



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

03/13/2012

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 005-11

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, March 27, 2012

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: Kelly O'Neill, City of Sandy
Angela Lazarean, DLCD Urban Planner
Jennifer Donnelly, DLCD Regional Representative
Amanda Punton, DLCD Natural Resources Specialist

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

MAR 07 2012

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: **11-037 CPA /DCA**

Date of Adoption: **3/5/12**

Date Mailed: **3/6/12**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **1/23/12**

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".
The amendment creates a new Parks and Open Space (POS) comprehensive plan designation and zoning district for public lands identified as parks and open spaces.

Does the Adoption differ from proposal? Minor changes to permitted uses

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

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. 005-11 (19093) [16958]

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

Local Contact: **Tracy Brown**

Phone: **(503) 668-4886**

Extension:

Address: **39250 Pioneer Blvd.**

Fax Number: **503-668-8714**

City: **Sandy**

Zip: **97055**

E-mail Address: **tbrown@cityofsandy.com**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ORDINANCE NO. 2012-01

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND CHAPTER 17 OF THE DEVELOPMENT CODE BY CREATING A NEW PARKS AND OPEN SPACE ZONING DISTRICT.

WHEREAS, the existing City of Sandy Comprehensive Plan was adopted by Ordinance No. 8-97 on October 20th, 1997; and

WHEREAS, the existing City of Sandy Development Code was adopted by Ordinance No. 9-97 on October 20th, 1997; and

WHEREAS, the City of Sandy desires to amend the Comprehensive Plan and Development Code language to establishes a new parks and open space zoning district; and

WHEREAS, the City of Sandy sent the proposed Comprehensive Plan and Development Code language to the Department of Land Conservation and Development (DLCD) on December 9th, 2011; and

WHEREAS, the Sandy Post published a notice of public hearing for the City of Sandy Planning Commission on January 11th, 2012; and

WHEREAS, the Planning Commission held a public hearing to review the Parks and Open Space code language on January 23rd, 2012 and forwarded a recommendation to the City Council to adopt the code language; and

WHEREAS, the City of Sandy developed additional code language related to uses permitted in the Sandy River Park to address concerns submitted by the Department of Land Conservation and Development (DLCD) during the Planning Commission review process; and

WHEREAS, the Sandy Post published a notice of public hearing for the City of Sandy City Council on February 8th, 2012; and

WHEREAS, the City Council held a public hearing to review the Parks and Open Space code language on February 21st, 2012 and voted to approve the first reading of this Ordinance; and

WHEREAS, the City Council approved the second reading of this Ordinance on March 5th, 2012.

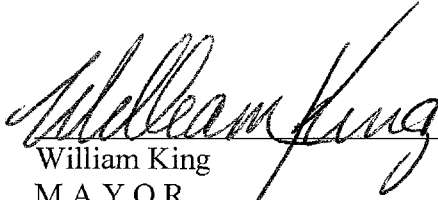
NOW, THEREFORE, THE CITY OF SANDY DOES ORDAIN AS FOLLOWS:

Section 1. Sandy Comprehensive Plan Goal 2, Land Use Planning is amended as detailed in Exhibit A, attached and incorporated by reference.

Section 2. Sandy Municipal Code Chapter 17.30 Zoning Districts is amended to include the new Parks and Open Space (POS) zone designation as detailed in Exhibit B, attached and incorporated by reference.


Section 3. Sandy Municipal Code Chapter 17.32 Parks and Open Space (POS) Zoning District is added as detailed in Exhibit B, attached and incorporated by reference.

**THIS ORDINANCE ADOPTED BY THE COMMON COUNCIL AND
APPROVED BY THE MAYOR THIS 5th DAY OF MARCH 2012.**



William King
MAYOR

ATTEST:



Karen Evatt
City Recorder

**AMEND SECTION 17.30.00 TO ADD A NEW
PARKS AND OPEN SPACE ZONING DISTRICT**

DISTRICT	SYMBOL
<u>Parks and Open Space</u>	<u>POS</u>
Residential	
Single Family Residential	SFR
Low Density Residential	R-1
Medium Density Residential	R-2
High Density Residential	R-3
Commercial	
Central Business District	C-1
General Commercial	C-2
Village Commercial	C-3
Industrial	
Industrial Park	I-1
Light Industrial	I-2
General Industrial	I-3
Overlay Districts	
Planned Development	PD
Cultural & Historic Resource	CHR
Flood Slope Hazard	FSH
Specific Area Plan Overlay	SAP

+ exhibit
"A"

CREATE A NEW CHAPTER 17.32
PARKS & OPEN SPACE ZONING DISTRICT

CHAPTER 17.32
PARKS & OPEN SPACE (POS)

17.32.00 INTENT

This district is intended to recognize those publicly-owned lands designated or proposed for parks and open spaces. Parks include publicly developed parks and undeveloped park land where typical uses include active and passive outdoor recreation activities, trails, open space, cultural activities, park buildings and structures, concessions, general park operations and maintenance, and storm drainage facilities. Open space includes publicly developed and undeveloped lands and sensitive areas such as wetlands, steep slopes, forested areas, and stream corridors.

17.32.10 PERMITTED USES

A. Primary Uses Permitted Outright

1. Park improvements identified in the Parks Master Plan or Park Specific Master Plans adopted by the City Council.
2. Trails in otherwise undeveloped open space.
3. Other uses similar in nature.

B. Accessory Uses Permitted Outright

1. Accessory structures, detached or attached;
2. Educational activities in accordance with the primary purposes of the zone;
3. Interpretive displays;
4. Park furnishings, including arbors, barbeques, benches, bicycle racks, drinking fountains, gazebos, kiosks, picnic tables, play equipment and signage.
5. Public driveways and parking areas for uses permitted in this zone.
6. Public restroom facilities.

17.32.20 CONDITIONAL USES

- A.** Campgrounds;
- B.** Swimming pools;
- C.** Other uses similar in nature.

17.32.30 SANDY RIVER PARK

The above uses are inapplicable to the Sandy River Park property owned by the City of Sandy. This section contains requirements specific to Sandy River Park. Development of the Sandy River Park is guided by and limited to the uses identified in the Sandy River Park Master Plan dated June 3, 2010. The primary uses specified in the plan include hiking, nature study, and habitat restoration and the construction of a trail system to facilitate this use. Accessory structures identified in the plan include installation of interpretative signage, benches, picnic tables, restroom facilities, and limited parking.

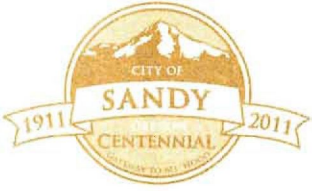
17.32.40 DEVELOPMENT STANDARDS

A.

Parks & Open Space	
Lot Area	No minimum
Lot Dimension	No minimum
Setbacks	No minimum or maximum
Lot Coverage	No maximum
Structure Height	35 ft. maximum
Off-Street Parking	See Chapter 17.98
Design Review Standards	See Section 17.90.120

17.32.50 ADDITIONAL REQUIREMENTS

- A. Where applicable, park improvements shall comply with city design standards.
- B. Provisions for pedestrian and vehicular off-street access to adjoining properties shall be included in park master plans.



39250 Pioneer Boulevard
Sandy, OR 97055

DEPT OF

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635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540

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