



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

April 16, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Sandy Plan Amendment
DLCD File Number 004-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 1, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 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 DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Tracy Brown, City Of Sandy

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NOTICE OF ADOPTION

This form must be mailed to DLCD not later than 5 working days after adoption
ORS 197.615 and OAR Chapter 660, Division 18

See reverse side for submittal requirements

Jurisdiction City of Sandy Local File # 04-034

Date of Adoption April 2, 2007 Date Mailed April 10, 2007

Date the Proposed Notice was Mailed to DLCD February 7, 2007

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation

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

Ordinance No. 2007-04 amends the Sandy Municipal Code Chapter 17.24 by repealing Section 17.24.70(B).

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice of the proposed amendment, write "N/A."
same

Plan Map Change From no change to no change

Zone Map Change From no change to no change

Location: N/A Acres Involved: N/A

Specify Density: Previous Density N/A New Density N/A

Applicable Goals: 1,2,10,14 Was an Exception adopted? Yes No

DLCD File # _____ DLCD Appeal Deadline _____

Did DLCD receive a Notice of Proposed Amendment 45 days prior to the final hearing?

Yes No The Statewide Planning Goals do not apply

Emergency Circumstances Required Expedited Review

Affected State or Federal Agencies, Local Governments or Special Districts: _____

Local Contact: Tracy A. Brown, Director of Planning Phone: 503-668-4886

Address: City of Sandy, 39250 Pioneer Blvd., Sandy OR 97055

DLCD # 004-07 (15862)

ORDINANCE NO. 2007-04

AN ORDINANCE REPEALING SECTION 17.24.70(B) OF THE SANDY MUNICIPAL CODE AND REAFFIRMING ALL REMAINING PROVISIONS OF CHAPTER 17.24.

WHEREAS, SMC 17.24.70(B) requires the City Council to find that any comprehensive plan amendment “will result in a net benefit to the community”; and

WHEREAS, this test for plan amendments is subjective, ambiguous and not required by state law; and

WHEREAS, appropriate criteria for comprehensive plan amendments are adequately provided in state law and other sections of the Sandy Municipal Code;

NOW, THEREFORE, the City of Sandy ordains as follows:

- Section 1. Section 17.24.70(B) of the Sandy Municipal Code is hereby repealed.
- Section 2. All remaining provisions of Chapter 17.24 are hereby reaffirmed in their entirety.

THIS ORDINANCE IS ADOPTED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS 2nd DAY OF APRIL, 2007.


Linda K. Malone, Mayor

ATTEST:


Larry Stohosky, City Recorder