



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: August 19, 2015

Jurisdiction: City of Sandy

Local file no.: 15-028 ANN

DLCD file no.: 006-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 08/18/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

**FOR DLCD USE**  
File No.: 006-15 {23908}  
Received: 8/18/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Sandy

Local file no.: **15-028 ANN**

Date of adoption: 8/17/15      Date sent: 8/18/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

- Yes: Date (use the date of last revision if a revised Form 1 was submitted): 7/13/15
- No

Is the adopted change different from what was described in the Notice of Proposed Change?  Yes  No  
If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Tracy Brown, Planning Director

Phone: 503-668-4886 E-mail: [tbrown@ci.sandy.or.us](mailto:tbrown@ci.sandy.or.us)

Street address: 39250 Pioneer Blvd City: Sandy Zip: 97055

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### **For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

### **For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- Change from R to C. 0.88 acres.  A goal exception was required for this change.
- Change from            to            .            acres.  A goal exception was required for this change.
- Change from            to            .            acres.  A goal exception was required for this change.
- Change from            to            .            acres.  A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 24E14, 500.

- The subject property is entirely within an urban growth boundary
- The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from RRFF-5 to C-2. Acres: 0.88

Change from           to           . Acres:

Change from           to           . Acres:

Change from           to           . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:           . Acres added:           . Acres removed:

Location of affected property (T, R, Sec., TL and address): 24E14, 500

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List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Ordinance No. 2015-11

# NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

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1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in [ORS 197.615](#) and [OAR 660-018-0040](#).

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist  
Dept. of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us) with the subject line “Notice of Adopted Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at [http://www.oregon.gov/LCD/Pages/papa\\_submittal.aspx](http://www.oregon.gov/LCD/Pages/papa_submittal.aspx).

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

6. **Content:** An administrative rule lists required content of a submittal of an adopted change ([OAR 660-018-0040\(3\)](#)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. ([ORS 197.615](#))

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**If you have any questions** or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**Notice checklist. Include all that apply:**

- Completed Form 2
- A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- The findings and the text of the change to the comprehensive plan or land use regulation
- If a comprehensive plan map or zoning map is created or altered by the proposed change:
  - A map showing the area changed and applicable designations, and
  - Electronic files containing geospatial data showing the area changed, as specified in [OAR 660-018-0040\(5\)](#), if applicable
- Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change

**ORDINANCE NO. 2015-11**

**AN ORDINANCE APPROVING ANNEXATION OF TWO PROPERTIES TOTALING 0.88 ACRES AND ASSIGNMENT OF C-2, GENERAL COMMERCIAL ZONING AND C, COMMERCIAL COMPREHENSIVE PLAN DESIGNATION IN CONFORMANCE WITH THE 2040 PLAN PROCESS.**

**Whereas**, the Sandy City Council has a specified goal of annexing unincorporated properties surrounded by the incorporated city limits (islands) into the city limits;

**Whereas**, Oregon Revised Statutes 222.750 allows cities to annex unincorporated property surrounded by a city in accordance with the provisions of this section;

**Whereas**, Section 17.78.10 of the Sandy Development Code contains procedural considerations for annexing unincorporated properties into the city limits;

**Whereas**, Section 17.78.10 (B) specifies that "city initiated annexations of islands as allowed by state law are not subject to a public vote";

**Whereas**, Jennifer Betz owns two properties (24E Section 14, Tax Lots 901 and 1000) completely surrounded by incorporated city limits; and

**Whereas**, notification of the proposed annexation was sent to the Department of Land Conservation and Development on July 13, 2015 and a separate notice was sent to the property owner and other property owners within 300 feet of the subject properties on July 21, 2015 in compliance with the provisions of applicable regulations.

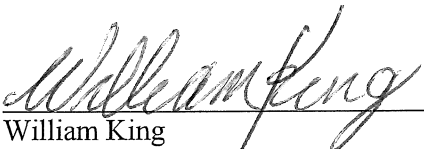
**NOW, THEREFORE, THE CITY OF SANDY ORDAINS AS FOLLOWS:**

Section 1: Annexation of the subject properties will become effective 30 days from the date this Ordinance is approved.

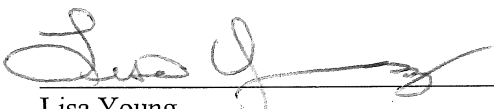
Section 2: The City Council directs staff to amend the city limits boundary and to provide notice of the annexation to other agencies and organizations as required by state law.

Section 3: Following adoption of this Ordinance, the Comprehensive Plan designation for the subject properties will be changed to C, Commercial and the Zoning designation to C-2, General Commercial.

**THIS ORDINANCE IS ADOPTED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR  
THIS 17th DAY OF AUGUST, 2015.**

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

ATTEST:

  
\_\_\_\_\_  
Lisa Young  
City Recorder