

FINDINGS OF FACT and FINAL ORDER TYPE II LAND USE PROPOSAL

DATE:	April 18, 2025
PROJECT NAME:	Sandy Art Studio
FILE NO:	25-011 DR
APPLICANT/OWNER:	Maryn and Lewis Hooker
ADDRESS:	38756 Pioneer Blvd.
MAP/TAX LOT:	24E13CA 04700
SIZE OF PROPERTY:	0.17 acres
ZONING:	Central Business District (C-1)
STAFF CONTACT:	Patrick Depa, Senior Planner

BACKGROUND

This design review request involves a ±0.17-acre property located at 38756 Pioneer Blvd., (Clackamas County Assessor's Map No. 24E13CA, Tax lot 4700). The site has a zoning classification of Central Business District (C-1) and a comprehensive plan designation of Commercial (C). All adjacent properties are zoned Central Business District (C-1).

The applicant purchased the property in early 2024 which included a derelict boarding house. The applicant demolished the house in late 2024 and early 2025 with some financial assistance from the Sandy Urban Renewal Board. With the old boarding house now demolished, the applicant is proposing to construct a new commercial art studio providing leasable space and classrooms that also display and sell art in an onsite gallery. The interior and exterior design was completed by Architect Richard Wright from the Wright Design Studio.

New commercial construction is subject to the requirements of the Sandy Municipal Code (SMC) Chapter 17.90 Design Standards. Most of Sandy's commercial districts have specific requirements for exterior elevation design that they must adhere to. The design concept is referred to as "Sandy Style," which has many design elements that a building must possess.

However, there are two areas in the C-1 that are exempt from Sandy Style and have the option to reflect those design elements or not. The subject property is in one of those two exception areas and the applicant has the choice to follow the "Sandy Style" design and use those design elements or choose to use the other style described in Section 17.90.10.E - Downtown Area Exceptions referred to as "Area B".

The "Area B" exception is called "Farmhouse Style" and is part of the Historic Roadside Commercial District located on the south side of Pioneer Blvd. between Scales Avenue and Bruns Avenue.

The design elements that make up the Farmhouse Style consist of:

- a. The preferred siding material for building remodels is wood lap siding, consistent with the farm-style structures in that area.
- b. Building forms and detailing should express a farmhouse vernacular; buildings should incorporate front-facing gables, covered porches, and divided or double hung sash windows.
- c. Paint color should not contrast with the white-washed buildings on this block.

The applicant has designed the new commercial building to incorporate all of the design elements associated with a historic farmhouse look. The proposed new building will be larger than the previous house, with the front entranceway prominently facing Pioneer Blvd. The building will be three stories in height with a lower floor that will have access from the rear public parking lot named Pioneer Parking Lot.

This land use application was received on March 14, 2025, and deemed complete on March 18, 2025. The 120-day review deadline was set as July 16, 2025.

Applicant's Submittals:

EXHIBITS:

- A. Application
- B. Narrative
- C. Architecture Plans
- D. Civil Plans
- E. Landscape Plan
- F. Storm Water Report
- G. Traffic Letter
- H. Photometrics
- I. Lighting Cut Sheets

PUBLIC COMMENTS

Public notice was sent on March 18, 2025, in accordance with Chapter 17.22. No public comments were received by the time this final decision was issued.

EXTERNAL AGENCY AND CITY DEPARTMENT NOTES

Clackamas Fire District Fire Marshall – Letter/comments are attached (**EXHIBIT J**).

IT Director – That property is the only one on the strip that doesn't have a fiber connection. The developer shall reach out to the SandyNet office and let them know when the dry utilities are being

installed so it can be assessed at that time. This would be the cheapest and least intrusive setup for the new building.

Building Official – There are portions of the building that appear to be less than 5 feet from the property line. Since this is a building that will be designed using the Oregon Structural Specialty Code, the requirement for firewalls, fire sprinklers, opening protection and/or other methods of Fire Resistance Construction will be required.

Public Works – Applicant will need to treat and detain stormwater onsite. All downspouts and surface stormwater are proposed to go to the stormwater storage units inside the stormwater planter boxes behind the building. A final stormwater plan including the specifications of the storage containers and capacities will need to be reviewed by Public Works. Please coordinate with Public Works regarding the connection of the private storm overflow pipe to the existing public thirty-six (36) inch stormwater detention system located under the Pioneer Parking Lot. All soil erosion and storm detention requirements shall be met.

All construction work is proposed outside of the right-of-way. If any sidewalk is disturbed it will be replaced up to today's standards.

Oregon Department of Transportation (ODOT) – State Highway Improvements: From the applicant's narrative, ODOT understands no public street improvements are proposed. The applicant requests the City approve the installation of a landscape strip behind the existing sidewalk (outside of the public ROW) instead of placing a planting area between the curb and sidewalk. ODOT concurs with this proposal.

The applicant is advised that if any work is proposed and/or required by the City within the State highway right-of-way, permitting with ODOT will be required. All ODOT permits and approvals must reach 100% plans before the District Contact signs off on a local jurisdiction building permit or other necessary requirements before construction. If applicable, the applicant should communicate with the "District Contact" indicated below to determine permit requirements and to obtain application information.

Traffic Impacts: As part of the materials provided to ODOT, ODOT received a copy of a Traffic Impact memo prepared by Clemow & Associates, LLC and dated February 27, 2025. ODOT has reviewed the memo and has no traffic-related concerns with the proposed development. No additional analysis is required by ODOT.

See attached ODOT Formal Response Letter (ODOT #13627) to Case #25-011 DR (**EXHIBIT K**).

FINDINGS OF FACT:

Finding 1. MORATORIUM

The City is under a moratorium (Resolution 2024-11) restricting the increase of sanitary sewer connections and additional flows into the City's existing system and treatment plant. Because the applicant is proposing an equivalent use that was previously occupying this property and are not increasing the sanitary flows, the new construction can be approved. If the use of this new building changes in the future and additional sanitary flows are projected for the new use, and the moratorium issues haven't been resolved, the use may be denied. It was determined that the boarding house had 8 bedrooms when it was occupied. According to Appendix D of the consent decree, every three tenant bedrooms in a 'room and board facility' is the equivalent of one (1) residential unit. The boarding house had 8 bedrooms which equals 3 ERUs. The new building is a total of 3,359 square feet across three floors:

Upper Floor: 742 Square Feet

Main Floor: 1,231 Square Feet

Lower Floor: 1,386 Square Feet

Equivalent Residential Use (ERU) for Proposed Uses:

Upper Floor: Office is 742 square feet = **.33 of an ERU**

Lower Floor: Studio space - Personal Office space (1,386 sq ft) = **.70 of an ERU**

Main Floor: Coffee shop limited to 15 seats inside = **1 ERU**

Retail Shop (263 sq ft) = **.02 of an ERU**

Office space (270 Sq ft) = **.15 of an ERU**

Total = 2.20 ERU¹

Finding 2. TRAFFIC IMPACT

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 **Traffic Impact Letter** that was reviewed by the Public Works Department and DKS, the City's Traffic Engineer Consultant. Both reviewers concurred with the findings of the traffic impact letter and deemed that the publicly owned Pioneer Parking Lot and the available on-street parking is sufficient for the scope of this project.

¹ Section 13.16.030. of the Sandy Municipal Code: When calculating ERUs for all user classes except multi-family, fractions will be rounded to the nearest full ERU.

Finding 3. EASEMENTS

The City's public parking area, the Pioneer Parking Lot, has various easements that span multiple properties south of Pioneer Blvd. Per 2008- 077591, Grant of Easement, there is a seventy-three (73) foot wide portion of land across and abutting the southern boundary of the applicant's property that is conveyed as an easement for this parking lot.

The City's public parking area can be accessed from Bruns Avenue and owners and customers can park behind the buildings that front onto Pioneer Blvd. In addition, there is a non-exclusive pedestrian access easement eight (8) foot wide parallel and abutting the eastern boundary that contains a stairway connecting the public parking lot to Pioneer Blvd (see figure 1). The proposed construction will not impact these existing easements.



Figure 1

PLANNING DIVISION REVIEW

Sandy Development Code (applicable code chapters): 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.42 Central Business District (C-1); 17.84 Improvements Required with Development; 17.90 Design Standards; 17.92 Landscaping & Screening; 17.98 Parking Loading and Access Requirements; 15.20 Curbs, Sidewalks, and Underground Utilities; 15.30 Dark Sky Ordinance; and, 15.32 Sign Code.

CHAPTER 17.42 – CENTRAL BUSINESS DISTRICT (C-1)

Section 17.42.10. – Permitted Uses

B. Primary Uses Permitted Outright in buildings with less than 30,000 square ft. of gross floor area:

1. Retail uses;
2. Service and professional businesses and organizations, including but not limited to:
 - d. Community services;
 - e. Education facility;
 - i. Social organization.

Finding 4. A new commercial art studio providing leasable space and classrooms that also display and sell art in an onsite gallery are permitted use in the C-1 District.

Main floor (Pioneer Blvd) – Gift Shop/Gallery/Coffee Shop/Art Studio

Lower Floor – Ceramic Studios including Clay Firing/Kilns

Upper Floor – Classrooms and storage area

Section 17.42.30. – Development Standards

Lot Area	No minimum
Lot Dimension	No minimum
Setbacks	No minimum (Maximum 10ft.)
Lot Coverage	No maximum
Landscaping Requirement	10% minimum (includes required civic space per Section 17.90.110)
Structure Height	45 ft. maximum
Off-Street Parking	See Chapter 17.98
Design Review Standards	See Section 17.90.110

Finding 5. Lot area, lot dimensions, setbacks, lot coverage, and structure height have all been met. Landscaping, off-street parking, and design review standards will be addressed later in this decision.

CHAPTER 17.84 – IMPROVEMENTS REQUIRED WITH DEVELOPMENT

Sec. 17.84.00. – Intent.

This chapter provides general information regarding improvements required with residential, commercial, and industrial development. It is intended to clarify timing, extent, and standards for improvements required in conjunction with development. In addition to the standards in this chapter, additional standards for specific situations are contained in other chapters.

Finding 6. Some construction work is proposed outside of the Pioneer Blvd right-of-way just behind the sidewalk. If any sidewalk or curb is disturbed it will have to be replaced to the existing City standards. If any temporary construction access from Pioneer Blvd is needed, a right-of-way permit will be required.

The construction is proposed to primarily take place from the rear of the property or from the Pioneer Parking Lot. The applicant has the room to stage and store construction materials on their property within the Pioneer Parking Lot. However, due to the potential material stored during construction, **the applicant will need to apply for a “Temporary Structure” Permit for the storage of the above said materials if anything is located in the easements.** The “Temporary Structure” Permit will allow the applicant to locate a temporary job site trailer, storage containers, construction materials, construction equipment, temporary restrooms, and fencing in the parking lot of 38756 Pioneer Blvd. A temporary structure permit is processed under a Type I procedure/review and is good for a period not to exceed a year. Renewals shall be processed as a Type II procedure.

All downspouts and surface stormwater are proposed to be routed to the stormwater storage units inside the stormwater planter boxes to the south of the building. The final stormwater plan will be reviewed by Public Works to determine the connection point to the thirty-six (36) inch stormwater detention system currently under the Pioneer Parking Lot. Any control release method will be decided during Public Works review to determine if a device will be required after it discharges into the public system or before the discharge takes place.

CHAPTER 17.90 DESIGN STANDARDS

Section 17.90.10. – Applicability

The provisions of this chapter apply to structures and uses as specified in Sections 17.90.10(A) and (F) 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.
- F. *Downtown Area Exceptions:* Two areas within downtown Sandy contain several existing buildings or groupings of buildings that contribute to the unique character of Sandy's downtown (Appendix B). As such, new building construction within these areas may either comply with the Sandy Style design standards of this chapter, or with the details specified below. Examples of building elements that meet these standards are illustrated in Figures 17.90.110-A and 17.90.110-B. All other provisions of this chapter related to site design, landscaping, lighting, and external storage, and screening still apply.
- 2. **Area B – South side of Pioneer Boulevard between Scales Avenue and Bruns Avenue, and for the Odd Fellows Hall on the north side of Pioneer Boulevard:**
 - a. **The preferred siding material for building remodels is wood lap siding, consistent with the farm-style structures in that area.**
 - b. **Building forms and detailing should express a farmhouse vernacular; buildings should incorporate front-facing gables, covered porches, and divided or double hung sash windows.**
 - c. **Paint color should not contrast with the white-washed buildings on this block.**

Finding 7. The subject property is located in Area B and the applicant has chosen to follow the “Farmhouse-Style” vernacular. The “Farmhouse-Style” evokes the stark functionality of a hometown business that revitalizes the traditional rural American farmhouse, which was simple and functional. The applicant is proposing the art studio building to adhere to a farmhouse vernacular, including a front facing gable, covered porches, exposed timbers, and cedar siding as required in Section 17.90.10.F(2).

Section 17.90.110. – Downtown and Village Commercial (C-1 and C-3) Design Standards

Development in the C-1 and C-3 districts shall conform to all of the following standards, as applicable. Where a conflict exists between the requirements of this Chapter and any other code provision, this Chapter shall prevail.

A. Site Layout and Vehicle 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. (Figures 17.90.110-C and 17.90.110-D)

1. All lots shall abut or have cross access to a dedicated public street.
2. 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, as shown in Figure 17.90.110(C).
3. Adjacent parking lots shall be connected to one another when the City determines it is practicable to do so. Developments shall avoid creating barriers to inter-parcel circulation.

Finding 8. Off-street parking is not required in the C-1 District. However, there is on-street parking along Pioneer Blvd. as well as a large 58-space public parking lot directly behind the proposed Art Studio. The public parking lot actually transverses the applicant's property via an easement.

There are multiple pedestrian access points from the public parking lot to Pioneer Blvd. via pedestrian easements. There is also access from the parking lot to Pioneer Blvd. by using the sidewalk along Bruns Avenue. In addition, there is a non-exclusive pedestrian access easement eight (8) foot wide parallel and abutting the eastern boundary of the Art Studio property that contains a stairway connecting the public parking lot to the front of the building and to Pioneer Blvd.

B. Building Facades, Materials, and Colors

1. **Articulation.** The Farmhouse-Style Design is slightly simpler and less specific than the Sandy-Style Design but still relies on similar materials and attributes describes below:
2. **Building Materials.** Exterior building materials shall convey an impression of strength and durability consistent with the Farmhouse/Sandy Style, as follows:
 - a. The following standard does not apply to residential components of development, except those requesting a Design Deviation. Buildings on the same site shall be architecturally unified. This provision shall apply to new construction, additions, and remodeling such that buildings are related in architectural style and share some common elements, such as color scheme, materials, roof forms, and/or detailing. Unity does not mean repetition or mirroring of building elevations.
 - b. Strong base materials such as natural stone (e.g., basalt, granite, river stone), split-faced rusticated concrete block, or brick 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 the 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.
- c. Foundations shall be designed to match the scale of the building being supported. Examples include sheathing the foundation structure with base materials and wall siding.
 - d. Siding shall consist of wood, composite-wood, concrete fiberboard, or fiber cement panels or shingles; stone; brick; split-faced or rusticated concrete block; or a combination of these materials. Stucco, synthetic stucco, and metal are permitted only as specified below. Vinyl and plastic are not permitted:
 - i. Where wood siding is used, it shall consist of horizontal (e.g., lap, v-groove, or tongue-and-groove) siding, vertical (board and batten) siding, shingles, or combinations thereof. Vertical grooved (i.e., T1-11) sheet siding and plain plywood are prohibited.
 - ii. Where board-and-batten siding is used, battens shall be a minimum of two inches wide by one inch deep and spaced 24 inches apart or closer; rough-sawn boards (specialty panel) are required, as opposed to panels having a resin overlay.
 - iii. Where masonry siding is used, it shall consist of brick, stone, or rusticated concrete block, and must incorporate decorative patterns over not less than 15 percent of every elevation where it is used. Examples of decorative patterns include multi-toned masonry units, such as brick, stone, or cast stone, in layered or geometric patterns or split-faced concrete block to simulate rusticated stone-type construction. Changes in pattern shall be used to accentuate breaks in building stories, corners, windows, structural bays, and building tops (e.g., parapets where flat roofs are allowed).
 - iv. Where metal siding is used, it shall be used as an accent only, comprising not more than 20 percent of the surface area of the building elevation (e.g., wainscoting or other accent paneling). Metal must be architectural grade and have a non-reflective (burnished or painted) finish conforming to the approved Color Palette. Metal may also be used for flashing, gutters, downspouts, brackets, lighting, and signage and similar functional elements.
 - v. Where stucco or synthetic stucco is used, it shall be used as an accent only, comprising not more than 20 percent of the surface area of the building elevation.

Finding 9. “Farmhouse-Style” architecture is connected with a domestic and functional design. The applicant followed the suggested material list explicitly using exposed brick, black metal finishes, prominent gables and triangular rooflines that provide straight

(clean) lines. The applicant also choose wall paneling both inside and out that has straight lines, from the classic farmhouse shiplap and board and batten. All of the siding consists of cedar wood siding both horizontal and vertical façade sections separated with belly bands equally spaced across the elevations.

The brick is being used as a base along the sides of the building creating the appearance of a strong foundation. The architect also extended the brick from the sides of the building towards the front separating the public and private space while creating multiple seating areas. The brick base extends up past the patio floor screening the seating area and creating a bench with a stucco cap that can be used for seating. Running adjacent to the pedestrian stairway, the brick wall and cap act as a retaining wall. The brick wall and stucco cap support a wire railing with a wood rail above that runs parallel along the wrap around patio.

The architect is proposing large beams of exposed timber under multiple roof support configurations to present Farmhouse and Sandy Style accents. The large, exposed timber support beams are both vertical and horizontal in the front supporting the triangular roof lines and along the sides supporting patio roofing. The metal roof boundary has multiple exposed wood tails daylighting under the eaves.

3. **Pedestrian Shelters.** Buildings must incorporate pedestrian shelters, as follows:
 - a. Pedestrian shelters shall be provided over the building’s primary entrance(s) and pedestrian areas (i.e., sidewalks and civic spaces) abutting the subject building.
 - a. Features such as canopies, arcades, awnings, roofs overhangs, covered porches, alcoves, and/or porticoes are required.
 - c. Pedestrian shelters must extend at least five (5) feet over the pedestrian area.
 - d. Shelters designed with gables (e.g., over building entrances) are preferred over flat shelters, and must comply with the roof pitch standards in Section 17.90.110(C). Dome or bubble shaped awnings are not permitted.

Finding 10. The proposal includes a new covered entranceway including a wide covered porch area on the north and east elevation and an open porch on the west elevation. The new roof over the entranceway will have a 2:12 roof pitch. The primary roof pitch is proposed at 8:12 with additional secondary roof pitch forms proposed at 2:12. Roof pitches are exempt from the “Farmhouse Style” design and fall outside the requirements of the “Area B” design elements.

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.

Finding 11. The applicant is proposing colors directly from the City’s approved “Color Palette”. The applicant is proposing Vinyl Haven, Phelps Putty, and Charcoal Grey. Charcoal Grey is an approved color for the roof, but not a building elevation. **The applicant shall use the Color Palette to find an equivalent shade or hue to Charcoal Grey and update this information on the building plans.** The proposed brick at the base of the building shows it will be dyed to reflect a similar hue to the roof color.

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. (See Figures 17.90.110-C, 17.90.110-D, 17.90.110-E, 17.90.110-F, 17.90.110-G, 17.90.110-H, 17.90.110-I and representative photos in Appendix E)

1. Except as provided in subsections 17.90.110(C)(8), 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-1, C-3	6:12	4:12

2. 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

3. Visible roof materials must be wood shingle or architectural grade composition shingle, slate, or concrete tile. Metal with standing or batten seam may also be used conforming to the

Color Palette in “Area B”.

4. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from view from public rights-of-way and civic spaces by parapets, walls or by other approved means. Roof plans and elevations must show proposed equipment locations, approximate dimensions, and line of sight from public rights-of-way and civic spaces. The reviewing body may require additional equipment setbacks, screen walls, or other mitigation to ensure compliance.

Finding 12. All roof pitches are exempt from the “Farmhouse Style” design. The applicant is proposing a standing seam metal roof over multiple ridge points and “ells”. The architect is using multiple trusses creating various roof pitches in the wings subordinate to the main structure. The proposed metal roof conforms to the Downtown Sandy Color Palette. No mechanical equipment is proposed on the roof structures at this time.

D. Building Orientation and Entrances

Intent: To maintain and enhance downtown and village commercial streetscapes as public spaces, emphasizing a pedestrian-scale and character in new development, consistent with the **Historic Roadside Commercial and Farmhouse Style Design**; and to provide for a continuous pedestrian network that promotes pedestrian safety, comfort and convenience, and provides materials and detailing consistent with **adjacent architectural style**. (Figures 17.90.110-A, 17.90.110-B) Buildings shall be oriented to a public street or civic space. This standard is met when at least 50 percent of the subject site's street frontage is comprised of building(s) placed within ten feet of a sidewalk or an approved civic space and not more than 20 percent of the off-street parking on a parcel as required by SDC 17.98, tract or area of land is located between a building's front façade and the adjacent street(s).

1. Where parking is placed between a front façade and a street, a landscaped berm and/or architectural features, such as a knee wall, colonnade, arbor, trellis and/or similar device, shall be placed behind the sidewalk to partially screen the parking area from the sidewalk. The partial screen shall be designed to achieve at least 50 percent opacity at the time of installation, with openings for walkways connecting to the building's primary entrance.
2. Buildings shall provide at least two elevations where the pedestrian environment is “activated”. An elevation is “activated” when it meets the window transparency requirements in subsection 17.90.110(E), below, and contains a customer entrance with a pedestrian shelter extending at least five (5) feet over an adjacent sidewalk, walkway or civic space. Where providing a customer entrance on two (2) elevations is not practical, the reviewing body may allow a single entrance.
3. Buildings located at the intersection of two streets shall use a corner building entrance; where a corner entrance is not practical due to the internal functioning of the building space or due to physical constraints of the site (e.g., topography, accessibility, or similar circumstances), a

building entrance must be provided within 40 feet of the corner. The building corner must use detailing that emphasizes the corner location and is consistent with the Sandy Style. Examples of acceptable detailing include a rounded or chamfered (beveled) corner, weather protecting canopy, plaza, sculpture, and/or similar pedestrian-oriented features.

4. Primary entrances shall be architecturally emphasized and visible from the abutting public right-of-way or civic space and shall be sheltered with a canopy, overhang, or portico with a depth of at least five (5) feet. Architectural emphasis should be provided by a gabled shelter where practical, consistent with the Sandy Style. Detailing around the base of the building, such as stonework, benches, or art, should also be used to emphasize an entrance.

Finding 13. The architect's design creates an activated pedestrian environment. The design contains multiple customer entrances with pedestrian shelters extending over five (5) feet of the walkways including the patio leading into the civic space. Two of the four elevations meet or exceed the window transparency requirements in Subsection 17.90.110(E).

The building is not located at the intersection of two streets and is oriented towards Pioneer Blvd., a public street, with more than 50 percent of the subject property's street frontage consumed by a building. The new building will not have any off-street parking offered in front of the building. The proposed canopies extending from the front and sides of the building cover a wraparound porch with seating space leading to the public sidewalk in front of the proposed building.

E. Windows

Intent: To promote business vitality, public safety and aesthetics through effective window placement and design, consistent with the Farmhouse Style. (See Figures 17.90.110-C, 17.90.110-D, 17.90.110-E, 17.90.110-F, 17.90.110-G, 17.90.110-H, and 17.90.110-I, and representative photos in Appendix E.

1. **Unified Design.** Building plans must provide for unity in window placement and design so that all sides of a building relate to one another and multiple buildings on a development site relate to one another.
2. **Ground Floor Windows.** The ground floor elevation of all new buildings shall contain display areas, windows, and doorways along street frontages and where the building abuts a civic space as follows: Lots with multiple street frontages are required to meet this standard on only two frontages.

Building Size	Percentage Windows Required
0 - 10,000 sq. ft.	40 percent of ground floor elevation
Greater than 10,000 sq. ft.	25 percent of ground floor elevation

- a. Windows shall contain clear glass to allow views to interior activity or display areas. The bottom edge of windows shall be no less than three (3) feet above the adjacent finished grade. Where the internal functions of a building preclude windows at this height, the reviewing body may approve locating windows above or below this height. Display boxes affixed to a building's exterior are not counted in meeting the above standard.
- b. Windows shall be square or vertically oriented and may consist of vertically stacked or horizontally banked window units. Windows located over a door or transom windows may be horizontally oriented.
- c. Windows with any dimension exceeding six (6) feet shall be divided into smaller panes (e.g., 2 foot by 2 foot grid) with real divided panes, vinyl inserts or applied dividers.
- d. Windows shall have trim or moldings at least three (3) inches in width around them, or have reveals of at least three (3) inches in depth. Casings shall consist of a drip cap, head casing, side casings, and/or sills.

3. **Upper floor windows.**

- a. For non-residential components of development, the reviewing authority may require buildings exceeding 20 feet in height to provide upper-story windows along "activated" frontages. Such windows may be required for attic space, or applied to roof forms where no second story exists, to meet the articulation requirements under Section 17.90.110.B.1.
- b. For residential upper floors, windows shall cover a minimum of 15 percent of the elevation above the ground floor along "activated" frontages.
- c. Windows shall be square or vertically oriented. Individual window units shall not exceed five feet by seven feet. Any portion of a window unit with a dimension exceeding four feet shall be divided into smaller panes.
- d. At least half of all the window area in upper floors shall be made up of glass panes with dimensions no greater than two feet by three feet, unless approved by variance or adjustment. Upper story windows that have one foot by one foot grid inside double pane glass are appropriate and are encouraged.
- e. Window trim and moldings shall be the same as those used on the ground floor.

4. **Prohibited Windows.** The following window types are prohibited:

- a. Darkly tinted windows, mirrored windows, and similar windows are prohibited adjacent to street sidewalks, civic spaces and walkways.
- b. Glass curtain windows are not permitted facing public rights-of-way, except where the reviewing body finds that such windows are consistent with the Sandy Style.

Finding 14. The window placement and design provide for unity so that all sides of a building relate to one another while creating the public display spaces required and directed towards

the public right-of-way and civic space. The second-floor window percentage exceeds the 15% requirement which is required to activate the north and east elevations. The south elevation facing the parking lot also has 15% of the façade with windows covering the elevation.

At least half of all the window area in upper floors on the south and east elevations is made up of glass panes with dimensions no greater than two feet by three feet. The architect designed many of the square windows groups to be square and vertically oriented and multiple groups consist of vertically stacked or horizontally banked window units.

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 pedestrian network that promotes pedestrian safety, comfort and convenience, and provides materials and detailing consistent with the Sandy Style. (Figures 17.90.110-A, 17.90.110-B, 17.90.110-C, 17.90.110-D, 17.90.110-E, 17.90.110-F, 17.90.110-G, 17.90.110-H, 17.90.110-I, and Downtown Sandy Streetscape Design)

1. The provisions of Chapter 17.92, Landscaping and Screening General Standards shall apply except in the C-1 Zoning District where conformance with the Downtown Sandy Streetscape Design, as illustrated in Appendix F is required.
2. Where any conflict arises between provisions of the Sandy Streetscape Design and other City standards (e.g., sidewalk width, materials, or similar specifications), the Streetscape Design shall prevail. All applicable provisions of Chapter 17.92 Landscaping and Screening General Standards must be met, except as modified by the Downtown Sandy Streetscape Design.

Finding 15. The applicant removed a large Douglas Fir tree adjacent to Pioneer Blvd. and is proposing to install an Autumn Blaze Maple, a canopy tree, as their street tree requirement. An Autumn Blaze Maple is considered a "Large" canopy tree whose canopy reaches over 50 feet in width at maturity.

Approximately four (4) feet between the proposed civic space (covered patio) and the public sidewalk is proposed to be landscaped with small ornamental trees and shrubs. The applicant is proposing to continue the same textured pavers that are under the covered patio and considered civic space as a path out to the Pioneer Blvd. sidewalk.

G. Civic Space

Intent: To connect buildings to the public realm and create comfortable and attractive gathering places and outdoor seating areas for the public, consistent with Sandy's Downtown Streetscape Design. (See Figures 17.90.110-H and 17.90.110-I).

1. Not less than three (3) percent of the ground floor area of every development shall be

improved as civic space. **The front patio and entry area may qualify as civic space.**

2. All civic spaces shall have dimensions of not less than eight (8) feet across and have a surface area of not less than 64 square feet. No civic space is required if the size of this space results in an area of less than 64 square feet.
3. Civic space improvements may include plazas, private extensions of sidewalks and walkways (i.e., to accommodate outdoor seating), public art, pedestrian-scale lighting, bus waiting areas, tourist amenities (e.g., way finding signs as approved by the city) or similar pedestrian amenities as approved through Design Review.
4. The highest priority locations for civic space are those areas with the highest pedestrian activity (e.g., street corners and mid-block pedestrian access ways) that have a western or southern exposure.
5. **Unless impractical, civic spaces shall abut a public right-of-way or otherwise be connected to and visible from a public right-of-way by a sidewalk or pedestrian access way; access ways shall be identifiable with a change in paving materials (e.g., pavers inlaid in concrete or a change in pavement scoring patterns and/or texture) or painted.** Where a right-of-way connection is not possible, the owner must provide a public access way easement to the civic space. Civic spaces shall not be gated or closed to public access, unless otherwise required by the city.

Finding 16. The front patio and entry area exceed the minimum amount of civic space required. The applicant is proposing an area of over four hundred and fifty (450) feet of covered patio and seating civic space. The civic space is delineated on the east side covered patio by a thirty (30) inch high wire railing with a wood rail cap above a stucco/brick bench with brick cap. The front elevation facing Pioneer Blvd. does not have a railing but does incorporate the stucco/brick bench with a brick cap at the seating patio.

The large area of civic space is accessed by a pedestrian access way; an access way that is identifiable from the public sidewalk with a change in textured paving materials. The proposed textured paving materials have not been identified as either a scored paver or as stamped concrete. The same materials are proposed for the walkway approach to the building and are required to have an identifiable change in paving materials or style from the Pioneer Blvd. sidewalk to the civic area (pre-approval is required). **The applicant shall identify the paving materials used for the civic space and pedestrian walkway used to approach the building and shall submit information on the materials to City staff for review and approval prior to installation.**

The steps from the lower parking lot to Pioneer Blvd. are considered private extensions of sidewalks and walkways and are considered civic space.

H. Lighting

Intent: To promote business vitality, public safety and aesthetics through effective outdoor lighting, consistent with the Sandy Style.

1. Streetscape lighting shall conform to the Downtown Sandy Streetscape Design and the requirements of Chapter 15.30, Dark Sky Ordinance.
2. Exterior lighting must be an integral part of the architectural design and must complement any ornamental street lighting and remain in context with the overall architectural character of the district. On-site light fixtures conforming to the Sandy Style are encouraged.
3. Lighting must be adequate for safety purposes. Walkways, parking lots, and building entrances should be illuminated at 1.5 – 2.0-foot candles.

Finding 17. All proposed lighting is in character with the proposed building materials and meet Chapter 15.30, Dark Sky Ordinance, especially in regard to foot candles and Kelvins. The majority of the lighting fixtures are recessed lamps underneath patio canopies that benefit the entrance and walkways as well as civic space around the building. All proposed lighting outside the canopies is fully shielded and downward facing and stays below the maximum allowed foot candles at each property line and the maximum allowed Kelvin output (3000K is proposed which is under the maximum allowed).

I. Safety and Security

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

1. Locate windows in a manner that enables tenants, employees and police to watch over pedestrian, parking and loading areas.
2. In commercial, public and semipublic development, including civic spaces, locate windows in a manner that enables surveillance of interior activity from the public right-of-way.
3. Provide street address numbers measuring a minimum of six (6) inches high, which clearly locates buildings and their entries for patrons and emergency services.
4. Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way and other public areas. (See also, subsection H Lighting.)

Finding 18. The applicant exceeds the minimum window percentage requirement in E. of this code chapter and has more than sufficient windows to facilitate natural surveillance to the building's main floor. There are no street address numbers proposed at this time. **The applicant shall meet with the Building Official to identify an agreed upon location to post the address. Street address numbers shall measure a minimum of six (6) inches high that clearly locates the building to its patrons and emergency services.**

The proposed lighting illuminates all the areas that may be accessed after dark including the entrance and walkways, as well as civic space around the building. The

lighting plan shows that the rear of the building has sufficient lighting to access the trash enclosure, rear walkways, and overhead door area.

J. External Storage and Screening

Intent: To promote land use compatibility and aesthetics, particularly where development abuts public spaces.

1. Exterior storage of merchandise and/or materials, except as specifically authorized as a permitted accessory use, is prohibited.
2. Where such storage is allowed, it must be screened from view from public rights of way and civic spaces.
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.
4. Trash collection and recycling storage areas must be located within the structure or otherwise screened from view in an enclosed facility. Such facilities must be screened from view from public rights-of-way and civic spaces behind a screening wall constructed to match the materials used on the primary building(s) on the subject site.
5. Exceptions to the above provisions may be allowed through Design Review where no other practical alternative exists and such equipment is made to be visually subordinate to the proposed building and landscape, for example, through the use of common materials for screening walls or landscape berms. The reviewing body may require additional setbacks, screening walls or other mitigation, for aesthetic reasons and to minimize odors or noise impacts on adjoining properties, public rights-of-way or civic spaces.

Finding 19. All outdoor mechanical equipment and trash/recycling areas have been accounted for and meet all development code requirements. The applicant is proposing to install the trash collection and recycling enclosure at the rear of the building to facilitate easier trash pickup. The Planning Division recommends that the applicant contact Hoodview Disposal and Recycling for any issues that may arise. The enclosure is constructed with brick materials that are a continuation of the lower elevations on the new building.

The proposed mechanical and electrical equipment, including meters, are proposed to be screened from Pioneer Blvd., the rear parking lot, and all civic spaces with a brick enclosure on the west side of the building that matches the brick elevations.

CHAPTER 17.92 – LANDSCAPING AND SCREENING

Per Section 17.92.10(L). – All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.

Section 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
C-1 Central Business District	10%

Finding 20. The majority of the landscaping will be installed along both the east and west sides of the building and at the rear of the building facing the walkways and public parking lot. There is also a small landscape area between the sidewalk and the covered patio to the north of the building. The total lot size is 7,504 sq. ft. Along with the lower floor building footprint, there are multiple patios, and a bike rack pad connected to the building totaling 32 percent lot coverage. The minimum amount of landscaping required is ten (10) percent lot coverage. The applicant is proposing 19 percent landscaping on the lot which includes some of the existing landscaping in the parking lot easement. The remaining lot area contains the Pioneer Public Parking Lot. The applicant meets the minimum landscaping requirement.

Section 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 of street trees and trees within parking areas shall be made from the City-approved list. 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. "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

Trees may not be planted:

- Within five feet of permanent hard surface paving or walkways, unless specific species, special planting techniques and specifications approved by the Director as part of a discretionary review are used.
- 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 21. The applicant utilizes adjacent public parking amenities for their parking needs. Currently there is sufficient parking along Pioneer Blvd., Bruns Avenue, and the Pioneer Parking Lot directly behind the building. The public parking lot easement that is part of the applicant's property has a sufficient amount of landscaping in and adjacent to it. The applicant is not responsible for installing tree plantings along any other street except for Pioneer Blvd.

The part of the property that fronts Pioneer Blvd is fifty (50) feet wide. The applicant has chosen to plant one large street per the above "Table". This fulfills the requirement.

Section 17.92.40. – Irrigation. Landscaping shall be irrigated, either with a manual or automatic system.

Finding 22. The applicant has submitted a schematic irrigation plan that contains various valve zones that tie into the main water valve that includes a gate valve installation. There will be a backflow prevention device and a quick coupler with flush out adapters. The plans contain a complete irrigation layout and equipment list.

Section 17.92.100. – Screening of Service Facilities

Site-obscuring shrubbery or a berm, wall or fence shall be placed along a property line between residential and commercial and industrial zones and around unsightly areas such as trash and recycling areas, gas meters, ground level air conditioning units, disc antennas exceeding 36 inches in diameter and equipment storage or an industrial or commercial use with outside storage of equipment or materials.

Finding 23. The applicants plan details a "Heat Pump Enclosure" blended into the proposed landscaping meeting the minimum screening requirements. The enclosure is proposed on the west side of the building and is proposed to use the same brick materials as the exterior base or foundation.

Section 17.92.110. – Outdoor Storage

All outdoor storage areas for commercial, industrial, public, and semi-public uses are to be entirely screened by a sight obscuring fence, vegetative materials, or other alternative deemed appropriate by the Director.

Finding 24. The applicant is showing a six foot by ten-foot brick veneer trash and recycling enclosure that will be attached to the main building's south elevation facing the public parking lot. The lower level of the building is proposed with a large overhead door that will be used to bring large and small items in and out of the building. During daytime hours of operation, the overhead door may be open for ventilation or for the delivery of equipment, art materials, or supplies.

CHAPTER 17.98 – PARKING, LOADING, AND ACCESS REQUIREMENTS

Section 17.98.20. – Off-Street Parking Requirements

A. Off Street Parking Requirements. Off street parking shall conform to the following standards:
8.

Community Service	Number of Parking Spaces	Number of Bicycle Spaces
Art Studio and on-site gallery	None	2

Finding 25. Onsite parking is not required in the C-1 (Central Business District) zoning designation; however, public parking is available along Pioneer Blvd. and Bruns Avenue. The Pioneer Parking Lot to the south of the building is available for owners and patrons to park. The public lot contains over 50 parking spaces with direct pedestrian access from the parking lot to Pioneer Blvd.

Section 17.98.20 requires a minimum of two (2) bicycle parking spaces to be provided. The applicant is proposing a three-space bicycle rack on a concrete pad at the northwest corner of the property.

Section 17.98.150. – Lighting

Light elements shall be shielded and shall not be visible from abutting residential properties. Lighting shall be provided in all bicycle parking areas so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or vehicle parking lots during all hours of use.

Finding 26. All outdoor lighting is either located under the east and west open patio roofs, above walkways, or throughout areas leading to entranceways. The applicant is paying special attention to the concrete walkways by providing lighting units that direct their light down the steps. The bicycle rack is between the building overhang and the public sidewalk and is well lit. No additional parking lot lights are required in the back

parking lot as the City has already installed Cascadia Style posts that supply a sufficient amount of light to maintain security.

CHAPTER 15.30 – DARK SKY ORDINANCE

Sec. 15.30.070. - Non-permitted lighting.

- A. Newly installed fixtures, which are not downward-facing, full-cutoff fixtures.
- B. Lighting for non-residential uses which presents a clear hazard to motorists, cyclists, or pedestrians; or lighting for residential uses which does not meet all the applicable standards of this chapter.
- C. Lighting with a color temperature that exceeds 4,125 Kelvins (4125K).
- D. Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.
- E. Holiday laser light displays that pose safety risks to people, vehicles, or aircraft, or create a nuisance to neighboring properties are prohibited.

Finding 27. The photometric plan is good, but it excludes detailing foot candles in a few areas ten (10) feet beyond the property line. The area 10 feet beyond the property lines shall receive no more than one quarter (0.25) of a foot-candle of light. **The applicant shall revise the photometric analysis to detail the lot lines and a line 10 feet beyond the property lines.** The applicant has submitted a detailed lighting plan, cutsheets, and photometric analysis for the lighting requirements. All proposed lighting is directed downward towards specific intended areas. The proposed lighting units are not designed to allow light to bleed into unwanted areas or outside property lines.

CHAPTER 15.32. – SIGN CODE

Section 15.32.020. – Signs permitted only in commercial and industrial zones.

B. Wall Signs.

1. Sign Size (Area): Up to ten percent of the gross wall area of each wall, including windows. Businesses with less than 250 square feet of wall area may have a 25 square foot sign. A building with frontage on two or more streets shall be permitted wall signs on each frontage.
2. Maximum Area: 200 square feet in the C-1 zoning district; no limit other zones.

3. Multiple Uses: the permitted sign area for use located on the same site or within the same building may be divided among the uses. Separate wall signs or a joint-use wall sign may be erected, provided that the maximum allowable sign area is not exceeded.
4. Maximum Sign Projection: 18 inches.

D. Individual Business—Freestanding Signs. A freestanding sign is a sign on a frame, pole or other support structure which is not attached to any building. A monument sign is a type of freestanding sign. (See sample photo below.)

1. Allowed only for businesses with at least 50 lineal feet of public street frontage, and not part of an integrated business center.
2. Maximum Area on One Sign Face: 32 square feet in the C-1 district. Other districts: One square foot per lineal foot of site frontage, up to 100 square feet.
3. Maximum Height: 20 feet in the C-1 district, 30 feet in C-2 and industrial districts. Freestanding signs in C-3 (village commercial) districts are limited to monument signs with a maximum height of eight feet.
4. Extra Sign Area for Large Frontages (Does Not Apply to C-1 and C-3 Districts):
 - a. The sign area may be increased .25 square feet for additional lineal foot frontage over 300 feet with a maximum of 150 square feet of area; or
 - b. One additional free-standing sign may be installed through a Type II Design Review process. The sign area for the additional sign is up to one square foot per foot of frontage over 300, to a maximum of 100 square feet.
5. Corner Signs: signs facing more than one street shall be assigned to a frontage (for area calculations) by the applicant.
6. Multiple Frontages: Businesses which are not on a corner, with frontage on two or more streets, shall be permitted the use of a freestanding sign on each frontage.
7. Individual Business Pad Location. A business located on the same lot as two or more commercial businesses, but designed as a separate structure at an intersection of two streets is permitted one free standing sign. Size shall be calculated using the individual business standards above.
8. Design Standards. All new freestanding signs related to buildings that require conformance with the Sandy Style Design Standards of Chapter 17.90 shall comply with the following design standards:

- b. Strong base material such as natural stone (e.g., basalt, granite, river stone), split face rusticated concrete block or brick. Cultured stone may be allowed if it has a stone texture and is similar in appearance and durability to natural stone. A sign's base must extend at least 36 inches above the adjacent finished grade and wrap around all sides of the sign base.
- c. Rectangular-shaped signs shall provide a metal or wood (or material having the appearance of metal or wood) frame a minimum of three inches wide around all sides of the sign area.
- d. Exception: New freestanding signs in the C-1 Zoning District and located within the Downtown Exception areas (as identified in Chapter 17.90.10(F)) are exempt from these design standards and shall complement the architectural design of the building from which the sign is related.

Finding 28. No specific sign details were submitted with the design review application. All the above code regulations apply unless otherwise specified. Because this building is located in one of the “Downtown Exception Areas,” any proposed signs shall complement the architectural design of the building from which the sign is related per Section 15.32.020(D)(8).d.

CHAPTER 15.44. – EROSION CONTROL

Finding 29. A separate Grading and Erosion Control Permit will be required prior to any site grading. **The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite.**

Finding 30. Section 15.44.50 contains requirements for maintenance of a site including re-vegetation of all graded areas. **All erosion control and grading shall comply with Section 15.44 of the Municipal Code. The proposed development is greater than one acre which typically requires approval of a DEQ 1200-C Permit.**

Finding 31. **All the work within the public right-of-way shall comply with the American Public Works Association (APWA) and City requirements as amended.**

DECISION

The requested design review for a new commercial building to be located at 38756 Pioneer Blvd. has been **approved** based on the findings of fact contained in the staff report and by complying with the following conditions:

CONDITIONS OF APPROVAL

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

1. Apply and receive approval for a Grading and Erosion Control Permit and request an inspection of installed devices prior to any grading onsite. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. All erosion control and grading shall comply with Section 15.44 of the Municipal Code.
2. Submit proof of receipt of a Department of Environmental Quality 1200-C permit or submit confirmation from DEQ if a 1200-C Permit is not required.
3. Request an inspection of erosion control measures. Inspections of erosion control measures by the Public Works Department shall be completed prior to any earthwork or grading being conducted onsite.

B. Submit the following information with the Building Permit:

1. Pay any System Development Charges that apply prior to issuance of the building permits.
2. Submit plans for where the address will be placed on the building and/or sign.
3. Submit details on the proposed automatic irrigation system with building plans.
4. The applicant shall treat and detain stormwater onsite. A final stormwater plan including the specifications of the storage containers and capacities will need to be reviewed by Public Works. The applicant shall coordinate with Public Works regarding the connection of the private storm overflow pipe to the existing public thirty-six (36) inch stormwater detention system located under the Pioneer Parking Lot.
5. The applicant shall identify the paving materials used for the civic space and pedestrian walkway used to approach the building and shall submit information on the materials to City staff for review and approval prior to installation.
6. Charcoal Grey is an approved color for the roof, but not a building elevation. The applicant shall use the Color Palette to find an equivalent shade or hue to Charcoal Grey and update this information on the building plans.
7. The area 10 feet beyond the property lines shall receive no more than one quarter (0.25) of a foot-candle of light. The applicant shall revise the photometric analysis by detailing the lot lines and a line 10 feet beyond the property lines. An updated photometric analysis shall be submitted and approved by City staff prior to the issuance of a building permit.

8. Call the PGE Service Coordinators at 503-323-6700 when you are ready to start the project.
9. SandyNet shall be contacted after installation of infrastructure and coordinated for onsite inspection before backfilling. Please send plans for SandyNet design to Greg Brewster gbrewster@ci.sandy.or.us, 503-953-4604. On site contact for general questions and inspection will be Ron Yow, ryow@ci.sandy.or.us, 541-514-9771.

C. The following conditions shall be completed prior to the issuance of a certificate of occupancy:

1. Complete all public right-of-way improvements, if needed.
2. Complete all approved building and site improvements.
3. The applicant shall install street address numbers measuring a minimum of six (6) inches high, which clearly locates buildings and their entries for patrons and emergency services.

D. General Conditions of Approval:

1. The developer shall reach out to the SandyNet office and let them know when the dry utilities are being installed so it can be assessed at that time.
2. Due to portions of the building proposed to be less than 5 feet from the property line the requirement for firewalls, fire sprinklers, opening protection, and/or other methods of Fire Resistance Construction will be required per the Oregon Structural Specialty Code.
3. All construction work shall stay outside of the ODOT right of way or a permit will be required.
4. The applicant is advised that if any work is proposed and/or required by the City within the State highway right of way, permitting with ODOT will be required and an ODOT Miscellaneous Permit must be obtained.
5. The applicant will need to apply for a "Temporary Structure" Permit for the storage of any trailer or construction materials stored on site. A temporary structure permit is processed under a Type I procedure/review and is good for a period not to exceed one year. Renewals shall be processed as a Type II procedure.
6. Any proposed sign shall complement the architectural design of the building from which the sign is related per Section 15.32.020(D)(8).d.

7. Approval of this land use application shall be effective for a two-year period from the date of approval, unless the applicant has submitted plans for building permit approval. The Director may grant a one-year extension if the applicant requests such an extension prior to expiration of the initial time limit.
8. All mechanical, electrical, and communications equipment shall be screened from view from all public rights-of-way and civic spaces.
9. All the work within the public right-of-way shall comply with the American Public Works Association (APWA) and City requirements as amended.
10. All trees planted on the site shall be a minimum of 1.5-inches in caliper measured 6 inches above the ground and shall be planted per the City of Sandy standard planting detail. Trees shall be planted, staked, and bark mulch, vegetation, or other approved material installed prior to occupancy. Tree ties shall be loosely tied twine or other soft material and shall be removed after one growing season (or a maximum of 1 year). All shrubs shall be a minimum of one gallon in size or 2-feet in height when measured immediately after planting.
11. All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.
12. Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control for a period of two (2) years.
13. If the applicant chooses to postpone tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the trees/landscaping, assuring planting within 6 months. The cost of the trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year maintenance and warranty period.
14. Comply with all 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 the review of this approval and/or revocation of 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.