

**FINDINGS OF FACT and FINAL ORDER  
TYPE I LAND USE DECISION**

**DATE:** September 8, 2021

**FILE NO.:** 21-031 DR/HD

**PROJECT NAME:** 39555 Stefenee Ct SFR

**APPLICANT/OWNER:** NW Probuild LLC

**LEGAL DESCRIPTION:** T2S R4E Section 13DB Tax Lot 2332 (Lot 27 of Sandy Parkway No. 2)

**ADDRESS:** 39555 Stefenee Court

**DECISION:** Approved subject to conditions of approval

The above-referenced proposal was reviewed as a Type I Design Review with a Hillside Development Review. The following exhibits, findings of fact, and conditions (bold text) explain the proposal and the conditions of approval.

**EXHIBITS:**

**Applicant Submittals**

A. Land Use Application Form

B. Plan Set

- Sheet A0.0: Cover Sheet
- Sheet A0.1: Site Plan
- Sheet A1.0: Main Level Floor Plan
- Sheet A1.1: Lower Level Floor Plan
- Sheet A2.0: Building Elevations (South and West)
- Sheet A2.1: Building Elevations (North and East)
- Sheet A3.0: Foundation Plan
- Sheet A3.1: Floor Framing Plan
- Sheet A3.2: Roof Plan
- Sheets A4.0 and A4.1: Building Sections
- Sheet A5.0: Details
- Sheet S0: General Structural Notes
- Sheet S101: Foundation Plan
- Sheet S102: Upper Floor Framing Plan
- Sheet S103: Roof Framing Plan
- Sheet S104: Shear Wall Plan (Lower Floor)
- Sheet S105: Shear Wall Plan (Upper Floor)

- Sheet S201: Front and Left Elevation
  - Sheet S202: Rear and Right Elevation
  - Sheet S501: Shear Wall Schedule and Details
  - Sheet S502: Details
  - Sheet S503: Portal Frame Details
- C. Geotechnical Report

**Agency Comments**

- D. Third-party Geotechnical Report Review (August 20, 2021)  
 E. Fire Marshal (July 1, 2021)

**FINDINGS OF FACT**

**General Findings**

1. These findings are based on the applicant’s original submittal received on May 28, 2021, with additional information received on July 12, 2021, 2021. The application was deemed complete on July 16, 2021.
2. The subject property is located on Stefenee Court, south of Kimberly Drive. The property is 0.14 acres.
3. The subject property has a comprehensive plan designation of Low Density Residential and a zoning district designation of SFR, Single Family Residential. The applicant is proposing to construct a single-family home, which is an outright permitted use.
4. The applicant, NW Probuild, proposes to construct a new single-family home on the subject property. The property contains slopes that exceed 25 percent and therefore was reviewed as a combined design review with hillside development review.
5. This application is a Type I Design Review with Hillside Development Review, which does not require notification to surrounding property owners.

**Chapter 17.34 – Single Family Residential (SFR) Zoning District**

6. The applicant proposes to construct a single-family home, which is a permitted outright use in the SFR zoning district.
7. Section 17.34.30 details the development standards for the SFR zone district. The Proposed Site Plan (Exhibit B, Sheet A0.1) indicates the proposal will meet the required side yard (interior), front yard, and rear yard setback standards. The side yard setback is proposed at 5 feet and the garage setback is proposed at 20-feet-1.5-inches. Since this lot was platted as part of Sandy Parkway No. 2 in 1995 and prior to February 22, 2005, the 7.5 foot interior yard and 22 foot garage setback requirements in the SFR zone district are not applicable. Instead, the interior yard setback shall be at least 5 feet and the garage setback shall be at least 20 feet.
8. Section 17.34.40 requires the improvements on the site to connect to municipal services including water and sanitary sewer. The applicant did not submit a Utility Plan. **The**

**applicant shall submit a Utility Plan detailing connection to municipal services including water and sanitary sewer.**

**Chapter 17.56 – Hillside Development**

9. Section 17.56.30 outlines the required map and studies needed for hillside development. The applicant submitted a Geotechnical Report prepared by Rapid Soil Solutions, Inc. and dated March 24, 2021 (Exhibit C).
10. Section 17.56.50(B) outlines the process for peer review of the Geotechnical Report to assess compliance with study conclusions and recommendations. A third-party review of the applicant’s submitted Geotechnical Report was conducted by GeoPacific Engineering and dated August 20, 2021 (Exhibit D).
11. The third-party review (Exhibit D) cites concerns that the explorations do not seem to extend deep enough to make conclusions about whether or not the proposed development will be hazardous. The review recommends deeper explorations that extend through existing fill material and into native soil at a minimum be performed on the site. The review states: “For sloped sites, if the site was not adequately stripped and/or benched prior to the placement of fill material, there could be zones of soft soil which could contribute to slope instability. The explorations should be deep enough to check for potential soft layers and/or slide planes at the contact between fill and native soils.” **The applicant shall perform deeper explorations that, at a minimum, extend through existing fill material and into native soil and update the Geotechnical Report accordingly.** The review expects that the exploration would need to be at least 15 feet deep, but may need to be deeper depending on the amount of fill material encountered on the site.
12. The third-party review also notes that Section 17.56.40 requires both a Geological Assessment and an Engineering Geology Report, both of which need to be prepared and stamped by a Certified Engineering Geologist. The geotechnical report submitted by Rapid Soil Solutions (Exhibit C) is not stamped by a Certified Engineering Geologist. The third-party review states that for this site a geotechnical engineer should be capable of concluding whether or not the proposed development will be hazardous without the review of a Certified Engineering Geologist, but notes that requiring a Geological Assessment and/or an Engineering Geology Report for the site would increase the amount of examination of the site by a professional with specific training and experience in evaluating landslide hazards. **The applicant shall submit a Geologic Assessment prepared and stamped by a Certified Engineering Geologist. In addition, if the actual building site exceeds a 35 percent slope, the applicant shall submit an Engineering Geology Report prepared and stamped by a Certified Engineering Geologist.**
13. The third-party review compared the geotechnical report prepared by Rapid Soil Solutions (RSS) with the Geotechnical Report requirements found in Appendix C of Chapter 17.56 of the Sandy Development Code and identified 12 issues. Findings 14-25 outline each issue in terms of the code requirement, the third-party review comments, and any resulting conditions.

14. Issue 1. Code Requirement: A discussion of the engineering aspects of the site and proposed project. The discussion should address foundation types for proposed structures, retaining systems, grading considerations, stability of cut-slopes and constructed embankments, settlement of the site and adjacent sites due to existing conditions, proposed construction, and proposed surface and subsurface drainage facilities.

Third-Party Review Comments:

- Grading considerations - The geotechnical report prepared by RSS does not place limits on grading at the site, such as the placement of additional fill material. We expect that no additional fill material should be placed on the site for slope stability, but the report currently does not place limits on that. Provide limits on grading at the site.
- Stability of cut-slopes - The geotechnical report prepared by RSS does not address the stability of cut-slopes. Provide a discussion of the stability of cut-slopes.

**The Geotechnical Report shall be updated to provide limits on grading at the site and shall provide a discussion of the stability of cut-slopes per Appendix C of Chapter 17.56.**

15. Issue 2. Code Requirement: Planned construction (type of structure and use, type of construction and foundation/floor system, number of stories, estimated structural loads).

Third-Party Review Comment: Information not provided. Provide the required information.

**The Geotechnical Report shall be updated to provide information on planned construction per Appendix C of Chapter 17.56.**

16. Issue 3. Code Requirement: Structural cross-sections (one or more appropriately positioned and referenced on map: especially through critical areas, slopes and slides) of suitable size and engineering scale; with labeled units, features and structures; and a legend. These sections should correlate with surface and subsurface data showing representative dip components, projections and stratigraphic/structural relationships.

Third-Party Review Comment: Information not provided. Please provide a structural cross-section as required.

**The Geotechnical Report shall be updated to provide a structural cross-section per Appendix C of Chapter 17.56.**

17. Issue 4. Code Requirement: Material competency and strength of existing soils/profile.

Third-Party Review Comment: GeoPacific does not agree with 2,500 psf bearing pressure on clay with organics, especially given the slopes and that it is not clear whether the near-surface soils are fill or native. The explorations are not deep enough to make conclusions

about material competency. Perform deeper explorations as described in previous sections of this review and then comment.

**The applicant shall perform deeper explorations that, at a minimum, extend through existing fill material and into native soil and the Geotechnical Report shall be updated accordingly.**

18. Issue 5. Code Requirement: Expansion potential.

Third-Party Review Comment: Information not provided. Please include a discussion in the geotechnical report about whether the soils on the site are expansive and what the implications are.

**The Geotechnical Report shall be updated to provide a discussion about whether the soils on the site are expansive and what the implications are per Appendix C of Chapter 17.56.**

19. Issue 6. Code Requirement: Criteria for foundation material preparation.

Third-Party Review Comment: The geotechnical report calls for footings in clay at 0.5 feet, but in hand auger HA-1, abundant roots were encountered beyond the maximum depth of exploration (1.5 feet). Practical refusal was encountered at a depth of 1.5 feet on unclassified/unknown material. We do not agree with the criteria for foundation material preparation in the geotechnical report. After the deeper explorations are performed, provide updated criteria for foundation material preparation which does not involve putting the footings at shallow depths on soil containing abundant roots.

**The Geotechnical Report shall be updated to provide updated criteria for foundation material preparation which does not involve putting the footings at shallow depths on soil containing abundant roots per Appendix C of Chapter 17.56 after the deeper explorations are performed.**

20. Issue 7. Code Requirement: Lateral pressures (Active, passive, or at-rest conditions) and coefficient of friction.

Third-Party Review Comment: Lateral earth pressures for active and passive conditions have been provided, but lateral earth pressures for at-rest conditions and coefficient of friction have not been provided. Provide lateral earth pressures for at-rest conditions and coefficient of friction.

**The Geotechnical Report shall be updated to provide lateral earth pressures for at-rest conditions and coefficient of friction per Appendix C of Chapter 17.56.**

21. Issue 8. Code Requirement: Settlement – total, differential, and rate of settlement.

Third-Party Review Comment: Estimates of total and differential settlement have been provided, but a rate of settlement has not been provided. Provide conclusions regarding

rate of settlement. Typically, geotechnical reports state that the settlement will occur quickly during construction, as loads are applied, unless there are compressible soils which might take a long time to consolidate.

**The Geotechnical Report shall be updated to provide conclusions regarding rate of settlement per Appendix C of Chapter 17.56.**

22. Issue 9. Code Requirement: Placement of fill, material approval (on-site, imported), methods and standards (ASTM standards or approved equivalent), Testing and frequency of field density testing by vertical intervals and/or volume of fill.

Third-Party Review Comment: Information not provided. Provide this information.

**The Geotechnical Report shall be updated to provide information on placement of fill, material approval, methods and standards, and testing and frequency of field density testing by vertical intervals and/or volume of fill per Appendix C of Chapter 17.56.**

23. Issue 10. Code Requirement: Suitability and precompaction of in-situ materials (describe test results and other pertinent data to be used to determine suitability).

Third-Party Review Comment: It is our opinion that since the explorations do not extend down into soils which do not contain organic material, there is not currently sufficient data to make conclusions about the suitability of the in-situ materials. Also, we do not agree with the conclusion that the clay soils with abundant roots are suitable to support the proposed structure.

**The applicant shall perform deeper explorations that, at a minimum, extend through existing fill material and into native soil and the Geotechnical Report shall be updated to reflect the deeper explorations.**

24. Issue 11. Code Requirement: Opinion as to adequacy of site for the proposed development (this opinion should be summarized in the first part of the report).

Third-Party Review Comment: Information not provided. The report states that the site has high susceptibility to landslides. With that statement alone, it appears that the site may not be adequate for the proposed development, but since RSS provided bearing capacity recommendations perhaps they think the site is adequate for the proposed development. Provide an opinion as to the adequacy of the site for the proposed development.

**The Geotechnical Report shall be updated to provide an opinion as to the adequacy of the site for the proposed development per Appendix C of Chapter 17.56.**

25. Issue 12. Code Requirement: Other pertinent geotechnical information for the safe development at the site.

Third-Party Review Comment: The report does not address the presence of organic material in the soil. It is our opinion that if the organic material presents a risk of overall and/or differential settlement as it decomposes over time, then the geotechnical report should include recommendations addressing those concerns. Typically, soils containing more than 5 percent organics is not suitable to support structural loads, although the type and age of organic material can influence this criteria. After the deeper explorations are performed to find out how deep the organic material extends, comment on the presence of organics and the percentage of organics in the soil. If the organic content of the soil is greater than 5 percent or is otherwise seen as problematic, provide a discussion of how those issues will be addressed.

**The Geotechnical Report shall be updated to comment on the presence of organics and the percentage of organics in the soil after the deeper explorations are performed. If the organic content of the soil is greater than 5 percent or is otherwise seen as problematic, the Geotechnical Report shall provide a discussion of how those issues will be addressed.**

26. **Once the Geotechnical Report has been updated, the applicant shall submit the updated Geotechnical Report, Geological Assessment, and Engineering Geology Report (if needed) to the City for review by GeoPacific Engineering.**

#### **Chapter 17.84 – Improvements Required with Development**

27. **All improvements required by the standards in Chapter 17.84 shall be installed concurrently with development.** Per Section 15.20.10 (A), “No building permit shall be issued for the construction of any new building on any lot which does not have existing curbs, sidewalks and half-street improvements meeting the city standards on all abutting streets to such lots, unless the applicant agrees to construct curbs, sidewalks and half-street improvements to city standards along all such city streets which abut the property described in the building permit in conjunction with the construction activity related to the building permit.” Per Section 15.20.10 (B), “No building permit shall be issued for construction of any new building on any lot which is not served by underground utilities, unless the applicant agrees to construct equipment and related facilities to accept and receive all underground utility lines which shall serve the building or structure, including but not limited to those required for all electric, communication and cable TV services in conjunction with the construction activity related to the building permit.”
28. Subsection 17.84.30(A.1) requires sidewalks along local streets to be a minimum of 5-foot wide and be separated from curbs with a 5-foot wide planting area. There is an existing curb-tight sidewalk along the developed properties in the Stefenee Court cul-de-sac. Quarter-street improvements consisting of a concrete driveway approach, sidewalk, and street trees are required by Section 15.20.010 of the Sandy Municipal Code (SMC). **The applicant shall construct half-street improvements on the Stefenee Court frontage of the site.** This will consist primarily of a concrete driveway approach, sidewalk and curb, and a connection to the existing curb-tight sidewalk adjacent to the subject property on both sides.

29. Stormwater treatment is required per Section 13.18.30 B. through F. of the SMC. The applicant did not submit a stormwater report. **The applicant shall submit a detailed stormwater management plan to be reviewed and approved by the Public Works Director, or his designee, per the standards of Subsection 13.18 and the City of Portland stormwater manual methods.**
30. All public utility installations shall conform to the City's facilities master plans. No building permits will be issued until all public utilities, including sanitary sewer are available to serve the subject lot. **The applicant shall pay plan review, inspection, and permit fees as determined by the Public Works Director.**
31. Section 17.84.70 contains requirements regarding public improvement procedures. The Fire Marshal (Exhibit E) submitted comments regarding firefighting water supplies. **The applicant shall confer with the Sandy Fire District to ensure compliance with the requirements of the Sandy Fire Marshal as contained in Exhibit E. The applicant shall provide construction documents detailing compliance with firefighting water supply requirements to the Sandy Fire District for review and approval upon building permit submittal.**
32. **The building shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. The address shall be plainly legible and visible from the street and shall be affixed to the single-family home. In addition, the address numbers shall be a minimum of 4-inches and contrasting colors.**
33. Section 17.84.80 contains standards for franchise utility installation. Private utility services will be submitted for review and approval by service providers and City staff in association with construction plans, and all utility lines will be extended to the perimeter of the site. Municipal Code 15.20.010(B) states the following regarding undergrounding of utilities: "No building permit shall be issued for construction of any new building on any lot which is not served by underground utilities, unless the applicant agrees to construct equipment and related facilities to accept and receive all underground utility lines which shall serve the building or structure, including but not limited to those required for all electric, communication and cable TV services in conjunction with the construction activity related to the building permit." **All existing and proposed franchise utilities (i.e., cable, electric, phone, etc.) shall be installed underground and in conformance with City standards. The applicant shall call the PGE Service Coordinators at (503) 323-6700 when the developer is ready to start the project.**
34. The applicant will need to coordinate with the United States Postal Service (USPS) to locate mail facilities and these will be approved by the City and USPS. **Mail delivery facilities shall be provided by the applicant in conformance with Section 17.84.100 and the standards of the USPS. The applicant shall submit a mail delivery plan to the City and USPS for review and approval prior to installation of a mailbox.**



## **Chapter 17.90 – Design Standards**

35. The proposal is subject to all the requirements for Design Review as specified in Section 17.90.150.
36. Section 17.90.70 specifies that **design review approval shall be void after two (2) years from the date of the Final Order, unless the applicant has submitted plans for building permit approval.**
37. Section 17.90.150(C) details the applicable garage width formula used to determine the number of design elements required. Using the dimensions from the submitted plans, the garage width percentage will equate to 50 percent (20 feet/40 feet = 0.50 x 100 = Width %) of the house frontage width. This proposal is in conformance with the general provisions since the garage width does not exceed 70 percent of the house width.
38. Based on the calculated 46 percent garage width, Table 17.90.150 – A (Number of Required Design Elements) within Section 17.90.150(E) indicates the property is required to provide at least five required design elements from Section 17.90.150(F).
39. The submitted plan set includes at least six (6) design elements from Section 17.90.150(F) to be incorporated on the front facing facade. The design elements proposed are the following:
- Covered porch greater than 40 square feet.
  - Building face with two or more off-sets 16 inches or greater.
  - Roof overhang of 16 inches or greater.
  - Belly band separating siding materials.
  - Sidelight and/or transom windows associated with the front door.
  - A front facing garage that is recessed.

## **Chapter 17.92 – Landscaping and Screening**

40. Chapter 17.92 contains standards for landscaping and screening. Section 17.92.10(C) states that significant plant and tree specimens should be preserved to the greatest extent practicable and integrated into the design of a development. Significant trees are defined as those that are approximately 8-inches diameter at breast height (DBH) or greater. The Existing Site Plan (Exhibit B, Sheet A0.1) details 12 existing trees on the subject property varying from 12-inches to 48-inches DBH. The applicant is proposing to remove five (5) of the existing trees that are located within the proposed building footprint and to retain the remaining seven (7) trees. The existing site plan details a stockpile area located between two of the trees that will remain in the southeast corner of the lot. **The applicant shall update the plan set to detail an alternate location for the stockpile area that is outside of the critical root zone (1 foot per 1 inch diameter at breast height) of all trees that will remain on the site. The applicant shall install tree protection fencing two feet outside of the foundation (stem walls) and two feet outside the support posts for the deck.**
41. Per Section 17.92.10(L), **all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacement of dead or dying vegetation.**

**Any areas disturbed during modification of the existing site shall be re-vegetated to pre-project condition.**

42. Section 17.92.30 requires street trees spaced approximately 30 feet on center. **The applicant shall update the site plan to detail two (2) street trees along the Stefenee Court frontage of the site. The street trees shall be selected from the City’s Street Tree List and shall be planted per the City’s standard planting detail.** Staff is not approving maples or ashes as street trees at this time due to concerns with Asian Longhorn Beetle and Emerald Ash Borer as well as an interest in increasing species diversity.

**Chapter 17.98 – Parking, Loading, & Access Requirements**

43. Section 17.98.20(A) indicates each dwelling unit is required to provide two off-street parking spaces. The Plan Set (Exhibit B) details a two-car garage with a paved concrete driveway setback at 20-foot-1.5-inch from the front lot line, in compliance with the off-street parking requirement.
44. Section 17.98.130 requires all parking areas, driveways, and driveway approaches to be paved with concrete, asphalt or comparable surfacing and be constructed to city standards for off-street vehicle areas. The submitted Plan Set indicates the driveway will be paved with concrete in compliance with this standard.

**DECISION**

For the reasons described above, the request by NW Probuild to construct a new single-family home is hereby **approved** as modified by the conditions listed below.

**CONDITIONS OF APPROVAL**

- A. Prior to applying for a grading and erosion control permit or building/plumbing/mechanical permits the applicant shall submit additional information as identified below:**
1. Submit a detailed stormwater management plan to be reviewed and approved by the Public Works Director, or his designee, per the standards of Subsection 13.18 and the City of Portland stormwater manual methods.
  2. Submit a Utility Plan detailing connection to municipal services including water and sanitary sewer.
  3. Update the site plan to detail two (2) street trees along the Stefenee Court frontage of the site. The street trees shall be selected from the City’s Street Tree List and shall be planted per the City’s standard planting detail. Staff is not approving maples or ashes as street trees at this time due to concerns with Asian Longhorn Beetle and Emerald Ash Borer as well as an interest in increasing species diversity.

4. Update the plan set to detail an alternate location for the stockpile area that is outside of the critical root zone (1 foot per 1 inch diameter at breast height) of all trees that will remain on the site.
5. Perform deeper explorations that, at a minimum, extend through existing fill material and into native soil and update the Geotechnical Report accordingly.
6. Update the Geotechnical Report to reflect the recommendations from the third-party review in conformance with Appendix C of Chapter 17.56 including the following:
  - a. Provide limits on grading at the site and shall provide a discussion of the stability of cut-slopes.
  - b. Provide information on planned construction.
  - c. Provide a structural cross-section.
  - d. Provide a discussion about whether the soils on the site are expansive and what the implications are.
  - e. Provide updated criteria for foundation material preparation which does not involve putting the footings at shallow depths on soil containing abundant roots after the deeper explorations are performed.
  - f. Provide lateral earth pressures for at-rest conditions and coefficient of friction.
  - g. Provide conclusions regarding rate of settlement.
  - h. Provide information on placement of fill, material approval, methods and standards, and testing and frequency of field density testing by vertical intervals and/or volume of fill.
  - i. Provide an opinion as to the adequacy of the site for the proposed development.
  - j. Comment on the presence of organics and the percentage of organics in the soil after the deeper explorations are performed. If the organic content of the soil is greater than 5 percent or is otherwise seen as problematic, the applicant shall provide a discussion of how those issues will be addressed.
7. Submit a Geologic Assessment prepared and stamped by a Certified Engineering Geologist. In addition, if the actual building site exceeds a 35 percent slope, the applicant shall submit an Engineering Geology Report prepared and stamped by a Certified Engineering Geologist.
8. Submit the updated Geotechnical Report, the Geological Assessment, and the Engineering Geology Report (if needed) to the City for review by GeoPacific Engineering.

**B. Prior to earthwork, grading, or excavation the applicant shall complete the following and receive necessary approvals as described:**

1. Apply for and receive approval for a grading and erosion control permit in conformance with City standards detailed in Section 15.44 of the Municipal Code.

2. If applicable, submit proof of receipt of a Department of Environmental Quality 1200C permit.
3. Install tree protection fencing two feet outside of the foundation (stem walls) and two feet outside the support posts for the deck.
4. Request an inspection of erosion control measures and tree protection fencing.

**C. The applicant shall apply for and receive approval for all necessary building, plumbing, mechanical, and electrical permits prior to any construction. Contact the Building Division for submission requirements. Electrical permitting shall be coordinated with Clackamas County and/or PGE as applicable.**

**D. General Conditions of Approval**

1. Design review approval shall be void after two (2) years from the date of the Final Order, unless the applicant has submitted plans for building permit approval.
2. Future changes to the structure or development of the site may require separate land use approval, including potentially a pre-application conference, and shall comply with the design standards in Chapter 17.90.
3. All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacement of dead or dying vegetation.
4. Any areas disturbed during modification of the existing site shall be re-vegetated to pre-project condition.
5. No trees greater than eight inches in diameter shall be removed from the steep slope (25 percent or greater) portion of the site without City staff review and approval per Chapter 17.56.
6. All existing and proposed franchise utilities (i.e., cable, electric, phone, etc.) shall be installed underground and in conformance with City standards. The applicant shall call the PGE Service Coordinators at (503) 323-6700 when the developer is ready to start the project.
7. Mail delivery facilities shall be provided by the applicant in conformance with Section 17.84.100 and the standards of the USPS. The applicant shall submit a mail delivery plan to the City and USPS for review and approval prior to installation of a mailbox.
8. Confer with the Sandy Fire District to ensure compliance with the requirements of the Sandy Fire Marshal as contained in Exhibit E. The applicant shall provide construction documents detailing compliance with firefighting water supply requirements to the Sandy Fire District for review and approval upon building permit submittal.

9. The building shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. The address shall be plainly legible and visible from the street and shall be affixed to the single-family home. In addition, the address numbers shall be a minimum of 4-inches and contrasting colors.
10. Land use approval does not connote approval of utility or public improvement plans submitted with the land use application. Applicable plan details will be reviewed by the City Engineer and Public Works Director.
11. Successors-in-interest of the applicant shall comply with site development requirements prior to the issuance of building permits.
12. Comply with all other conditions or regulations imposed by Clackamas County, Fire District No. 72, or state and federal agencies. Compliance is made a part of this approval and any violations of these conditions and/or regulations may result in the review of this approval and/or revocation of approval.



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Emily Meharg  
Senior Planner

### **RIGHT OF APPEAL**

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within twelve (12) calendar days of notice of the decision. Any person interested in filing an appeal should contact the city to obtain the form, “*Notice of Appeal*”, and Chapter 17.28 of the Sandy Development Code regulating appeals. All applications for an appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and,
5. Payment of required filing fees.