

FINDINGS OF FACT AND FINAL ORDER TYPE II LAND USE DECISION

DATE OF DECISION:	March 21, 2025
FILE NO.:	24-059 DR
PROJECT NAME:	Deer Pointe Park
APPLICANT/OWNER:	Rochelle Anderholm-Parsch/City of Sandy
ADDRESS:	18200 Meadow Drive
MAP/TAX LOT:	25E18CC 13400 and 25E18CD 01600
SIZE OF PROPERTY:	3.16 acres
ZONING:	Parks and Open Space (POS)
STAFF CONTACT:	Patrick Depa, Senior Planner

BACKGROUND

Deer Pointe Park is currently described and categorized as an “Undeveloped Park” in Sandy’s 2022 Parks and Trails Master Plan. The existing Deer Point Park can be described as 1.41-acres of undeveloped park consisting of open space and a few areas of tree stands. The undeveloped park described in the 2022 Parks and Trails Master Plan refers to Map/Tax Lot 25E18CC 13400 only. The long, narrow, gently sloping parcel is bounded by neighborhood streets on two sides, Highway 26 on a third side, and fields with clusters of mature trees to the east. Sandy Vista Apartments is directly across Hwy 26 to the north.

On February 8, 2007, Deer Point Subdivision No. 2 was recorded as Plat 1111. At that time, the developers deeded 1.41 acres to the City as a condition of approval to be used as a future park. On June 23, 2023, Bull Run Terrace, a mixed-use development, fulfilled their final order and made a 1.75-acre park dedication (Deed No. 2023-021503) to the City (Map/Tax Lot 25E18CD 01600). The total park area then grew to approximately 3.16 acres. The applicant is in the preliminary stage of procuring a survey to combine the two parcels into one.

The applicant went through a pre-application conference on October 10, 2024, to discuss the development of Deer Pointe Park. The Deer Pointe Park plans were found to be consistent with the pre-application notes for developing the entire site, including both parcels. The park will border the eastside of Meadow Avenue and northside of Fawn Street that travels east and west before it turns south as approved with the Bull Run Terrace subdivision approval. The park will be a focal point for the current Deer Pointe neighborhood residents and future development just east of the site.

The submitted plans provide standard neighborhood park amenities including an accessible looped path, playground, multi-use field, picnic shelters and tables, and a sports court.

EXHIBITS

Exhibit A: Application
Exhibit B: Plan Set
Exhibit C: Clackamas County Fire Comments
Exhibit D: Building Official Comments
Exhibit E: SandyNet Comments
Exhibit F: Oregon Department of Transportation Letter
Exhibit G: Mobley - Trip Generation and Parking Analysis Memo
Exhibit H: DKS Parking Analysis Memo
Exhibit I: Public Works Memo

PUBLIC COMMENTS

No public comments were received by the time this final decision was issued.

EXTERNAL AGENCY AND CITY DEPARTMENT NOTES

Mike Boumann, Clackamas Fire District Fire Marshal: The Clackamas Fire Marshall requires that the Deer Pointe Park plans be submitted through the accessory building link. They indicate that a site plan including the structures square footage, type of construction, and location will suffice. No fire flow is needed and there are currently no review fees for accessory buildings.

Greg Brewster, IT Director: Fiber may have to be extended along Meadow Avenue or easements established on a “to and through” basis for development to the Bull Run Terrace Apartments to the east.

Terre Gift, Building Official: The following is required:

1. The park equipment, pathways, and facilities should be ADA compliant.
2. The sprinkler system is required to have a backflow prevention device (installed and tested).
3. The building structure(s) will require a building permit.
4. Gutters and downspouts to approved drainage are also required.

A.J. Thorne, Assistant Director and Thomas Fisher, Project Manager for Public Works:

Public Sanitary Sewer Notes:

1. The construction can go forward despite the City-wide sanitary service moratorium.
2. Install manholes with any changes in alignment for sewer mainlines.

Public Street/Right-of-Way Notes:

1. Sheet L0.01 – Detail removal of the tree protection fencing around trees 53-58 as these trees will be removed for the future right-of-way improvements to the south of the park.
2. Sheet L3.01 – Detail that the graded park elevations will match up with the future sidewalk and road elevations along the north side of Fawn Street.
3. Sheet 7.01 – Detail what the 2-inch conduit is being installed for.
4. Sheet C-1 – Detail two ADA ramps that align with the ramps at Buck Street.

5. No streetlights will be required along Meadow Ave or the existing section of Fawn St.

Public Stormwater Notes: All soil erosion and storm detention requirements shall be met. The applicant will need to treat and detain stormwater onsite or pay a fee-in-lieu for a larger facility that will serve this area. There are three storm water detention facilities proposed on site. All three facilities shall be engineered to be able to discharge the captured storm water to maintain a static water level below eighteen (18) inches. Each facility, pond, or rain garden shall be designed to specifications that reflect the amount of impervious surface in the park. If a stand-up pipe maintaining a maximum discharge level exceeds 18 inches, a six-foot fence will have to be constructed. An adequate number of aquatic plants shall be installed in the stormwater detention ponds per Portland's Stormwater Management Manual. The full stormwater report will be reviewed once plans are submitted for review.

Oregon Department of Transportation (ODOT):

Comments and Findings:

For State Highway frontage improvements, ODOT supports the applicant's proposal to add sidewalks along their US 26 property frontage. There is an existing jog in the US 26 right-of-way. ODOT recommends the City require the applicant to donate right-of-way to ODOT as necessary to eliminate the jog to provide for a straight sidewalk and right-of-way line. Permits are required by ODOT for all work in the State highway right-of-way. The applicant submitted a Property Line Adjustment application (File No. 25-002 PLA) along with a draft survey to combine the two parcels. As conditioned in that decision, the City desires to comply with all the ODOT requests for right-of-way donation, but if the costs and time commitment becomes too cumbersome to the project, the City will complete the combination of the two parcels providing an easement to ODOT instead of a land donation. The Development Services Director has the discretion to require an easement in-lieu of a land donation.

Permits and Agreements to Work in State Highway:

An ODOT Miscellaneous Permit must be obtained for all work in the State highway. When the total value of improvements within the State highway is estimated to be \$100,000 or more, a Cooperative Improvement Agreement (CIA) with ODOT is required. A CIA will address the transfer of the improvements to ODOT and any associated technical and administrative costs for projects that meet this improvement threshold. Agreements shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements.

An ODOT Miscellaneous Permit is required for new or modified connections to State highway drainage facilities. Connections will only be considered if the site's drainage naturally enters the State highway drainage facility. The applicant must provide ODOT District #2C with a preliminary drainage plan showing impacts to the State highway drainage facility.

See attached ODOT Formal Response Letter (ODOT #13545) to Case #24-059 DR. Findings and other contents of the letter will be added to this decision as conditions or approval.

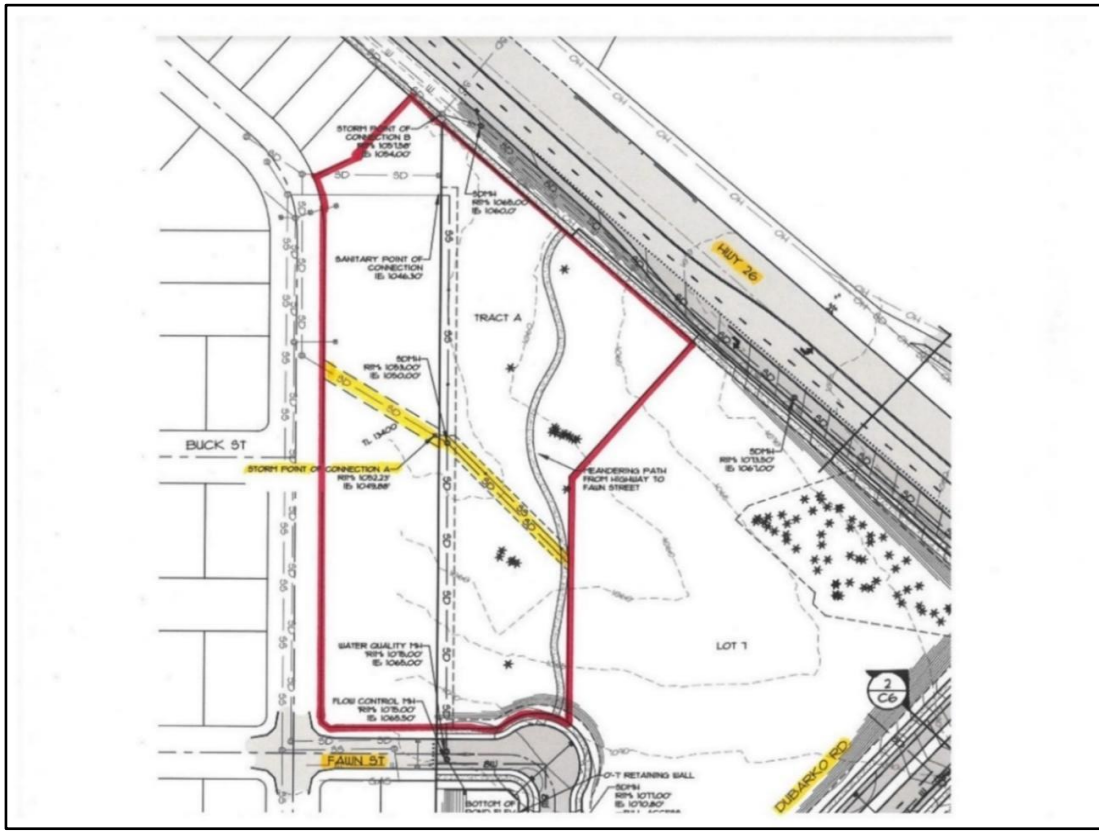
FINDINGS OF FACT

Moratorium

Finding 1. The City is under a moratorium (Resolution 2024-11 and extended by Resolution 2024-24) restricting the increase of sanitary sewer connections and additional flows into the City’s existing system and treatment plant. Because this project does not propose a new sanitary sewer connection nor increased flows to an existing connection, this project may proceed. If the park needs restrooms in the future and additional sanitary flows/connection are needed and the moratorium issues haven’t been resolved, the installation of restrooms may be denied.

Easements

Finding 2. Tax Map/Lot 25E18CC13400 has a recorded 15-foot-wide storm drain easement that is designed to connect and transverse the park dedication associated with the approval for Bull Run Terrace (see Figure 1). The 25E18CC13400 parcel shows also has a dry sanitary sewer line through the north part of the parcel, but no legal easement has been identified. **Easements will need to be recorded if any utilities through Deer Pointe Park are private, but public utilities do not require an easement through public land. All future private utility easements shall be recorded when finalized.**



(Figure 1)

Finding 3. Buildings shall not be placed over any utilities or easements. All proposed structures appear to be outside any current easements.

Lot Line Issues

Finding 4. The placement of the picnic shelter and basketball court cross the common property line and several walkways meander between parcels to other park structures and amenities. The applicant submitted a Property Line Adjustment application (File No. 25-002 PLA) along with a draft survey to combine the two parcels. That application was approved with conditions by the Planning Division on February 26, 2025. **The applicant shall record the property line adjustment associated with File No. 25-002 PLA prior to occupancy of the picnic shelter.**

Traffic

Finding 5. Section 17.84.50 outlines the requirements for providing a traffic study. A Traffic Impact Study (TIS) was not required with this application. A traffic letter (not traffic study) detailing trips was required for this project. The applicant submitted a Parking Analysis/Trip Generation Memorandum that was reviewed by the Deputy Public Works Director and DKS, the City's Traffic Engineer Consultant, who concurred with the findings and deemed that the available on street parking is sufficient for the scope of this project. While this proposal will undoubtedly increase traffic on Meadow Avenue and Fawn Street, there were no Average Daily Traffic (ADT) concerns on local streets raised by the City Transportation Engineer.

CHAPTER 17.32 – PARKS AND OPEN SPACE (POS)

Sec. 17.32.20. Permitted Uses.

A. Primary Uses Permitted Outright:

1. Parks, natural areas and open space, and special use areas identified in Map 5 Existing Park Inventory, Map 8 Proposed Park System, Table 12 Tier 1 Capital Improvement Plan, or Table A-3 Proposed Park Capital Improvement Plan of the 2022 Parks and Trails Master Plan;

B. Accessory Uses Permitted Outright:

11. Sports fields and courts;
12. Park furnishings, including arbors, barbeques, benches, bicycle racks, drinking fountains, gazebos, kiosks, picnic tables, play equipment and signage;

Zoning Designations

- Parks and Open Space (POS) is limited to uses identified in the 2022 Parks and Trails Master Plan.
- The subject properties both have a zoning designation and a comprehensive plan map designation of Parks and Open Space (POS).

Finding 6. The uses described for Deer Pointe Park conform to the requirements of the Development Code, the Comprehensive Plan, and the 2022 Parks and Trails Master Plan.

17.32.50 DEVELOPMENT REQUIREMENTS

Parks and 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

Finding 7. Lot area, lot dimensions, setbacks, lot coverage and structure height have all been met. The off-street parking and design review standards will be addressed later in this decision.

CHAPTER 17.84 – IMPROVEMENTS REQUIRED WITH DEVELOPMENT

Sec. 17.84.20. Timing of improvements.

- A. All improvements required by the standards in this chapter shall be installed concurrently with development, as follows:
1. Where a land division is proposed, each proposed lot shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to approval of the final plat.
 2. Where a land division is not proposed, the site shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to temporary or final occupancy of structures.

Finding 8. All development sites shall be provided with public water, sanitary sewer (only if restrooms are proposed), broadband (fiber), and storm drainage.

Finding 9. As required by Section 17.84.30(A)(1) all proposed sidewalks on local streets shall be a minimum of six feet wide and separated from curbs by a tree planting area that is a minimum of five feet in width. **The applicant shall install quarter-street right-of-way improvements on both the improved portions of Fawn Street and Meadow Avenue along Map/Tax Lot 25E18CC13400.** Quarter-street improvements include the installation of sidewalks, a planting strip for required street trees, the planting of street trees, and potentially street lighting.

Finding 10. The site is bordered by Highway 26 to the north. The applicant is proposing to install a four-foot chain link fence with one pedestrian gate to separate the park from the Highway 26 right-of-way. Adjacent to the fence, a sidewalk with street lighting along the highway is anticipated to be constructed by third parties in the future in connection with other developments in the area. A portion of the sidewalk will be constructed by the applicant as described in Condition of Approval B(1).

Finding 11. In accordance with the findings and conditions in File No. 22-038 CPA/ZC/ SAP/SUB/TREE for the Bull Run Terrace Subdivision, the development to the east, is responsible for the full Fawn Street improvements along Map/Tax Lot 25E18CD 01600 and the Highway 26 frontage improvements along Map/Tax Lot 25E18CD 01600. **Engineering plans shall be submitted including all street improvements to be installed by the City, specifically a six-foot sidewalk and planting strip along the site's frontage on Fawn Street and Meadow Ave, and an approximately forty-foot length of six-foot sidewalk along the frontage of Tract D on Highway 26.**

Finding 12. Street Naming. The proposed development includes improvements to existing streets. No new streets are being created and therefore no new street names are necessary.

Finding 13. Future Street Plan. Section 17.84.50(E) requires that public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property. This project is improving existing streets and is not proposing any street extensions.

Finding 14. There are three storm water detention facilities proposed on the park site. **All three facilities shall be engineered to be able to discharge the captured storm water to maintain a static water level below eighteen (18) inches. Each facility, pond, or rain garden shall be designed to specifications that reflect the amount of impervious surface in the park. If a stand-up pipe maintaining a maximum discharge level exceeds 18 inches, a six-foot fence will have to be constructed. An adequate number of aquatic plants shall be installed in the stormwater detention ponds per Portland's Stormwater Management Manual. The full stormwater report will be reviewed once plans are submitted for review.**

Finding 15. Any new utility lines (i.e., cable, electric, phone, etc.) shall be placed underground.

Finding 16. In accordance with the findings and conditions in File No. 22-038 CPA/ZC/SAP/SUB/TREE for the Bull Run Terrace Subdivision, the development to the east, is responsible for utility installations through Map/Tax Lot 25E18CC13400 and Map/Tax Lot 25E18CD 01600. **Engineering plans shall be submitted including all utility installations which will be installed by the City.**

Finding 17. Fire Hydrants. No new fire hydrants are proposed. If any new fire hydrants are nevertheless installed, they shall follow the following specifications: **Each new fire hydrant installed shall be ordered in an OSHA safety red finish and have a 4-inch non-threaded metal faced hydrant connection with cap installed on the steamer port (4 ½-inch NST x 4-inch Storz Adaptor). If a new building, structure, or dwelling is already served by an existing hydrant, the existing hydrant shall also be OSHA safety red and have a 4-inch non-threaded metal faced hydrant connection with cap installed.**

CHAPTER 17.90 DESIGN STANDARDS

Sec. 17.90.10. Applicability.

The provisions of this chapter apply to structures and uses as specified in Sections 17.90.10(A) and (B) below:

- A. All construction within a Commercial or Industrial Zoning District or a non-residential use in a Residential Zoning District including the following:
 - 1. **New construction**;
 - 2. Replacement of a building that is destroyed as specified in Section 17.08.30;
 - 3. Addition to an existing building;
 - 4. Exterior alterations other than general maintenance on an existing building;
 - 5. Site improvements including changes to landscaping, parking, civic spaces, etc.
- B. **Nonresidential development** and the nonresidential components of mixed-use development shall comply with all applicable standards in this chapter. Residential development and the residential components of a mixed-use development are only required to comply with the clear and objective standards of this chapter unless the applicant is requesting a Design Deviation, in which case compliance with all standards is required for residential development.

Finding 18. The project contains new construction and is classified as a non-residential use. The Planning Division used Section 17.90.120 for the purposes of this review.

Sec. 17.90.120. General Commercial and Industrial (C-2 and I-1) and Non-Residential Uses in Residential Zones Design Standards.

The proposed structures and layout must adhere to all the ‘non-residential uses in residential zones’ per Section 17.90.120 of the design standards. Here are some highlights:

A. Site Layout and Access

Intent: To provide for compact, walkable development, and to design and manage vehicle access and circulation in a manner that supports pedestrian safety, comfort, and convenience. (Examples of site designs that meet these standards are illustrated in Figures 17.90.120-A and 17.90.120-B)

Finding 19. Per Section 17.90.120(A.3), off-street parking shall be located to the rear or side of buildings with no portion of the parking lot located within required setbacks or within 10-feet of the public right-of-way. The only parking being provided for this use is on-street parking, so this standard is not applicable. All parking will be located along Meadow Avenue and Fawn Street.

Finding 20. Walkways from the public street sidewalk to the building entrance(s) are required. Crosswalks through parking lots and drive aisles shall be constructed of a material contrasting with the road surface or painted (e.g., colored concrete inlay in asphalt).

[Section 17.90.120(A.7)] Multiple walkways on site are proposed to intersect with public sidewalks along Meadow Avenue and Fawn Street. The only structure on the site will be visible from both Meadow Avenue and Fawn Street as required.

B. Building Facades, Material, and Colors

Intent: To provide building façades, materials, and colors consistent with the Sandy Style. For purposes of interpreting the Sandy Style, representative illustrations and photos are provided. (Figures 17.90.120-C, 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, 17.90.120-H, and 17.90.120-I; and the Color Palettes (Appendices C and D) and representative photos (Appendix E). Compliance with the Color Palettes in Appendices C and D is required; the photos in Appendix E are for illustrative purposes only.)

1. Articulation

The Sandy Style includes asymmetrical building forms, which by definition require buildings to be articulated, varied, and provide visual interest. This standard is met by dividing elevations visible from an abutting public street or pedestrian way into smaller areas or planes to minimize the appearance of bulk as follows:

- a. All elevations visible from an abutting public street or pedestrian way shall be divided into distinct planes of no more than 40 lineal feet long to include the following:
 - i. Wall planes meeting this standard shall include a feature or variation in the wall plane that are those that are entirely separated from other wall planes by a recessed or projecting section of the structure that projects or recedes at least six inches from the adjacent plane, for a length of at least four feet. Changes in plane may include but are not limited to recessed entries, bays, secondary roof forms (e.g., gables, lower roof sheds, dormers and towers), building bases, canopies, awnings, projections, recesses, alcoves, pergolas, porticos, or roof overhangs. Other features consistent with the Sandy Style may be approved through Design Deviation.
 - ii. Wall planes shall incorporate at least one change in materials or changes in texture or patterns, including trim or moldings. Except for residential components of development (other than those requesting a Design Deviation), these changes shall be visually contrasting and complementary.
 - iii. The lower and upper floors of multi-storied buildings shall be delineated by using pedestrian shelters, changes in siding materials, heavy timbers, or natural wood accents (e.g. brackets, paneling, or other detailing).

Finding 21. The proposed structure has no walls and cannot articulate to any specified direction. The shelter is positioned diagonally on the site facing Meadow Avenue, the primary street access for the project. The shelter walls do not distinguish front to back, but the structure does have some prominent side elevations with 6:12 gables. The gable ends meet Section 17.90.120.B.3 (C) for street facing elements. Because the gable ends provide some of the “Sandy Style” elements they are the most pronounced and fulfill the required articulation for building facades.

2. Pedestrian Shelters. Buildings must incorporate pedestrian shelters, as follows:

- a. Pedestrian shelters shall be provided over the building's primary entrance(s) and all pedestrian areas (i.e., sidewalks, and civic spaces) abutting the subject building, where pedestrians are likely to use these facilities.
- b. Features such as canopies, arcades, awnings, roofs overhangs, covered porches, alcoves, and/or porticoes are required to protect pedestrians from the rain and sun.
- c. Pedestrian shelters must extend at least five feet over the pedestrian area.
- d. Shelters over building entrances shall be designed with gable or shed roofs over building entrances and must comply with the roof pitch standards in Section 17.90.110.C. Dome or bubble shaped awnings are not permitted.

Finding 22. The only structure is a proposed picnic shelter which has no walls, so no entranceway/pedestrian shelter is required.

3. Building Materials. Exterior building materials shall convey an impression of strength and durability consistent with the Sandy Style, as follows:

- a. Strong base materials such as natural stone (e.g., basalt, granite, river stone), split-faced rusticated concrete block, brick, or concrete form liner replicating these materials are required. Cultured stone may be allowed if it has a stone texture and is similar in appearance and durability to natural stone. A building's base must extend at least 36 inches but not more than 60 inches above the adjacent finished grade and be included on those sides of the building visible from an abutting public street. If the site contains a grade differential making construction of a minimum 36-inch base impracticable, the reviewing body may allow portions of the base to be less than 36-inches. [Section 17.90.120(B.3.b)]
- d. Siding shall consist of wood, composite-wood (e.g., concrete fiberboard, panels or shingles), stone, brick, split-faced rusticated concrete block, concrete form liner or a combination of these materials. Stucco, synthetic stucco, or metal are only permitted as specified below. Vinyl, plastic or similar siding is not permitted. [Section 17.90.120(B.3.d)]
- e. Building elevations facing a public street shall incorporate at least three of the following features: Using these features may also address other code requirements, such as those related to building articulation, change in relief, pedestrian shelters, storefront elements.
 - i. Exposed, heavy timbers;
 - ii. Exposed natural wood color beams, posts, brackets and/or trim (e.g., eaves or trim around windows);
 - iii. Natural wood color shingles (e.g., used as siding or to accent gable ends);
 - iv. Metal canopies;

- v. Heavy metal brackets (e.g., cast iron or similar appearance), which may be structural brackets or applied as cosmetic detailing, and/or;
- vi. Similar features, consistent with the Sandy Style, if approved through Design Deviation.



(Figure 2)

Finding 23. The picnic shelter is proposed to emulate the Sandy Bluff Park structure in design (see Figure 2). The concrete/stone base, open gable ends with exposed timbers, and a metal standing seam roof reflect the Sandy Style Design. The applicant is proposing 36-inch-high stone bases around the posts supporting the picnic shelter. The proposed shelter meets the required number of design elements and intent of this section.

- 4. Colors.** Building exteriors shall comply with the following standards:
- a. Paint color should not contrast with the white-washed buildings on this block.
 - b. High-intensity primary colors, metallic colors and black, may be utilized as trim and detail colors only, not to exceed one (1) percent of the surface area of any elevation. Such color shall not be used as primary wall colors.
 - c. Day-glow colors, highly reflective colors, and similar colors are not permitted.
 - d. Exterior building colors shall be in compliance with the City of Sandy Color Palette in Appendix C. [Section 17.90.120(B.4)]

Finding 24. The applicant has identified the proposed finish for the post bases to be grey fieldstone and for the standing metal seam roof, evergreen/forest green. The proposed natural wood colors inside the gable ends will be consistent with the Sandy Bluff Park structure. The proposed gutters will match the color of the metal roof.

C. Roof Pitch, Materials, and Parapets

Intent: To provide roof forms and detailing consistent with the Sandy Style. For purposes of interpreting the Sandy Style, representative illustrations and photos are provided.

1. Except as provided in subsections 17.90.120(C)(1), below, pitched (gabled or hipped) roofs are required on all new buildings with a span of 50-feet or less. Gable and hipped roof forms must achieve a pitch not less than the following:

Zoning District	Primary Roof Forms (minimum)	Secondary Roof Forms (minimum)
C-2, I-1	6:12	4:12

Finding 25. The applicant is proposing to use a 6:12 roof pitch with some enhanced architectural design elements in accordance with the Sandy Municipal Code.

2. As provided above, "Primary Roof Forms" are those that individually comprise 20 percent or more of the total surface area of a roof elevation. Secondary roof forms (e.g., dormers, towers, cupolas, etc.) are those that comprise less than 20 percent of the roof elevation. See also, Section 17.74.20 Vertical Projections.
3. Buildings shall be oriented so the gable end of the roof faces the abutting street.
4. Pitched roof surfaces visible from an abutting public street shall provide a secondary roof form (e.g., dormer) in the quantity specified below. Secondary roof forms may be located anywhere on the roof, although grouping these features is preferred.

Roof Length	Number of Secondary Roof Forms
30 – 40 feet	1
41 – 80 feet	2
81 feet and greater	4

Finding 26. This standard is not applicable to the proposed structure as the total length of the picnic shelter is twenty-six (26) feet.

D. Building Orientation and Entrances.

Intent: To maintain and enhance General Commercial and Industrial streetscapes as public spaces, emphasizing pedestrian-scale and character in new development, consistent with the Sandy Style.

(Figures 17.90.120-A, 17.90.120-B, 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, and 17.90.120H) and representative photos in Appendix E.

Finding 27. Section 17.90.120(D) Building Orientation and Entrances does not apply to this park project as the intention of these standards is primarily related to commercial and industrial streetscapes.

E. Windows

Intent: To promote business vitality, public safety and aesthetics through effective window placement and design, consistent with the Sandy Style. (Figures 17.90.120-A, 17.90.120-B, 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, and 17.90.120-H)

Finding 28. Section 17.90.120(E) Windows does not apply to this park project as no walls are proposed on the picnic shelter building.

F. Landscaping and Streetscape Design.

Intent: To promote business vitality, public safety and aesthetics through effective landscaping and streetscape design, consistent with the Sandy Style, and to provide for a continuous pedestrian network that promotes pedestrian safety, comfort and convenience, and provides materials and detailing consistent with the Sandy Style. (See Figures 17.90.120-J and 17.90.120-K and Appendix G)

1. The provisions of Chapter 17.92 Landscaping and Screening General Standards shall apply.
2. Parcels abutting Highway 26 shall provide a landscape buffer comprising not less than 30 percent of the highway frontage, to a depth of not less than 20 feet. Within the buffer, existing trees 11 inches DBH or greater shall be preserved. New trees, shrubs, and groundcover shall be planted to create a landscape buffer and partial visual screen along the highway as specified below or as approved by the reviewing authority. If approved in writing by the Oregon Department of Transportation, this buffer may be located within the public right-of-way. Any new or modified access must fall outside the designated buffer. Landscape plans shall indicate proposed landscaping, signage and other proposed development.
3. Landscape buffer plantings shall contain a mixture of both deciduous and evergreen species selected from the list below and shall be of a sufficient quantity to provide a partial buffer within two years from the date they are planted:
 - Trees—Deciduous (minimum one and one-half-inch caliper)—Trees on the City of Sandy's Street Tree List. Evergreen (minimum eight—ten feet)—Hogan Cedar, Incense Cedar, Western Red Cedar, Douglas fir.
 - Small Trees/Shrubs—Vine Maple, Serviceberry, Chinese Kousa Dogwood, Red flowering Currant, Ceanothus "Blue Blossom," Rhododendron, Pacific Wax Myrtle.
 - Groundcover—Kinnikinnick, Salal, Low Oregon Grape, Coastal Strawberry, Rock Rose.

4. All service and storage areas must be screened from view from all adjacent rights-of-way. (See Figure 17.90.120-K.)

Finding 29. The landscape buffer requirement along Hwy 26 has been met. There is approximately 350 feet of frontage along Hwy 26. Thirty (30) percent of this is 105 feet. The applicant has split up the required buffer to both the east and west ends of the park adjacent to Hwy 26.

The west end of the park adjacent to Hwy 26 is made up of existing Douglas firs, tagged for retention, that have branches that extend down to the ground. These trees have a minimum 11-inch DBH and are all over twenty (20) feet tall. This makes the screen almost totally opaque from the adjacent houses and Hwy 26. Additional landscaping is used to fill in along Hwy 26. The landscaped area is 28 feet long by 20 feet deep.

The northeast end of the park directly adjacent to Hwy 26 is made up entirely of new vegetation and landscaping. It is planted and arranged with new Douglas firs to complete a totally opaque screen. This landscaped area is 77 feet long by 20 feet deep.

G. Civic Space.

Intent: To connect buildings to the public realm and create comfortable and attractive gathering places and outdoor seating areas for customers and the public, consistent with Sandy's Downtown Streetscape Design. (See Figures 17.90.120-L and 17.90.120-M)

Finding 30. The site development is a park that includes a covered picnic shelter, play area, basketball court, benches, and walking trails. Since the entire site acts as one large civic space, staff did not analyze civic space.

H. Lighting.

Intent: To promote business vitality, public safety, and aesthetics through effective outdoor lighting, consistent with the Sandy Style. (Figures 17.90.120-G, 17.90.120-H, and 17.90.120-M)

Finding 31. The applicant shall follow all Dark Sky Ordinance requirements as outlined in Chapter 15.30 of this document.

I. Safety and Security.

Intent: To promote natural surveillance of public spaces for safety and security.

Finding 32. Section 17.90.120(I)(3) requires street address numbers. **The applicant shall provide street address numbers measuring a minimum of six (6) inches high and of contrasting color, which clearly locate the park for patrons and**

emergency services. The applicant shall verify the location of the address with the Building Official and emergency service providers.

J. External Storage.

Intent: To promote land use compatibility and aesthetics, particularly where development abuts public spaces. (Figure 17.90.120-K)

Finding 33. The applicant has identified various locations around the park where there will be trash receptacles. The proposed trash receptacles have a decorative design to match materials used on each of the proposed shelters., but no garbage or recycle enclosure will be located at the site as parks maintenance staff will complete routine trash and recycling collection.

Finding 34. In accordance with Section 17.90.110(J)(3), mechanical, electrical, communications equipment including meters and transformers, and service and delivery entrances and garbage storage areas shall be screened from view from public rights-of-way and civic spaces. No mechanical, electrical, or communications equipment is proposed, so this section is not applicable.

CHAPTER 17.92 – LANDSCAPING AND SCREENING

Sec. 17.92.00. Intent.

This chapter prescribes standards for landscaping, buffering, and screening. While this chapter provides standards for frequently encountered development situations, detailed planting plans and irrigation system designs, when required, shall be reviewed by the City with this intent clause as the guiding principle.

Sec. 17.92.10. General provisions.

- A. Where landscaping is required by this Code, detailed planting plans shall be submitted for review with development applications and shall comply with the standards in this chapter. All required landscaping and related improvements shall be completed or financially guaranteed prior to the issuance of a Certificate of Occupancy.
- B. Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent public right-of-way is the right and responsibility of the property owner, unless City ordinances specify otherwise for general public and safety reasons. If street trees or other plant materials do not survive or are removed, materials shall be replaced in kind within six months.
- C. Significant trees shall be preserved and integrated into the design of a development. Trees of 11 inches DBH or greater (6 inches or greater in the FSH Overlay District) are considered significant. Plants to be saved and methods of protection shall be indicated on the detailed planting plan submitted for approval. Existing trees shall be considered preserved if no cutting, filling, or compaction of the soil takes place between the trunk of the tree and the area five feet outside the tree's drip line. Trees to be retained shall be protected from damage during construction by a construction fence located five feet outside the dripline.
- D. Planter and boundary areas used for required plantings shall have a minimum diameter of five feet (two and one-half foot radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of seven and one-half feet.
- E. In no case shall shrubs, conifer trees, or other screening be permitted within vision clearance areas of street, alley, or driveway intersections.
- F. Up to 35 percent of a site's total required landscaped area may be developed into pedestrian amenities, including sidewalk cafes, seating, water features, and plazas. Other pedestrian amenities may be approved as part of a discretionary review.

Finding 35. There are multiple picnic tables and benches located throughout the park.

- G. An applicant may choose to count one or more pre-existing vegetated areas toward a site's total required landscaped area, provided that the pre-existing vegetated area is located within the dripline of an existing tree and does not include any nuisance plants.
- H. For nonresidential development, or for residential development processed through discretionary review, required landscaping shall be designed and arranged to offer the

maximum benefits to the occupants of the development as well as provide visual appeal and building separation.

- I. All areas not occupied by paved roadways, walkways, patios, or buildings shall be landscaped.
- J. All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.

Finding 36. The applicant has submitted a full set of landscape plans that include detailed landscaping sheets that address the requirements in this chapter:

- 1.L0.-1 - Planting Demolition - Sec. 17.102.50. Survey of the tree to be removed or protected.
- 2.L0.02 – Planting Demolition Tree Table - Sec. 17.102.60. Tree list of retention and removed trees.
- 3.L1.-1 - Materials Plan - Sec. 17.92.60. Revegetation in non-landscaped or natural areas.
- 4.L3.-1 - Grading Plan – Section 17.102.50. Tree retention and protection requirements.
- 5.L4.-1 - Planting Plan & Legend- Sec. 17.92.60. Revegetation in non-landscaped or natural areas.
- 6.L5.-1 - Irrigation Plan & Legend - Sec. 17.92.40. Irrigation.

Sec. 17.92.20. Minimum improvements—Landscaping and screening.

The minimum landscaping area of a site to be retained in landscaping shall be as follows:

ZONING DISTRICT OR USE	PERCENTAGE
POS General Commercial	0%

Section 17.92.10 (F). Allows for up to only 35 percent of a site's total required landscaped area may be developed into pedestrian amenities.

Section 17.92.10 (I). All areas not occupied by paved roadways, walkways, patios, or buildings shall be landscaped.

Finding 37. Nothing is identified in the landscape section of the development code for the Parks and Open Space (POS) zoning district for this use. The total size of the site is 3.15 acres. The pedestrian amenities include walkways, playground equipment, sports courts, picnic shelters, and other pedestrian amenities that make up less than ten (10) percent of the site. The applicant is proposing to landscape or seed all areas not occupied with impervious surfaces.

Sec. 17.92.30. Required tree plantings.

Planting of trees is required for all parking lots with four or more parking spaces, public street frontages, and along private drives more than 150 feet long.

The City maintains a list of appropriate trees for street tree planting. Selection of species for street trees and trees within parking areas shall be made from the City-approved list. Alternate selections may be approved by the Director following written request as part of a discretionary review. The type of tree used shall determine frequency of trees in planting areas; tree spacing along streets and within parking areas shall meet the spacing standards in the table below. Trees in parking areas shall be dispersed throughout the lot to provide a canopy for shade and visual relief. "Medium" canopy trees are those whose canopy reaches 30 to 50 feet in width at maturity. "Large" canopy trees are those whose canopy reaches over 50 feet in width at maturity.

Area/Type of Planting	Canopy	Spacing
Street Tree	Medium	Maximum 30 ft. on center
Street Tree	Large	Maximum 50 ft. on center
Parking Lot Tree	Medium	Minimum 1 per 8 cars
Parking Lot Tree	Large	Minimum 1 per 12 cars

Street Trees may not be planted:

Unless approved otherwise by the City Engineer as part of a discretionary review:

- Within ten feet of fire hydrants and utility poles
- Within 20 feet of street light standards
- Within five feet from an existing curb face
- Within ten feet of a public sanitary sewer, storm drainage or water line

Finding 38. The street tree planting plan is detailed on L4.01 of the applicant's Planting Plan. The applicant is proposing a combination of twenty-two (22) Maple and Beech trees spaced roughly thirty (30) feet apart along Meadow Avenue and Fawn Street. This is consistent with a medium canopy tree species. The street trees will be planted in the landscaped areas between the back of curb to the edge of sidewalk. The applicant meets this requirement. **The applicant shall revise the plan to include at least one (1) street tree along the Highway 26 frontage of Map/Tax Lot 25E18CC 13400.**

Finding 39. All landscaping is recommended to be native, drought tolerant, and shall meet the minimum planting sizes as specified in Section 17.92.50. All tree and shrub species and size appear to meet the minimum requirements. Trees shall not be placed over any utilities.

CHAPTER 17.98 PARKING, LOADING, AND ACCESS REQUIREMENTS

Sec. 17.98.20. Off-street parking requirements.

A. Off Street Parking Requirements. Off street parking shall conform to the following standards:

Community Service	Number of Parking Spaces	Number of Bicycle Spaces
Not listed	None	8

Finding 40. Section 17.98.160 contains requirements related to bicycle parking facilities; however, the Sandy Development Code does not contain any required bicycle parking for park development. The applicant exceeds the minimum number of bicycle spaces but must provide a detail of all the different bicycle parking facility/racks that will be on site. Although not required, vehicle parking will be accommodated along the adjacent local streets, Meadow Avenue and Fawn Street as previously stated.

Finding 41. Per Section 17.98.160(B) each required bicycle parking space shall be at least two and one-half feet by six feet; vertical or upright bicycle storage structures are exempt from the parking space length. An access aisle of at least five feet wide shall be provided and maintained beside or between each row of bicycle parking. **The applicant shall submit a standard detail for the proposed bicycle racks meeting the space and security requirements in Section 17.98.160 for staff review and approval.**

CHAPTER 17.102 – URBAN FORESTRY

Sec. 17.102.50. Tree retention and protection requirements.

A. *Tree Retention.* The landowner is responsible for retention and protection of trees required to be retained as specified below:

1. At least three trees 11 inches DBH or greater are to be retained for every one acre of contiguous ownership, except in the Bornstedt Village Overlay (BVO) in accordance with Section 17.54.140.
2. Retained trees can be located anywhere on the site at the landowner's discretion before the harvest begins. Clusters of trees are encouraged.
3. Trees proposed for retention shall be healthy and likely to grow to maturity and be located to minimize the potential for blow-down following the harvest
4. Provided they meet the other requirements in this section, at least two of the required trees per acre must be of conifer species.

B. *Tree Protection Area.* All tree protection measures set forth in this section shall be instituted prior to any development activities and removed only after completion of all construction activity, unless these requirements are waived by the Director. Tree protection measures are required for land disturbing activities including but not limited to tree removal, clearing, grading, excavation, or demolition work.

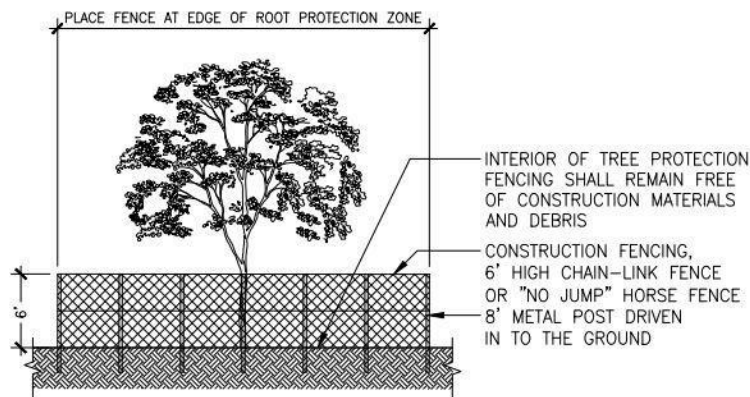
1. Trees identified for retention shall be marked with yellow flagging tape and protected by protective barrier fencing placed no less than ten horizontal feet from the outside edge of the trunk.
2. Required fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade.
3. No construction activity shall occur within the tree protection zone, including, but not limited to dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.

Finding 42. The applicant submitted a survey showing the tree retention and protection plan on sheets L0.01 (Planting Demolition) sheet L0.02 (Planting Demolition Tree Table). L0.02 provides a table cataloging 58 trees that are on site and distinguishes their status between "To be removed" and "To be preserved". The site is 3.15 acres and over forty (40) trees will be retained on the property meeting the retention tree requirement of three (3) trees per acre. There are five (5) separate tree stands are proposed to be protected with required fencing. The City confirms that the tree protection measures that are proposed are sufficient (see detail next page).

Finding 43. In accordance with the findings in File No. 22-038 CPA/ZC/SAP/SUB/TREE for the Bull Run Terrace Subdivision, there were 15 trees at 11-inches DBH or greater and in good condition, 3 trees at 11-inches DBH or greater and in fair condition, and 1 tree in poor condition. The applicant for the Deer Pointe Park development details a

tree retention plan (Sheet L0.01) with two trees for removal (tree tags #13096 and #15500) that the Bull Run Terrace Subdivision approval included for retention. Tree #13096 was defined as an 11-inch Douglas fir in good condition and Tree #15500 was defined as a 34-inch Douglas fir in good condition. These two trees need to be removed for planned park improvements.

In-lieu of removing the two tree retention trees, the applicant proposes to retain four additional trees that the Bull Run Terrace Subdivision approval did not include. These trees were tagged by the Bull Run Terrace applicant as Tree #13538 (39-inch western red cedar in good condition), #13539 (32-inch Douglas fir in good condition), #13540 (37-inch western red cedar in good condition), and an 8-inch western red cedar that was not tagged by the Bull Run Terrace applicant. **The trees that were defined for retention with the Bull Run Terrace Subdivision approval shall be retained, except for Tree #13096 and #15500. The applicant shall retain trees #13548, #13539, #13540, and an 8-inch western red cedar that was introduced with this application in-lieu of removal of #13096 and #15500.**



2 TREE PROTECTION FENCING

SCALE: NTS

Finding 44. The Planting/Demolition Plan (sheet L0.01) does not detail sufficient protection around some of the retention trees. **The applicant shall revise the plan set to detail additional tree protection fencing around Trees 48, 49, 50, 51, and 52. In accordance with the findings and conditions in File No. 22-038 CPA/ZC/SAP/SUB/TREE for the Bull Run Terrace Subdivision, the development to the east may be responsible for tree protection measures on portions of the property. The applicant shall coordinate with that development to ensure tree protection as follows: Tree protection fencing shall be installed at the critical root zone of 1 foot per 1-inch DBH to protect the retention trees on the parkland. Up to 25 percent of the area between the minimum root protection zone of 0.5 feet per 1-inch DBH and the critical root zone of 1 foot per 1-inch DBH may be able to be**

impacted without compromising the tree, provided the work is monitored by a qualified arborist. An arborist shall be retained on site to monitor any construction activity within the critical root protection zones of the retention trees or trees on adjacent properties that have critical root protection zones that would be impacted by development activity on the subject property.

Finding 45. The tree protection fencing shall be 6-foot-tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) every 50 feet to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.

Finding 46. The applicant shall request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site.

Finding 47. Any trees proposed for removal that are adjacent to retention trees shall be removed in a way that does not harm or damage adjacent trees. Tree removal and/or snag creation shall be completed without the use of heavy equipment in the tree protection zone; trunks and branches of adjacent trees shall not be contacted during tree removal or snag creation.

Finding 48. The applicant shall submit a post-construction report prepared by the project arborist or other TRAQ qualified arborist to ensure none of the retention trees were damaged during construction.

CHAPTER 15.30 DARK SKY ORDINANCE

Submittal of lighting fixture cut sheets and a photometric analysis in compliance with Chapter 15.30 is required. Any proposed exterior lighting shall be full cut-off and not exceed 4,125 Kelvins. The area 10 feet beyond the property line shall receive no more than one quarter (0.25) of a foot-candle of light from any site lighting. The photometric analysis shall detail the lot lines and a line 10 feet beyond the property lines.

Finding 49. There is no on-site lighting required along the interior walkways. No lighting is proposed at the shelters as the park is open only from dawn to dusk. **Any future lighting will have to be in character with the proposed shelter materials and meet Chapter 15.30, Dark Sky Ordinance.**

Finding 50. Street lighting fixture spacing shall be based on IESNA standards for roadway lighting, Type II roadway distribution. **If at a later date requested by the Public Works Department, a photometric plan shall be created by the applicant to demonstrate that sidewalks will be properly illuminated.**

City of Sandy - Streetlighting Guidelines

STREET CLASSIFICATION	POLE TYPE & HEIGHT	MOUNTING HEIGHT	MAST ARM TYPE AND LENGTH
Local street w/ planter strip	Direct-bury 2-piece fiberglass composite (Bronze) 30'	25'	8" x 2.375" OD aluminum, (Bronze finish) Other length per photometric plan

Finding 51. Given that streetlights would be City owned they would need to be equipped with Ubicquia control nodes. Streetlights currently exist on the west side of Meadow Avenue from Fawn Street to Deer Point Park's northern property line. The Public Works Department (Exhibit I) determined that no additional street lighting is necessary along the right-of-way abutting Tract D (Map/Tax Lot 25E18CC 13400).

CHAPTER 15.32 SIGN CODE

The sign regulations are intended to serve the community by:

- A. Requiring sound construction, by requiring that signs be maintained, and by limiting the number of visual images to be communicated;
- B. Providing an equitable opportunity to use signs outside of public rights-of-way as a communication medium;
- C. Providing standards for frequency, location, size, construction, type and number of signs;
- D. Providing reasonable limits on the magnitude and extent of graphic communication presented to the public;
- E. Regulating the location and quantity of temporary signs, and the circumstances under which they may be used and encourage all businesses to utilize permanent signs to the maximum extent possible and not rely on temporary signs for advertising needs; and
- F. Expressing elements of or reflecting Cascadian architecture by adapting elements of the Sandy Style into new signs.

Finding 52. The applicant proposed a location for a ground monument sign on Fawn Street roughly fifty (50) feet from the intersection with Meadow Avenue. However, no detail was provided to review or comment.

Finding 53. All future signage, including directional signage, shall be submitted to the Planning Division for review.

DECISION

For the reasons described above in the findings of fact, the proposed design review for Deer Pointe Park, located at 18200 Meadow Avenue, is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

A. The applicant shall apply for and receive approval for all necessary building, mechanical, plumbing, and electrical permits prior to any construction. Contact the Building Division for submission requirements. The plan set shall be revised to detail the following:

1. Detail all new roofing structurally designed to support a 30 lb. roof snow load.
2. Detail the park equipment and walkways as ADA accessible.
3. Detail a backflow prevention device for the irrigation system.
4. Detail gutters and downspouts connecting to an approved treatment and detention system.
5. Submit a standard detail for the proposed bicycle racks meeting the space and security requirements in Section 17.98.160 for staff review and approval.
6. Detail at least one (1) street tree along the Highway 26 frontage of Map/Tax Lot 25E18CC 13400.
7. Detail additional tree protection fencing around Trees 48, 49, 50, 51, and 52.

B. The applicant shall submit construction plans for review and approval by the Public Works Department and SandyNet, including the following revisions:

1. Engineering plans shall include all street improvements and utility installations which will be installed by the City, specifically a six-foot sidewalk and planting strip along the site's frontage on Fawn Street and Meadow Avenue, and an approximately forty-foot length of six-foot sidewalk along the frontage of Tract D on Highway 26.
2. Include design modifications that eliminate manholes, where possible.
3. Detail removal of the tree protection fencing around trees 53-58 as these trees will be removed for the future right-of-way improvements to the south of the park.
4. Detail that the graded park elevations will match up with the future sidewalk and road elevations along the north side of Fawn Street.

5. Detail what the 2-inch conduit is being installed for.
6. Detail two ADA ramps that align with the ramps at Buck Street.
7. Include additional details on the three stormwater facilities, including information on the discharge to maintain a static water level below eighteen (18) inches. Each facility, pond, or rain garden shall be designed to specifications that reflect the amount of impervious surface in the park. If a stand-up pipe maintaining a maximum discharge level exceeds 18 inches, a six-foot fence will have to be constructed. An adequate number of aquatic plants shall be installed in the stormwater detention ponds per Portland's Stormwater Management Manual.
8. If requested by the Public Works Department, a photometric plan shall be created by the applicant to demonstrate that sidewalks will be properly illuminated.

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

1. Apply for a grading and erosion control permit in conformance with Chapter 15.44. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction. Submit proof of receipt of a Department of Environmental Quality 1200-C permit or submit confirmation from DEQ if a 1200-C Permit will not be required.
2. In accordance with the findings and conditions in File No. 22-038 CPA/ZC/SAP/SUB/TREE for the Bull Run Terrace Subdivision, the development to the east may be responsible for tree protection measures on portions of the property. The applicant shall coordinate with that development to ensure tree protection as follows: Install tree protection fencing at the critical root zone of 1 foot per 1-inch DBH to protect the retention trees on the parkland. Up to 25 percent of the area between the minimum root protection zone of 0.5 feet per 1-inch DBH and the critical root zone of 1 foot per 1-inch DBH may be able to be impacted without compromising the tree, provided the work is monitored by a qualified arborist. An arborist shall be retained on site to monitor any construction activity within the critical root protection zones of the retention trees or trees on adjacent properties that have critical root protection zones that would be impacted by development activity on the subject property.
3. The tree protection fencing shall be 6-foot-tall chain link or no-jump horse fencing and a laminated sign (minimum 8.5 inches by 11 inches) shall be affixed every 50 feet to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.

4. Request an inspection of erosion control measures and tree protection measures as specified in Section 17.102.50 C. prior to construction activities or grading.

D. The applicant shall complete the following prior to occupancy of the building:

1. Receive approval from the City Public Works Department, SandyNet, and ODOT, for all public right-of-way improvements, utility installations, and stormwater facilities applicant is required to install under this decision.
2. Record the property line adjustment associated with File No. 25-002 PLA that was submitted by the Parks and Recreation Department to combine the two properties into one property.
3. Submit a post-construction report prepared by the project arborist or other TRAQ qualified arborist to ensure none of the retention trees were damaged during construction.
4. Provide street address numbers measuring a minimum of six (6) inches high and of contrasting color, which clearly locate the park for patrons and emergency services. The applicant shall verify the location of the address with the Building Official and emergency service providers.

E. General Conditions of Approval:

1. Easements will need to be recorded if any utilities through Deer Pointe Park are private, but public utilities do not require an easement through public land. All future private utility easements shall be recorded when finalized.
2. No signage has been proposed at this stage of the review. All future signage, including directional signage, shall be submitted to the Planning Division for review.
3. All engineering stamps shall be in compliance with structural plan requirements.
4. Any new utility lines (i.e., cable, electric, phone, etc.) shall be placed underground.
5. Although no new fire hydrants are proposed, if any new fire hydrant are nevertheless installed, they shall be ordered in an OSHA safety red finish and have a 4-inch non-threaded metal faced hydrant connection with cap installed on the steamer port (4 ½-inch NST x 4-inch Storz Adaptor). If a new building, structure, or dwelling is already served by an existing hydrant, the existing hydrant shall also be OSHA safety red and have a 4-inch non-threaded metal faced hydrant connection with cap installed.
6. Any future lighting will have to be in character with the proposed shelter materials and meet Chapter 15.30, Dark Sky Ordinance.

7. The trees that were defined for retention with the Bull Run Terrace Subdivision approval shall be retained, except for Tree #13096 and #15500. The applicant shall retain trees #13548, #13539, #13540, and an 8-inch western red cedar that was introduced with this application in-lieu of removal of #13096 and #15500.
8. Any trees proposed for removal that are adjacent to retention trees shall be removed in a way that does not harm or damage adjacent trees. Tree removal and/or snag creation shall be completed without the use of heavy equipment in the tree protection zone; trunks and branches of adjacent trees shall not be contacted during tree removal or snag creation.
9. In accordance with the findings and conditions in File No. 22-038 CPA/ZC/SAP/SUB/TREE for the Bull Run Terrace Subdivision, the development to the east, is responsible for the full Fawn Street improvements along Map/Tax Lot 25E18CD 01600 and the Highway 26 frontage improvements along Map/Tax Lot 25E18CD 01600.
10. In accordance with the findings and conditions in File No. 22-038 CPA/ZC/SAP/SUB/TREE for the Bull Run Terrace Subdivision, the development to the east, is responsible for utility installations through Map/Tax Lot 25E18CC13400 and Map/Tax Lot 25E18CD 01600.
11. All site runoff shall be detained such that post-development runoff does not exceed the predevelopment runoff rate for the 2-, 5-, 10- and 25-year storm events. Stormwater quality treatment shall be provided for all site drainage per the standards in the City of Portland Stormwater Management Manual (COP SWMM).
12. All work within the public right-of-way and within the paved area shall comply with the American Public Works Association (APWA) and City requirements as amended and should be constructed to the City's structural streets standards.
13. Exposed soils shall be covered by mulch, sheeting, temporary seeding, or other suitable material following grading or construction to maintain erosion control.
14. The applicant shall comply with all other conditions or regulations imposed by the Clackamas Fire District, 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 revocation of this approval.
15. This design review shall be void after two (2) years from the date of the Final Order unless the applicant has submitted plans for building permit approval.



Patrick Depa
Senior Planner

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by a party with appeal standings 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 Section 17.28.50;
5. Payment of required filing fees. Payment of required filing fees is jurisdictional and must accompany an appeal at the time it is filed;
6. The name and mailing address of the person or entity appealing the decision; and
7. List and two sets of mailing labels for property owners within 300 feet of the subject property (for appeal of a Type I decision) or 500 feet of the subject property for appeal of a Type II or Type III decision. The property owner list and labels shall be obtained from a Title Company no more than seven days prior to submitting the appeal. Note that a Type IV decision may be appealed to the Land Use Board of Appeals (LUBA) or to other tribunals in accordance with Oregon law.