

**MINUTES**  
**City Council Meeting**  
**Monday, October 15, 2018 City Hall- Council Chambers,**  
**39250 Pioneer Blvd., Sandy, Oregon 97055 6:00 PM**

**COUNCIL PRESENT:** Bill King, Mayor, Jeremy Pietzold, Council President, Scott Horsfall, Councilor, John Hamblin, Councilor, Jan Lee, Councilor, and Carl Exner, Councilor

**COUNCIL ABSENT:** Jean Cubic, Councilor

**STAFF PRESENT:** Karey Milne, Recorder Clerk, Kim Yamashita, City Manager, Andi Howell, Transit Director, Emily Meharg, Associate Planner, Ernie Roberts, Police Chief, Greg Brewster, Assistant IT Director, Kelly O'Neill, Planning Director, Mike Walker, Public Works Director, and Sarah McNyre, Library Director

**MEDIA PRESENT:**

**1. Workshop**

1.1. Brownfield Site Cleanup - City Shops

6 - 25

Staff Report - 0057

Planning Director, Kelly O'Neill Jr, gave a brief overview and introduced Mr. Legarza with Clackamas County.

Mr. Legarza, distributed some handouts to help everyone understand what the Brownfield program is. Reviewed Who, What, Why, Where and how this might work for a potential project.

Council had a few questions regarding the process and how it would work.

Clackamas County Business and Community Services Economic Development

**2. Pledge of Allegiance**

**3. Roll Call**

**4. Changes to the Agenda**

None

**5. Public Comment**

None

**6. PRESENTATIONS**

6.1. Presentation by Sandy Watershed

26 - 53

Staff Report - 0052

Steve Wise, Director of Sandy Watershed Council, reviewed what they are about and reviewed funding situation from 2017-18 and went over some the current projects they are working on.

[SRWC Sandy City Council presentation 10-18](#)

**7. Ordinances**

7.1. **Public Hearing - Ordinance 2018-29 Amending Development Code Chapters 17.22, 17.28, 17.80, 17.82 and 17.102**

Staff Report - 0056

7.2.

54 - 71

Mayor King,

Open Public Hearing at 7:29pm

Reviewed the legislative script regarding the public hearing

Call for Staff Report: File No. 18-039 DCA proposes to amend Chapters 17.22, 17.28, 17.80, 17.82, and 17.102 containing procedures and conditions for notices, appeals, setbacks on arterial & collector streets, special setbacks on transit streets, and urban forestry regulations. These updates primarily remove inconsistencies in the development code.

City Manager, Kim Yamashita and Planning Director Kelly O'Neill Jr, gave a summary, some history and some challenges that are occurring with the current code.

Associate Planner, Emily Meharg, went through each section of code, discussed what the code said before and what changes are proposed.

Public Comment was open after each section of code.

Dale Hult - 39660 Pleasant Street, Sandy OR

Kathleen Walker - 15920 Bluff Rd, Sandy OR

Tom Orth - 26951 SE Forrester Rd, Boring OR

Ray Moore - 39660 Pleasant Street, Sandy OR

Bob West -

Jim Raze - 4020 NE 216th, Fairview, OR

There was extensive discussion through Public Comment, Council, City Attorney and Staff Members.

Council concluded putting together a committee to work on section 17.102 and to have a First Reading of Ordinance No. 2018-29 Striking Section 17.102 with Second Reading to be held November 5th.

Moved by John Hamblin, seconded by Scott Horsfall

*Motion to approve First Reading by Title Only Ordinance No. 2018-19 with the proposed code revisions to the City of Sandy code chapter 17.22, 17.28, 17.80, 17.82 striking section 5, 17.102.*

CARRIED.

[Comments on Ordinance 2018-29](#)

[Tree Code Letter-10-15-18](#)

[City of Sandy Mail - Response to letter to council](#)

[Jennifer Hart](#)

[Public Comment Ord. 2018-29 - Tracy Brown](#)

[20181024160323](#)

[20181024143324](#)

[Sign In Sheet](#)

## 8. **New Business**

City Manager, Kim Yamashita, asked for a change to the agenda, to move up Hoodview Disposal as they have been patiently waiting.

### 8.1. Hood View Disposal and Recycling Rate Increase

Staff Report - 0053

City Manager, Kim Yamashita, Introduced Hoodview Disposal, and gave a brief summary of why they are here tonight.

Hoodview Disposal gave an overview and asked council for a rate increase.

Moved by Jan Lee, seconded by Carl Exner

*Motion to approve rate increase by Hoodview Disposal.*

CARRIED.

8.2. Intergovernmental Agreement - City of Sandy Updated Transit Master Plan

Staff Report - 0055

Transit Director, Andi Howell,

In June of 2017, Council passed a resolution in support of Sandy Transit applying for funds to update the Sandy Transit Master Plan through the Transportation Growth Management (TGM) Program. She briefly reviewed the recitals of the attached IGA. She Recommends Council to authorize the City Manager to sign an Intergovernmental Agreement (IGA) between Sandy and the Oregon Department of Transportation (ODOT) to complete an updated Transit Master Plan. The budgetary impact would be, total Cost of project \$140,450 with a local match provided through Sandy Transit payroll tax in the amount of \$19,152.

Moved by John Hamblin, seconded by Scott Horsfall

*Authorize the City Manager to sign an Intergovernmental Agreement (IGA) between Sandy and the Oregon Department of Transportation (ODOT) to complete an updated Transit Master Plan.*

CARRIED.

**9. Consent Agenda**

9.1. No Items

**10. Report from the City Manager**

Transportation priorities workshop had to be moved to October 30th. She would like to thank Kelly and Emily and Staff for their hard work.

**11. Committee Reports**

Councilor Hamblin, School Board meeting, they had a brief discussion about the youth council, they will go back to the school board with a bit more information.

Councilor Exner, at the C4 Meeting, Maria Pope is new CEO with PGE and they are working to reduce their greenhouse emissions by 80% within the next 25 years, so you can expect increase in your PGE rates.

**12. Council Reports**

Councilor Lee, she was not here on the first when the plastic bag ban was talked

about, but she was informed that there is legislation going to state for plastics ban. Councilor Hamblin, The hiring committee has met twice, they were passed 19 candidates to review. It was a very strong candidate pool.

**13. Staff updates**

13.1. Monthly Reports

**14. Adjourn**



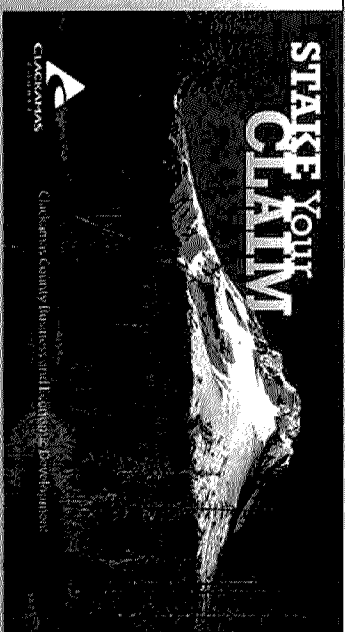
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Mayor, William King

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City Recorder, Karey Milne

# Clackamas County Business and Community Services Economic Development



Clackamas County Land Bank Authority (CCLBA)  
February 20th

Catherine Grubowski-Johnson, Manager  
Cindy Knudsen, Economic Development Coordinator  
Corina Copeland, Administrative Assistant  
John Soulligate, Special Projects Manager  
Sam Dicke, Economic Development Coordinator  
Jon Legarza, Economic Development Coordinator



A Division of  
Business & Community Services  
Laura Zenither, Interim Director

## **Why establish a Business Plan for Brownfield Land Bank Authority?**

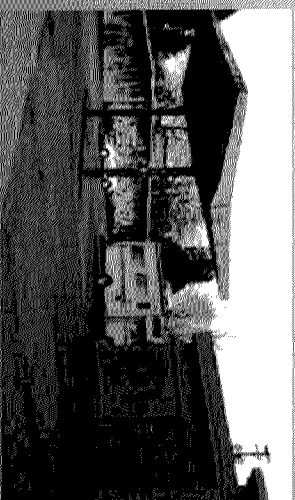
- **The Business Plan would build a pathway for the County to partner with other agencies, property owners with the goal of creating new long term Employment land opportunities in the County**
- **The Business Plan would identify the sources and uses for the County to startup the Brownfield Land Bank Authority**
- **The Business Plan would establish a project schedule**
  - **Submit Grant in March and report back to BCG in September with completed Business Plan for Land Bank Authority**
- **Trailblazers | Clackamas County would be the first county in the State to establish Land Bank Authority**



**STAKE YOUR  
CLAIM**

## What is a “Brownfield”?

- Generally-Any property with some environmental contamination that impedes development
- Per ORS 285A.185 “real property where expansion or redevelopment is complicated by actual or perceived environmental contamination.”
- Can be anything from a former dry cleaner or gas station site to a large scale industrial setting such as

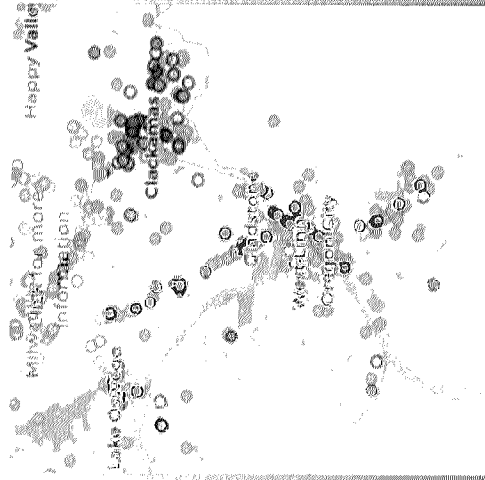


STATE OF OREGON  
ECONOMIC DEVELOPMENT



## Why Consider a Brownfields Land Bank Authority?

- Opportunity to reposition industrial land
- Negative value situation
- County has demand for Employment lands
- Brownfield sites draw little attention from users



CLAIM

## **What Tools Exist to Help Remediate Brownfields?**

- **New tools now exists: “Land Bank Authority” (HB 2734)**
- **New legislation passed June 2015: effective January 1, 2016**
- **Authorizes local governments to create separate land bank authorities to acquire and redevelop land**



**STATE YOUR  
OF ATM**

## **HB 2734-The Land Bank Authority Bill**

- **HB 2734, was enacted to enable local government to “create an authority for the purpose of acquiring, rehabilitating, redeveloping, reutilizing, or restoring brownfield properties that are located within the geographic boundaries over which the local government has jurisdiction.”**
- **Once established, a Land Bank Authority has “all powers necessary to accomplish the purposes of acquiring, rehabilitating, redeveloping, reutilizing or restoring brownfield properties.”**



**STAKE YOUR  
CLAIM**

## How does the Brownfields Land Bank Work?

Land bank authorities are created by resolution/ordinance of the local government. Once established, the Land Bank Authority is managed and controlled by a board of directors, the composition of which is made up of individuals from the local government and local community.

- > Land Bank is a municipal corporation under Oregon Law
- > Subject to all public records requirements
- > Prepare an annual report to the governor

## Clackamas County would apply for a grant to fund a business plan

Business Oregon manages the state-funded Brownfield Redevelopment Fund which provides financing assistance to evaluate the community and economic impacts.

- **Apply for a Grant of \$25,000**

- Anticipate award in March from Business Oregon

- **Issue an RFP to hire Consultant team**

- BED staff would manage the process

- Staff will research Michigan and Ohio Land Banks Models

- **Report back to the BOC in September**



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# **Clackamas County**

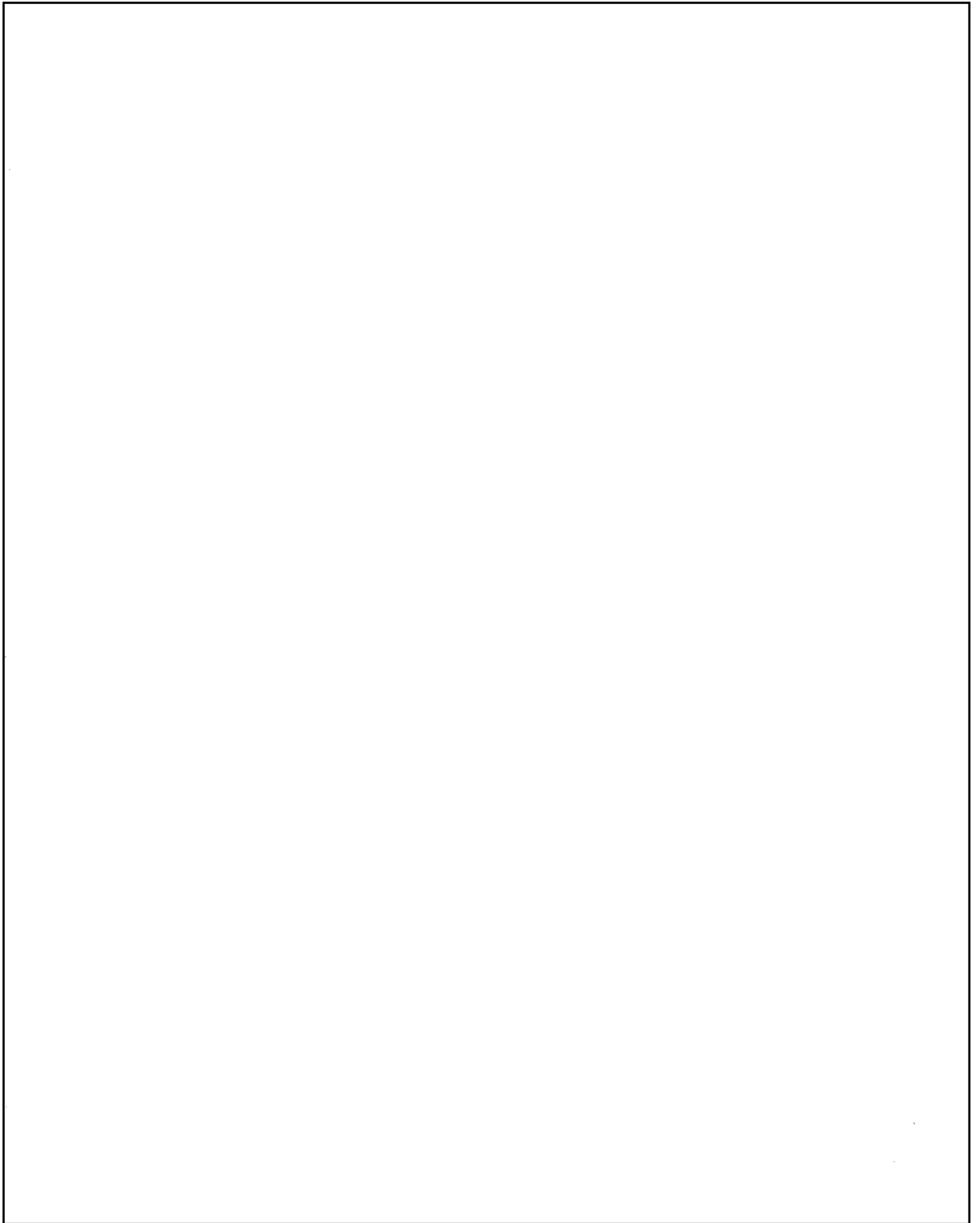
## **Business and Community Services**

### **Economic Development**

503-742-4BIZ



**STATE YOUR  
CLAIM**



**Enrolled**

**House Bill 2734**

Sponsored by Representative READ, Senator HANSELL, Representative FREDERICK, Representative HUFFMAN, Senators MONNES ANDERSON, ROBLAN (Pre-session filed.)

CHAPTER .....

AN ACT

Relating to remediation of contaminated property; creating new provisions; and amending ORS 244.050, 465.255, 466.640 and 468B.310.

Be It Enacted by the People of the State of Oregon:

**LAND BANK AUTHORITIES**

**SECTION 1.** As used in sections 1 to 8 of this 2015 Act:

(1) "Authority" means any public land bank authority created pursuant to sections 1 to 8 of this 2015 Act.

(2) "Brownfield" has the meaning given that term in ORS 286A.185.

(3) "Local government" means a local government as defined in ORS 174.116 or a inter-governmental entity created under an intergovernmental agreement between two units of local government under ORS 190.010.

(4) "Remedial action," "remedial action costs" and "removal" have the meanings given those terms in ORS 465.200.

**SECTION 2.** (1) A local government may, upon its own motion, consider whether it is advisable to create an authority for the purpose of acquiring, rehabilitating, redeveloping, reutilizing or restoring brownfield properties that are located within the geographic boundaries over which the local government has jurisdiction.

(2) If the local government, after public hearing according to the local government's rules, determines that it is wise and desirable to create in an authority the powers and duties set forth in sections 1 to 8 of this 2015 Act, the local government shall by ordinance or resolution create such an authority. The ordinance or resolution shall set forth:

(a) The name of the authority, which shall be "The Land Bank Authority of (local government), Oregon" or other similar distinctive name.

(b) The number of directors of the authority, which must be an odd number not less than five or more than 11.

(c) The names of the initial directors and their initial terms of service, which may not exceed four years.

(d) Other provisions that may be appropriate and not inconsistent with sections 1 to 8 of this 2015 Act or the laws of Oregon.

(3) Upon the adoption of an ordinance or resolution under subsection (2) of this section, the authority shall be deemed established as a municipal corporation of the state and as a



body corporate and politic exercising public powers. Notwithstanding any law to the contrary, the authority shall exist as a legal entity separate from the local government that created the authority.

(4) An authority organized under this section shall have all the powers and duties contained in sections 1 to 8 of this 2015 Act.

**SECTION 3.** (1) An authority shall be managed and controlled by a board of directors. The initial board of directors shall be appointed by the local government that created the authority. Subsequent directors shall be appointed as provided in this section and the rules adopted by the authority.

(2) The regular term of a member of the board is four years. The board may establish special terms for positions that are shorter than four years for the purpose of staggering the terms of members of the board. Before the expiration of the term of a member, a successor shall be appointed whose term begins on January 1 of the year next following. A member is eligible for reappointment but may serve no more than a total of three terms, including terms shorter than four years. If there is a vacancy for any cause, a new member shall be appointed to complete the unexpired term, subject to the requirements of subsection (3) of this section.

(3) The board of directors must include:

(a) At least one director who is also a member of the governing body of the local government that created the authority;

(b) At least one director who represents the largest municipal corporation within the geographic jurisdiction of the local government that is not a school district;

(c) At least one director who represents the largest school district within the geographic jurisdiction of the local government; and

(d) Subject to the maximum number of directors allowed by the ordinance or resolution establishing the authority, one or more directors who are also members of civic organizations that serve the same geographic jurisdiction as the authority and that have a purpose or mission that aligns with that of the authority.

(4) The board shall hold an annual meeting. The board shall select from among themselves at the annual meeting a chairperson, vice chairperson, secretary, treasurer and other officers as the board determines.

(5) The board shall adopt and may amend rules for calling and conducting its meetings and carrying out its business and may adopt an official seal. All decisions of the board shall be by motion or resolution and shall be recorded in the board's minute book, which shall be a public record. A majority of the directors of the board constitutes a quorum for the transaction of business, and a majority is sufficient to pass a motion or resolution.

(6) The board may employ employees and agents as the board deems appropriate and provide for their compensation. The employees and agents of the authority are not employees or agents of the local government that created the authority.

(7) A director is not entitled to compensation for service on the board of an authority.

**SECTION 4.** (1) An authority shall have all powers necessary to accomplish the purposes of acquiring, rehabilitating, redeveloping, reutilizing or restoring brownfield properties, including without limitation the power to:

(a) Sue and be sued, plead and be impleaded in all actions, suits or proceedings brought by or against the authority.

(b) Acquire, hold, use, enjoy and convey, lease or otherwise dispose of any interest in:

(A) Brownfield properties within the authority's geographic jurisdiction;

(B) Properties undergoing removal or remedial action under the supervision or approval of the Department of Environmental Quality that are within the authority's geographic jurisdiction; and

(C) Personal property.

(c) Conduct removal or remedial action on real property in which the authority has a property interest under an agreement with the Department of Environmental Quality.

(d) Assist parties that are interested in acquiring a property interest in real property held by the authority with entering into an agreement with the Department of Environmental Quality under ORS 465.327.

(e) Enter into contracts with any person.

(f) Borrow moneys and issue notes and revenue bonds for the purpose of carrying out the authority's powers.

(g) Invest moneys into property, securities or other instruments.

(h) Obtain insurance.

(i) Solicit and accept grants, gifts or other assistance from a public or private source.

(j) Develop and prepare plans or reports to evaluate the authority and to guide future improvements to the processes and operations of the authority.

(k) Develop priorities for the use of property of the authority that may include, but are not limited to, public use, affordable housing, open space and commercial or industrial development.

(l) Adopt and amend ordinances and resolutions.

(2) An authority may establish an advisory committee to advise the board of directors of the authority on the interests of the community in the actions of the board and the authority. If a committee is established, a member of the committee shall serve as a liaison between the board of the authority and a community of interest affected by a decision or proposed decision of the board.

(3) An authority shall give public notice of a proposed disposition of any interest in real property held by the authority. The notice shall allow 30 days for the public to comment on the proposed disposition. The authority shall provide responses to comments prior to final disposition of the property interest.

(4) An authority shall annually prepare and submit a report to the Governor and, in the manner described in ORS 192.245, submit the report to the Legislative Assembly. The report must summarize the activity of the authority, including a list of real properties in which the authority has acquired or disposed of a property interest, the method of acquisition or disposition, the price paid or received for each property and additional information as requested by the Governor, the President of the Senate or the Speaker of the House of Representatives.

SECTION 5. (1) Except as provided in subsection (2) of this section, the debts, obligations and other liabilities of an authority are not a general or other obligation or liability of the local government that created the authority.

(2) A local government may incur debt, including the issuance of bonds under any bond-issuing authority available to the local government, on behalf of an authority created by the local government and, by ordinance or resolution, deem a debt incurred under this subsection to be a general obligation of the local government and a charge upon its tax revenues.

SECTION 6. (1) Except as provided in subsection (2) of this section, an authority, all assets owned by the authority, the income from those assets, and all bonds issued by the authority, together with the coupons applicable to those bonds and the income from the bonds, shall be exempt from all taxation in the State of Oregon.

(2) The real and personal property owned by the authority and leased to a third party shall be subject to property taxation if the property would be subject to taxation if owned by the lessee.

SECTION 7. (1) An authority shall keep a record of the authority's remedial action costs. (2) Notwithstanding any law to the contrary, an authority may, based on the record compiled by the authority under subsection (1) of this section, bring an action to recover from a person liable under ORS 465.255 or 465.260 the amount of the authority's remedial action costs.

(3) In an action brought by an authority to recover remedial action costs under ORS 465.255 (1) or damages under ORS 468B.310 (1), the court may allow the authority to recover costs, expert witness fees, reasonable attorney fees and prejudgment or preaward interest if the authority prevails in the action.

**SECTION 8. (1) Dissolution of an authority may be initiated:**

(a) By resolution of the board of directors of the authority, filed with the local government that created the authority, if the board determines that dissolution of the authority is in the best interest of the community served by the authority; or

(b) By resolution of the local government that created the authority:

(A) If, at the time of the annual meeting of the board, board members have not been appointed to fill vacancies on the board as required by section 3 of this 2015 Act; or

(B) If the local government determines that dissolution of the authority is in the best interest of residents within the jurisdiction of the local government.

(2) Within five days after a resolution of the board is filed or a resolution of the local government is adopted under this section, a copy shall be filed with the secretary of the authority, if any, or with any other officer of the authority who can with reasonable diligence be located.

(3) If there are no members of the board of directors of the authority, the local government shall act as or appoint a board of trustees to act on behalf of the authority to develop and implement a plan for dissolution.

(4) Within 60 days after initiation of the dissolution proceeding, a plan of dissolution shall be filed with the office of the clerk of the county in which the authority is located and shall be available for inspection by any interested person.

(5) Upon approval of dissolution by the governing body of the local government that created the authority, the authority shall be declared dissolved. If the local government has not appointed a board of trustees under subsection (3) of this section:

(a) The board of directors shall constitute a board of trustees that shall pay the debts or procure releases of the debts and dispose of the property of the authority; or

(b) The board of directors may designate the local government as the board of trustees for the purpose of winding up the affairs of the authority.

(6) After the affairs of the authority have been fully settled, all books and records of the authority shall be deposited by the board of trustees in the office of the county clerk of the county in which the authority is located. At the same time, the board of trustees shall execute under oath, and file with the local government that created the authority, a statement that the authority has been dissolved and its affairs liquidated. From the date of the statement, the corporate existence of the authority is terminated for all purposes.

**SECTION 9. ORS 465.255 is amended to read:**

465.255. (1) The following persons shall be strictly liable for those remedial action costs incurred by the state or any other person that are attributable to or associated with a facility and for damages for injury to or destruction of any natural resources caused by a release:

(a) Any owner or operator at or during the time of the acts or omissions that resulted in the release.

(b) Any owner or operator who became the owner or operator after the time of the acts or omissions that resulted in the release, and who knew or reasonably should have known of the release when the person first became the owner or operator.

(c) Any owner or operator who obtained actual knowledge of the release at the facility during the time the person was the owner or operator of the facility and then subsequently transferred ownership or operation of the facility to another person without disclosing such knowledge.

(d) Any person who, by any acts or omissions, caused, contributed to or exacerbated the release, unless the acts or omissions were in material compliance with applicable laws, standards, regulations, licenses or permits.

(e) Any person who unlawfully hinders or delays entry to, investigation of or removal or remedial action at a facility.

(2) Except as provided in subsection (1)(c) to (e) of this section and subsection (4) of this section, the following persons shall not be liable for remedial action costs incurred by the state or any other person that are attributable to or associated with a facility, or for damages for injury to or destruction of any natural resources caused by a release:

(a) Any owner or operator who became the owner or operator after the time of the acts or omissions that resulted in a release, and who did not know and reasonably should not have known of the release when the person first became the owner or operator.

(b) Any owner or operator if the release at the facility was caused solely by one or a combination of the following:

(A) An act of God. "Act of God" means an unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight.

(B) An act of war.

(C) Acts or omissions of a third party, other than an employee or agent of the person asserting this defense, or other than a person whose acts or omissions occur in connection with a contractual relationship, existing directly or indirectly, with the person asserting this defense. As used in this subparagraph, "contractual relationship" includes but is not limited to land contracts, deeds or other instruments transferring title or possession.

(3) Except as provided in subsection (1)(c) to (e) of this section or subsection (4) of this section, the following persons shall not be liable for remedial action costs incurred by the state or any other person that are attributable to or associated with a facility, or for damages for injury to or destruction of any natural resources caused by a release:

(a) A unit of state or local government that acquired ownership or control of a facility in the following ways:

(A) Involuntarily by virtue of its function as sovereign, including but not limited to escheat, bankruptcy, tax delinquency or abandonment; or

(B) Through the exercise of eminent domain authority by purchase or condemnation.

(b) A person who acquired a facility by inheritance or bequest.

(c) Any fiduciary exempted from liability in accordance with rules adopted by the Environmental Quality Commission under ORS 465.440.

(d) An authority that becomes the owner or operator of the facility as authorized in section 4 of this 2015 Act.

(4) Notwithstanding the exclusions from liability provided for specified persons in subsections (2) and (3) of this section such persons shall be liable for remedial action costs incurred by the state or any other person that are attributable to or associated with a facility, and for damages for injury to or destruction of any natural resources caused by a release, to the extent that the person's acts or omissions contribute to such costs or damages, if the person:

(a) Obtained actual knowledge of the release and then failed to promptly notify the Department of Environmental Quality and exercise due care with respect to the hazardous substance concerned, taking into consideration the characteristics of the hazardous substance in light of all relevant facts and circumstances; or

(b) Failed to take reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the reasonably foreseeable consequences of such acts or omissions.

(5)(a) No indemnification, hold harmless, or similar agreement or conveyance shall be effective to transfer from any person who may be liable under this section, to any other person, the liability imposed under this section. Nothing in this section shall bar any agreement to insure, hold harmless or indemnify a party to such agreement for any liability under this section.

(b) A person who is liable under this section shall not be barred from seeking contribution from any other person for liability under ORS 465.200 to 465.545 and 465.900.

(c) Nothing in ORS 465.200 to 465.545 and 465.900 shall bar a cause of action that a person liable under this section or a guarantor has or would have by reason of subrogation or otherwise against any person.

(d) Nothing in this section shall restrict any right that the state or any person might have under federal statute, common law or other state statute to recover remedial action costs or to seek any other relief related to a release.

(6) To establish, for purposes of subsection (1)(b) of this section or subsection (2)(a) of this section, that the person did or did not have reason to know, the person must have undertaken, at the time of acquisition, all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability.

(7)(a) Except as provided in paragraph (b) of this subsection, no person shall be liable under ORS 465.200 to 465.545 and 465.900 for costs or damages as a result of actions taken or omitted in the course of rendering care, assistance or advice in accordance with rules adopted under ORS 465.400 or at the direction of the department or its authorized representative, with respect to an incident creating a danger to public health, safety, welfare or the environment as a result of any release of a hazardous substance. This paragraph shall not preclude liability for costs or damages as the result of negligence on the part of such person.

(b) No state or local government shall be liable under ORS 465.200 to 465.545 and 465.900 for costs or damages as a result of actions taken in response to an emergency created by the release of a hazardous substance generated by or from a facility owned by another person. This paragraph shall not preclude liability for costs or damages as a result of gross negligence or intentional misconduct by the state or local government. For the purpose of this paragraph, reckless, willful or wanton misconduct shall constitute gross negligence.

(c) This subsection shall not alter the liability of any person covered by subsection (1) of this section.

**SECTION 10.** ORS 466.640 is amended to read:

466.640. (1) Any person owning or having control over any oil or hazardous material spilled or released or threatening to spill or release shall be strictly liable without regard to fault for the spill or release or threatened spill or release. However, in any action to recover damages, the person shall be relieved from strict liability without regard to fault if the person can prove that the spill or release of oil or hazardous material was caused by:

(a) An act of war or sabotage or an act of God.

(b) Negligence on the part of the United States Government or the State of Oregon.

(c) An act or omission of a third party without regard to whether any such act or omission was or was not negligent.

(2) Notwithstanding the provisions of subsection (1) of this section:

(a) A person who has entered into, and is in compliance with, an administrative agreement under ORS 465.327 is not liable to the State of Oregon for any spill or release of oil or hazardous material at a facility that is subject to ORS 465.200 to 465.545 existing as of the date of the person's acquisition of ownership or operation of the facility, to the extent provided in ORS 465.327.

(b) A person who has entered into, and is in compliance with, a judicial consent judgment or an administrative consent order under ORS 465.327 is not liable to the State of Oregon or any person for any spill or release of oil or hazardous material at a facility that is subject to ORS 465.200 to 465.545 existing as of the date of the person's acquisition of ownership or operation of the facility, to the extent provided in ORS 465.327.

**(c) An authority created under sections 1 to 8 of this 2015 Act is not liable to the State of Oregon or any person for any spill or release of oil or hazardous material at a facility that is subject to ORS 465.200 to 465.545 existing as of the date of the authority's acquisition of ownership or operation of the facility, to the extent provided in ORS 465.327 for a person that has entered into, and is in compliance with, an administrative agreement, judicial consent judgment or an administrative consent order.**

**SECTION 11.** ORS 468B.310 is amended to read:

468B.310. (1) Any person owning oil or having control over oil which enters the waters of the state in violation of ORS 468B.305 shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry. However, in any action to recover damages, the person shall be relieved from strict liability without regard to fault if the person can prove that the oil to which the damages relate, entered the waters of the state by causes set forth in ORS 468B.305 (2).

(2) Nothing in this section shall be construed as limiting the right of a person owning or having control of oil to maintain an action for the recovery of damages against another person for an act or omission of such other person resulting in the entry of oil into the waters of the state for which the person owning or having control of such oil is liable under subsection (1) of this section.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section:

(a) A person who has entered into, and is in compliance with, an administrative agreement under ORS 465.327 is not liable to the State of Oregon for any entry of oil into the waters of the state from a facility that is subject to the date of the person's acquisition of ownership or operation of the facility, to the extent provided in ORS 465.327.

(b) A person who has entered into, and is in compliance with, a judicial consent judgment or an administrative agreement consent order under ORS 465.327 is not liable to the State of Oregon or any person for any entry of oil into the waters of the state from a facility that is subject to ORS 465.200 to 465.545 and 468B.300 to 468B.500 that occurred before the date of the person's acquisition of ownership or operation of the facility, to the extent provided in ORS 465.327.

(c) An authority created under sections 1 to 8 of this 2015 Act is not liable to the State of Oregon or any person for any entry of oil into the waters of this state from a facility that is subject to ORS 465.200 to 465.545 and 468B.300 to 468B.500 that occurred before the date of the authority's acquisition of ownership or operation of the facility, to the extent provided in ORS 465.327 for a person that has entered into, and is in compliance with, an administrative agreement, judicial consent judgment or an administrative consent.

**CONFORMING AMENDMENTS**

**SECTION 12.** ORS 244.050 is amended to read:

244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon Government Ethics Commission a verified statement of economic interest as required under this chapter:

(a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, district attorneys and members of the Legislative Assembly.

(b) Any judicial officer, including justices of the peace and municipal judges, except any pro tem judicial officer who does not otherwise serve as a judicial officer.

(c) Any candidate for a public office designated in paragraph (a) or (b) of this subsection.

(d) The Deputy Attorney General.

(e) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the Secretary of the Senate and the Chief Clerk of the House of Representatives.

(f) The Chancellor and Vice Chancellors of the Oregon University System and the president and vice presidents, or their administrative equivalents, in each public university listed in ORS 352.002.

(g) The following state officers:

(A) Adjutant General.

(B) Director of Agriculture.

(C) Manager of State Accident Insurance Fund Corporation.

(D) Water Resources Director.

(E) Director of Department of Environmental Quality.

(F) Director of Oregon Department of Administrative Services.

(G) State Fish and Wildlife Director.

- (H) State Forester.
- (I) State Geologist.
- (J) Director of Human Services.
- (K) Director of the Department of Consumer and Business Services.
- (L) Director of the Department of State Lands.
- (M) State Librarian.
- (N) Administrator of Oregon Liquor Control Commission.
- (O) Superintendent of State Police.
- (P) Director of the Public Employees Retirement System.
- (Q) Director of Department of Revenue.
- (R) Director of Transportation.
- (S) Public Utility Commissioner.
- (T) Director of Veterans' Affairs.
- (U) Executive director of Oregon Government Ethics Commission.
- (V) Director of the State Department of Energy.
- (W) Director and each assistant director of the Oregon State Lottery.
- (X) Director of the Department of Corrections.
- (Y) Director of the Oregon Department of Aviation.
- (Z) Executive director of the Oregon Criminal Justice Commission.
- (AA) Director of the Oregon Business Development Department.
- (BB) Director of the Office of Emergency Management.
- (CC) Director of the Employment Department.
- (DD) Chief of staff for the Governor.
- (EE) Administrator of the Office for Oregon Health Policy and Research.
- (FF) Director of the Housing and Community Services Department.
- (GG) State Court Administrator.
- (HH) Director of the Department of Land Conservation and Development.
- (II) Board chairperson of the Land Use Board of Appeals.
- (JJ) State Marine Director.
- (KK) Executive director of the Oregon Racing Commission.
- (LL) State Parks and Recreation Director.
- (MM) Public defense services executive director.
- (NN) Chairperson of the Public Employees' Benefit Board.
- (OO) Director of the Department of Public Safety Standards and Training.
- (PP) Executive director of the Higher Education Coordinating Commission.
- (QQ) Executive director of the Oregon Watershed Enhancement Board.
- (RR) Director of the Oregon Youth Authority.
- (SS) Director of the Oregon Health Authority.
- (TT) Deputy Superintendent of Public Instruction.
- (h) Any assistant in the Governor's office other than personal secretaries and clerical personnel.
- (i) Every elected city or county official.
- (j) Every member of a city or county planning, zoning or development commission.
- (k) The chief executive officer of a city or county who performs the duties of manager or principal administrator of the city or county.
- (l) Members of local government boundary commissions formed under ORS 199.410 to 199.519.
- (m) Every member of a governing body of a metropolitan service district and the executive officer thereof.
- (n) Each member of the board of directors of the State Accident Insurance Fund Corporation.
- (o) The chief administrative officer and the financial officer of each common and union high school district, education service district and community college district.
- (p) Every member of the following state boards and commissions:
  - (A) Board of Geologic and Mineral Industries.

was nominated for public office described in subsection (1) of this section at the preceding primary subsection (1) of this section who was not a candidate in the preceding primary election, or who (4) Within 30 days after the filing deadline for the general election, each candidate described in required under ORS 244.060, 244.070 and 244.090.

in subsection (1) of this section shall file with the commission a statement of economic interest as (3) By April 15 next after the filing deadline for the primary election, each candidate described and 244.090.

on a board or commission listed in subsection (1) of this section shall file with the Oregon Govern- ment Ethics Commission a statement of economic interest as required under ORS 244.060, 244.070 (2) By April 15 next after the date an appointment takes effect, every appointed public official

8 of this 2015 Act.

(u) Every member of the board of directors of an authority created under sections 1 to ORS 362.054.

(t) Every member of a governing board of a public university with a governing board listed in (s) Every member of the board of directors of an authority created under ORS 441.525 to 441.595.

or 777.915 to 777.953.

(r) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725

(C) Director of the Investment Division.

(B) Chief of staff for the office of the State Treasurer.

(A) Deputy State Treasurer.

(q) The following officers of the State Treasurer:

(FF) Early Learning Council.

(EE) Oregon Growth Board.

(DD) Higher Education Coordinating Commission.

(CC) Capitol Planning Commission.

(BB) Oregon Health and Science University Board of Directors.

(AA) Columbia River Gorge Commission.

(Z) Pacific Northwest Electric Power and Conservation Planning Council.

(Y) Oregon State Lottery Commission.

(X) Oregon Facilities Authority.

(W) Workers' Compensation Board.

(V) Water Resources Commission.

(U) Oregon Transportation Commission.

(T) Oregon Racing Commission.

(S) Public Employees Retirement Board.

(R) Employment Relations Board.

(Q) Board of Commissioners of the Port of Portland.

(P) Energy Facility Siting Council.

(O) Mass transit district boards.

(N) State Marine Board.

(M) Oregon Short Term Fund Board.

(L) Oregon Liquor Control Commission.

(K) Land Conservation and Development Commission.

(J) Oregon Investment Council.

(I) State Board of Higher Education.

(H) Oregon Health Policy Board.

(G) Oregon Government Ethics Commission.

(F) State Board of Forestry.

(E) Fish and Wildlife Commission of the State of Oregon.

(D) Environmental Quality Commission.

(C) State Board of Education.

(B) Oregon Business Development Commission.



election by write-in votes, shall file with the commission a statement of economic interest as required under ORS 244.060, 244.070 and 244.090.

(5) Subsections (1) to (4) of this section apply only to persons who are incumbent, elected or appointed public officials as of April 15 and to persons who are candidates on April 15. Subsections (1) to (4) of this section also apply to persons who do not become candidates until 30 days after the filing deadline for the statewide general election.

(6) If a statement required to be filed under this section has not been received by the commission within five days after the date the statement is due, the commission shall notify the public official or candidate and give the public official or candidate not less than 15 days to comply with the requirements of this section. If the public official or candidate fails to comply by the date set by the commission, the commission may impose a civil penalty as provided in ORS 244.350.

**UNIT CAPTIONS**

**SECTION 13.** The unit captions used in this 2015 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2015 Act.

**Passed by House June 4, 2015**

.....  
Timothy G. Sekerak, Chief Clerk of House

.....  
Tina Kotek, Speaker of House

**Passed by Senate June 23, 2015**

.....  
Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2015

**Approved:**

.....M,....., 2015

.....  
Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2015

.....  
Jeanne P. Atkins, Secretary of State

# STATE OF THE SANDY

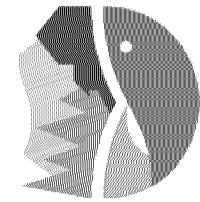


**Sandy River Basin  
Watershed Council**

## ***Bolstering Resiliency in a Decade of Post-dam Restoration***

Steve Wise  
Katherine Cory  
October 15, 2018

**Sandy City Council**



**SANDY RIVER**  
watershed council

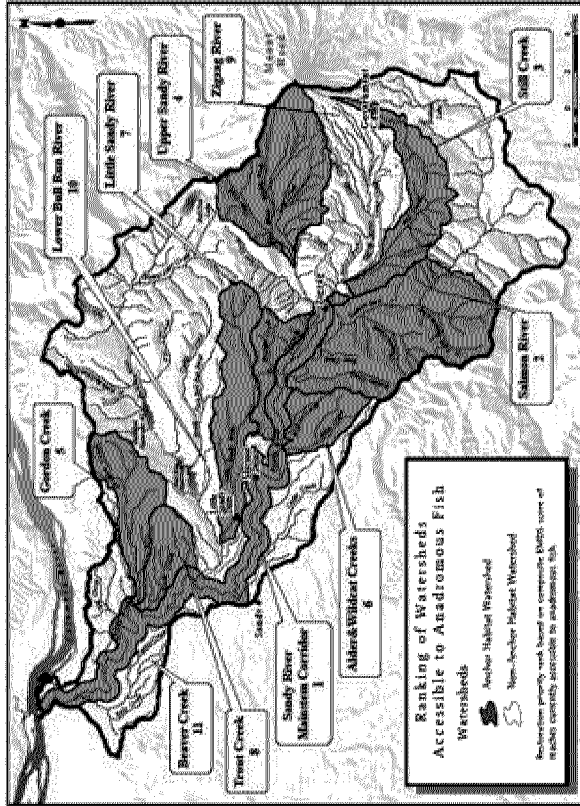
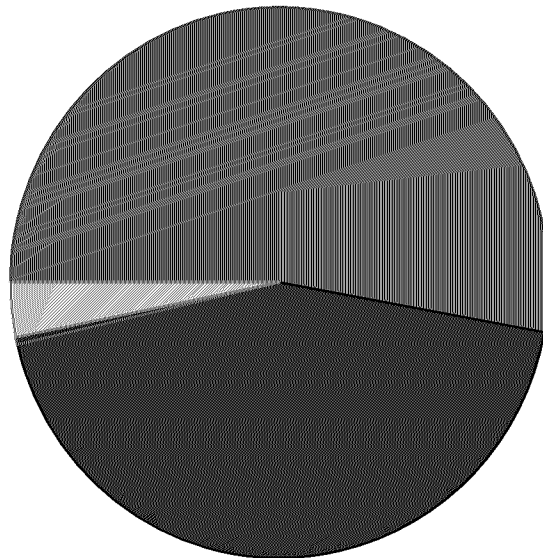


Photo: Josh Kling, Western Rivers Conservancy

*Mission — To restore and protect  
the natural, cultural, and  
historic resources of the  
Sandy River basin*

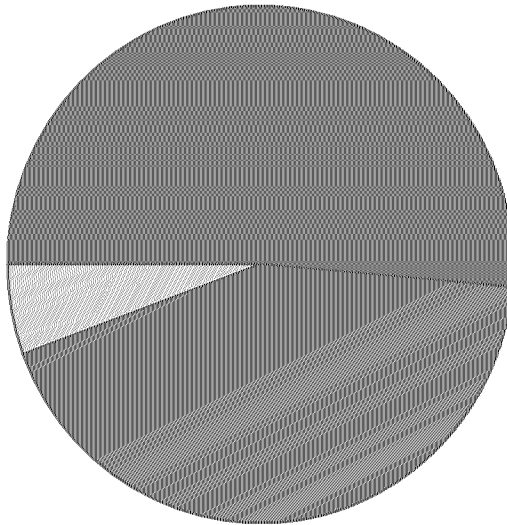
# SRWC 2017 Funding

## Income



- Government Grants
- Foundation & Trust
- Individual Donation
- Private

## Expenses



- Program/Project
- Human Resources
- Admin

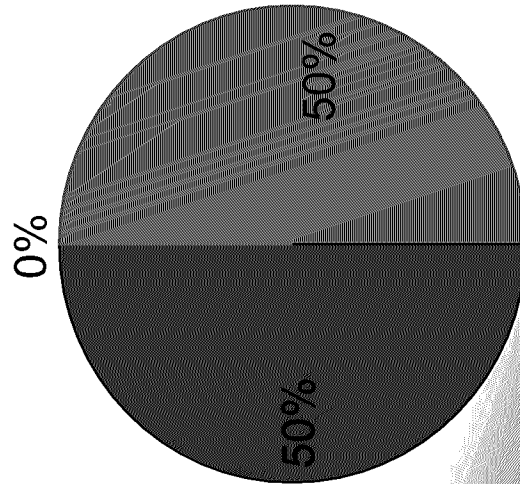
\$629,219.61

\$602,289.60

# SRWC 2018 YTD

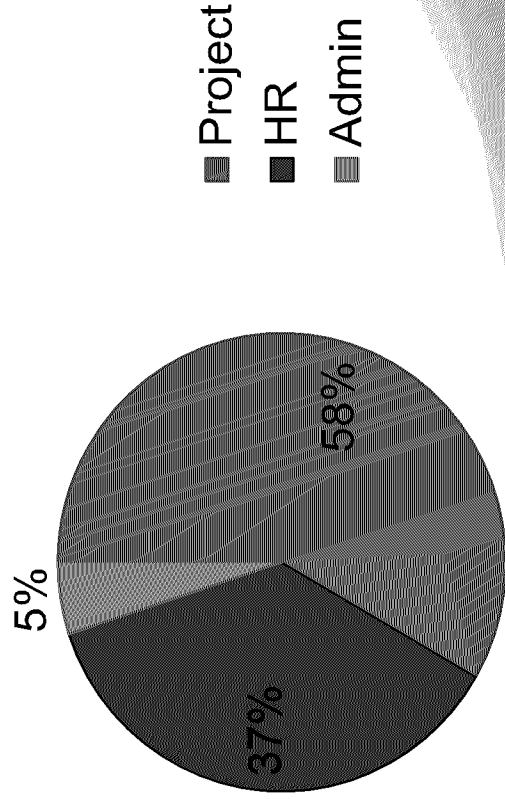
- Current bank balance: \$160,733.40
- Accounts receivable: \$119,320
- Approaching \$1M/yr including project expenses

## Income



Income: \$731,182

## Expense



Expense: \$694,094

# State of the Sandy

- 10 year progress review: Dam removal; restoration; fish; people
- 'Seven steps' toward a healthy future

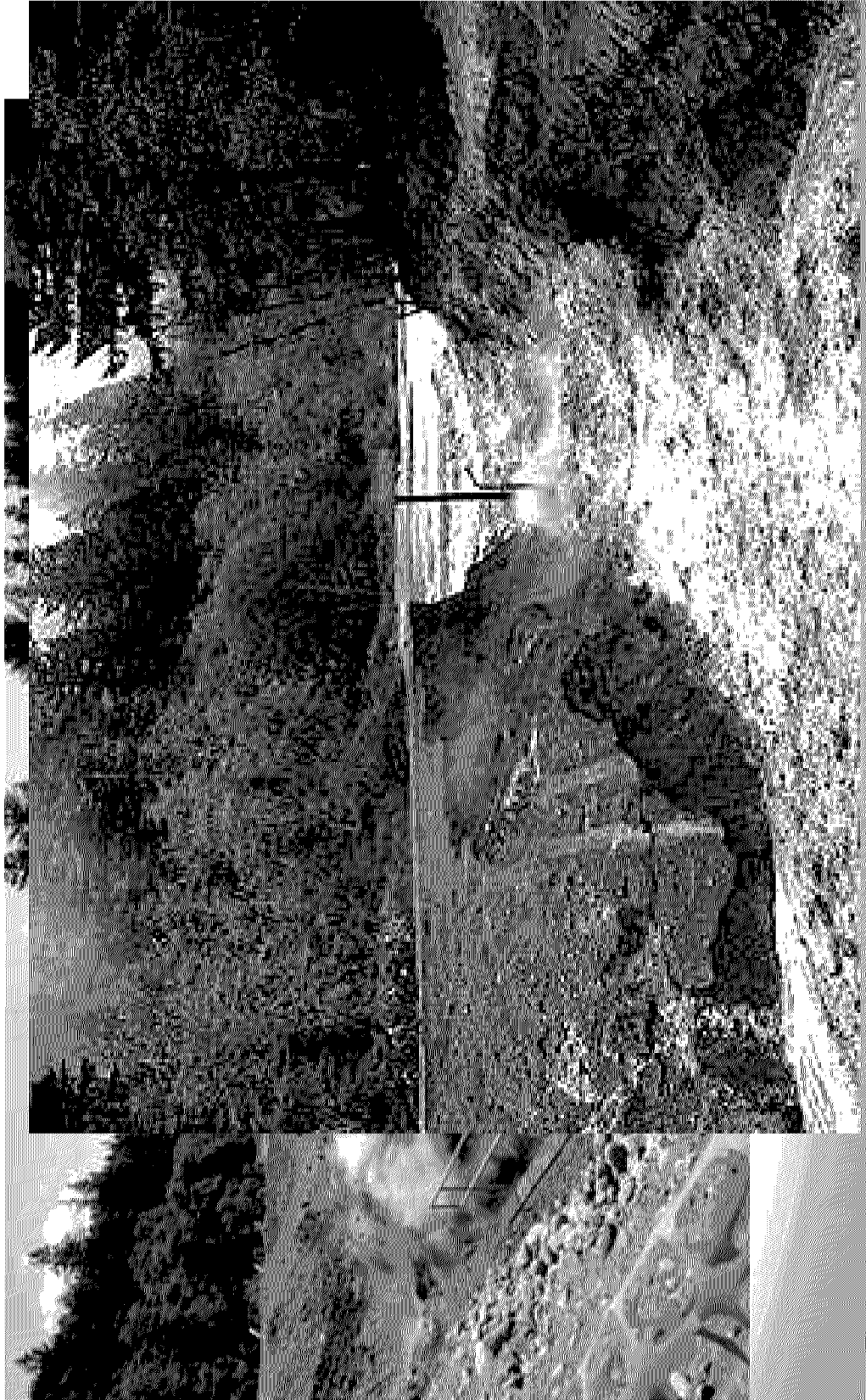
**STATE  
OF THE  
SANDY**



**Sandy River Basin  
Watershed Council**

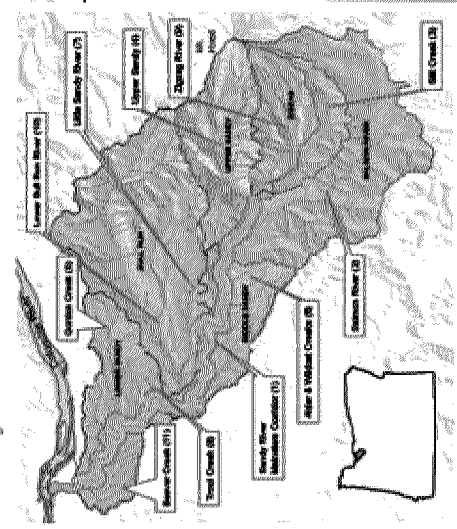
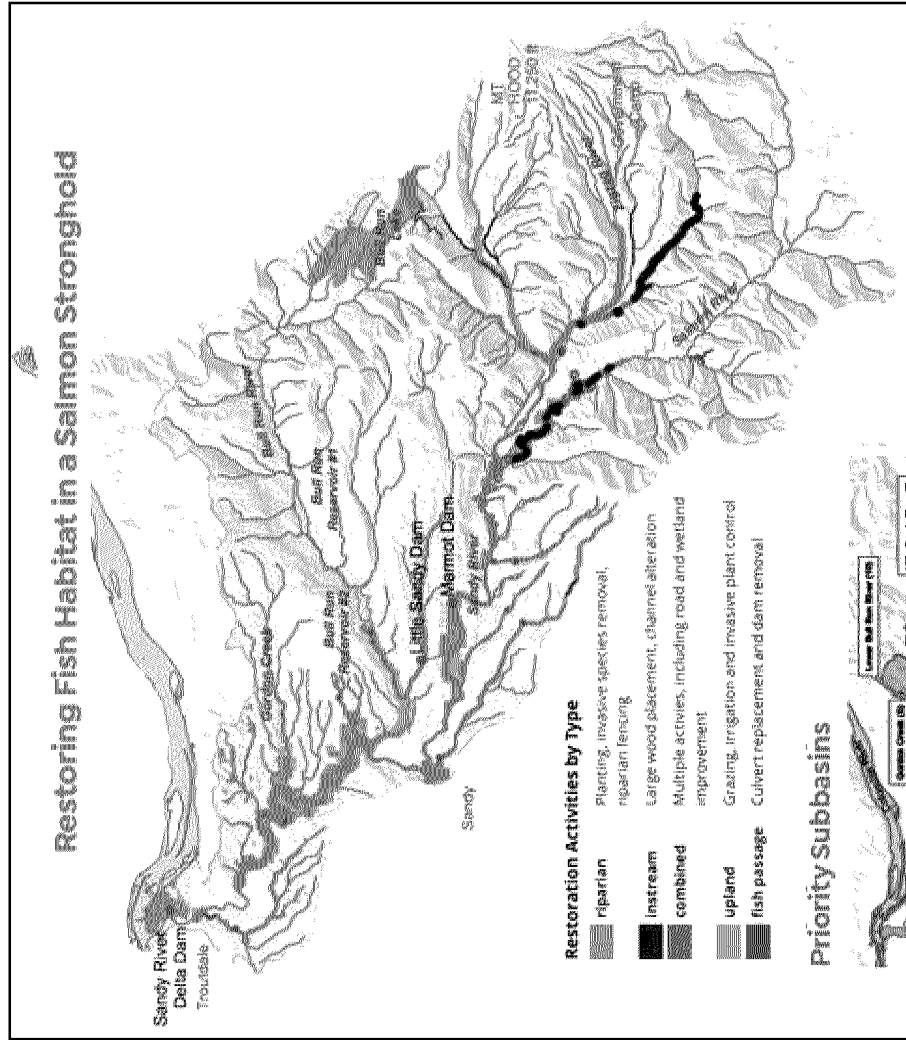


# Sandy Undammed



# Restoration Actions

- Prioritized sub-basins
- Actions addressing limiting factors
- In-stream complexity, riparian, passage/floodplain connectivity, others

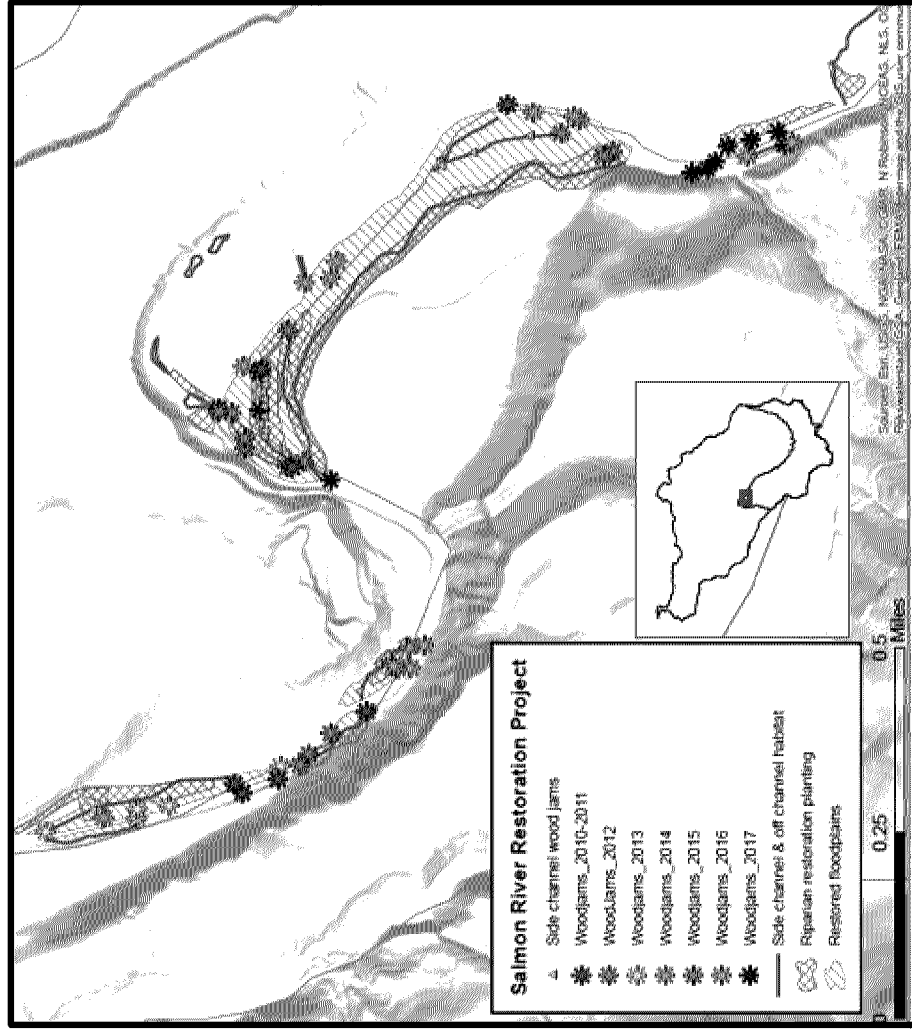




Subbasin Priority:

# Salmon River

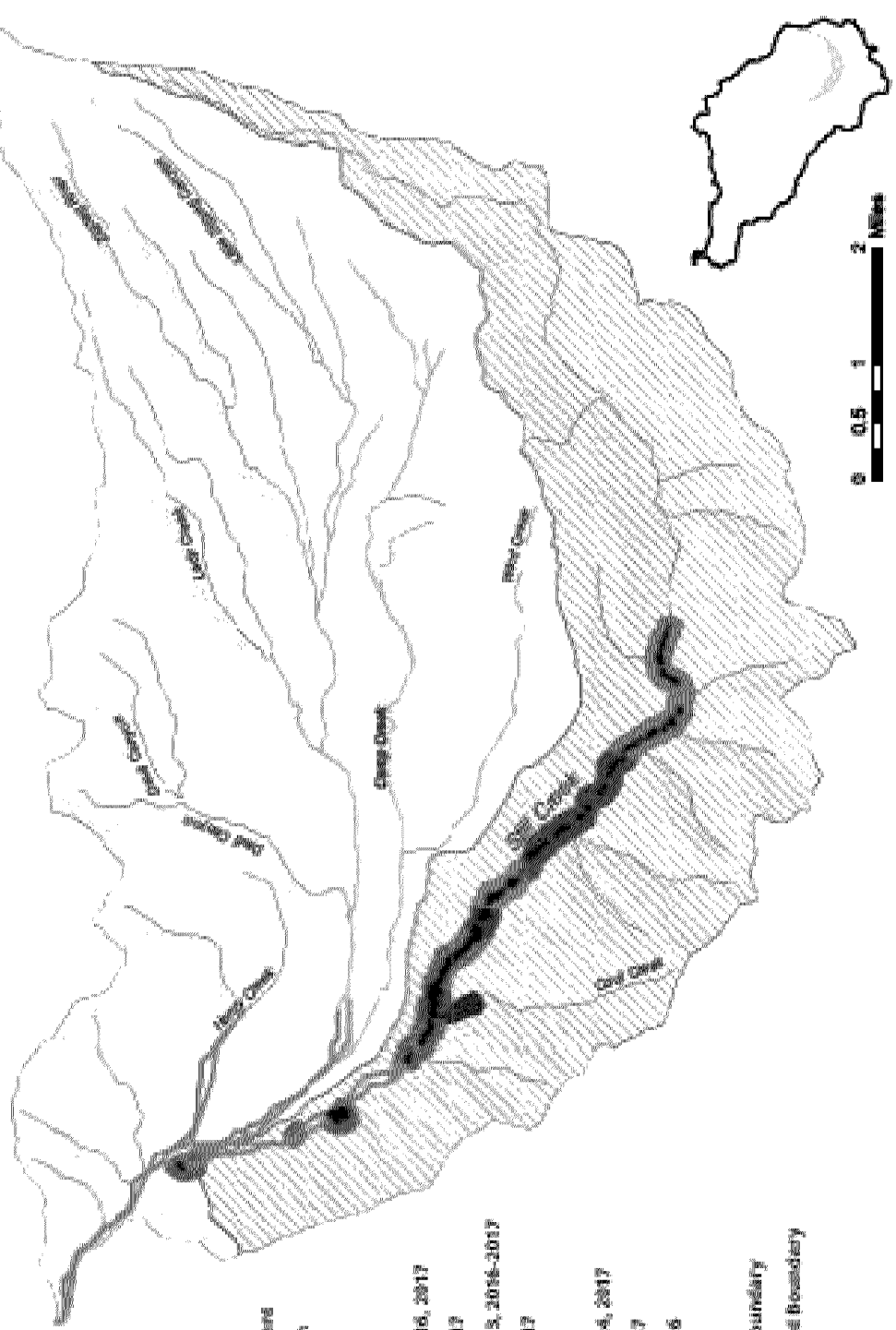
- 2.1 side channel miles restored in 2.5 mile reach
- 67 logjams, ~2000 large wood pieces
- Increased juvenile, spawning densities



Subbasin Priority:

# Still Creek

## Still Creek Restoration 2012-2017



- Large Wood Replacements
- ▬ Riparian Restoration
- INSTREAM RESTORATIONS
  - Completed 2012
  - Completed 2014, 2016, 2017
  - Completed 2013, 2017
  - Completed 2012-2013, 2016-2017
  - Completed 2015, 2017
  - Completed 2015
  - Completed 2013-2014, 2017
  - Completed 2016-2017
  - Completed 2014-2016
- Silvers and Screens
- - - Zigzag Watershed Boundary
- ▨ Still Creek Watershed Boundary

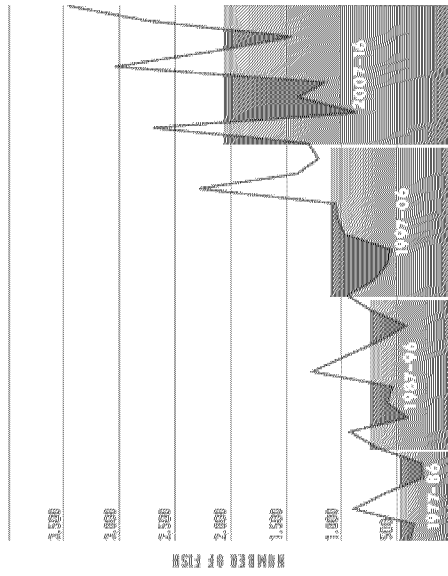
Monitoring:  
**Biological (+ social) Response**



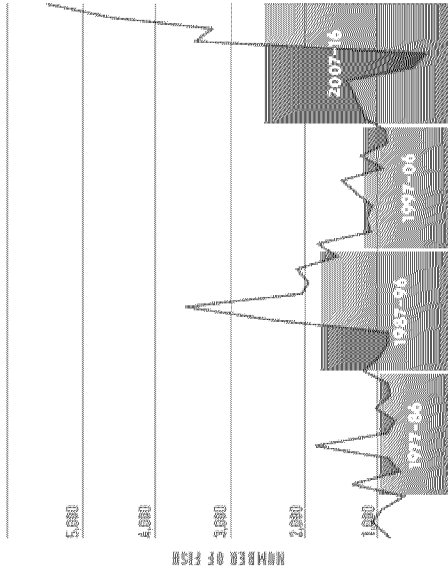
Columbia Land Trust  
CONSERVING THE NATURE YOU LOVE

# 'Fish? Don't Go There'

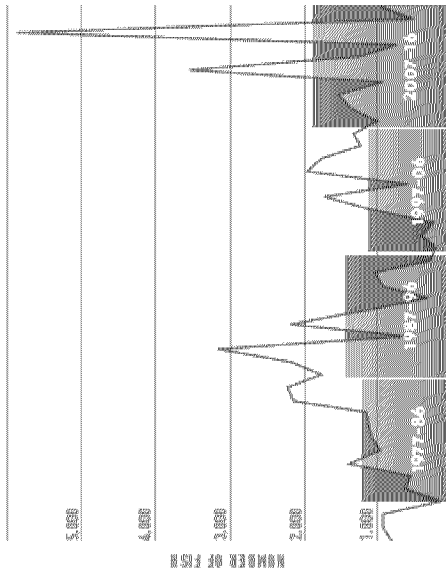
SPRING CHINOOK



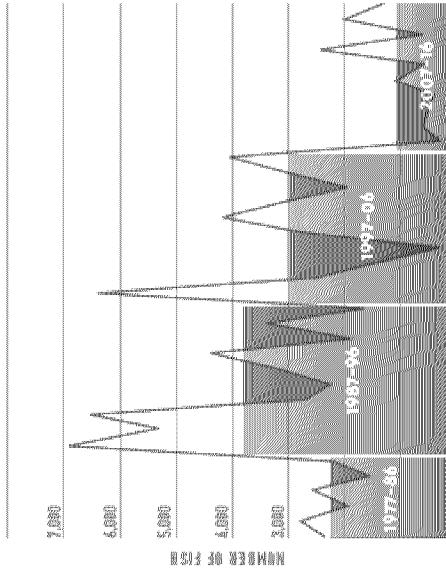
WINTER STEELHEAD



COHO



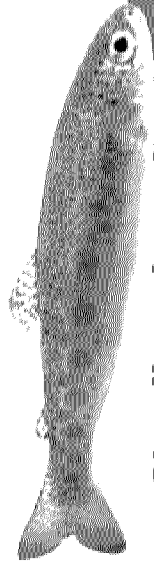
FALL CHINOOK



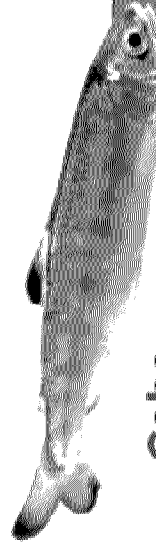
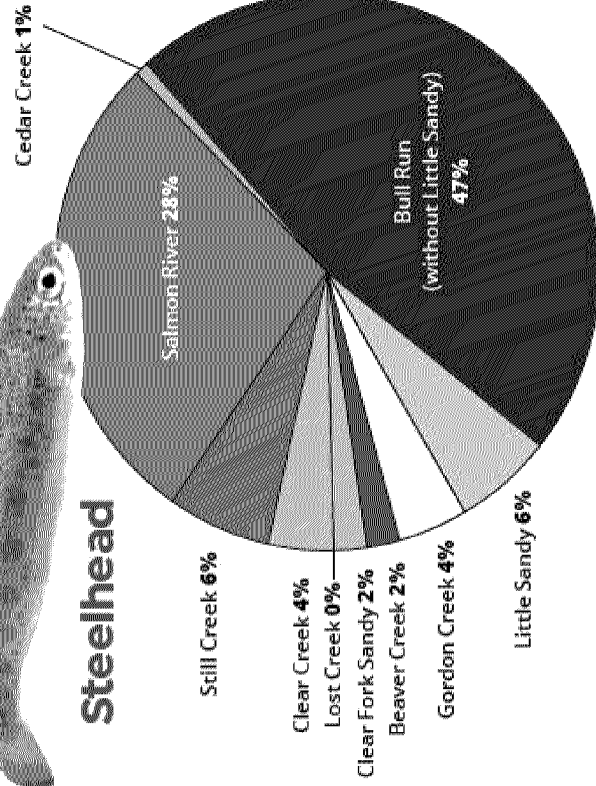
■ 10-YEAR AVERAGE — ANNUAL POPULATION

# 'Fish? Don't Go There' pt 2

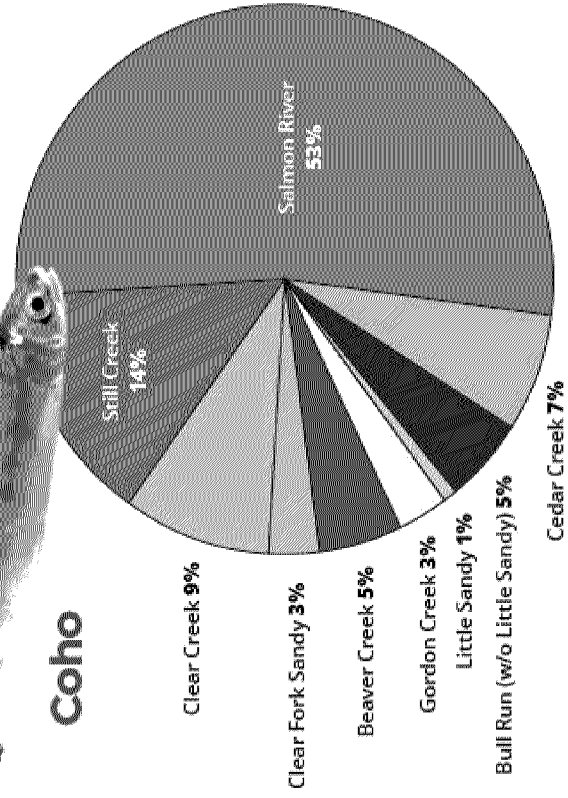
## Where are Smolts Coming From?



**Steelhead**



**Coho**



# People, Culture, Conservation

**38.105** Craft Beer brewers in the Portland Metro area in 2017

**737** Number of coffee shops in Portland (600 independent) in 2007-08

**884,300** Total people served by Portland Water Bureau in 2015-16

**966,600** Gallons consumed in 2007-08

**35.5 billion** Gallons consumed in 2015-16

**33.5 billion** Gallons consumed in 2015-16

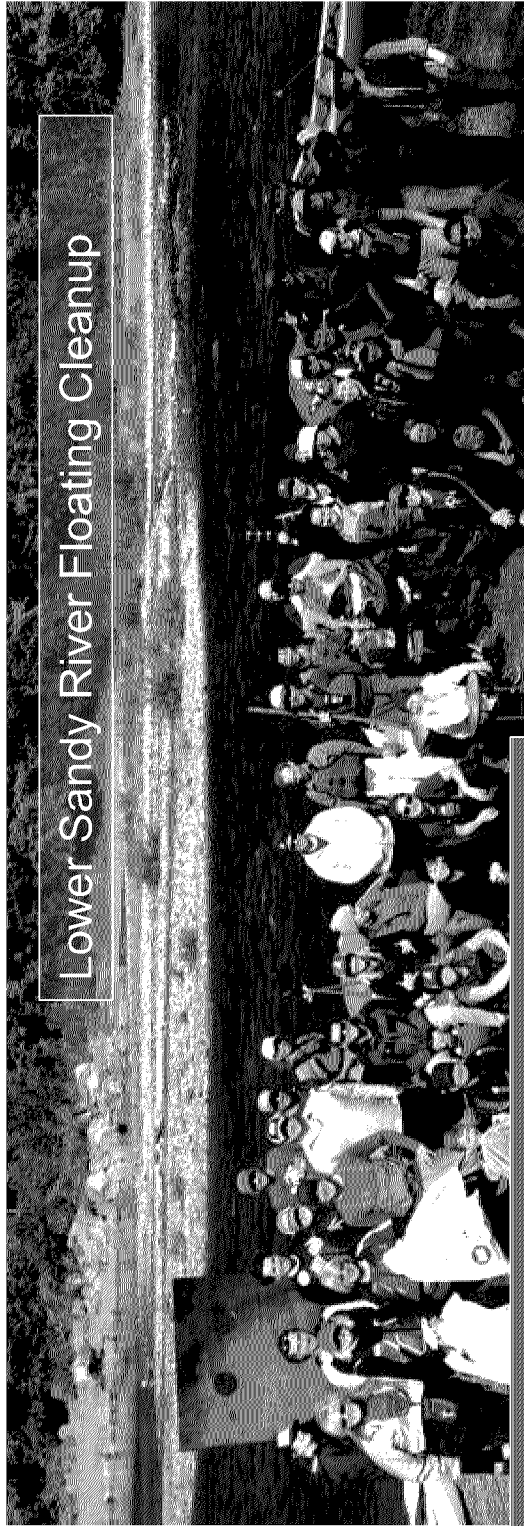
**Beverag-egon by the Numbers**




Your efforts in a critical area will soon be rewarded.



# SRWC 2018 Activities



Lower Sandy River Floating Cleanup

50 participants, ~750 lb of trash, 2 tires, and 1 negative pregnancy test

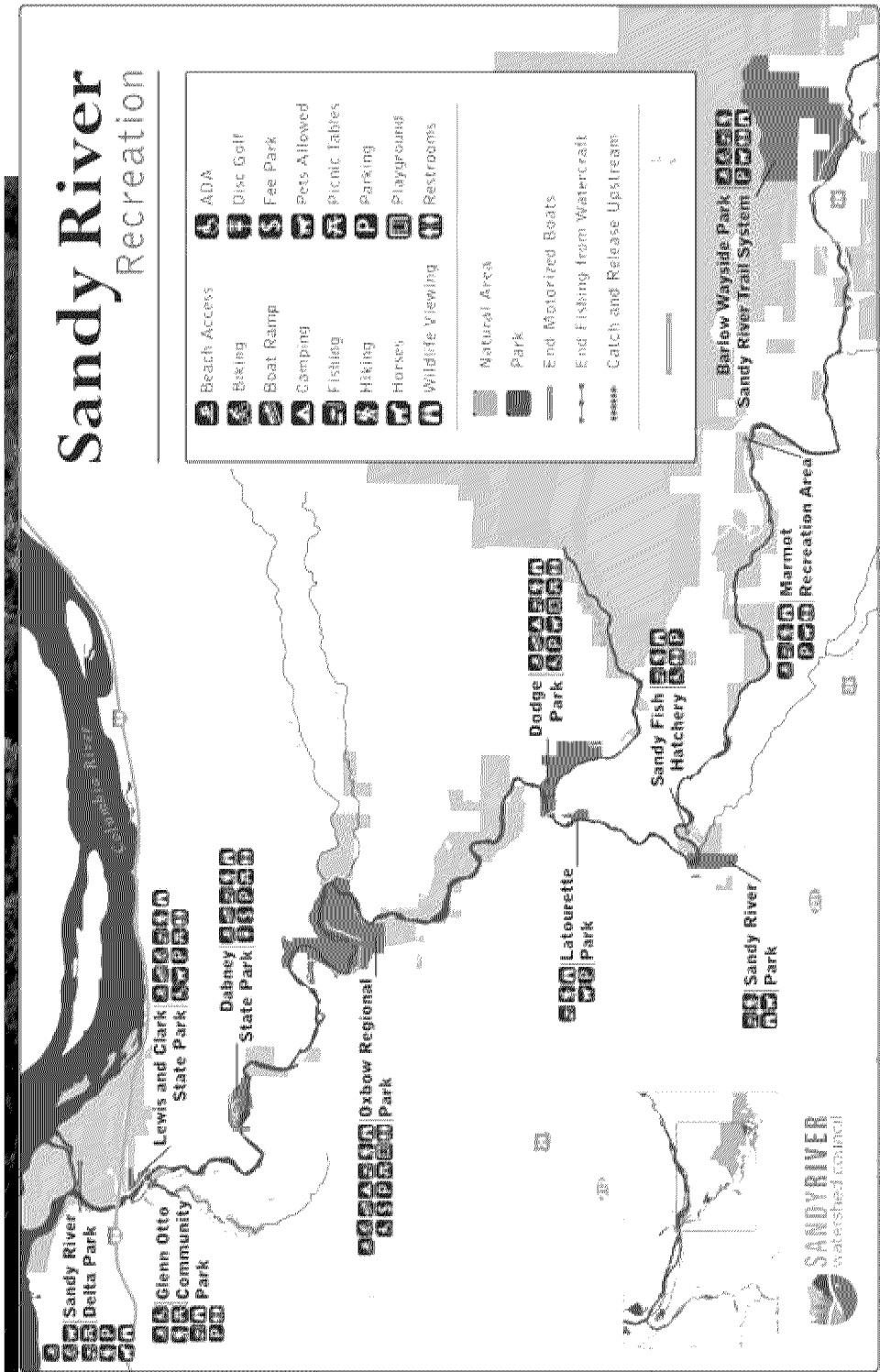


Timberline Cleanup

75 volunteers,  
1000lb of trash  
(or 2 tons?!)

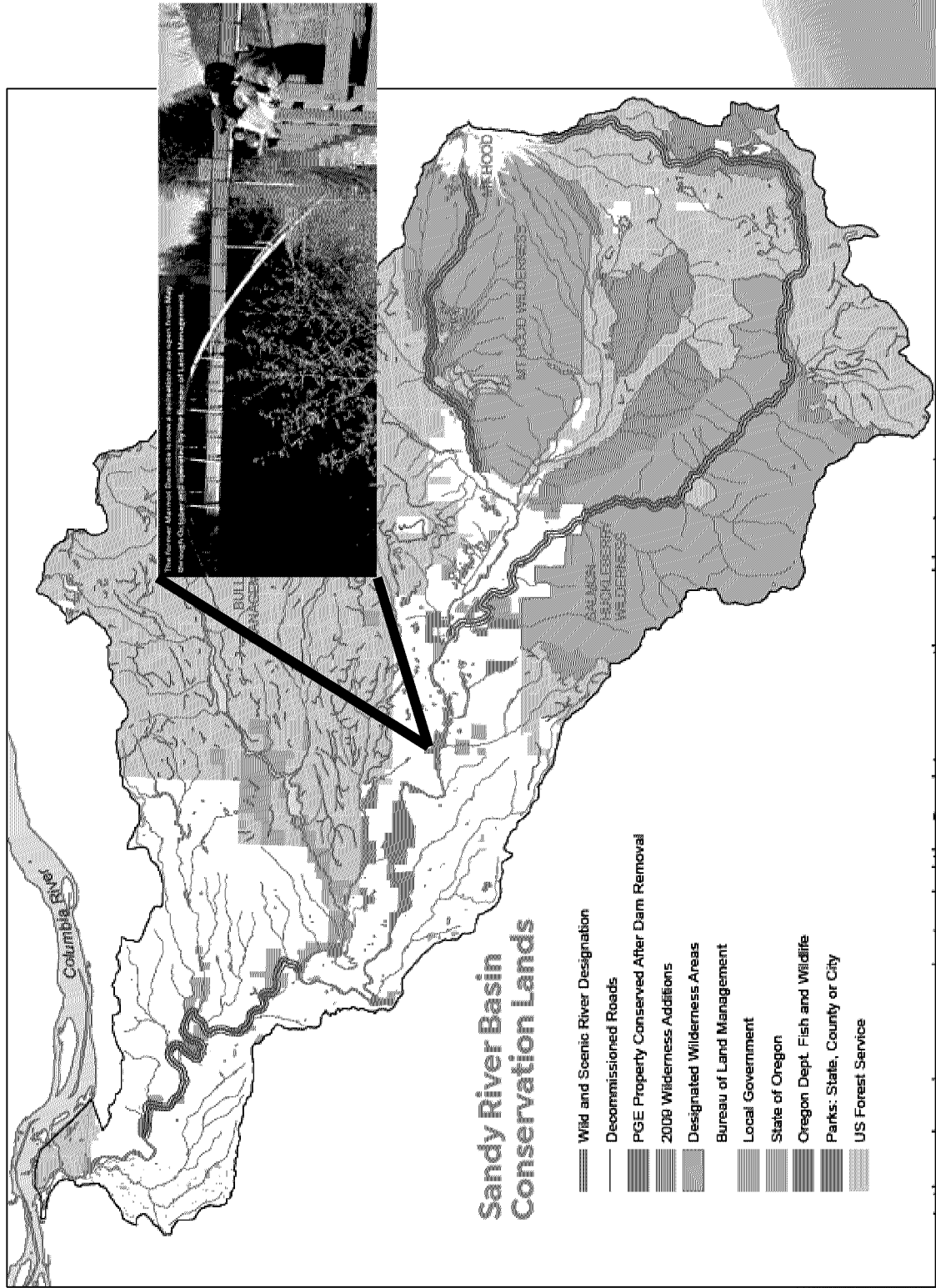
YTD	2018	2017
Volunteers	<b>3642</b>	2237
Events	74	55

# Conservation Oriented Recreation guide



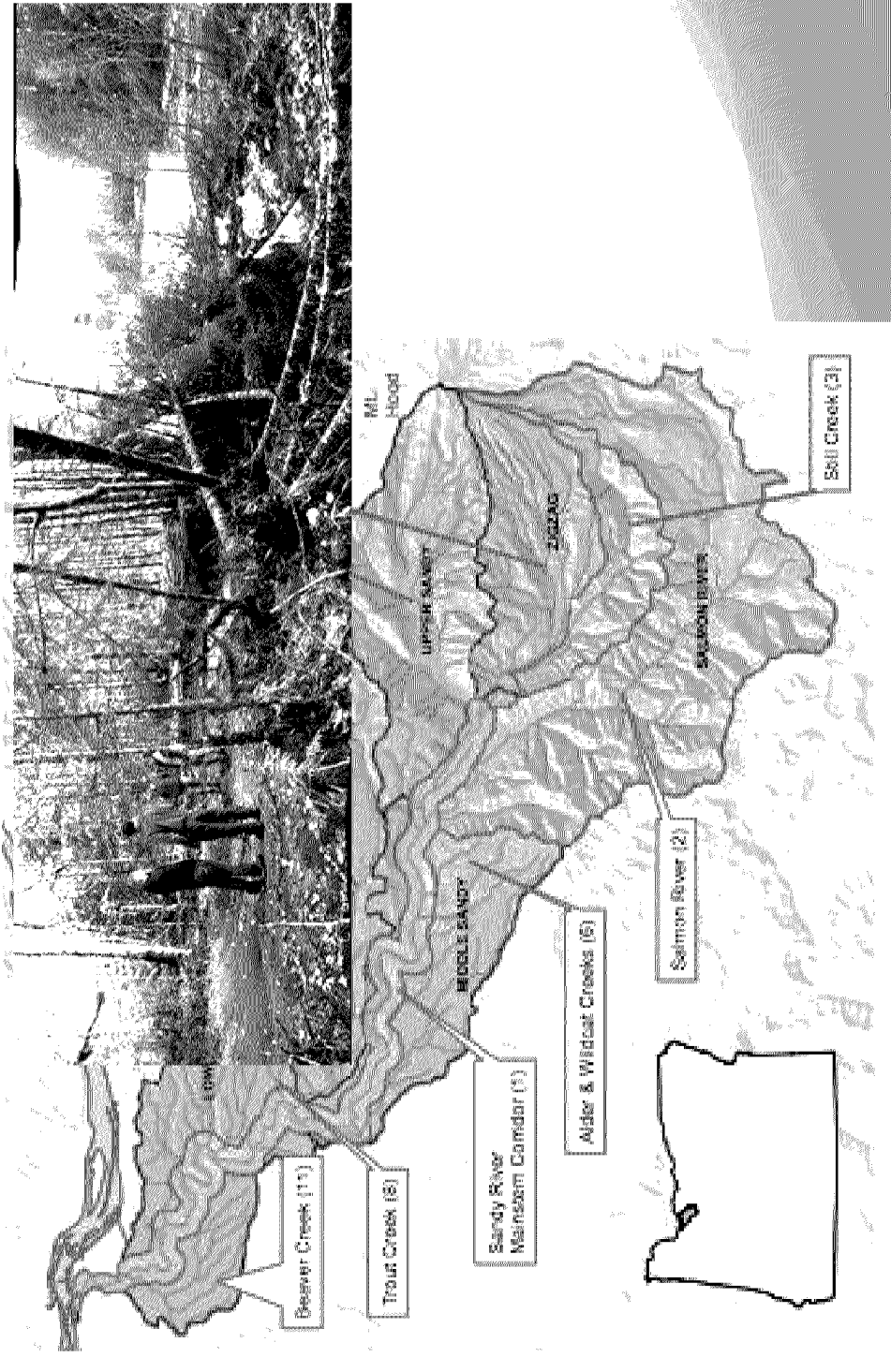


# Conservation Lands

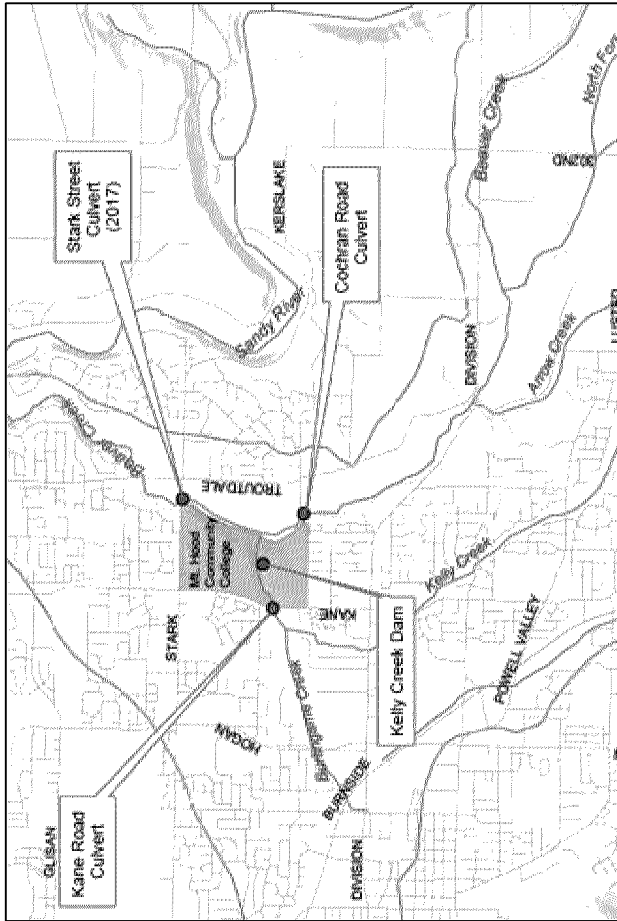


# Seven Steps: Next Priority Restorations

## Priority Subbasins

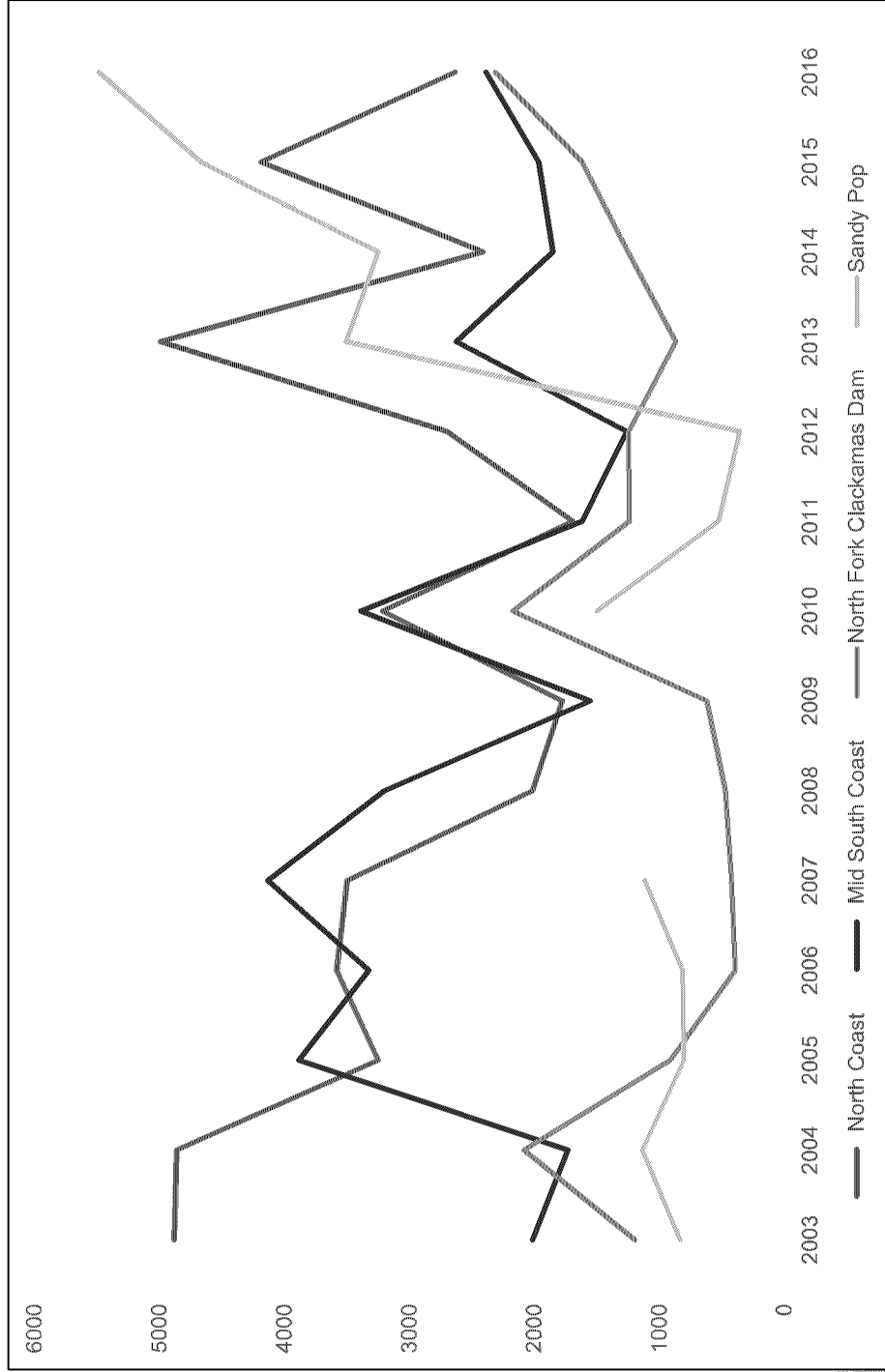


Seven Steps:  
**(More) Rites of Passage**



*Imagine Salmon...*

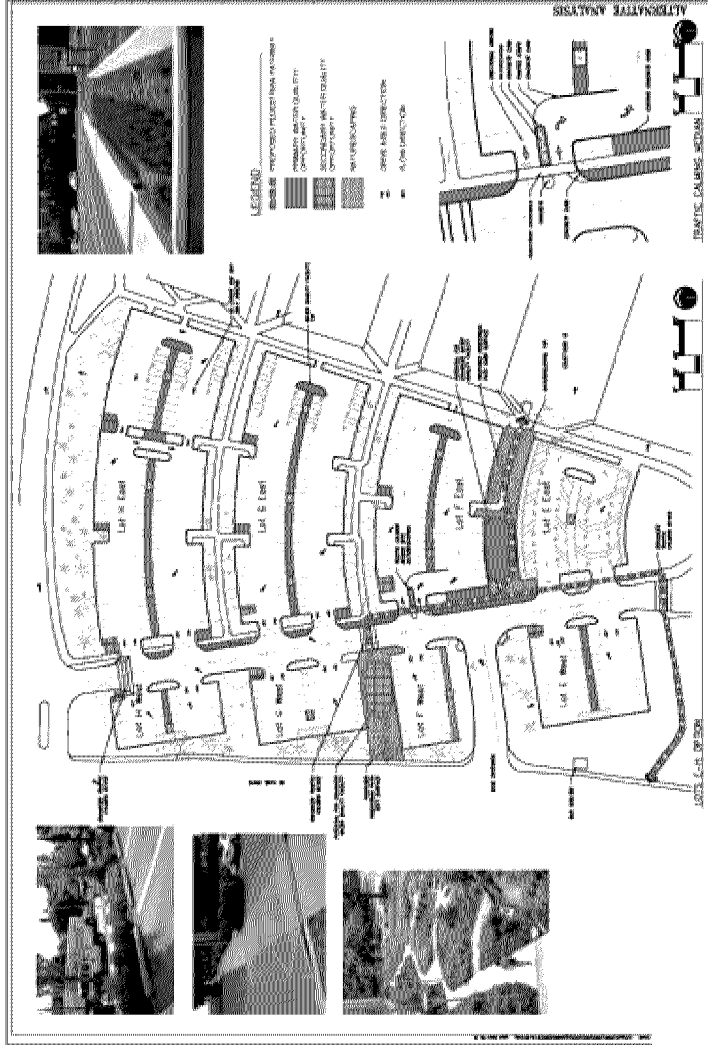
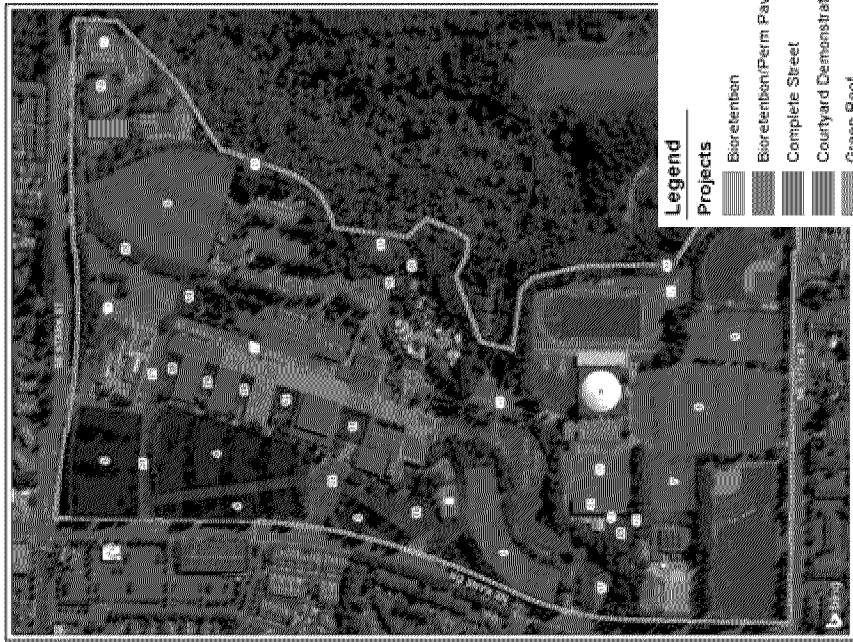
# Seven Steps: Digging Into Sandy Science



**Steelhead Comparison**  
*(ODFW adjusted proportional data)*

# Coping with Urban Impacts

## Seven Steps:



**MHCC Salmon Safe Retrofit**  
**24 projects**  
**1 Billion gallon 30-year (capital infrastructure) intercept goal**

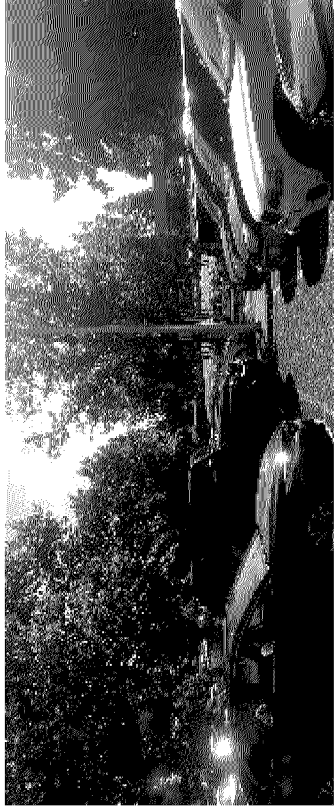
# MHCC Retrofit Updates

- Parking lots E & F retrofit complete
- Council tour 10/26 5-6 pm



Energy Efficiency (Green) Staff, Environmental Programs, and Community Support (EHCC) photo courtesy of Lisa Skari

- Planting 10/27 9 am
- Impact: ~2MGals/yr = 1 year's total annual runoff over 30-yr capital lifecycle



## MHCC to help the environment one rain garden at a time

College parking lots get salmmon-friendly improvements

By THEA LARSEN  
The Herald

Students coming to Mt. Hood Community College don't just enjoy parking lots designed to make the college healthier for salmmon and the environment. They're helping, too. Partners are making a big difference for the Sandy River and the nearby Bear River. The college is installing rain gardens in parking lots to help capture and filter stormwater, reducing runoff into the river. The gardens will be installed in parking lots E and F by the end of the year.



Contributors to the rain garden project include the college, the city of Sandy, and the city of Astoria. The gardens will be installed in parking lots E and F by the end of the year.

The gardens will be installed in parking lots E and F by the end of the year. The gardens will be installed in parking lots E and F by the end of the year.

"MHCC's Salmmon Safe project and its partners are making a big difference for Sandy Creek and the Sandy River with these retrofits."

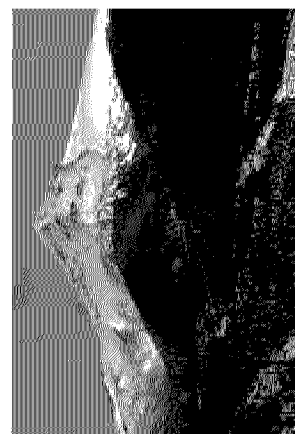
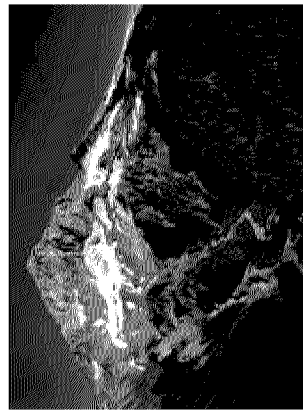
By THEA LARSEN  
The Herald

Mt. Hood Community College is installing rain gardens in parking lots E and F. The gardens will be installed in parking lots E and F by the end of the year.

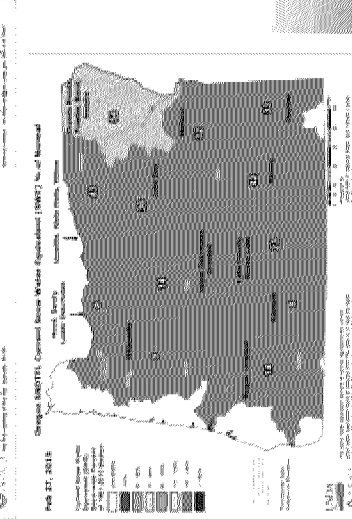
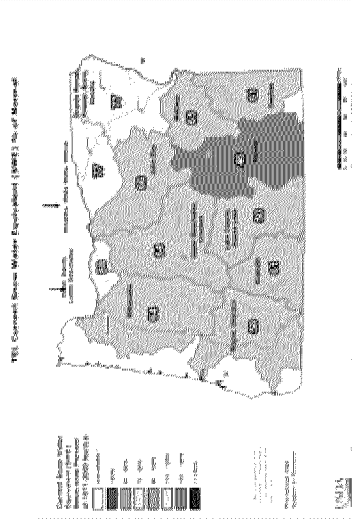
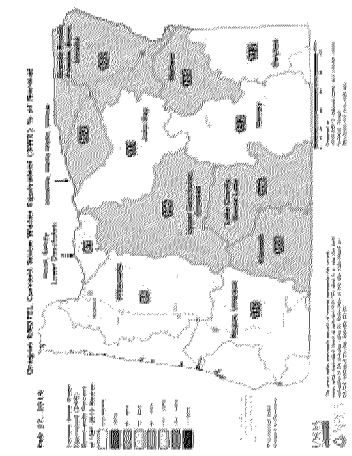
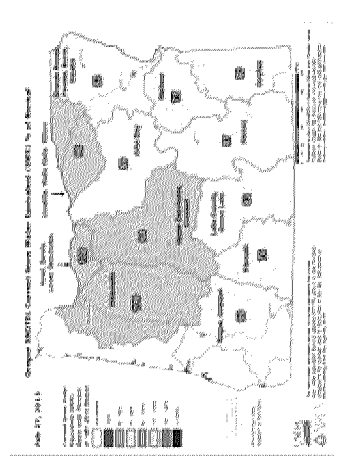
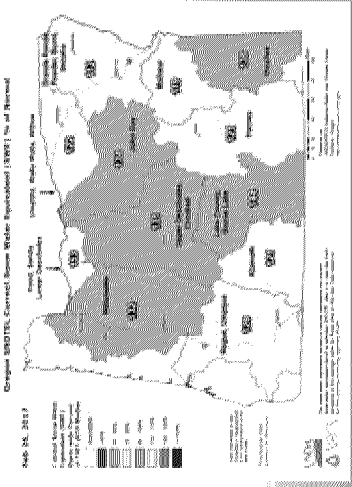
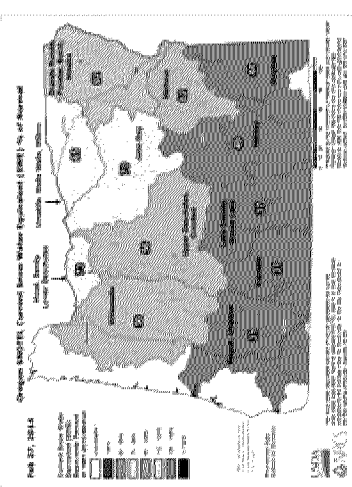
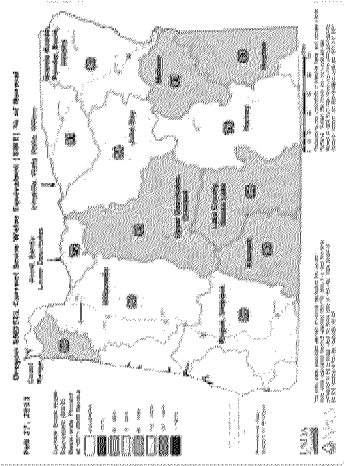
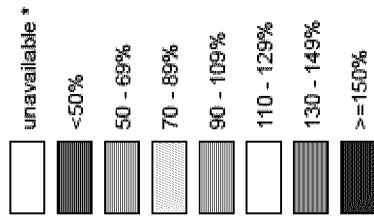


New Leadership (*your neighbor*  
*Lisa Skari*)

# Seven Steps: Climate Adaptation



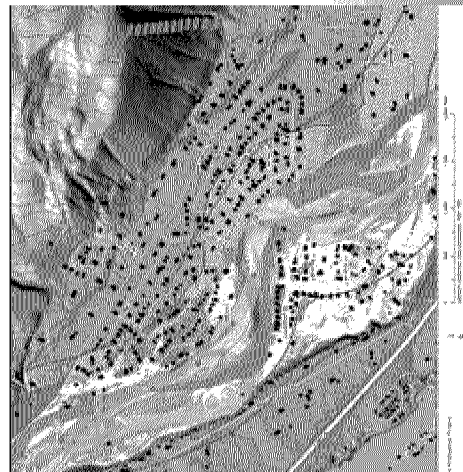
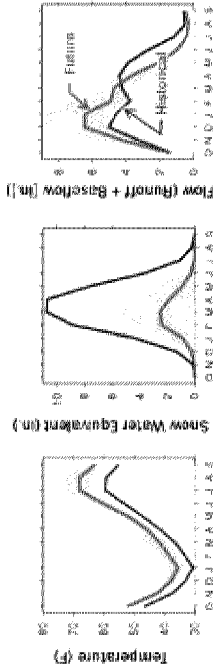
Current Snow Water Equivalent (SWE) Basin-wide Percent of 1981-2010 Median



# Hydrology

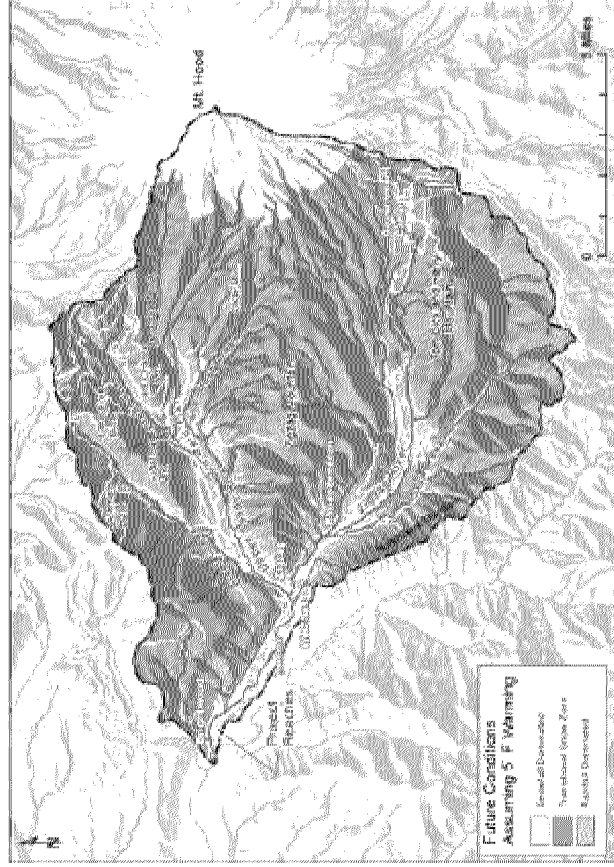
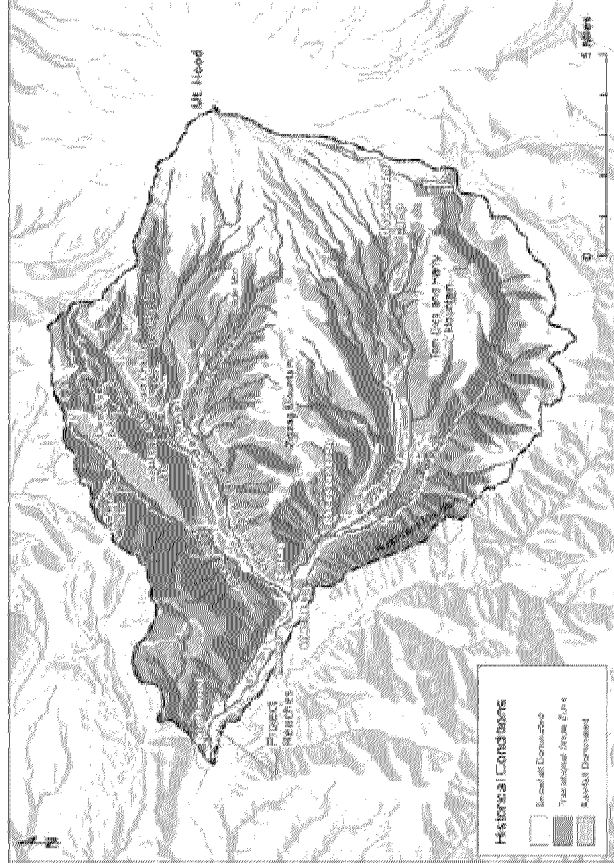
## 2080

- Shifting snow levels – 8% snow dominant vs 45% current
- 20+% increased storm intensity
- Additional debris from retreating glaciers
- Infrastructure risk: 450 houses w/in channel migration hazard zone



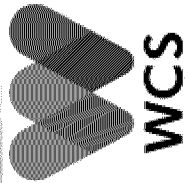
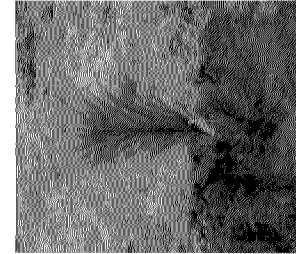
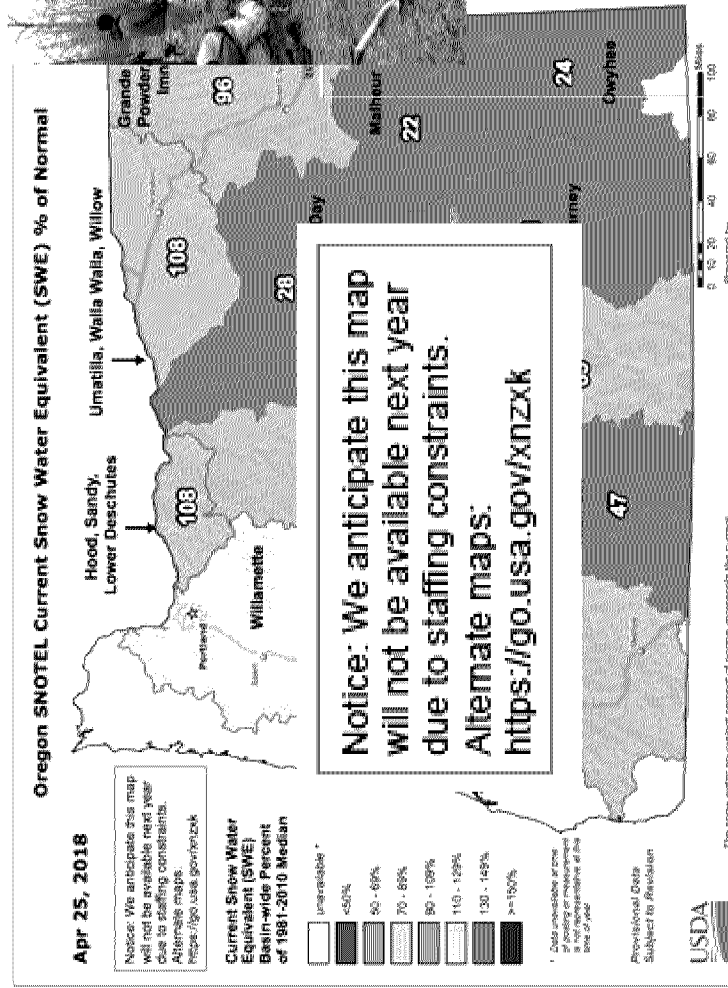
DOGAMI (2011) Channel Migration Hazard Delineation from Open File Report O-11-13

- Channel Migration Zone (CMZ)
  - Historical Migration Zone (HMZ)
  - Avulsion Hazard Zone (AHZ)
  - Erosion Hazard Area (EHA)
  - Disconnected Migration Area (DMA)
- CMZ = HMZ+AHZ-EHA-DMA
- Natural Systems Design Delineation (2014)
- Channel Migration Zone (CMZ)
  - Avulsion Hazard Zone (AHZ)





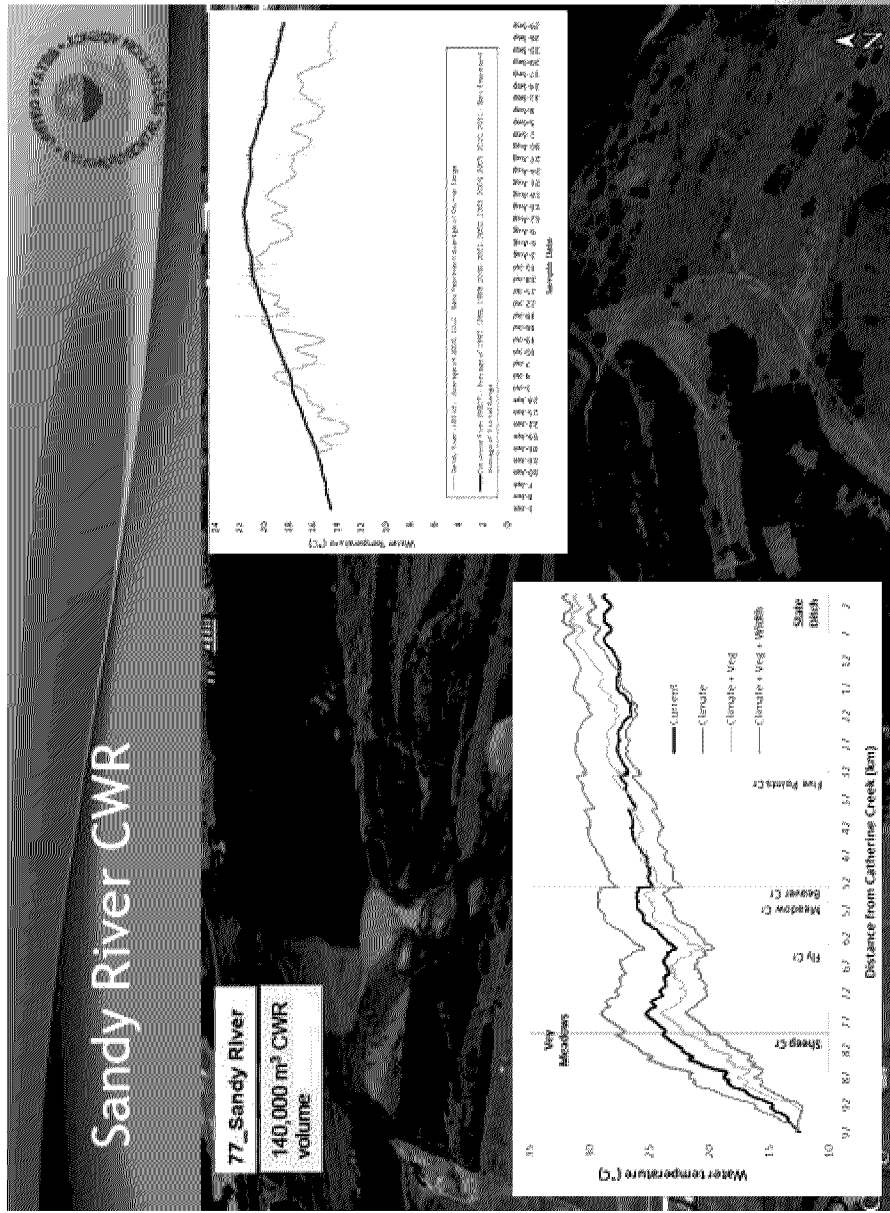
# Seven Steps: Climate Adaptation This Year



4 01 Nov 01 Dec 01 Jan 01 Feb 01 Mar 01 Apr 01 May 01 Jun 01 Jul 01 Aug 01 Sep 01

# Cold Water Refuge

- EPA study: Sandy 2-3 degrees cooler than Columbia
- CRITFC study: intensive instream +riparian planting can temper climatic stream heating
- SRWC Climate Adaptation workshop 11/13 9-1

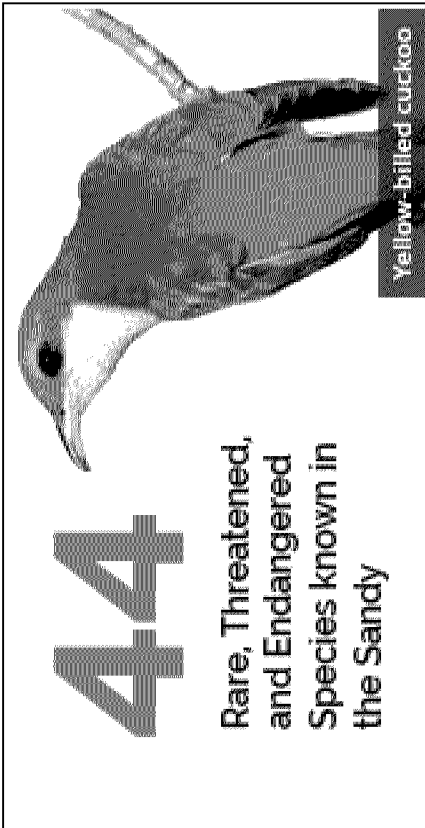


Seven Steps:

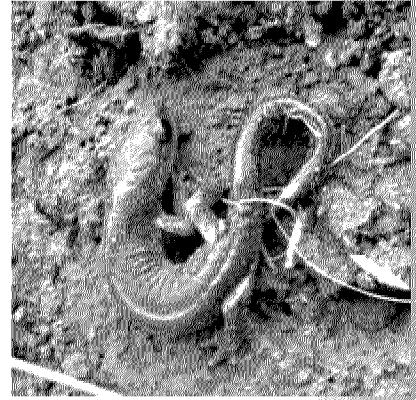
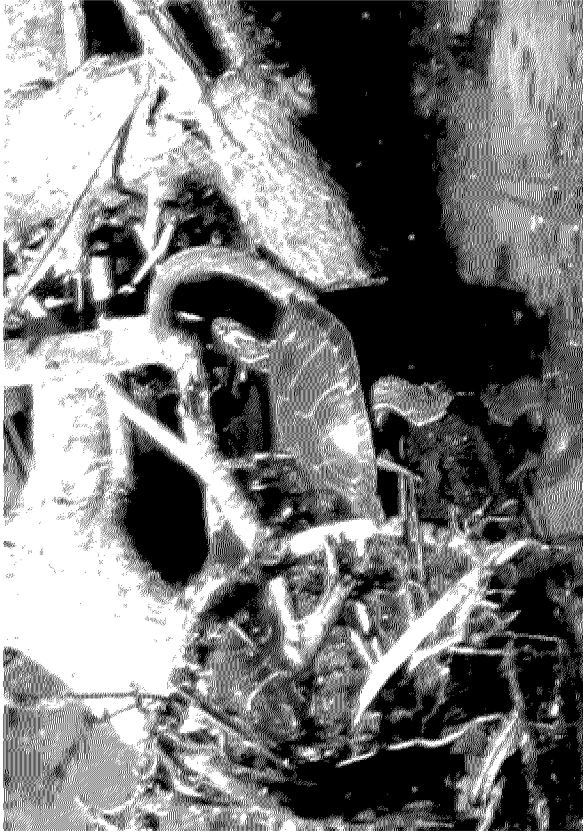
# Not Just for Fish

# 44

Rare, Threatened,  
and Endangered  
Species known in  
the Sandy



Yellow-billed cuckoo



# Seven Steps: Fellowship of the Undammed

	2017	2016
Volunteers	2994	1834
Events	82	37
Value	\$125,712	\$94,942



# Thank You / For More Info

[www.sandyriver.org](http://www.sandyriver.org)



@sandywatershed

Steve Wise  
[swise@sandyriver.org](mailto:swise@sandyriver.org)  
503-622-9134



OCTOBER 15, 2018

TO: SANDY CITY COUNCIL  
FROM: TOM ORTH  
RE: File No. 18-039 DCA

I have not received notice of the proposed amendment(s) and I am an affected landowner.

**COMMENTS ON ORDINANCE 2018-29**

**Chapter 17.82**

The proposed amendments try to clarify that the chapter is only applicable to residential dwellings constructed on collector and arterial streets. Some but not all references to transit streets have been eliminated. When the chapter was originally crafted it was intended to regulate the orientation of commercial structures on transit streets. It was also interpreted to apply to residential structures on transit streets.

When the Sandy Style regulations were added in 2008, instead of modifying or eliminating this chapter a clause (cut and paste) was included on the chapter title specifying that the regulations only apply to residential development. Staff is now proposing amendments to the chapter to delete all references to commercial development. As the City Council considers these amendments to the chapter, it would seem prudent that the Council consider the intent of these regulations and whether they are good policy or not. The staff report has not evaluated the historical context or the pros and cons of these regulations.

Subdivision design is controlled by a variety of often competing and conflicting regulations. Section 17.100.220(E) limits lots from gaining direct access to collector and arterial streets. In order to comply with these regulations, lots directly abutting collector or arterial streets are provided access by an internal local street or alley. This scenario is further complicated by Section 17.100.220(D) which also limits double frontage lots.

*E. Lots shall avoid deriving access from major or minor arterials. When driveway access from major or minor arterials may be necessary for several adjoining lots, the Director or the Planning Commission may require that such lots be served by a common access drive in order to limit possible traffic hazards on such streets. Where possible, driveways should be designed and arranged to avoid requiring vehicles to back into traffic on minor or major arterials.*

*D. Double frontage lots shall be avoided except where necessary to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography or orientation.*

The main problem with the requirements in Chapter 17.82 is that because direct access cannot be provided from the collector or arterial street, homes designed on these streets require two front doors and two front porches. The result is that what would typically be the backyard is turned into a quasi-front entry. Since parking is also often limited on collector and arterial streets the pedestrian walkway required to be constructed through the backyard essentially becomes unnecessary for pedestrian access and not wanted by the property owner.

The disadvantages of creating lots with two front doors on larger lots far outweigh any benefits. The backyard of a large lots should be a place of privacy where kids and animals can play and gardens constructed, not a place bisected by a walkway providing access to the general public though the private backyard. In addition, city code can be interpreted to limit the height of fences along this frontage.

Numerous examples exist in town where this regulation has been required on large lots and has not worked as intended. It is not uncommon for a home builder to construct the home on these lots as required with the two front entries only to have the home owner construct taller fences, close gates, and limit pedestrian access through their backyard. This is understandable in that the homeowner desires to provide a private and secure backyard area and this gate/walkway limits this privacy. In these cases, the City has a choice to either overlook the modifications or initiate a code enforcement issue to enforce the regulations on often unaware and aware property owners who are likely adamantly opposed to these regulations.

There may be limited circumstances when requiring a front door and pedestrian access on a collector or arterial street is a good idea. These circumstances typically occur in the Villages where high density single family development is located and where dwellings are accessed by an alley rather than a local street.

**CONCLUSION:** I don't feel that staff has presented an evaluation of the pros and cons of these regulations. From a builder's, developer's and homeowner's perspective, the cons of the adopting these regulations far outweigh any benefits. As such, rather than simply modifying these regulations I suggest that they be eliminated entirely or at a minimum modified to be only applicable within Villages for high density development provided with alley access.

#### **Chapter 17.102**

The changes proposed to the chapter are the most concerning and potentially costly to developers and homeowners. The online code for this chapter is also previously very confusing in that staff comments had been shown in the margins which often

conflicted with the proposed changes. These comments seem to indicate that the proposed changes are based on regulations in the City of Portland, Lake Oswego, and Gresham. It is common knowledge that the tree regulations in the city of Portland and Lake Oswego are known to have the most restrictive and costly regulations in Oregon.

Council and staff may not be aware that the current version of Chapter 17.102 was guided an Urban Forestry Committee that was assembled for this purpose and this process took more than a year working on these regulations. The current amendments do not appear to have utilized a similar process or input. A review of the PC hearing video for September 24, 2018 reveals that this meeting was more of a work session with no input offered by the public. Perhaps no one is aware of the changes?

Within the last year or so city planning staff have interpreted tree protection regulations differently than has been done since Chapter 17.102 was adopted in 2002. Staff has also included language from Chapter 17.92, Landscaping & Screening to further regulate trees. This language is very broad and has been interpreted to require additional tree protection. It should be noted that these regulations were never intended to regulate tree protection as this was the purpose of creating Chapter 17.102, Urban Forestry.

The staff report included with these amendments does not review any of this history nor does it explain what the purpose is in bringing forward these amendments. What is the problem they are trying to solve? Where the current code only regulates trees 11-inches and greater on properties greater than one acre, the proposed code appears to require an inventory of trees six inches and greater on properties 0.5 acres or greater. The proposed amendments also change the protected area along Tickle Creek from 70 feet to 80 feet, which conflicts with the requirements of Chapter 17.60, FSH Overlay. The only explanation for this change is that it is to align with state law. The amendments extend the area a property owner is required to inventory to 25 feet beyond the property boundary. Obtaining permission to inventory trees on an adjoining property is a tricky requirement. The Planning Commission and Staff seem to have the impression that as long as developments meet the **minimum density requirements**, there is no harm caused. I disagree. **Staff has indicated that they will not approve mitigation variances to cut the trees to get more than the minimum number of lots.**

The most concerning change is to Section 17.102.50, Tree Protection Requirements, which more than doubles the tree retention requirements(100% increase) and reduces the size of one-half of retained trees to 8 inches. There is no explanation as to why trees six-inches and greater are required to be inventoried but only trees 8-inches and above are regulated. This section also requires that retained trees be placed in a conservation easements or tree retention tract. More taking of land.



A few other changes in the proposed code include a statement that, “retained trees shall not be nuisance species”, but no definition of “nuisance species” is included. Tree protection measures are also significantly modified by increasing the size of the tree protection area from 10 feet from the trunk to five feet beyond the dripline of the tree. This requirement will make developing houses on the lots even more difficult.

**CONCLUSION:** As noted above, the staff report does not articulate the purpose for or problem trying to be solved with the proposed amendments. These amendments will significantly change the tree inventory, retention, and protection requirements in the city and will add considerable cost and burden to land development project. Property owners with large parcels wanting to subdivide their property may end up losing several lots because of these regulations. The applicable property size has been reduced from greater than one acre to greater than one-half acre. Because of this and because these regulations will restrict the private property rights of property owner’s with trees on their property, notice of the proposed amendments should be cast widely (ie., Measure 56 Notice). This doesn’t appear to have occurred. In addition, if the city would like to move forward with changes to this chapter, the Council should consider assembling a committee of citizens and stakeholders similar to what was done previously who can provide citizen input in developing these regulations.

**Measure 56:**

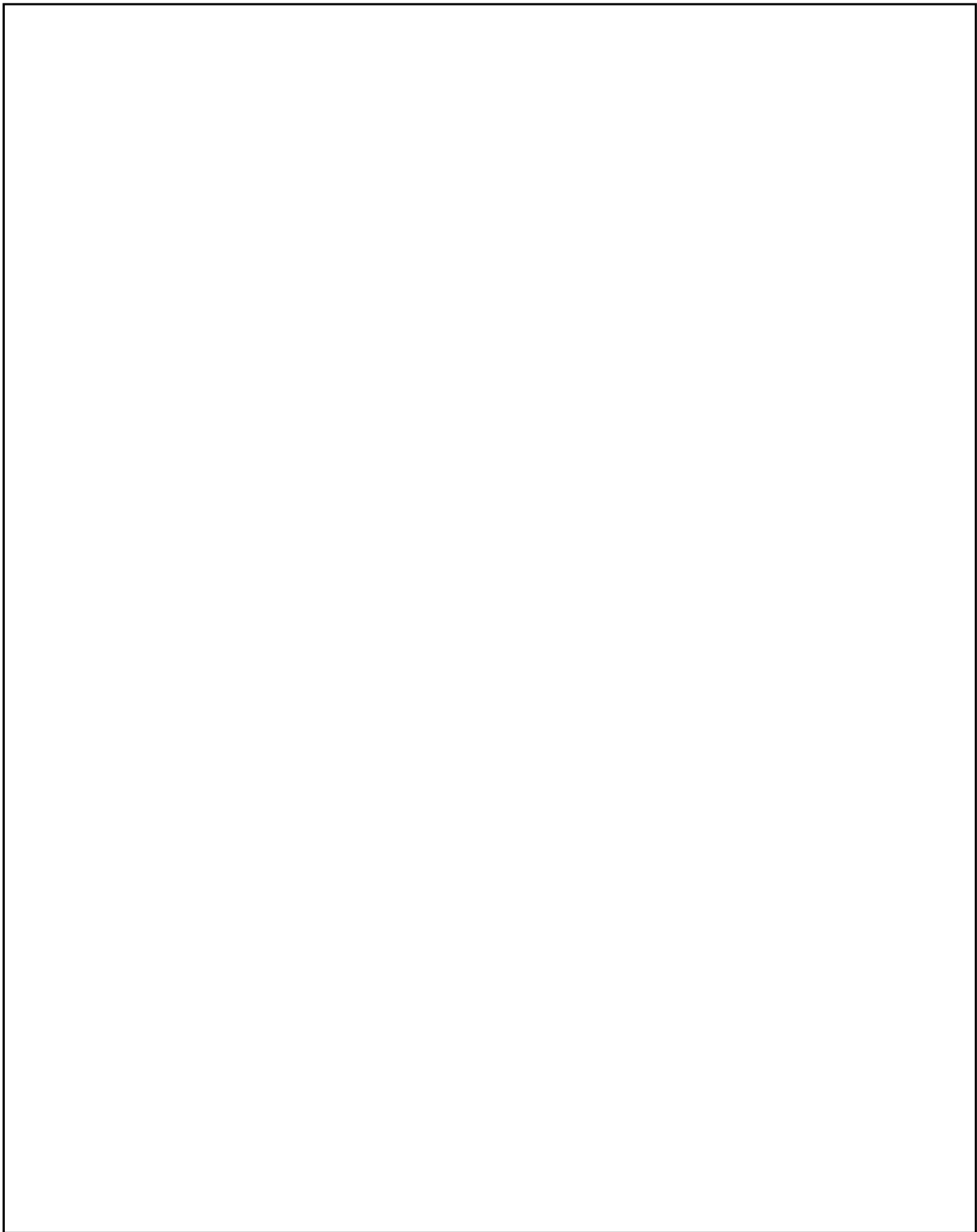
*When state planning laws or rules that might cause property to be rezoned are changed, a two-step notification is required. The state, through DLCD, must first notify every local government about the change. The local government must then mail a copy of DLCD's notice to every landowner whose property might be 'rezoned.' Each local government is required to make a decision about whether to mail the notice to any of the landowners in its jurisdiction, and if so, which ones. 'Rezoning' occurs when the governing body of a county or city: "Changes base zoning classifications of the property; **OR adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.**"*

The City of Portland, City of Gresham and Multnomah County all mail notices to affected land owners.

I herein request that the Sandy City Council votes for a continuance to a later date so as to incorporate public input.

Thank you,

Tom Orth





# All County Surveyors & Planners, Inc.

PO Box 955 • Sandy, Oregon 97055 • Phone: 503-668-3151 • Fax: 503-668-4730

October 15, 2018

City of Sandy  
City Council

**RE: Code Changes to 17.102 Urban Forestry**

Dear Mayor and City Council.

I just recently found out about the proposed code changes that are going to be discussed at the hearing tonight. Our firm was not notified or asked for any input. We work with other Cities and Jurisdictions all the time that ask us for early input on code revisions. We would be more than happy to review drafts and provide input on future code revisions.

Regarding the proposed revisions to Section 17.102, I have the following concerns:

- 1) Staff has indicated that the revisions to this code will not have a "Financial Impact". I strongly disagree. The proposed changes will increase the number of trees that need to be saved on private property. Staff wants these trees to be placed in unbuildable tracts or conservation easements. This will reduce the density of developments. There will be a financial impact to the City, developer, land owner, and future homeowners. The City will miss out on permit fees, SDC fees, utility fees and property taxes. The loss of one lot to the City would be hundreds of thousands of dollars over time. The developer will have to pay less for the property, so the current owner will make less money. The construction costs will remain the same but there will be less lots, so the developer will have to spread that cost over the remaining lots. This will increase the cost per lot. That additional cost will be paid for by the homeowner. The homeowner will have to save money to pay to maintain the private tree tracts. If trees are in poor health, an arborist will need to be hired and the tree will need to be removed. This could be a few thousand dollars for just one tree. The City will then charge them for the tree that was removed to plant mitigation trees. I just don't understand how there will be no financial impact.
- 2) The proposed "private tracts and conservation easements" are a bad idea. Why would we want to create un-buildable tracts and easements on private buildable land? Staff made it clear at the Planning Commission meeting that they will not be granting variances to this code as long as the minimum densities are achieved. If this is the case, there could be a 37% reduction of lots on R1 buildable land. This will only force the UGB and City limits out sooner. Has staff and legal counsel addressed the requirements in Measure 56? The proposed changes to this chapter will "limit" land uses previously allowed. The City has an obligation to everyone (including property owners) to make them aware of proposed code changes that may limit development of their property. It was obvious, based on the turnout at the Planning Commission, that no one was notified directly of the proposed changes. Transparency in decision-making is a critical component of the City's Comprehensive Plan and the failure to provide such notice, may leave the City exposed to defending a LUBA appeal, should one property owner not be given a fair opportunity to participate.

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- 3) There will be unexpected future problems with private tree tracts. Has anyone really thought this through? Sandy currently has a problem with the homeless and drug addicts. These new tree tracts will be an attractive place to hang out. There will be no lights, so it will be a great place not to be seen. These areas could end up being dangerous. It will be up to the adjacent homeowners or HOA's to deal with. Do the people of Sandy want to take on this responsibility and the added expense? I think the people of Sandy need to be part of this discussion.
- 4) Six- to eight-foot-tall mitigation trees in backyards and open spaces don't survive. This has been proven in the Zion Meadows Subdivision. To start a tree of this size, it will need a lot of water and care. If a new homeowner does not want the tree, it will not survive. If you create a tree tract for mitigation trees, they will not survive either without a lot of care. A 6" to 12" seedling would do better, they pop up in my yard all the time with no water or care needed. Rather than trying to dictate what trees to save with development, let the people landscape their yards as they see fit. They will take pride in what they plant, rather than trying to force something on them that Staff thinks they want. Ask anyone in the Zion Meadows subdivision if they want that protected tree or mitigation tree in their back yard.
- 5) It is difficult to protect trees or groups of trees in the middle of a mass graded construction site. Most developments require extensive grading for streets and utilities to meet code requirements such as block length, intersection spacing, planned street locations, street grades and ADA requirements, not to mention grading the lots so they are buildable. All this grading activity is detrimental to trees. If you allow the random location of trees to control new improvements, you will end up with inefficient and poor layouts that will fly in the face of good land use planning.
- 6) Staff is relying on Chapter 17.92 "Landscaping and Screening Standards" to help justify the size of trees to be protected in subdivisions. I have been doing land use planning in the City of Sandy for over 20 years, and not once have I ever had to address 17.92 with a subdivision application. Section 17.92 was not written or intended to protect trees in residential subdivision developments. That is why the City adopted Chapter 17.102 in the first place. I have addressed this section of the code numerous times with site development projects that require landscaping. In current subdivision applications, Staff is now requiring this section of the code to be met. 17.92.10.C. States "*Trees of 25-inches or greater circumference measured at a height of 4-½ ft. above grade are considered significant.*" and "*...should be preserved to the greatest extent practicable...*" A 25-inch circumference tree is 7.96-inches in diameter. Over the past 20 years, previous City planning staff and I have assumed the word "circumference" was a typo, and should have said "diameter". A 25-inch diameter tree is "significant", a 7.96-inch tree not so much. I disagree with how staff is interpreting this code and I would like City Council to give there opinion on this matter, as it affects current land use applications.

There are plenty of opportunities to protect and plant trees in Sandy. The development code already protects steep slopes, creeks and wetlands. These areas are not buildable and would be a great place to protect and plant trees. Also, the number of street trees could be increased, and more trees could be planted in public parks. New subdivisions already pay a hefty park fee at the time of plat, and then pay when the building permits are pulled. A 40-lot subdivision will pay a total of \$274,000 for new parks. Can some of this money be used to plant trees at the parks?

I don't have all the answers to the proposed tree code, but I do know that the City really needs to step back and review the reason the code was written in the first place. In other words, determine what the problem is and then come up with a solution.

I urge you to deny the proposed changes, and direct Staff to start working with the people of Sandy and the development community to determine if the "Urban Forestry" code is needed or wanted in residential developments. I would be willing to volunteer and help the City come up with a reasonable solution once the problem has been identified.

If you have any questions or need additional information, please feel free to contact our office.

Sincerely,

**All County Surveyors & Planners, Inc.**



Ray L. Moore, PE, PLS  
*Engineering Division*



Karey Milne <kmilne@ci.sandy.or.us>

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## Response to letter to council

1 message

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David Doughman <David@gov-law.com>

Mon, Oct 15, 2018 at 2:27 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Karey Milne <kmilne@ci.sandy.or.us>, City Council <city\_council@ci.sandy.or.us>, Kim Yamashita <kyamashita@ci.sandy.or.us>

Cc: Emily Meharg <emeharg@ci.sandy.or.us>

Hi all:

I've reviewed Mr. Orth's letter and have the following responses. I can elaborate on these tonight. If you have any questions, feel free to email me and if time permits I'll try to address them before tonight's meeting. Please do not "reply all" in order to avoid a potential public meeting issue.

- **Request for a continuance.** State law grants any participant in a quasi-judicial hearing the right to ask for a continuance, which the hearing body must either grant or, in the alternative, leave the record open for additional testimony and evidence. Tonight's hearing is not quasi-judicial in nature, but rather legislative. Neither state law nor Sandy's code grants anyone the right to ask for a continuance in a legislative context such as this one. Therefore, the council may choose to continue tonight's hearing, but it is not legally required to do so.

- **Measure 56 Notice.** In a legislative context, state law generally does not require the city to send notice to individual property owners prior to a hearing. One exception to this is so-called Measure 56 notice. When a jurisdiction seeks to "rezone" property, state law requires the jurisdiction to send notice of a hearing to individual property owners affected by the proposal. State law defines a "rezone" for purposes of Measure 56 in two ways: (1) when the base zoning on property is changing from one zoning district to another (for example, changing a property zoned SFR to R-1); or (2) when a jurisdiction adopts or amends an ordinance that will "limit or prohibit land uses previously allowed in the affected zone." Because the ordinance the council will consider does not change the base zoning on any property, the issue becomes whether any of the proposed amendments "limit or prohibit land uses" that the city previously allowed. Based on an Attorney General opinion from 1999 and from a LUBA case in 2008, I do not believe the city was required to send Measure 56 notice in advance of tonight's hearing. Both the AG's office and the LUBA panel reviewed the language of Measure 56 and concluded that only changes to uses that are listed in a given zone (for example, outright permitted uses, conditional uses, accessory uses, etc.) are covered by Measure 56. Changes to standards that indirectly impact land uses permitted in development codes (for example, setback standards, landscaping standards or, as here, tree preservation standards) are not covered by Measure 56.

Thanks and I'll see you all this evening!

David

From: **Jennifer Hart** <[sandyjen23@gmail.com](mailto:sandyjen23@gmail.com)>  
Date: Mon, Oct 15, 2018 at 2:23 PM  
Subject: RE: File No. 18-039 DCA - Ordinance 2018-29 - Sandy City Council meeting - 10-15-2018  
To: <[recorder@ci.sandy.or.us](mailto:recorder@ci.sandy.or.us)>

Sandy City Council -

We recently built a home at 37793 Olson Street, Sandy, OR 97055. The house was built ADA for my stepfather, who is elderly, permanently disabled, and in a wheelchair. He currently resides in the residence with his caregivers. In order to receive permanent occupancy, the planning department is requiring that we put a walkway in our back yard.

We do not want a walkway in the back of our house for many reasons:

- the house has an Olson Street address - if the front of the house was on Bluff we would have a driveway coming off Bluff and a Bluff address (access is not permitted from Bluff Road).
- we do not want any passerbys inadvertently opening our gate and letting our grandchildren or pets out onto the busy road of Bluff to possibly get hit by passing vehicles.
- we do not want people walking off Bluff, entering our private back yard, and walking to our back door - scaring the hell out of us.
- we do not want a walkway in the middle of our backyard.
- there's no parking or transit on Bluff - there hasn't been a bus that has gone down Bluff in 25 years (the bus shelter next to Cedar Ridge Middle School is not in service).
- the sidewalk on Bluff ends at a retaining wall and doesn't extend to the adjoining property.
- the main entrance to the house is already easily accessible to emergency services (we have a letter proving this from Phil Schneider, Fire Chief, Sandy Fire District No. 72).

My other concern is how difficult the planning department is to work with and how they seem to be bullying homeowners, landscapers, and builders. We had no knowledge, until today, that this code was being addressed at this meeting. Since we have been in recent contact with members of the planning department in regards to this walkway, we feel it's unprofessional for them to leave us in the dark regarding this code review.

Towns should not covet the plan over reality.

Thank you,

Jennifer S Hart, Trustee

Date: October 15, 2018  
To: Sandy City Council  
From: Tracy Brown, Tracy Brown Planning Consultants, LLC  
Re: Ordinance 2018-29

I am writing as a resident of the City of Sandy and also as former Planning Director for the City (8/2002 - 3/2017). I understand the Council will be considering amendments to the Development Code regarding Urban Forestry and other chapters tonight. It is not my intent to comment on the details of the proposed amendments but rather to offer an historical perspective on current tree protection regulations.

From reviewing the file and talking to my predecessor, prior to the adoption of Chapter 17.102, Urban Forestry in 2002, there had been growing community concern that City Code did not contain adequate tree protection and removal regulations. In 1995, a citizen's advisory committee was formed to assist the Planning Department to look into this issue and to make recommendations for new regulations. The roster of the committee appears to have represented a wide range of citizen, business, and private interests. The Urban Forestry Committee's work lasted several years, stopped and started a couple times, and after much discussion and compromise new regulations were brought forward in the form of Chapter 17.102, Urban Forestry. Following several public hearings, the Council then adopted the new regulations in November 2002.

During my entire tenure with the City after these regulations were adopted they were used exclusively to regulate tree protection and permitting. It was my belief as Director that this is what was intended and the reason these regulations were adopted in the first place. As defined in this chapter, a "tree" is "any living, standing, woody plant having a trunk 11 inches DBH or greater". Recently I was made aware the Planning Department has also been selecting language from Chapter 17.92, Landscaping and Screening, that existed prior to the adoption of Chapter 17.102, to regulate tree removal. As noted above, it was belief as Planning Director the reason Chapter 17.102 was adopted was because City Code lacked adequate tree protection regulations and these regulations were intended to fill this void.





October 15, 2018

Mac Even  
Even Better Homes  
(503) 348-5602

To Whom It May Concern:

I was recently informed that the city staff is working on a code change with regards to the protection & mitigation of trees on private property's owners land, as well as subdivision developments. My main concern, with the small amount of information that I have been able to obtain, is the significant financial impact this appears to have for property owners as well as future development.

The number one problem I have with this process is the lack of public notification. I am a landowner in Sandy and I am also a developer in the City of Sandy. I received no notification of the proposed changes and, from what I have been able to determine, no one else has either. I fear the city is working in a vacuum and the public is not being informed. These proposals would have a large financial impact to the community and we need to be informed.

Some of the financial impacts I foresee are, for example, A property owner lives on a 5 acre piece of land and has for 30 years. They are getting to retirement age and part of their retirement plan is to sell their property for development. In doing so, they should be able to develop say 20 lots. These lots have a pre developed value of \$40,000 each. I see this proposed ordinance possibly pushing the density of their property from 20 lots down to 15 lots. This would lower the value of their property by \$200,000. That kind of financial hit could make the difference between retirement and not.

Also, these tracts of trees will have to be maintained by the city and the neighborhoods. To say there is no costs associated with this is not true. People do not work for free, tree tracts do not get maintained for free.

There is also an impact to the city. With less lots available for development, there are less SDC's, fees & taxes collected that go directly into the city's coffers.

This code change will also dictate how people can use and enjoy their property. If there is a tract of land on a lot and the trees need to be protected, the homeowner will have to bear the costs of maintaining these trees but it could also limit the enjoyment they may have of their own home. In my opinion, this is a property rights violation.

I believe these changes will potentially have a huge financial impact to the city, the development community and the general citizenry of the City of Sandy. This proposal will limit development, strip



people of the use and enjoyment of their own property, bring less revenue into the city and increase the cost of housing.

All that said, I go back to my original point; the public was not notified of this proposed change. I see what could be big problems for the city on this front. Should a property owner find out that the city made a

change to the code of this significant nature I fear the property owner could have grounds for a LUBA appeal. LUBA appeals are slow and very expensive for the citizens who bring them and also for the city involved.

I am sorry I was not able to attend this council meeting, but I was only made aware of it a few hours prior. I have a family obligation that prohibits my ability to attend and with no public notice, I was not able to make other arrangements. I urge you to postpone a vote at this time and ask that you direct city staff to work with the public and the development community to find an acceptable solution.

Thank you

Mac Even  
President, Even Better Homes

APRIL 4, 2018

# NOTICE OF PROPOSED ZONING CODE AND MAP CHANGES THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES

You received this notice because the Planning and Sustainability Commission is considering proposed Zoning Code and Map changes that, if adopted, may affect the permissible uses of your property and other properties with the same zoning. These changes may affect the value of your property.

One of the properties that may be affected is your property at:

State ID #:

The current base zone(s) for this property is (are):

The proposed base zone(s) for this property is (are):

Does this property currently have an 'a' overlay zone?

Is the new 'a' overlay zone proposed for this property?

Other zoning regulations may also apply to this property, but they are not proposed to change at this time. For more information, please refer to [www.portlandmaps.com](http://www.portlandmaps.com) or call 503-823-0195.

## How could my property be affected by proposed changes?

If you choose to build a new house or expand an existing house, one or more of the following new rules, if adopted, may affect your property. Refer to your property's proposed zoning above to see what changes may apply.

For properties with ...	These changes are proposed:
Proposed base zone of R7	<ul style="list-style-type: none"> <li>When building a new house/structure or when adding to an existing house, the maximum size would be limited to a portion of the lot's size. For example, on a 7,000-square-foot lot, the maximum size house would be 2,800 square feet.</li> </ul>
Proposed base zone of R5	<ul style="list-style-type: none"> <li>When building a new house/structure or when adding to an existing house, the maximum size would be limited to a portion of the lot's size. For example, on a 5,000-square-foot lot, the maximum size house would be 2,500 square feet.</li> <li>Lots must be at least 36 feet wide and at least 3,000 square feet in area to construct a house. However, lots that have not been owned in common with abutting lots may still be developed.</li> </ul>
Proposed base zone of R2.5	<ul style="list-style-type: none"> <li>When building a new house/structure or when adding to an existing house, the maximum size would be limited to a portion of the lot's size. For example, on a 2,500-square-foot lot, the maximum size house would be 1,750 square feet.</li> <li>Lots that are 25 feet wide or less must be developed with attached houses. However, lots that are 25 feet wide or less, and are not owned in common with abutting lots, may be developed with a small detached house.</li> </ul>
Proposed new 'a' overlay (R7, R5 and R2.5 base zones)	<ul style="list-style-type: none"> <li>Each property may include: one house, <b>or</b> one house with up to two accessory dwelling units (ADU), <b>or</b> one duplex, <b>or</b> one duplex plus a detached ADU, <b>or</b> one triplex (on corner lots only).</li> </ul>
Current 'a' overlay without proposed new 'a' overlay (R7, R5 and R2.5 base zones)	<ul style="list-style-type: none"> <li>The 'a' overlay would be removed. This would not affect properties in the R7 or R5 base zones.</li> <li>Triplexes would no longer be allowed in the R2.5 zone.</li> </ul>



5772 SQ FT

M56-RIP2018

## Why are these changes proposed?

The rules that govern the types of housing allowed in our neighborhoods also affect who can live there.

Over the past two years, Portlanders have expressed concerns that residential neighborhoods are becoming inaccessible to many and housing options are limited. This feedback has informed a proposal to allow more households to live in these neighborhoods --- while limiting the construction of very large new homes. A zoning change alone won't solve our housing shortage, but it will give more people opportunities to live in these vibrant neighborhoods close to schools, parks, shopping and good transit options.

## Are these changes a "done deal"?

No. The Planning and Sustainability Commission (PSC) is holding public hearings on these proposals. Their recommendations to City Council will be informed by oral and written testimony and may differ from these proposals. You will have other opportunities to review and testify on any changes to these proposals before City Council makes a decision (expected in late 2018).

## Will the zone change require me to redevelop or sell my property?

No, as a property owner it is always your choice to sell or redevelop.

## When will zoning changes take effect?

March 2019 is the earliest that these changes could take effect.

## If I provide testimony, will my contact information be made public?

All testimony to the Planning and Sustainability Commission (PSC) is considered public record, and testifiers' name, address and any other information provided in the testimony may be included on the website.

**The Bureau of Planning and Sustainability is committed to providing equal access to information and hearings.**

**If you need special accommodation, translation or interpretation, please call 503-823-7700, the City's TTY at 503-823-6868, or the Oregon Relay Service at 711 at least five business days before hearing.**

### Interpreters available

**This is a public notice about proposed land use changes that may affect your property. For more information, call 503-823-0195 and ask for an interpreter.**

Este es un anuncio público sobre los cambios al aprovechamiento del terreno que puedan afectar a su propiedad. Para obtener más información, comuníquese con el 503-823-0195 y solicite un intérprete.

这是一则关于可能影响您的财产的拟定土地使用变更的公共通知。如需更多信息，请致电 503-823-0195 并要求提供一名译员。

Đây là một thông báo công khai về các thay đổi trong việc sử dụng đất được đề xuất mà có thể gây tác động đến tài sản của quý vị. Để biết thêm thông tin, vui lòng gọi điện thoại đến số 503-823-0195 và yêu cầu một thông dịch viên ngôn ngữ.

Это публичное извещение о предлагаемых изменениях порядка землепользования, которые могут повлиять на принадлежащую вам собственность. Для того, чтобы получить более подробные сведения, позвоните по тел. 503-823-0195 и попросите соединить вас с устным переводчиком.

Kani waa ogaysiis dadweyne oo ku saabsan isticmaal dhuleed oo la soo jeediyayoo laga yaabo in uu raad ku yeesho hantidaada. Wixii macluumaad dheeraad ah, wac 503-823-0195 waxaanad codsataa turjubaan.

このお知らせは、提案されている土地利用の変更を公に通知するものです。この変更は、あなたの所有地に影響を及ぼす可能性があります。詳細については、503-823-0195 までお電話のうえ、通訳をご要請ください。

ນີ້ແມ່ນແຈ້ງການສາທາລະນະກ່ຽວກັບການປຸງແປງໃນການນຳໃຊ້ທີ່ດິນທີ່ສະເໜີໄວ້ ຊຶ່ງອາດມີຜົນກະທົບຕໍ່ຊັບສິນຂອງທ່ານ. ສຳລັບຂໍ້ມູນເພີ່ມເຕີມ, ໂທ 503-823-0195 ແລະຂໍເອົາພາສາສາມາຊ່ວຍແປຕູ້ທັງ.

هذا إشعار عام بشأن تغييرات مقترحة في استخدام الأراضي قد يكون لها تأثير على ممتلكك العقاري. للحصول على مزيد من المعلومات، يجب الاتصال برقم الهاتف 503-823-0195 وطلب مترجم شفهي.

Prezenta este o notificare publică referitoare la propusele schimbări ale regulilor de folosire a terenurilor care vă pot afecta proprietatea. Pentru informații suplimentare, sunați la 503-823-0195 și solicitați un traducător.

Це публічне повідомлення про запропоновані зміни у використанні землі, які можуть вплинути на вашу нерухомість. Щоб отримати додаткову інформацію, зателефонуйте на номер 503-823-0195 і попросіть поговорити з перекладачем.

## How can I learn more?



### ONLINE

Visit our project website and the interactive Map App on any computer, tablet or smart phone. All Multnomah County libraries have public access computers.

**1. Project website: [www.portlandoregon.gov/bps/infill](http://www.portlandoregon.gov/bps/infill)**

Get the latest news, learn about events and drop-in hours, view documents and more.

**2. Map App: [www.portlandoregon.gov/bps/infill/mapapp](http://www.portlandoregon.gov/bps/infill/mapapp)**

Learn how the project proposals may affect individual properties across Portland. Type in the property address to see proposed changes that may affect your property.



### IN PERSON

**3. Drop in to chat with City staff at a location near you.** Staff will answer your questions one-on-one.

Tuesday, April 17, 2018, 5 – 7 p.m.	St Johns Library, 7510 N Charleston Avenue
Thursday, April 19, 2018, 4:30 – 6:30 p.m..	Midland Library, 805 SE 122nd Avenue
Thursday, April 26, 2018, 3:30 – 5:30 p.m.	North Portland Library, 512 N Killingsworth Street
Monday, April 30, 2018, 3:30 – 5:30 p.m.	Hollywood Library, 4040 NE Tillamook Street
Tuesday, May 1, 2018, 4:30 – 6:30 p.m.	Woodstock Library, 6008 SE 49th Avenue
Thursday, May 3, 2018, 4:30 – 6:30 p.m.	Hillsdale Library, 1525 SW Sunset Blvd



### PHONE AND EMAIL

**4. Ask City staff a question.** We are happy to help. Call 503-823-0195 or email us at [residential.infill@portlandoregon.gov](mailto:residential.infill@portlandoregon.gov).

## How can I provide feedback to decision-makers?

You may testify to the Planning and Sustainability Commission (PSC) about proposed changes in the following ways:

#### Testify in person at the PSC public hearing

You may speak for two minutes at only one of the following hearings. Your testimony will be added to the public record.

**Tuesday, May 8, 2018, at 5 p.m.**

1900 SW 4th Avenue, Room 2500, Portland, Oregon

**Tuesday, May 15, 2018, at 5 p.m.**

1900 SW 4th Avenue, Room 2500, Portland, Oregon

To confirm the date, time and location, check the PSC calendar at [www.portlandoregon.gov/bps/35452](http://www.portlandoregon.gov/bps/35452)

*If you need special accommodation, translation or interpretation, please call 503-823-7700 at least five business days before the hearing date.*

#### Testify in writing between now and May 15, 2018

You must provide your full name and mailing address.

- **Map App: [www.portlandoregon.gov/bps/infill/mapapp](http://www.portlandoregon.gov/bps/infill/mapapp)**  
Click on the "Testify" button.  
*Testifying in the Map App is as easy as sending an email. Once your testimony is submitted, you can read it in real time.*
- **U.S. Mail:**  
Portland Planning and Sustainability Commission  
Residential Infill Testimony  
1900 SW 4th Avenue, Suite 7100  
Portland, Oregon 97201

*All testimony to the Planning and Sustainability Commission is considered public record, and testifiers' name, address and any other information provided in the testimony may be included on the website.*



City of Portland, Oregon  
 Bureau of Planning and Sustainability  
 1900 SW 4th Avenue, Suite 7100  
 Portland, Oregon 97201-5380 P514

PRESORTED  
 FIRST CLASS MAIL  
 US POSTAGE  
 PAID  
 PORTLAND OR  
 PERMIT NO 653

Notice of Zoning Code and Map Changes

RETURN SERVICE REQUESTED

ORTH THOMAS C &  
 1932 NE 144TH AVE  
 PORTLAND OR 97230-4121

127 BRANNP1 97230



M56-RIP2018

**NOTICE OF PROPOSED ZONING CODE AND MAP  
 CHANGES THAT MAY AFFECT THE PERMISSIBLE  
 USES OF YOUR PROPERTY AND OTHER PROPERTIES**

**You will receive a notice for each property you own  
 that may be affected by a proposed Zoning Code  
 and/or Map change. Therefore, if you own multiple  
 properties you may receive more than one notice.**

# SANDY OREGON

**If you wish to speak please Sign In**

( Si Usted Desea Hablar Por favor Inicie sesión)

**You have 5 minutes to Speak**

(Tienes 5 Minutos para hablar)

**City Council Meeting  
(Reunión del Consejo De La Ciudad)**

Meeting Date: October 15, 2018

**PLEASE PRINT**  
(por favor imprimir)

Name / nombre	Address / dirección	City / ciudad
Tom Orth	2695 SE Farnesley Rd	Farming
Dane Hunt	39660 Pleasant St	Sandy
Ray Moore	Po Box 955 Sandy OR	SANDY
Sim Raze	4020 NE 216th Farnesley	
Bob Wells	02500 Road	Sandy
Kathleen Webb	15900 Bless Rd	