



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

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Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

06/28/2011

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 002-11

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, July 12, 2011

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 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  
Gloria Gardiner, DLCD Urban Planning Specialist

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FORM 2

DLCD

# Notice of Adoption

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

In person  electronic  mailed

**DATE STAMP**

**DEPT OF**

**JUN 22 2011**

**LAND CONSERVATION AND DEVELOPMENT**

For Office Use Only

Jurisdiction: **City of Sandy**

Local file number: **11-006 DCA**

Date of Adoption: **6/20/2011**

Date Mailed: **6/21/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: **4/18/2011**

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 2011-05 maned the Sandy Municipal Code Chapters 17.84 and 17.100 regarding the installation of broadband fiber.

Does the Adoption differ from proposal? Please select one

Same

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

|                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <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...

45-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.** 002-11 (18791) [16681]

**ORDINANCE NO. 2011-05**

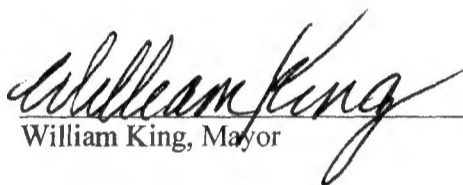
**AN ORDINANCE AMENDING SANDY MUNICIPAL CODE CHAPTERS 17.84 and 17.100 REGARDING THE INSTALLATION OF BROADBAND FIBER.**

**THE CITY OF SANDY ORDAINS AS FOLLOWS:**


Section 1. Sandy Municipal Code Sections 17.84.60, 17.84.70, and 17.100.300 are amended as detailed in Exhibit A, attached and incorporated by reference.

Section 2. The amendments identified in Section 1 above are in legislative format, where double underlined language represents new text and ~~stricken~~ language represents deleted text.

**THIS ORDINANCE IS ADOPTED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS 20<sup>th</sup> DAY OF JUNE, 2011.**

  
\_\_\_\_\_  
William King, Mayor

ATTEST:

  
\_\_\_\_\_  
Karen Evatt, City Recorder

**EXHIBIT A**  
**ORDINANCE NO. 2011-05**

**17.84.60 PUBLIC UTILITY FACILITY EXTENSIONS**

- A. All development sites shall be provided with public water, sanitary sewer, broadband (fiber) and storm drainage.
- B. Where necessary to serve property as specified in "A" above, required public utility facility installations shall be constructed concurrent with development.
- C. Off-site public utility facility extensions necessary to fully serve a development site and adjacent properties shall be constructed concurrent with development.
- D. As necessary to provide for orderly development of adjacent properties, public utilities facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).
- E. All public utility facility installations required with development shall conform to the City's facilities master plans.
- F. Private on-site sanitary sewer and storm drainage facilities may be considered provided all the following conditions exist:
  - 1. Extension of a public facility through the site is not necessary for the future orderly development of adjacent properties;
  - 2. The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above);
  - 3. The facilities are designed and constructed in accordance with the Uniform Plumbing Code and other applicable codes, and permits and/or authorization to proceed with construction is issued prior to commencement of work.

**17.84.70 PUBLIC IMPROVEMENT PROCEDURES**

It is in the best interests of the community to ensure public improvements installed in conjunction with development are constructed in accordance with all applicable City policies, standards, procedures, and ordinances. Therefore, prior to commencement of installation of public water, sanitary sewer, storm drainage, broadband (fiber), street, bicycle, or pedestrian improvements for any development site, developers shall contact the City Engineer to receive information regarding adopted procedures governing plan submittal, plan review and approval, permit requirements, inspection and testing requirements, progress of the work, and provision of easements, dedications, and as-built drawings for installation of public improvements. All work shall proceed in accordance

with those adopted procedures, and all applicable City policies, standards, and ordinances.

Whenever any work is being done contrary to the provisions of this Code, the Director may order the work stopped by notice in writing served on the persons engaged in performing the work or causing the work to be performed. The work shall stop until authorized by the Director to proceed with the work or with corrective action to remedy substandard work already completed.

#### **17.100.300 REQUIRED IMPROVEMENTS**

The following improvements shall be installed no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

- A. Drainage facilities
- B. Lot, street and perimeter monumentation
- C. Mailbox delivery units
- D. Sanitary sewers
- E. Sidewalks
- F. Street lights
- G. Street name signs
- H. Street trees
- I. Streets
- J. Traffic signs
- K. Underground communication lines, including broadband (fiber), and telephone, and cable. Franchise agreements will dictate whether telephone and cable lines are required.
- L. Underground power lines
- M. Water distribution lines and fire hydrants



39250 Pioneer Boulevard  
Sandy, OR 97055



**DEPT OF**

ATTENTION: PLAN AMENDMENT SPECIALIST **JUN 22 2011**  
DEPARTMENT OF LAND CONSERVATION & **LAND CONSERVATION**  
DEVELOPMENT **AND DEVELOPMENT**  
635 CAPITOL STREET, NE, SUITE 150  
SALEM, OR 97301-2540

97301\$2540 C007

