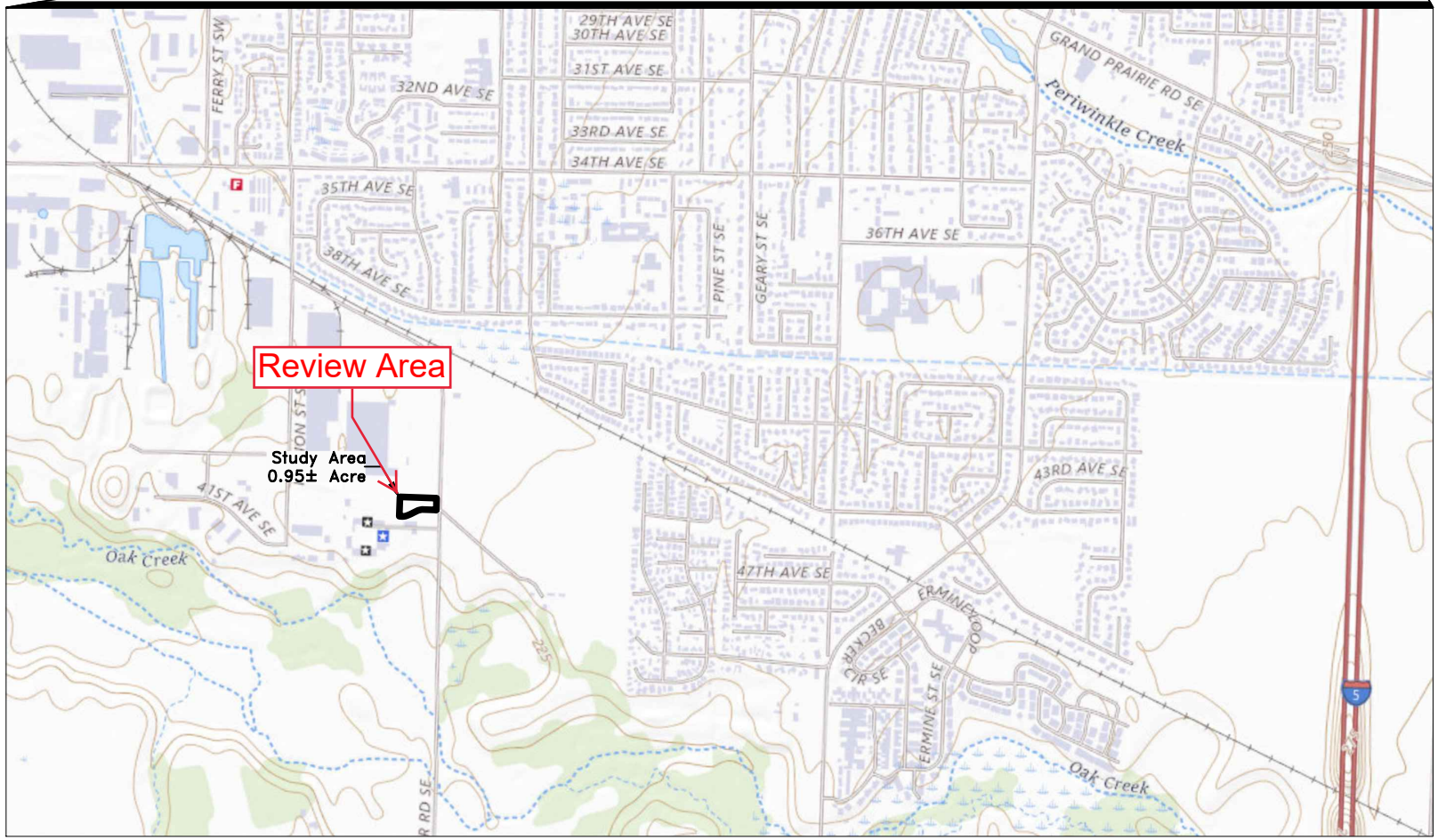
☑ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Delineation named: Confirmation of Upland Conditions Report Prepared for Port of Tax Lot 501 by Terra Science dated September 2022.
☑ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  ☑ Office concurs with data sheets/delineation report.
  ☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps:
☑ U.S. Geological Survey Hydrologic Atlas: HUC #170900030402
  ☐ USGS NHD data.
  ☑ USGS 8 and 12 digit HUC maps.
☑ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Tangent
☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
☐ National wetlands inventory map(s). Cite name:
☐ State/Local wetland inventory map(s):
☐ FEMA/FIRM maps:
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☑ Photographs: ☑ Aerial (Name & Date): Google Earth 2022
☐ or ☑ Other (Name & Date): Delineation site photos dated September 2022.
☐ Previous determination(s). File no. and date of response letter:
☐ Applicable/supporting case law:
☐ Applicable/supporting scientific literature:
☐ Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The site was delineated and no aquatic features were observed within the review area.

[1] This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

DIRECTIONS: From Portland / Salem, travel Interstate I-5 south to Oregon Highway 20 (Exit 233) and proceed west for approximately 1.0 mile to SE Geary Street and turn left (south). Proceed south for approximately 1.6 mile to 34th Avenue SE and turn right (west) for approximately 0.8-mile then turn left (south) onto Mission Street SE for approximately 0.2-mile. Turn left (east) onto Lochner Road SE and travel approximately 0.5-mile to the Oak Creek Youth Correctional Facility at 4400 Lochner Road SE. The approximate centroid of the study area is 44.602226° north and -123.903882° west.

In accordance with safety protocol, all site access must be coordinated and approved with Oregon Youth Authority personnel.



Source: Adapted from U.S. Geological Survey National Map and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 750 1500
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

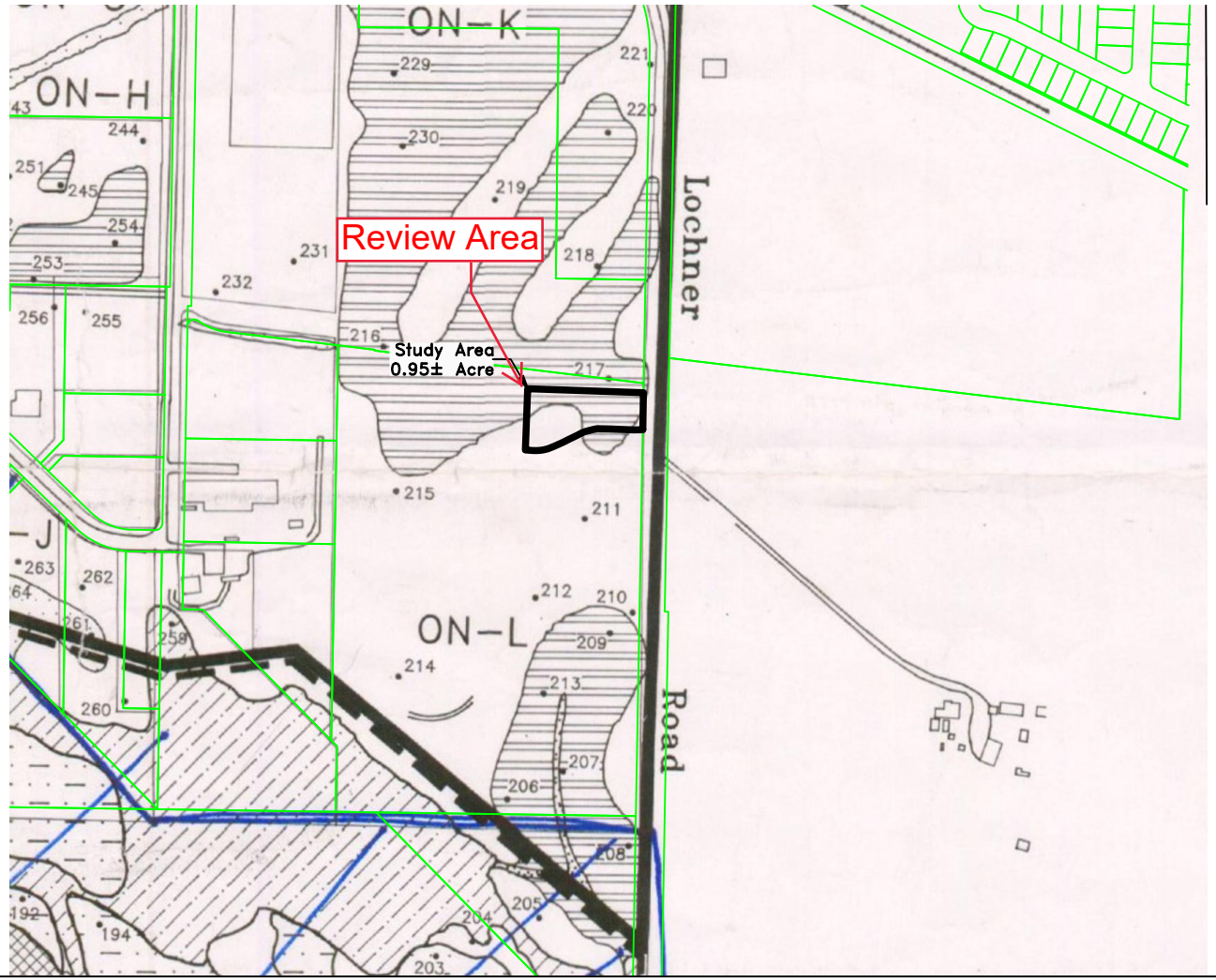
VICINITY MAP

FIGURE 1

September 2022

LEGEND

- Prior Converted Cropland (PCC)
- Wetland
- Forested Areas
- Wetland Sample Site
- Linn County Taxlots



NOTE: Local Wetland Inventory (LWI) mapping is assessed using SRI Shapiro's 1996 approved Wetland Conservation Plan Inventory for the City of Albany and associated GIS shapefiles. SRI Shapiro 1996 mapping inventories Palustrine, Emergent (PEM) Wetland ON-K extending into the study area.

Two previous EGR delineation investigations have occurred to refute the 1996 LWI polygons. These delineations were previously reviewed and approved by DSL (for WD#2009-0121 and WD#2009-0253). TSI's delineation report confirms EGR's previous determinations via documentation of uplands throughout onsite LWI inventoried polygons.

Source: Adapted from SRI Shapiro Local Wetland Inventory map. Linn County, and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 300 600
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

LOCAL WETLAND INVENTORY MAP

FIGURE 4

September 2022

LEGEND

Linn County Taxlots

Source: Adapted from Oregon State Imagery Program aerial photograph, Linn County, and Forty Five Surveying, Inc. civil files.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

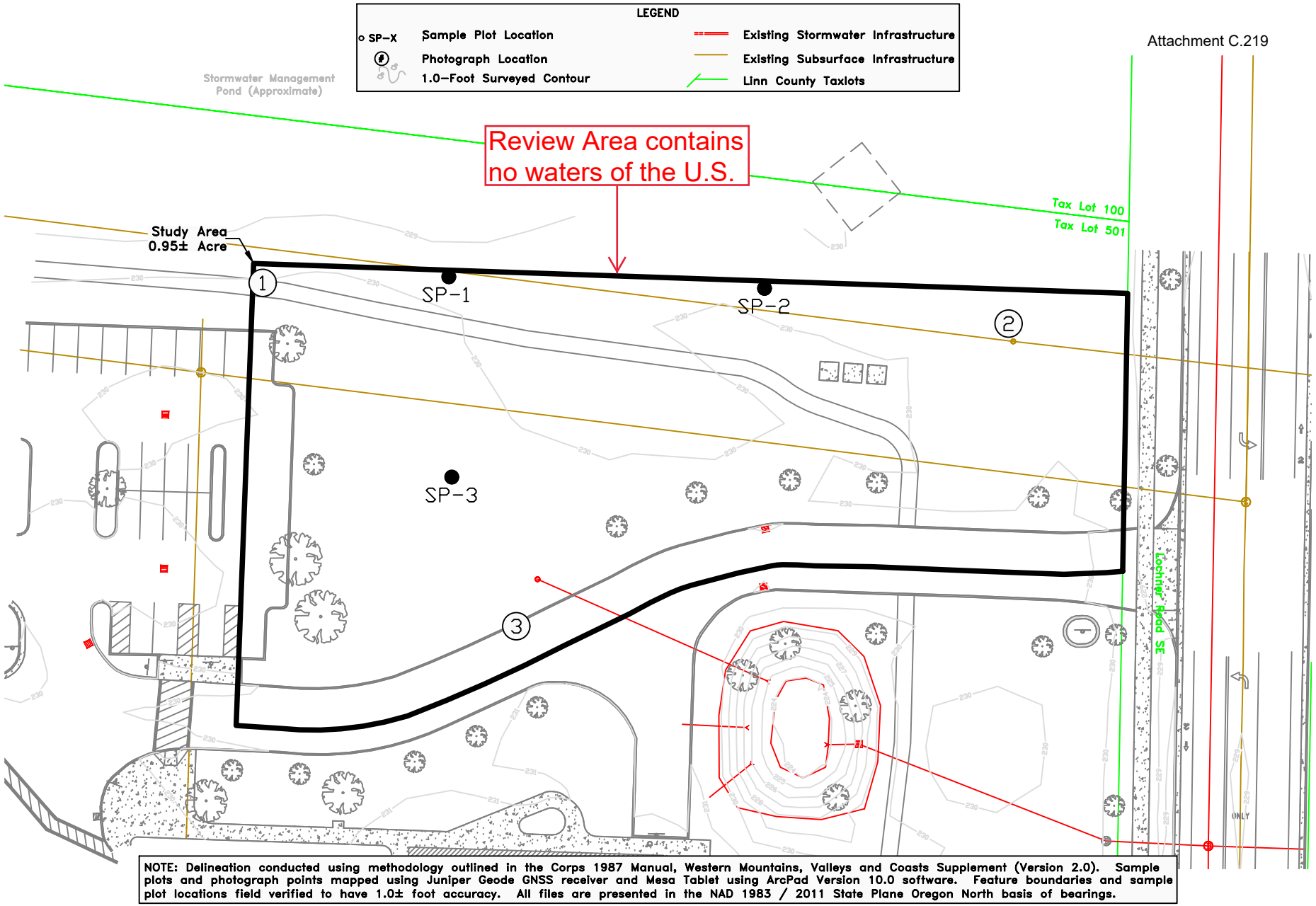
GRAPHIC SCALE
0 25 50
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

2018 AERIAL PHOTOGRAPH

FIGURE 6.7

September 2022



NOTE: Delineation conducted using methodology outlined in the Corps 1987 Manual, Western Mountains, Valleys and Coasts Supplement (Version 2.0). Sample plots and photograph points mapped using Juniper Geode GNSS receiver and Mesa Tablet using ArcPad Version 10.0 software. Feature boundaries and sample plot locations field verified to have 1.0± foot accuracy. All files are presented in the NAD 1983 / 2011 State Plane Oregon North basis of bearings.

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Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
0 25 50
(IN FEET)

CONFIRMATION OF UPLAND CONDITIONS REPORT
PREPARED FOR PORTION OF TAX LOT 501,
T. 11S, R. 03W, SEC. 19, W.M.
City of Albany, Linn County, Oregon

EXISTING SITE CONDITIONS

FIGURE 7

September 2022

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Oregon Youth Authority	File Number: NWP-2022-462	Date: 30 January 2023

Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
XXX	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found in Corps regulations at 33 CFR Part 331, or at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/FederalRegulation.aspx

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: William D. Abadie, Chief Regulatory Branch U.S. Army Corps of Engineers, Portland District Office PO Box 2946 Portland, OR 97208-2946 Telephone: (503)808-4373 Email: William.D.Abadie@usace.army.mil	If you only have questions regarding the appeal process you may also contact: Melinda M. Larsen, Regulatory Appeals Review Officer U.S. Army Corps of Engineers, Northwestern Division 1201 NE Lloyd Blvd., Suite 400 Portland, OR 97232 Telephone: (503) 808-3888 Email: Melinda.M.Larsen@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number: