



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

06/11/2013

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Sandy Plan Amendment
DLCD File Number 001-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, June 25, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. **NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.**

Cc: Tracy Brown, City of Sandy
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> N



FORM 2

DLCD

Notice of Adoption

[57471] (91716) 001-13

☐ In person ☐ electronic ☐ mailed

DEPT OF

JUN 05 2013

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Sandy**Local file number: **13-003 DCA**Date of Adoption: **6/3/13**Date Mailed: **6/4/13**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 02/25/2013☐ Comprehensive Plan Text Amendment☐ Comprehensive Plan Map Amendment☒ Land Use Regulation Amendment☐ Zoning Map Amendment☐ New Land Use Regulation☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Ordinance 2013-03 amends Chapter 17.86, Section 17.86.40(2), by changing the timing of park fee in-lieu payments. The ordinance allows 50 percent of the payment be paid prior to final plat approval with the remaining 50 percent of the payment to be pro rated equally among the lots, plus an administrative surcharge.

Does the Adoption differ from proposal? No

Plan Map Changed from: n/a

to: n/a

Zone Map Changed from: n/a

to: n/a

Location: n/a

Acres Involved: n/a

Specify Density: Previous: n/a

New: n/a

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ORDINANCE NO. 2013-03

AN ORDINANCE AMENDING SECTION 17.86.40(2) OF THE SANDY MUNICIPAL CODE RELATED TO PARKS FEE IN LIEU PAYMENTS.

Whereas, Section 17.86.40 (2) currently requires cash in lieu of parkland dedication to be paid in full prior to final plat approval; and,

Whereas, the City Council wants to establish a balanced approach where the developer making a payment in lieu of land dedication has the option of paying half of the required amount prior to final plat approval and the remaining half with a surcharge on a pro-rated per-lot basis; and,

Whereas, the City Council believes given current economic conditions, the method of collecting parks fee in lieu payments needs to be changed to help stimulate development activity in the city.

NOW, THEREFORE, THE CITY OF SANDY ORDAINS AS FOLLOWS:

Section 1: Section 17.86.40(2) of the Sandy Municipal Code shall be amended as follows:

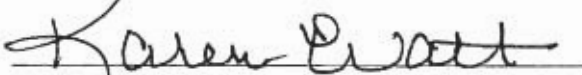
2. Cash in lieu of parkland dedication shall be paid prior to approval of the final plat or as specified below:-
 - a. 50 percent of the payment shall be paid prior to final plat approval, and
 - b. The remaining 50 percent of the payment pro-rated equally among the lots, plus an administrative surcharge, shall be paid as specified by City Council Resolution.

Section 2: All remaining provisions of the Sandy Comprehensive Plan and Title 17 of the Sandy Municipal Code are reaffirmed in their entirety.

THIS ORDINANCE IS ADOPTED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS 3rd DAY OF JUNE, 2013.


William King
Mayor

ATTEST:


Karen Evatt
City Recorder

City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055



U.S. POSTAGE >> PITNEY BOWES
ZBP 97055 \$ 000.92⁰
02 1W
0001376803 JUN 04 2013

ATTN: PLAN AMENDMENT SPECIALIST
DEPT OF LAND CONSERVATION &
DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540

DEPT OF

JUN 05 2013

LAND CONSERVATION
AND DEVELOPMENT