

# City of Sandy

## Agenda

### City Council Meeting

**Meeting Location:** City Hall- Council Chambers, 39250  
Pioneer Blvd., Sandy, Oregon 97055

**Meeting Date:** Monday, March 18, 2019

**Meeting Time:** 6:00 PM



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**1. WORK SESSION 6PM**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. AGENDA**

4.1. Agenda Review

4.2. Tree Code Committee Direction/Forestry Code Update

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[Tree Code Committee Direction - Pdf](#)

4.3. Economic Development Ad Hoc Committee

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[Economic Development Ad-Hoc Committee - Pdf](#)

**5. ROLL CALL**

**6. CHANGES TO THE AGENDA**

**7. PUBLIC COMMENT**

**8. REGULAR COUNCIL MEETING 7PM**

**9. PRESENTATION**

9.1. Transit Master Plan Update - Presentation by Michelle Poyourow

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[Transit Master Plan Update - Presentation by Michelle Poyourow - Pdf](#)

**10. CONSENT AGENDA**

- 10.1. City Council Minutes 10 - 44  
[City Council Work Session and Regular Meeting - 04 Mar 2019 - Minutes - Pdf](#)

**11. NEW BUSINESS**

- 11.1. Sandy Community Campus Plan Discussion 45  
[Sandy Community Campus Plan Discussion - Pdf](#)

**12. URBAN RENEWAL AGENCY BOARD**

- 12.1. Tenant Improvement Grant Program and Paola's Pizza Barn 46 - 53

Staff recommends modifying the tenant improvement grant guidelines and offering a tenant improvement grant up to \$30,000 to the owners of the Paola's Pizza Barn for the purpose of adding a fire suppression (sprinkler) system.

[Tenant Improvement Grant Program and Paola's Pizza Barn - Pdf](#)

**13. REPORT FROM THE CITY MANAGER**

**14. COMMITTEE REPORTS/COUNCIL REPORTS**

**15. STAFF UPDATES**

- 15.1. [Monthly Reports](#)

**16. ADJOURN**



## Staff Report

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**Meeting Date:** March 18, 2019  
**From** Kelly O'Neill, Planning Director  
**SUBJECT:** Tree Code Committee Direction

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**Background:**  
**BACKGROUND**

In 2018, City Council decided to form an ad hoc committee to work on code updates to Chapter 17.102, Urban Forestry, with the goal of finding a balance between a free-for-all for tree removal and over-regulation for tree retention/mitigation. Council expressed a desire to keep the committee a manageable size and to include members from the development/builder/engineer community, as well as technical tree experts, tree advocates, and members of the community. The tree committee held a kick-off meeting on February 20, 2019 and is requesting guidance from Council prior to moving forward with drafting code amendments. The committee would like guidance from Council on the following:

- What are Council's goals or vision for managing trees in Sandy? What is the bigger picture for urban forestry in Sandy?
- Does Council have a scope and time frame in mind for the code changes? Staff is hopeful we can adopt new code language by September of 2019.
- Developments are more desirable with trees and parks. Should our parks provide some portion of tree refuges, meaning clumps or stands of trees (4-20 trees)?
- Should tree retention in future developments provide more trees, the same as the current requirement, or fewer trees? Does Council want more tree preservation on developing properties? Or would Council prefer less restrictive tree preservation standards and more developable land?
- All trees provide environmental and other services such as shading, habitat, improved water quality, carbon sequestration, stormwater management, increased property value, reduced heating costs, improved air quality, etc. Larger, mature trees provide even greater benefits. Would Council like to see an emphasis on older/heritage tree retention and diversity in the City?
- The committee discussed the idea of tree retention tracts, which would be owned by an HOA. These tracts may eventually become City property if the HOA goes defunct. Would Council be okay with this?
- Is Council open to establishing incentives to protect and keep older/heritage trees? Should we provide a way to offer incentives to home owners to protect trees on their property?
- Is maintaining our Tree City USA designation still a City goal?

**COMPREHENSIVE PLAN GOALS RELATED TO URBAN FORESTRY**

Goal 5 of the Comprehensive Plan includes policies related to natural resources, open space, stream corridor protection, indigenous growth protection, historic and cultural resource protection, and environmental and cultural resource protection. The most relevant policies related to tree retention and mitigation include the following:

- Policy 4: The City promotes development practices which maintain or enhance the environmental quality enjoyed by the residents of the community.
- Policy 6: Identify and inventory open space corridors within the Sandy urban growth area. Open space shall include lands useful for fish and wildlife habitat, trails, public access to natural resource lands and water, and protection of environmentally sensitive areas. Wherever possible, open space areas identified for protection shall be preserved through the application of constrained open space standards, through conservation easements, or through other similar methods.
- Policy 7: Employ development regulations to preserve and protect open space and environmentally sensitive lands, integrate the natural environment of Sandy into project designs, minimize the creation of impervious surface, and discourage the unnecessary clearing of trees and other natural vegetation.
- Policy 8: Wherever possible, native growth protection areas shall be established along Highway 26 at both the east and west entries to the City. These areas are intended to provide a pleasant entry to the City, screen industrial uses from the highway, and provide a buffer between the highway and other land uses. These native growth areas shall be planted with native tree species in locations where such trees do not exist.
- Policy 9: Where appropriate, public open space or private protected open space should be connected to other open space corridors established by other agencies and by private development.
- Policy 10: The City shall work with property owners and developers to preserve open space along Tickle Creek as part of the Tickle Creek Greenway.
- Policy 12: Encourage projects which will protect, maintain, enhance, and restore the natural functions and values of stream corridors. This includes maintenance of water quality, storm runoff and flood water conveyance, wildlife habitat, open space, recreation, and aesthetic values.
- Policy 16: Require development and construction projects to minimize disturbance of significant indigenous growth and to enhance the cohesive quality of tree stands through sensitive site design and construction methods.
- Policy 17: Promote innovative site and building designs which reduce the adverse impacts of development on native tree stands and other areas of significant vegetation.
- Policy 18: Where feasible, preserve natural vegetation resource sites through public acquisition, conservation easements or other available methods to permanently limit development.
- Policy 19: Encourage and, if necessary, require reforestation in open space areas to help mitigate the adverse impacts of development.
- Policy 27: The City of Sandy shall promote the planting of trees throughout the community on both public and private properties.

- Policy 28: The City of Sandy shall consider the establishment of a street tree plan that identifies particular trees within different areas of the City but that provide species diversity to add visual interest throughout the community, create individual neighborhood identity, and provide additional resistance through species diversity against disease.
- Policy 29: The City of Sandy shall review existing development standards, including street standards, to assure that the standards support and encourage the maintenance of a sustainable urban forest.
- Policy 30: The City of Sandy shall consider incentives to encourage the preservation of significant trees.
- Policy 31: The City of Sandy shall undertake a study to designate “significant/heritage” trees or areas of second growth that exist within the City’s urban growth boundary. Designated trees shall be protected and preserved where possible.

**Recommendation:**

Council provide staff and the Tree Code Committee direction on how to proceed.

**Budgetary Impact:**

None at this time.

SANDY TREE CODE COMMITTEE  
KICKOFF MEETING MINUTES  
February 20, 2019

Start Time: 1:38 PM

**COMMITTEE MEMBERS IN ATTENDANCE:** Carl Exner; Dave Kliewer; Hollis MacLean-Wenzel; Jim Raze; Kathleen Walker; Mac Even; Ray Moore; Stephanie Taylor; Suzi Cloutier

**STAFF IN ATTENDANCE:** Emily Meharg; Kelly O’Neill Jr.

**INTRODUCTIONS:** The meeting began with a round of introductions followed by a brief recap of why this committee was formed by City Council. Staff stated that in addition to Chapter 17.102 (Urban Forestry) the intent is to look at the Development Code holistically which most likely will include chapters Chapters 17.60; Chapter 17.92; Chapter 17.102; and, possibly Chapters 17.10 and 17.56.

**STAFF PRESENTATION:** Emily Meharg presented a slideshow including problematic tree retention issues and mitigation tree issues.

**ROUNDTABLE DISCUSSION:**

These were some of the main discussion points:

- Mitigation trees and retention trees on small lots is problematic.
- Development of small lots with retention trees is tough especially when the root protection zones are halfway into a lot.
- Clear cutting in the Sandy Bluff neighborhood poisoned the well and led the City of Sandy to adopt more stringent tree retention standards.
- Tree retention in developments is important.
- Trees provide many environmental services such as shading, habitat, improved water quality, carbon sequestration, stormwater management, etc. Mature trees can consume at least four thousand gallons of water per tree.
- What are the goals behind tree preservation? City Council wants a balanced tree code that retains trees and also allows development.
- What are the policies in the comprehensive plan that are applicable?
- Why not plant seedlings instead of trees at 6 to 8 feet in height? Need probably like 5 years of property maintenance to remove blackberry bushes, etc. to help smaller trees become established.
- Doug firs in an urban environment are problematic. Appropriateness of species is something important to define.
- Variety in tree species is very important.
- The hope is a reformed tree code will not become a development versus code battle.
- Tree islands in developments (is that a goal?). Cluster of trees is favored. Better to preserve a functional piece of habitat than “one-off” trees.
- Backyard Habitat Program helps educate homeowners on the importance of backyard habitat.
- Homeowner tree program for stormwater retention assistance should be considered.

- Flexibility in lot sizes and minimum average lot widths would be a great tradeoff for allowing more tree retention.
- When thinking about code changes, it might be good to provide equivalent options, which would allow for some flexibility based on the site.
- Is it better to spread functional clusters of retention trees throughout the development, or to concentrate all retention trees in one specific area (e.g., the FSH overlay or a large tree tract) to allow mass grading of the remainder of the site?
- How should we approach development of a forested property versus a field? If a developable property has no trees (i.e. agricultural field), should the developer be required to plant trees as part of the development?
- It would be helpful to look at specific examples of past subdivisions to see what worked, what didn't, and what could be done better.

City Council Clarifications (questions and input):

- Need to identify the goal and scope of the code changes.
- Is Council okay with seeing smaller mitigation trees?
- Street tree list needs to be revised. Does Council agree?
- Does Council want more tree preservation on property or more developable land with less tree preservation standards?
- Is City Council comfortable with assuming tree retention tracts from Home Owner Associations (HOAs) in the future?
- Is Tree City USA still a goal?

End Time: 3:35 PM



## Staff Report

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**Meeting Date:**

**From** Jordan Wheeler, City Manager

**SUBJECT:** Economic Development Ad-Hoc Committee

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**Background:**

On February 4, the City Council provided direction on the creation of an Economic Development Committee that would advise the Council and staff on programs, policies, and activities that encourage business recruitment, growth, and retention in Sandy. On [March 4](#), Council reviewed a draft resolution that would formally establish the committee and prescribe the membership, qualifications, terms, officers, and mission.

The feedback from Council was that an ad hoc committee of the Council, whose members would be appointed by the Mayor and confirmed by the Council, would better achieve the intent and purpose of this advisory body at this time.

This ad hoc committee would have the purpose of assisting the Council in determining the scope and structure of an Economic Development Committee and providing input on the Council's and City's current goals, policies, and programs to support economic development. As an ad-hoc committee, there would be more flexibility for the body and for the Council to achieve these objectives.

The meetings would be public and advertised and we would still recommend that the membership be limited to 9 members that include property owners, business owners, Sandy Chamber of Commerce, and at-large members that have knowledge and expertise in business or economic development.

Staff is happy to assist the Mayor and Council in recruiting for members for this ad hoc committee.

**Recommendation:**

No formal action is required at this time. Staff recommends reaching out to individuals that would be interested in serving on the committee, developing a roster and brief outline of the purpose and intent of the committee, and scheduling a future update to Council on the progress of their formation and work.





## Staff Report

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**Meeting Date:** March 18, 2019

**From** Andi Howell, Transit Director

**SUBJECT:** Transit Master Plan Update - Presentation by Michelle Poyourow

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**Background:**

The City of Sandy consulting team has written a report, called “Existing Conditions and Choices.” The report lays out some major choices and trade-offs that this Transit Plan could address. They include:

- How important is it that large numbers of people ride transit in Sandy? This outcome trades-off against spreading transit around thinly, so that a little bit of service is close to everyone. Which is more valuable to this community: high ridership or wide coverage?
- How should Sandy balance its investments in intercity services that help people reach opportunities far beyond Sandy, compared to local services that help people make short trips within the town?
- Should land use and development be shaped to support high ridership transit in the future? Or should the existing patterns, which are conducive to low ridership transit, continue?

The Existing Conditions and Choices Report is available for your reading.

This spring we are consulting the public, transit riders, stakeholders and the Council on these choices and trade-offs. Based on input from these sources and guidance from the Council, the consultant team will prepare a Draft Plan. The Draft Plan will be presented for public review starting in August of this year.

If you know of stakeholders who would like to be involved in this process, please let us know so that we can invite them.



**MINUTES**  
**City Council Meeting**  
**Monday, March 4, 2019 City Hall- Council Chambers, 39250**  
**Pioneer Blvd., Sandy, Oregon 97055 6:00 PM**

**COUNCIL PRESENT:**

Jeremy Pietzold, Council President, Laurie Smallwood, Councilor, John Hamblin, Councilor, Jan Lee, Councilor, Carl Exner, Councilor, Bethany Shultz, Councilor, and Stan Pulliam, Mayor

**COUNCIL ABSENT:**

**STAFF PRESENT:**

Karey Milne, Recorder Clerk, Jordan Wheeler, City Manager, David Snider, Economic Development Manager, Tyler Deems, Finance Director, Mike Walker, Public Works Director, and Thomas Fisher, Engineering Technician

**MEDIA PRESENT:**

- 1. Work Session PM**
- 2. Roll Call**
- 3. Work Session Items**
  - 3.1. Agenda Review

Mayor Reviewed the items on the upcoming agenda.

Councilor Shultz on the consent agenda, the minutes still show her as a board member not a council member.

Review of LID, Public Works Director Mike Walker, all the remonstrances except two came back and 94% rejected the LID. He attended a public meeting the neighborhood put together. There was confusion and miscommunication with in the neighborhood. He also feels our current Ordinance could use some updating and changes to how things are done and the process from our end.

Council had a few questions for Director Walker, that he answered.

Council reviewed the Economic Development Committee Resolution, they worked through some questions and had some discussion.

Review of the PGE under-grounding requirement and proposals for Utility Rate Model and Wastewater SDC's update.

3.2. Public Comment

Kathleen Walker, 15920 Bluff Rd. Sandy, OR,  
Asked about the Economic Development Committee Resolution and who will be on the committee, she feels council should take into account people that live here as well to be involved not just people who own or run a business.

3.3. Budget Direction and Priorities

Staff Report - 0114

City Manager, Jordan Wheeler, asked council for some budget direction on their priorities. Staff is currently working on preparing the budget for the next biennium, he is unable to go into specifics until the budget message is presented to the committee, however he would like to discuss some policy issues and major drivers to the budget. He started with the Police Department Funding and staffing issues.

Council had several questions and discussed some of the police issues with City Manager, Jordan Wheeler and Chief Ernie Roberts, via phone.

They talked a little bit about the public safety or public services fee, but due to time constraints were not able to review topics 2-4.

4. **Adjourn Work Session**

5. **Regular Meeting 7PM**

6. **Pledge of Allegiance**

7. **Roll Call**

8. **Changes to the Agenda**

9. **Public Comment**

9.1.

Lea Topliff, 18015 Davis St., Sandy, OR, addressed the council and gave out information to each councilor regarding allowing mobile homes on residential lots, for more affordable housing.

[Handouts](#)

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10. **Consent Agenda**

- 10.1. City Council Minutes
- 10.2. ODOT Intergovernmental Agreement and Fund Exchange Agreement for US 26 Vista Loop to Ten Eyck Pedestrian Improvements Project

Staff Report - 0113

Moved by Jeremy Pietzold, seconded by Jan Lee

*Motion to Approve the Consent Agenda that includes the City Council Work Session and Regular Meeting Minutes and the ODOT Intergovernmental Agreement and Fund Exchange Agreement.*

CARRIED.

**11. Public Hearing for Local Improvement District**

Opened 7:09PM Closed at 7:14PM

- 11.1. Bluff / Jonsrud Local Improvement District Public Hearing

Staff Report - 0112

Mayor Pulliam, Opened up the public hearing at 7:09PM,  
Call for any conflict of interest from the hearing body – do any Councilors own property within the boundaries of the proposed LID?  
Mayor Pulliam, recapped how this came to Council today.

Call for the Staff Report; Engineering Technician, Thomas Fisher, recapped the LID process, and some of the bumps along the way, staff will look at revising the Ordinance around a Local Improvement District to help better the process. There is a total of 416,864 Square Feet of property and of that 394,512 Square feet came in as a no vote, 94.6%. more than 2/3 so the proposed district is abandoned and cannot be reconsidered for a minimum of three months.

Call for any public testimony - None

Call for a staff recap and recommendation, is not to move forward with the LID due to the majority of no votes.

Call for a motion to close the public hearing

Moved by Jan Lee, seconded by John Hamblin

*Motion to Close the Public Hearing, and not move forward with the LID at 7:14 PM*

CARRIED.

**12. New Business**

12.1. Draft of Economic Development Committee Resolution

Staff Report - 0115

Economic Development Manager, David Snider, At the Council work session on February 4th, 2019, City Council addressed their desire to see the creation of an Economic Development Committee and provided some specific preferences as to some of the structural elements of this committee. As a result of the work session discussion and direction, staff put together a first draft of the resolution establishing a City of Sandy Economic Development Committee. We have incorporated the feedback received at the February 4th meeting into this initial draft including elements such as the membership requirements and scope of the Committee. He reviewed the outline for the resolution, the mission, members, etc.

Council had some questions about appointment vs application, interview and then appointment.

Staff clarified.

Council would like staff to define the urban services boundary, is that the urban growth boundary?

Council would like us to be flexible but build parameters around the recruitment. Discussed the mission and duties and how that flows with the day to day operations of our economic development manager.

Council asked staff to please research and bring back to council as an ad-hoc committee.

12.2. Request for Exemption From Undergrounding Requirement in Section 17.84.80(E)

Staff Report - 0099

Public Works Director, Mike Walker, The City recently received a right-of-way permit application from PGE for installation of an overhead neutral conductor (wire) on Proctor Blvd. between Ten Eyck/Wolf Dr. and the PGE substation at Bluff Rd. Section 17.84.80(E) of the Municipal Code requires that "all franchise

utility distribution facilities installed to serve new development shall be placed underground". Staff asked PGE to provide more information on the proposed line. PGE replied that the new neutral is required to serve the increased electrical demand in Sandy resulting from new development. With the recent improvements made at the Sandy substation PGE needs to install an additional neutral line along Proctor Blvd. to connect to the local substation. Given the amount of money and effort expended on placing much of the overhead lines underground in this section of Proctor Blvd. Staff advised PGE that any new overhead conductors would require an exemption from the City Council. Additional conduits were installed with the utility under grounding project to accommodate future expansion of PGE's facilities but PGE has indicated that the spare conduits are not suitable for a neutral line installation. Council had some discussion with staff and believe they need more information from PGE in order to make a decision on whether to approve or not approve their request.

Moved by John Hamblin, seconded by Laurie Smallwood

*Motion to table until more information is given to council from PGE on why the neutral can not be put underground.*

CARRIED.

12.3. Proposals for Utility Rate Model and Wastewater SDCs Update

Staff Report - 0111

Public Works Director, Mike Walker, On January 25th staff requested proposals to update or replace our existing utility (water and sewer) rate model and our wastewater System Development Charges (SDCs). Proposals were due by February 19th and we received four proposals. Our existing rate model has not been updated for a number of years, requires a great deal of data entry, is very cumbersome to operate and has been altered by various users over the years such that the results from it are not reliable. A more streamlined rate model will allow us to set rates annually (or more frequently) and provide a long range rate forecast of future rates. He reviewed the proposals that came in.

Council had a few questions for staff and some discussion.

Moved by Jeremy Pietzold, seconded by John Hamblin

*Motion to accept the proposal from FCS Group and authorize the City Manager to negotiate a scope of work and fee not to exceed \$50,000 and enter into an agreement with FCS Group for updating the utility rate model and wastewater System Development Charges*

CARRIED.

**13. Report from the City Manager**

City Manager, Jordan Wheeler, Veolia took over the WWTP from CH2M on March 1st and things seem to be going just fine there. We did receive the office notice of fines on the permit violations for 2017-18 it was about \$24,000 in fines, so we are glad to have Veolia on board and that we are working on our WWTP facilities plan. Staff is deep in the budget process working on their projections. We are looking at early May for the budget committee meetings. The Transportation System Plan has a kick off meeting this week internally with ODOT.

Joe Knapp officially submitted his resignation and will be terribly missed.

**14. Committee/Council Reports**

Councilor Shultz, she has not had another Library Board meeting since the last one, she would like give appreciation on the collaboration with the Parks Board work session we had. She attended the Anna William constituent breakfast, she appreciates the work Mayor Pulliam has done in keeping her on our radar, it is very obvious that we are.

Councilor Exner, got a call regarding a pump station that was having some issues, and it took 5-6 minutes from a response back from the message machine. Would like some updates to the website as far as the changes to the councilors responsibilities. Forestry Code committee had their first meeting, things went well, there are some good people in that group, the committee would like some direction from council on putting the sideboards on that committee. Arts Commission met, they are heavy into looking at what is currently out there, inventorying what is there, the shape that art is in etc. Discussion on what to do with the Art Murals on City Hall when it goes under some upgrades.

Councilor Lee, was at the Anna Williams event, there was a great turn out, she was very responsive to peoples questions. A plastic bag ban is being brought forward to the senate so she will keep you up to date there. C4 will be meeting Thursday this week. The City dinner at Happy Valley was a great event that several of us attended.

Councilor Smallwood, no Parks Board meetings, would like to extend a thank you for the energy and effort the Parks Board put in to the workshop, and thank you to all involved in putting the effort in for the grant on the upgrades for Jonsrud View Point. Timberline Lodge has its first stage of it's downhill Mountain Bike Trail System almost ready and will open up in August 1st. It would be really cool if in our master plan we

could work in mountain bike trails here in Sandy.

Councilor Pietzold, Thank you to the Parks Board for the effort put forth in the work session. The Happy Valley dinner was great, and would love more of our council and even staff to attend some of those meetings. He attended the Anna Williams meeting, there were a lot of kids there and there was a great turn out and questions by our community, it says a lot that 4 of our Council members attended as well.

Mayor Pulliam, C4 is this Thursday, the did vote and pass the increase of the vehicle registration fee of 30.00 per year per vehicle, there is a potential for repeal. Has an upcoming meeting with the Mountain Festival and City Staff. The League of Oregon Cities featured the updated Sandy Fire Department and how Urban Renewal Districts are formed and how the dollars can be used. A few councilors had a lunch with Congressman Bluemenour , it went really well, we will help champion our efforts on the WWTP, also met with Rae Armatage with Senator Wydan's office, it was very encouraging, could be some opportunities that could help our WWTP. Also met with the Sandy Water Shed Council regarding the WWTP.

Question on end school zone sign by the football field, is there a reason why it is before the crosswalk?

Director Walker, let them know the reasoning and what would need to be done in order to get changes made if it would allow for the changes. Morning Perk will be hosted at City Hall this Wednesday 7:30am.

The Mayor reviewed some other upcoming events happening around the area.

**15. Staff updates**

15.1. [Monthly Reports](#)

**16. Adjourn**



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Mayor, Stan Pulliam



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City Recorder, Karey Milne



It appears that not only does Oregon law allow siting of manufactured homes on private land, but encourages it according to 2017 ORS 197.314<sup>1</sup>, copies of which I have provided along with 2017 ORS 197.312<sup>1</sup>, 2017 ORS 197.303<sup>1</sup>, 2017 ORS 446.003<sup>1</sup>. I have also included a copy of the zoning codes from Albany and St. Helens as examples of how this can be done.

My argument for allowing manufactured housing on city lots is that there is a shortage of truly affordable housing in the city. Manufactured homes, built to very strict codes as determined by HUD, could meet the need for housing for low to mid-income people in particular. The drawbacks for those seeking such shelter by living in manufactured home parks are substantial. The largest two of which are the constant rent increases and the lack of rights as regards the land the home you own sits on. At any time the owner of the land chooses, they can sell the property for development or go out of business and the home owner is left with few options. According to one lawyer I consulted, the manufactured home park resident has very few, if any, rights.

Many Oregon cities, including Albany, Oregon City, Sweet Home, Lebanon, Lincoln City, and Salem among others, have already recognized the need to allow these more affordable homes to be located on lots within their cities. Most also tax them as permanent dwellings, evaluating them as any other housing unit so the city does not lose tax income, as they do on homes in manufactured home parks which are taxed at the much lower rate of personal property. These homes often generate only a few hundred dollars in tax money though they use the same amount of city services as a home on a real estate lot that pays substantially more.

My personal reasons for asking for a consideration of this issue is that as my husband and I age, we need to downsize financially and physically from the tri-level home we now occupy, to something smaller, perhaps on a smaller lot with less yard work, more affordable, and with less of a tax burden. For us, apartment renting is not an option as our income is fixed and rental rates are not. Unfortunately, we have found, along with many other retired people, that there is a shortage of single level affordable housing in Sandy. Many of our friends, some of whom are descendants of founders and pioneers of Sandy, have left the area to seek more affordable options. This is a of citizens who were actively involved in our social and cultural value including being passionate volunteers for local issues. In addition to losing their roots, they lose the support system they need as they age, leaving behind friends, families, churches, and social activities they have long been involve in and that enriched their life as well.

I have lived in both stick-built and manufactured housing and I honestly found the manufactured home met my needs better. I found the quality especially of the "Smart Cents" homes with their eye on conservation of energy consumption, to be especially attractive. I would like very much to be among the first to be able to occupy such a home if the city codes will allow it.

Submitted by Lea Caren Topliff  
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Sandy, Or 97055  
Ph 503-668-0327  
Email leatopliff@yahoo.com

## 2017 ORS 446.003<sup>1</sup>

### Definitions for ORS 446.003 to 446.200 and 446.225 to 446.285 and ORS chapters 195, 196, 197, 215 and 227

- [Text](#)
- [News](#)
- [Annotations](#)
- [Related Statutes](#)

As used in ORS 446.003 (Definitions for ORS 446.003 to 446.200 and 446.225 to 446.285 and ORS chapters 195, 196, 197, 215 and 227) to 446.200 (When noncompliance with city or county regulations authorized) and 446.225 (Administration and enforcement of federal manufactured housing safety and construction standards) to 446.285 (Advisory board training and education programs), and for the purposes of ORS chapters 195, 196, 197, 215 and 227, the following definitions apply, unless the context requires otherwise, or unless administration and enforcement by the State of Oregon under the existing or revised National Manufactured Housing Construction and Safety Standards Act would be adversely affected, and except as provided in ORS 446.265 (Transitional housing accommodations):

(1) “Accessory building or structure” means any portable, demountable or permanent structure established for use of the occupant of the manufactured structure and as further defined by rule by the Director of the Department of Consumer and Business Services.

(2)(a) “Alteration” means any change, addition, repair, conversion, replacement, modification or removal of any equipment or installation that may affect the operation, construction or occupancy of a manufactured structure.

(b) “Alteration” does not include:

(A) Minor repairs with approved component parts;

(B) Conversion of listed fuel-burning appliances in accordance with the terms of their listing;

(C) Adjustment and maintenance of equipment; or

(D) Replacement of equipment or accessories in kind.

(3) “Approved” means approved, licensed or certified by the Department of Consumer and Business Services or its designee.

(17) “Inspecting authority” or “inspector” means the Director of the Department of Consumer and Business Services or representatives as appointed or authorized to administer and enforce provisions of [ORS 446.111 \(Regulation of structures in parks\)](#), [446.160 \(Inspection\)](#), [446.176 \(Fees\)](#), [446.225 \(Administration and enforcement of federal manufactured housing safety and construction standards\)](#) to [446.285 \(Advisory board training and education programs\)](#), [446.310 \(Definitions for ORS 446.310 to 446.350\)](#) to [446.350 \(Tourist Facility Account\)](#), [446.990 \(Penalties\)](#) and this section.

(18) “Installation” in relation to:

(a) Construction means the arrangements and methods of construction, fire and life safety, electrical, plumbing and mechanical equipment and systems within a manufactured structure.

(b) Siting means the manufactured structure and cabana foundation support and tiedown, the structural, fire and life safety, electrical, plumbing and mechanical equipment and material connections and the installation of skirting and temporary steps.

(19) “Installer” means any individual licensed by the director to install, set up, connect, hook up, block, tie down, secure, support, install temporary steps for, install skirting for or make electrical, plumbing or mechanical connections to manufactured dwellings or cabanas or who provides consultation or supervision for any of these activities, except architects registered under [ORS 671.010 \(Definitions for ORS 671.010 to 671.220\)](#) to [671.220 \(Civil penalties\)](#) or engineers registered under [ORS 672.002 \(Definitions for ORS 672.002 to 672.325\)](#) to [672.325 \(Civil penalties\)](#).

(20) “Listed” means equipment or materials included in a list, published by an organization concerned with product evaluation acceptable to the department that maintains periodic inspection of production of listed equipment or materials, and whose listing states either that the equipment or materials meets appropriate standards or has been tested and found suitable in a specified manner.

(21) “Lot” means any space, area or tract of land, or portion of a manufactured dwelling park, mobile home park or recreation park that is designated or used for occupancy by one manufactured structure.

(22)(a) “Manufactured dwelling” means a residential trailer, mobile home or manufactured home.

(b) “Manufactured dwelling” does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code adopted pursuant to [ORS 455.100 \(Duties of director\)](#) to [455.450 \(Prohibited acts\)](#) and [455.610 \(Low-Rise Residential Dwelling Code\)](#) to [455.630 \(Enforcement\)](#) or any unit identified as a recreational vehicle by the manufacturer.

(23) “Manufactured dwelling park” means any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same

- (4) "Board" means the Residential and Manufactured Structures Board.
- (5) "Cabana" means a stationary, lightweight structure that may be prefabricated, or demountable, with two or more walls, used adjacent to and in conjunction with a manufactured structure to provide additional living space.
- (6) "Certification" means an evaluation process by which the department verifies a manufacturer's ability to produce manufactured structures to the department rules and to the department approved quality control manual.
- (7) "Conversion" or "to convert" means the process of changing a manufactured structure in whole or in part from one type of vehicle or structure to another.
- (8) "Dealer" means any person engaged in the business of selling, leasing or distributing manufactured structures or equipment, or both, primarily to persons who in good faith purchase or lease manufactured structures or equipment, or both, for purposes other than resale.
- (9) "Department" means the Department of Consumer and Business Services.
- (10) "Director" means the Director of the Department of Consumer and Business Services.
- (11) "Distributor" means any person engaged in selling and distributing manufactured structures or equipment for resale.
- (12) "Equipment" means materials, appliances, subassembly, devices, fixtures, fittings and apparatuses used in the construction, plumbing, mechanical and electrical systems of a manufactured structure.
- (13) "Federal manufactured housing construction and safety standard" means a standard for construction, design and performance of a manufactured dwelling promulgated by the Secretary of Housing and Urban Development pursuant to the federal National Manufactured Housing Construction and Safety Standards Act of 1974 (Public Law 93-383).
- (14) "Fire Marshal" means the State Fire Marshal.
- (15) "Imminent safety hazard" means an imminent and unreasonable risk of death or severe personal injury.
- (16) "Insignia of compliance" means:
- (a) For a manufactured dwelling built to HUD standards for such dwellings, the HUD label; or
  - (b) For all other manufactured structures, the insignia issued by this state indicating compliance with state law.

ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

“Manufactured dwelling park” does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS [92.010 \(Definitions for ORS 92.010 to 92.192\)](#) to [92.192 \(Property line adjustment\)](#).

(24)(a) “Manufactured home,” except as provided in paragraph (b) of this subsection, means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

(b) For purposes of implementing any contract pertaining to manufactured homes between the department and the federal government, “manufactured home” has the meaning given the term in the contract.

(25)(a) “Manufactured structure” means a recreational vehicle, manufactured dwelling or recreational structure.

(b) “Manufactured structure” does not include any building or structure regulated under the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code.

(26) “Manufacturer” means any person engaged in manufacturing, building, rebuilding, altering, converting or assembling manufactured structures or equipment.

(27) “Manufacturing” means the building, rebuilding, altering or converting of manufactured structures that bear or are required to bear an Oregon insignia of compliance.

(28) “Minimum safety standards” means the plumbing, mechanical, electrical, thermal, fire and life safety, structural and transportation standards prescribed by rules adopted by the director.

(29) “Mobile home” means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

(30) “Mobile home park” means any place where four or more manufactured structures are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. “Mobile home park” does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one

manufactured dwelling per lot if the subdivision was approved by the municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 (Definitions for ORS 92.010 to 92.192) to 92.192 (Property line adjustment).

(31) “Municipality” means a city, county or other unit of local government otherwise authorized by law to enact codes.

(32) “Recreational structure” means a campground structure with or without plumbing, heating or cooking facilities intended to be used by any particular occupant on a limited-time basis for recreational, seasonal, emergency or transitional housing purposes and may include yurts, cabins, fabric structures or similar structures as further defined, by rule, by the director.

(33) “Recreational vehicle” means a vehicle with or without motive power, that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and as further defined, by rule, by the director.

(34) “Residential trailer” means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

(35) “Sale” means rent, lease, sale or exchange.

(36) “Skirting” means a weather resistant material used to enclose the space below the manufactured structure.

(37) “Tiedown” means any device designed to anchor a manufactured structure securely to the ground.

(38) “Transitional housing accommodations” means accommodations described under ORS 446.265 (Transitional housing accommodations).

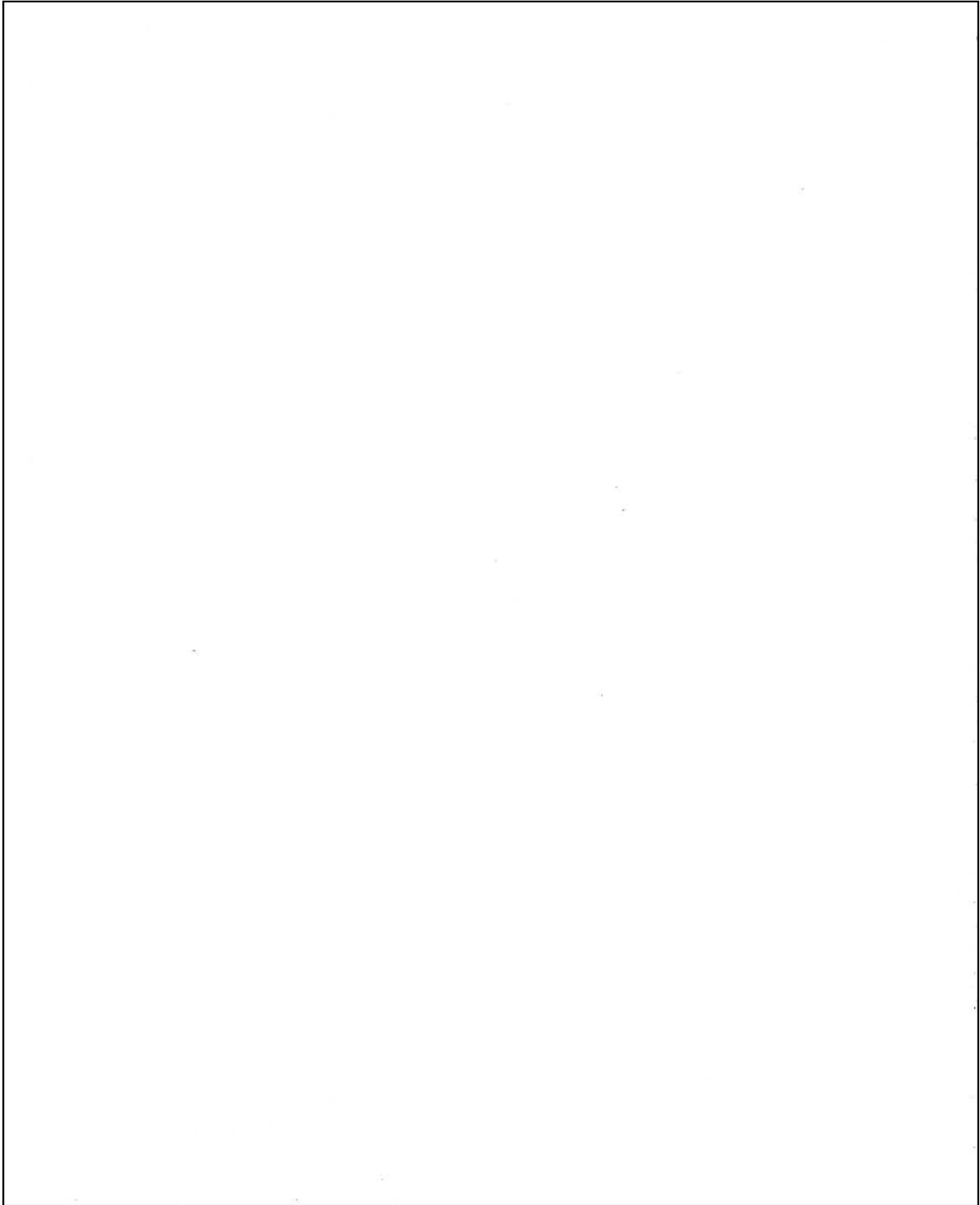
(39) “Utilities” means the water, sewer, gas or electric services provided on a lot for a manufactured structure. [1975 c.546 §10 (enacted in lieu of 446.002 and ~~446.004~~); 1979 c.884 §1; 1983 c.707 §1; 1987 c.274 §1; 1987 c.414 §21; 1989 c.527 §1; 1989 c.648 §§1,1a; 1989 c.683 §1; 1989 c.919 §6b; 1991 c.226 §1; 1991 c.844 §21; 1993 c.744 §47; 1995 c.251 §1; 1997 c.205 §1; 1999 c.758 §7; 2003 c.675 §6; 2005 c.22 §313; 2009 c.259 §25; 2009 c.567 §28; 2013 c.161 §2; 2013 c.196 §21]

<sup>1</sup> Legislative Counsel Committee, *CHAPTER 446—Manufactured Dwellings and Structures; Parks; Tourist Facilities; Ownership Records; Dealers and Dealerships*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors446.html](https://www.oregonlegislature.gov/bills_laws/ors/ors446.html) (2017) (last accessed Mar. 30, 2018).

<sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 446*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ano446.html](https://www.oregonlegislature.gov/bills_laws/ors/ano446.html) (2017) (last accessed Mar. 30, 2018).

<sup>3</sup> OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.

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## 2017 ORS 197.303<sup>1</sup>

### “Needed housing” defined

- [Text](#)
- [News](#)
- [Annotations](#)
- [Related Statutes](#)

(1) As used in ORS [197.307 \(Effect of need for certain housing in urban growth areas\)](#), “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS [197.475 \(Policy\)](#) to [197.490 \(Restriction on establishment of park\)](#);

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

(2) Subsection (1)(a) and (d) of this section does not apply to:

(a) A city with a population of less than 2,500.

(b) A county with a population of less than 15,000.

(3) A local government may take an exception under ORS [197.732 \(Goal exceptions\)](#) to the definition of “needed housing” in subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1; 2011 c.354 §2; 2017 c.745 §4] <sup>1</sup> Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors197.html](https://www.oregonlegislature.gov/bills_laws/ors/ors197.html) (2017) (last accessed Mar. 30, 2018).

<sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 197*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ano197.html](https://www.oregonlegislature.gov/bills_laws/ors/ano197.html) (2017) (last accessed Mar. 30, 2018).

<sup>3</sup> OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.

## **2017 ORS 197.307<sup>1</sup>**

### **Effect of need for certain housing in urban growth areas**

- approval standards for residential development**
- placement standards for approval of manufactured dwellings**

- [Text](#)
- [News](#)
- [Annotations](#)
- [Related Statutes](#)

(1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

(2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.

(3) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(5) The provisions of subsection (4) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

(8) In accordance with subsection (4) of this section and ORS 197.314 (Required siting of manufactured homes), a jurisdiction may adopt any or all of the following placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

(a) The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.

(b) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.

(c) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.

(d) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.

(e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010 (Definitions for ORS chapter 455).

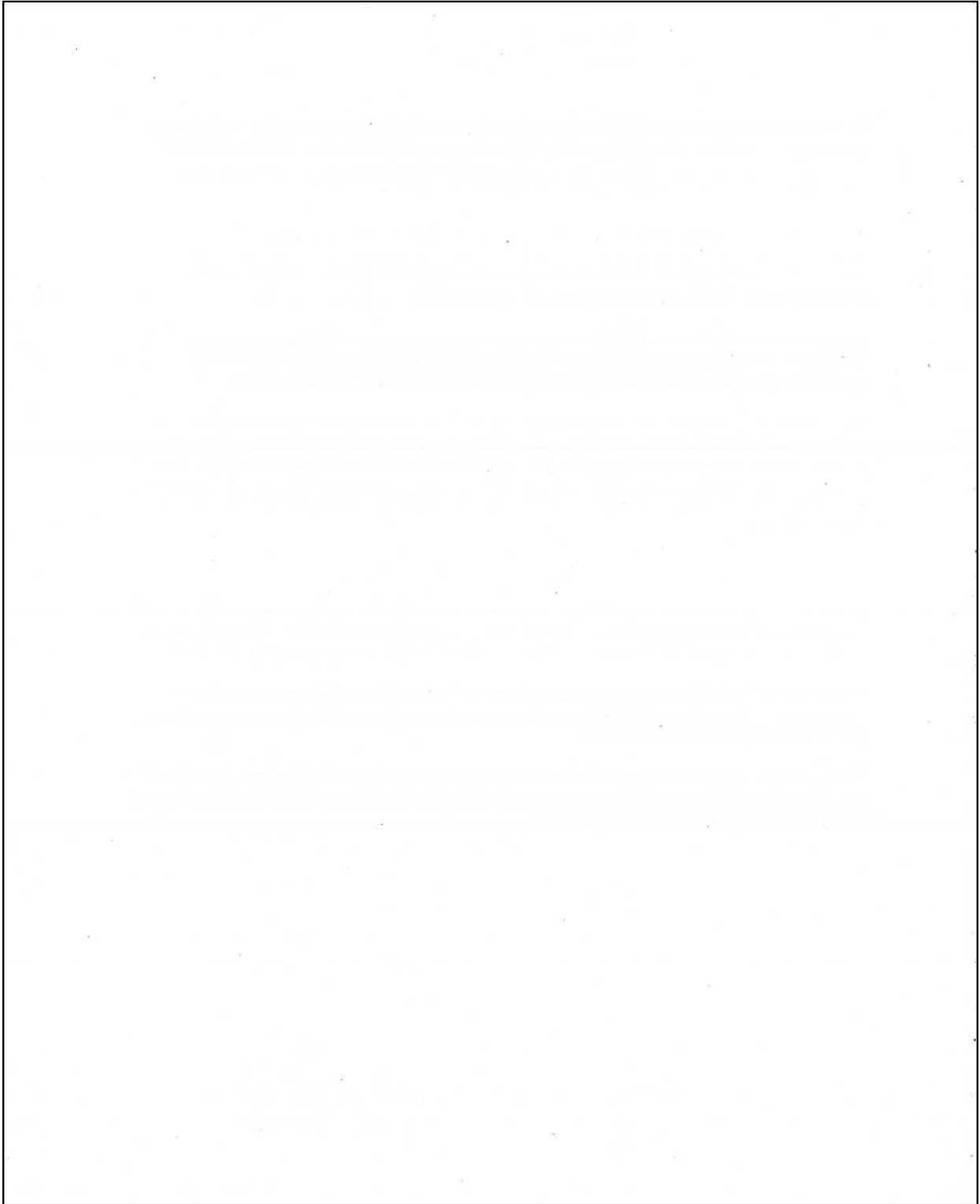
(f) The manufactured home shall have a garage or carport constructed of like materials. A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.

(g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject. [1981 c.884 §5; 1983 c.795 §3; 1989 c.380 §2; 1989 c.964 §6; 1993 c.184 §3; 1997 c.733 §2; 1999 c.357 §1; 2001 c.613 §2; 2011 c.354 §3; 2017 c.745 §5]

<sup>1</sup> Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors197.html](https://www.oregonlegislature.gov/bills_laws/ors/ors197.html) (2017) (last accessed Mar. 30, 2018).

<sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 197*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ano197.html](https://www.oregonlegislature.gov/bills_laws/ors/ano197.html) (2017) (last accessed Mar. 30, 2018).

<sup>3</sup> OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.



## 2017 ORS 197.314<sup>1</sup>

### Required siting of manufactured homes

- **minimum lot size**
- **approval standards**

- [Text](#)
- [News](#)
- [Annotations](#)
- [Related Statutes](#)

(1) Notwithstanding ORS 197.296 (Factors to establish sufficiency of buildable lands within urban growth boundary), 197.298 (Priority of land to be included within urban growth boundary), 197.299 (Metropolitan service district analysis of buildable land supply), 197.301 (Metropolitan service district report of performance measures), 197.302 (Metropolitan service district determination of buildable land supply), 197.303 (“Needed housing” defined), 197.307 (Effect of need for certain housing in urban growth areas), 197.312 (Limitation on city and county authority to prohibit certain kinds of housing) and 197.313 (Interpretation of ORS 197.312), within urban growth boundaries each city and county shall amend its comprehensive plan and land use regulations for all land zoned for single-family residential uses to allow for siting of manufactured homes as defined in ORS 446.003 (Definitions for ORS 446.003 to 446.200 and 446.225 to 446.285 and ORS chapters 195, 196, 197, 215 and 227). A local government may only subject the siting of a manufactured home allowed under this section to regulation as set forth in ORS 197.307 (Effect of need for certain housing in urban growth areas) (8).

(2) Cities and counties shall adopt and amend comprehensive plans and land use regulations under subsection (1) of this section according to the provisions of ORS 197.610 (Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development) to 197.651 (Appeal to Court of Appeals for judicial review of final order of Land Conservation and Development Commission).

(3) Subsection (1) of this section does not apply to any area designated in an acknowledged comprehensive plan or land use regulation as a historic district or residential land immediately adjacent to a historic landmark.

(4) Manufactured homes on individual lots zoned for single-family residential use in subsection (1) of this section shall be in addition to manufactured homes on lots within designated manufactured dwelling subdivisions.

(5) Within any residential zone inside an urban growth boundary where a manufactured dwelling park is otherwise allowed, a city or county shall not adopt, by charter or ordinance, a minimum lot size for a manufactured dwelling park that is larger than one acre.

(6) A city or county may adopt the following standards for the approval of manufactured homes located in manufactured dwelling parks that are smaller than three acres:

(a) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.

(b) The manufactured home shall have exterior siding and roofing that, in color, material and appearance, is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or that is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.

(7) This section shall not be construed as abrogating a recorded restrictive covenant. [1993 c.184 §2; 1997 c.295 §1; 1999 c.348 §7; 2005 c.22 §139; 2011 c.354 §5]

<sup>1</sup> Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors197.html](https://www.oregonlegislature.gov/bills_laws/ors/ors197.html) (2017) (last accessed Mar. 30, 2018).

<sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 197*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ano197.html](https://www.oregonlegislature.gov/bills_laws/ors/ano197.html) (2017) (last accessed Mar. 30, 2018).

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Chapter 17.60  
MANUFACTURED/MOBILE HOME REGULATIONS

**Sections:**

17.60.010 Purpose.

17.60.020 Manufactured/mobile home park standards.

17.60.030 Manufactured homes on individual building lots.

17.60.040 Nonconforming mobile homes.

**17.60.010 Purpose.**  SHARE 

The purpose of this chapter is to establish criteria for the placement of manufactured/mobile homes in mobile home park developments and manufactured homes on individual building lots within the city of St. Helens. (Ord. 2875 § 1.102.010, 2003)

**17.60.030 Manufactured homes on individual building lots.**  SHARE 

The establishment, location, and use of manufactured homes as scattered site residences shall be permitted in any zone permitting installation of a dwelling unit subject to requirements and limitations applying generally to such residential uses in the district, and provided such homes shall meet the following requirements and limitations:

- (1) The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet;
- (2) The manufactured home shall be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the finished first floor of the manufactured home is located not more than 12 inches above grade (except on sloped lots);
- (3) The manufactured home shall be securely anchored to the foundation system in accordance with the requirements of the State Building Codes Agency for Manufactured Structures;
- (4) The manufactured home shall have a pitched roof with a slope of at least three feet in height for each 12 feet in width;
- (5) The manufactured home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the city as determined by the Building Division. This requirement shall not be interpreted to mean that the city is responsible for enforcing codes, covenants, and restrictions of any homeowners or other association;

(6) The manufactured home shall have an exterior thermal envelope in substantial compliance with performance standards equivalent to the performance standards required of single-family dwellings constructed under the State Building Code as defined in ORS 455.010, as determined by the Building Division; and

(7) Have minimum of two on-site parking spaces. (Ord. 2875 § 1.102.030, 2003)

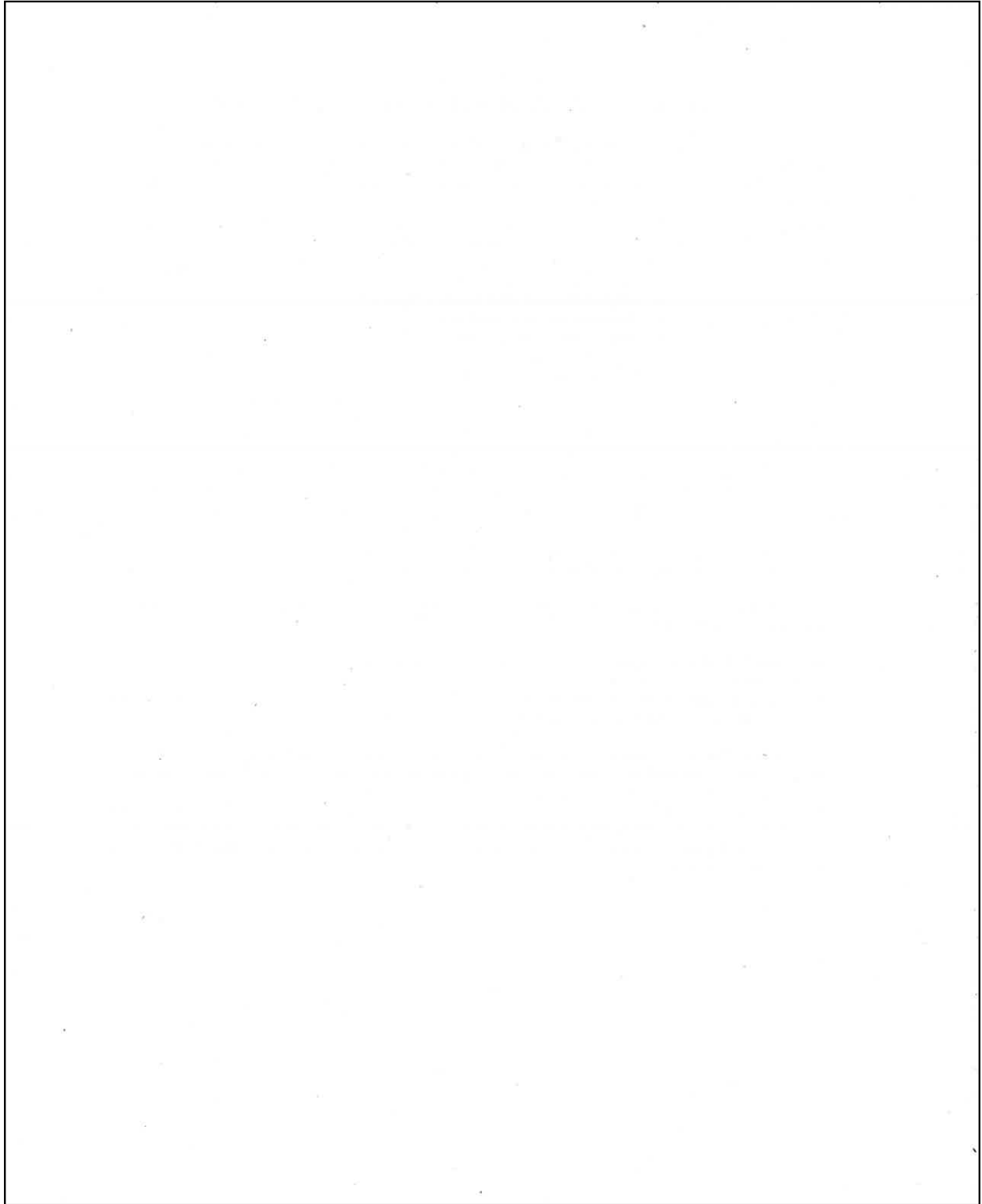
**ARTICLE 10**  
**MANUFACTURED HOME DEVELOPMENT STANDARDS**

10.000 **Overview.** This article contains the standards of development for manufactured housing placed on individual lots and in manufactured home parks within the City. Manufactured homes provide a wide choice of housing types suitable for a variety of households, lifestyles and income levels. The standards contained in this article are intended to provide a suitable living environment for residents of manufactured homes and establish development standards that will increase compatibility with adjacent land uses. The following is a list of the main headings in this article.

- 10.010 General Provisions
- 10.020 Classification of Manufactured Homes
- 10.030 Placement on Individual Lots
- 10.040 Manufactured Home Parks
- 10.050 Temporary Placements
- 10.060 Recreational Vehicle Parks

**GENERAL PROVISIONS**

- 10.010 **Definitions.** For purposes of this article, the definitions of terms used and not defined in Article 22 of this Code are as defined in ORS Chapter 446, Oregon Administrative Rules Chapter 918, Division 600, or Oregon Administrative Rules Chapter 333, Division 31 as amended. [Ord. 5445, 4/12/00]
- 10.020 **Relationship to Other Regulations.** Standards for manufactured home developments established by state law or state administrative rule are in addition to the provisions of this article.
- 10.030 **Relationship to Deed Restrictions.** Nothing in these provisions shall be interpreted as superseding deed covenants or restrictions.
- 10.040 **Manufactured Housing Construction & Safety Standards Code.** All Class "A," "B," and "C" manufactured homes must comply with the minimum construction standards of Title IV of the 1974 Housing and Community Development Act as amended (effective June 15, 1976), and all associated rules, regulations and interpretations of both federal and state authorities.
- 10.050 **Foundations/Enclosures/Support Systems.** All load bearing foundations, supports, and enclosures shall be installed in conformance with the state regulations and with the manufacturer's installation specifications. Permitted enclosure materials are concrete, concrete block, or other materials approved by the Building Official. [Ord. 5445, 4/12/00]
- 10.060 **Attached Structures.** All attached structures must be constructed in compliance with building codes adopted by the state of Oregon. [Ord. 5445, 4/12/00]



## CLASSIFICATION OF MANUFACTURED HOMES

10.080 Manufactured Home Classes. For purposes of these regulations, manufactured homes are divided into three types, "A," "B," and "C." These classes are segregated by the size and construction standards under which the home was manufactured. All manufactured homes placed within the City after the effective date of this Code must comply with the placement standards in the Sections that follow.  
[Ord. 5445, 4/12/00]

### CLASS "A"

10.090 Class "A" Definition. A Class "A" manufactured home is one that meets the following standards:

- (1) It is multi-sectional and encloses a space of at least 1,000 square feet.
- (2) It will be placed on a permanent foundation as specified in Section 10.050.
- (3) Wheels, axles, and hitch mechanisms will be removed prior to occupancy.
- (4) Utilities will be connected in accordance with state requirements and the manufacturer's specifications.
- (5) It bears an insignia of compliance with the Manufactured Housing Construction and Safety Standards Code and, at the time of placement meets applicable building codes.

[Ord. 5445, 4/12/00]

10.100 Class "A" Placement. Class "A" manufactured homes are permitted on individual lots in all Residential Districts, except RMA, if they meet the approval criteria listed in Section 10.180. Class "A" homes are permitted outright in manufactured home parks, and as replacements to existing nonconforming manufactured homes. They are not allowed in any National Register Historic District.

### CLASS "B"

10.110 Class "B" Definition. A Class "B" manufactured home is one that meets the following standards:

- (1) It contains at least 750 square feet of occupied space in a single, double, expando, or multi-section unit (including those with add-a-room units);
- (2) It will be placed on a permanent foundation as specified in Section 10.050.
- (3) Wheels, axles, and hitch mechanisms will be removed.
- (4) Utilities will be connected in accordance with manufacturer's specifications and state requirements.
- (5) It bears an insignia of compliance with the Manufactured Housing Construction and Safety Standards Code as of June 15, 1976, and at the time of placement meets applicable building codes.

[Ord. 5445, 4/12/00]

10.120 Class "B" Placement. Class B manufactured homes are permitted on individual lots in the RS-5 and RM, districts if they meet the approval criteria listed in Section 10.180. Class "B" homes are permitted outright in all manufactured home parks. In addition, they are permitted as replacements to existing nonconforming manufactured homes classified as Class B or C. They are not allowed in any National Register Historic District.  
[Ord. 5445, 4/12/00]

**CLASS "C"**

10.130 Class "C" Definition. A Class "C" manufactured home is one that meets the following standards:

- (1) It has at least 320 square feet of occupied space in a single, double, expando or multi-section unit (including those with add-a-room units).
- (2) It will be placed on a support system in accordance with approved installation standards as specified in Section 10.050.
- (3) It will be enclosed with foundation siding/skirting in accordance with approved installation standards as specified in Section 10.180(4).
- (4) Utilities will be connected in accordance with a manufacturer's specifications and state requirements.
- (5) It bears an insignia of compliance with the Manufactured Housing Construction and Safety Standards Code as of June 15, 1976, and at the time of placement meets applicable building codes.

[Ord. 5445, 4/12/00]

10.140 Class "C" Placement. Class "C" manufactured homes are permitted in all manufactured home parks. These units are also allowed as replacements to existing nonconforming manufactured homes on an individual lot for units classified as Class C.

[Ord. 5445, 4/12/00]

10.150 *Repealed by Ord. 5445, 4/12/00*

10.160 *Repealed by Ord. 5445, 4/12/00*

**PLACEMENT ON INDIVIDUAL LOTS**

10.170 Manufactured Home Placements. Manufactured homes are permitted on individual parcels or lots outside of manufactured home parks in accordance with the placement standards set forth in Sections 10.100 and 10.120 and all other provisions of the Development Code for site-built dwellings. They are not allowed within the National Register Historic Districts or on residential land immediately adjacent to a historic landmark.

[Ord. 5446, 5/10/00]

10.180 Review Criteria. In order to be approved, the manufactured home must be found to have design compatibility with other single-family dwellings in the "review area," which is the area within 150 feet of the subject lot or parcel or the nearest five dwellings. The criteria for determining acceptable compatibility shall be based upon a review of the following design elements:

- (1) Roofing shall be similar in color, material, and appearance to the roofing material commonly used on residential dwellings within the community or comparable to the predominant materials used on dwellings within the review area. The roof pitch shall be a minimum of nominal 3/12. Manufactured homes placed in RM or RMA districts may have a roof pitch of nominal 2/12.
- (2) Exterior siding shall be similar in color, material, and appearance to the exterior siding material commonly used on residential dwellings within the community or comparable to the predominant materials used on dwellings within the review area.

- (3) A garage is required if more than 50% of the homes in the review area have a garage. If more than 50% of the homes in the review area have a carport, then a carport or garage is required. If there is a mixture of garages or carports for more than 50% of the homes in the review area, then a carport or garage is required. The garage or carport shall be of like materials and color as the home. The garage or carport may be required to be attached if other dwellings in the review area have attached garages.
- (4) All Class A and Class B manufactured homes outside of manufactured home parks shall be placed on an excavated and back-filled foundation (e.g. pit set) and enclosed with a perimeter enclosure that is similar in appearance to foundations or enclosures in the area.
- (5) The manufactured home shall comply with the standards of Article 8 for single-family homes and infill and redevelopment.

### MANUFACTURED HOME PARKS

#### GENERAL

10.190 *Repealed by Ord. 5445, 4/12/00*

10.200 Definitions. A manufactured home park is a land-lease residential community. The land is under the same ownership; home sites within the community are leased to individual homeowners.  
[Ord. 5445, 4/12/00]

10.205 Applicability. The following standards apply to the design of new manufactured home parks and to the expansion of existing manufactured home parks. These standards are not intended to apply to existing manufactured home parks or to render unlawful any existing manufactured home park.

However, there may be spaces in existing manufactured home parks that were constructed under previous standards where a replacement manufactured home could not now be placed in conformance with these standards. It is not the purpose of these standards to prohibit continued use of those spaces. The applicant may either select a home that could be placed in such a space in full compliance with these standards, or the applicant could seek relief as allowed by other provisions of this Code.

[Ord. 5445, 4/12/00]

10.210 Where Permitted. Manufactured home parks are permitted with Site Plan Review approval in the RS-6.5, RS-5, RM and RMA Districts in accordance with the standards of this Article and the standards for site plan approval, Article 2. In addition, manufactured home parks may be planned under the provisions for Planned Developments (Article 11), which may be used to provide for individual ownership of manufactured homes and sites and common ownership and maintenance of other lands and facilities. Manufactured home parks are not permitted in other zoning districts.

[Ord. 5445, 4/12/00]

10.220 Same Standards Apply as for Conventional Development. Except as specified otherwise by this article, the standards for developing land within manufactured home parks are the same as for all other developments in accordance with the provisions of this Code.

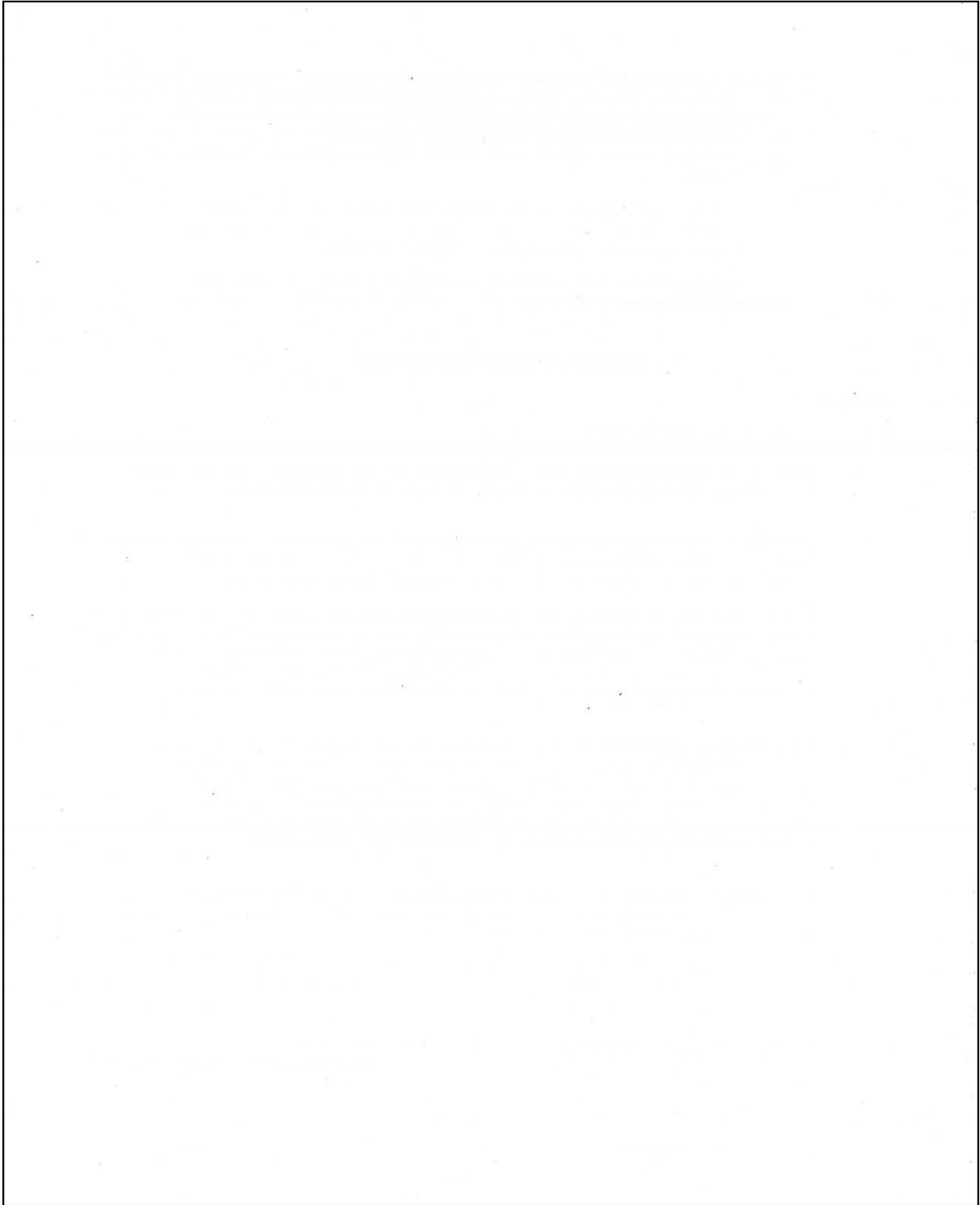
[Ord. 5445, 4/12/00]

10.230 Improvement Standards. The improvement of driveways, walkways, streets, drainage and other utilities shall conform to adopted State standards for such or shall conform to the City's Standard Construction Specifications Manual, whichever is more restrictive.

[Ord. 5445, 4/12/00]

10.240 Minimum Park Size. The minimum area of the park shall be at least one acre.

[Ord. 5338, 1/28/98; Ord. 5445, 4/12/00]





## **2017 ORS 197.312<sup>1</sup>**

### **Limitation on city and county authority to prohibit certain kinds of housing**

- zoning requirements for farmworker housing**
- real estate sales office**

- [Text](#)
- [News](#)
- [Annotations](#)
- [Related Statutes](#)

(1) A city or county may not by charter prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy or manufactured homes. A city or county may not by charter prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

(2)(a) A single-family dwelling for a farmworker and the farmworker's immediate family is a permitted use in any residential or commercial zone that allows single-family dwellings as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of a single-family dwelling for a farmworker and the farmworker's immediate family in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other single-family dwellings in the same zone.

(3)(a) Multifamily housing for farmworkers and farmworkers' immediate families is a permitted use in any residential or commercial zone that allows multifamily housing generally as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of multifamily housing for farmworkers and farmworkers' immediate families in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other multifamily housing in the same zone.

(4) A city or county may not prohibit a property owner or developer from maintaining a real estate sales office in a subdivision or planned community containing more than 50 lots or dwelling units for the sale of lots or dwelling units that remain available for sale to the public.

(5)(a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection, “accessory dwelling unit” means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling. [1983 c.795 §5; 1989 c.964 §7; 2001 c.437 §1; 2001 c.613 §3; 2011 c.354 §4; 2017 c.745 §6]

**Note:** The amendments to 197.312 (Limitation on city and county authority to prohibit certain kinds of housing) by section 6, chapter 745, Oregon Laws 2017, become operative July 1, 2018. See section 12, chapter 745, Oregon Laws 2017. The text that is operative until July 1, 2018, is set forth for the user’s convenience.

197.312 (Limitation on city and county authority to prohibit certain kinds of housing). (1) A city or county may not by charter prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy or manufactured homes. A city or county may not by charter prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

(2)(a) A single-family dwelling for a farmworker and the farmworker’s immediate family is a permitted use in any residential or commercial zone that allows single-family dwellings as a permitted use.

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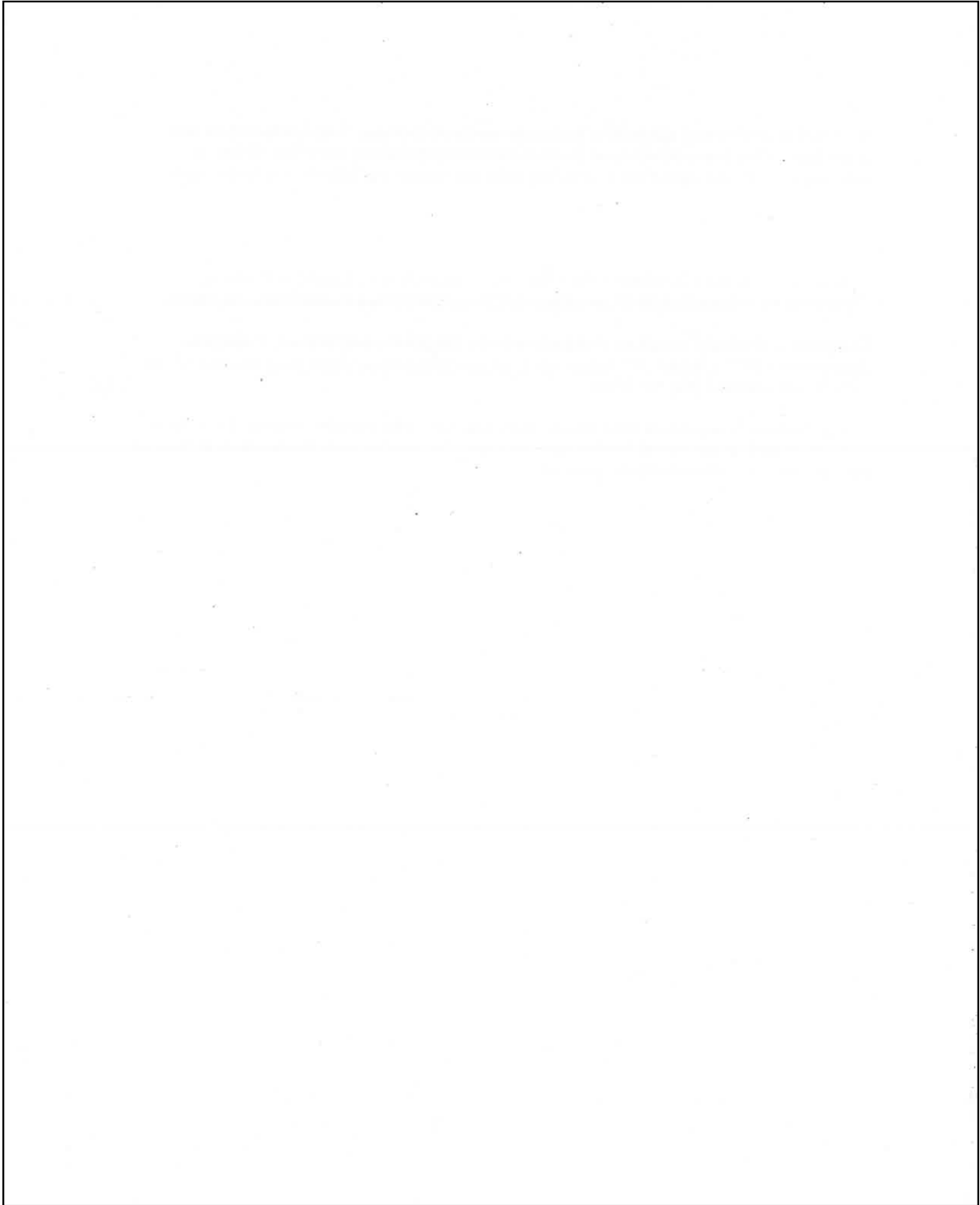
(b) A city or county may not impose a zoning requirement on the establishment and maintenance of multifamily housing for farmworkers and farmworkers’ immediate families in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other multifamily housing in the same zone.

(4) A city or county may not prohibit a property owner or developer from maintaining a real estate sales office in a subdivision or planned community containing more than 50 lots or dwelling units for the sale of lots or dwelling units that remain available for sale to the public.

<sup>1</sup> Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors197.html](https://www.oregonlegislature.gov/bills_laws/ors/ors197.html) (2017) (last accessed Mar. 30, 2018).

<sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 197*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ano197.html](https://www.oregonlegislature.gov/bills_laws/ors/ano197.html) (2017) (last accessed Mar. 30, 2018).

<sup>3</sup> OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.





## Staff Report

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**Meeting Date:**

**From** Jordan Wheeler, City Manager

**SUBJECT:** Sandy Community Campus Plan Discussion

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**Background:**

On [Monday, March 11](#) the City Council received a presentation from the Opsi Architecture about the [Sandy Community Campus Study](#) and concept. The presentation covered the concept plan that was developed with stakeholder input that includes aquatic center improvements, recreational facility amenities, and park construction. A phasing plan and projected costs for the concept were also included in the report. The council also heard many public comments at the March 11 meeting, with most comments relating to the aquatic center.

The purpose of the discussion on March 18 is for the council to begin forming a vision and plan for the community campus property, provide direction on potential options to explore, and generate questions for staff to research.

To begin the process, the council may want to start with some larger questions:

- Does the community campus concept meet the council's vision for the property?
- What are the council's priorities, or how shall we prioritize the facilities and amenities identified in the concept?
- What alternatives do you want staff to explore with achieving the vision for the community campus?
- What funding options shall we begin to research for community campus projects and operations?
- How will the public be involved in the process and plan?



## Staff Report

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**Meeting Date:**

**From** David Snider, Economic Development Manager

**SUBJECT:** Tenant Improvement Grant Program and Paola's Pizza Barn

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**Background:**

Staff is seeking the Urban Renewal Agency Board's direction on modifying the criteria and limits for the tenant improvement grant program, and offering a grant to a local restaurant.

Tenant Improvement Grant Program

The Tenant Improvement Grant Program is an up to \$25,000 matching grant program that seeks to achieve the following objectives:

1. To encourage new restaurants in Sandy by helping to address the cost of a commercial kitchen acting as a barrier to entry into the market.
2. To incentive private investment in Sandy's existing restaurants.
3. To address the stated Council goals of "encouraging the location of a brewpub/restaurant" and "encouraging the development of other dining opportunities to complement the offerings of existing businesses" by offering an incentive to investment in this industry."

The program guidelines, eligibility, and eligible expenses, are included as an attachment to this report. More information about the program is on the city website at <https://www.ci.sandy.or.us/tenant-improvement-grants/>.

For existing restaurants, the program is broad in terms of the eligible expenses, including "other improvements as approved by the Program Manager that have the capacity to increase business..."

The program was started in 2016 and so far, two restaurants have received grants, Brady's Brats & Burgers, and Paola's received a prior grant of \$5,250 for a grease interceptor. Two additional restaurants are likely to apply by the end of the fiscal year. Staff is proposing an increase to the maximum grant amount to \$30,000.

Grant Opportunity – Paola's Pizza Barn Rehabilitation

The Paola's Pizza Barn restaurant was continuously operated by the Paola family for decades, but recently closed in September 2018. At the time of closure, the interior of the building had damage to the building's plumbing, electrical and mechanical systems.

After the closure, the property owner worked with a new business owner to rehabilitate the building with the goal of re-opening the restaurant under new management.

On December 20, 2018, Sandy's Building Official, and Sandy Fire's Fire Marshall and Fire Chief visited the building after the new owner submitted a business license application to operate the restaurant. They jointly found that the older building had severe fire safety issues, including non-compliant fire exits, non-compliant exit door hardware, non-compliant emergency lighting and exit signs, and non-compliant electrical in the form of "exposed wiring, boxes, switches, fixtures and outlets in wet or damp environments", in addition to other issues. It was also determined that both mezzanines in the building were unsafe due to the lack of emergency egress or a fire suppression system and non-compliant interior stair access.

At that time, the decision was made jointly to revoke the certificate of occupancy for the building to ensure that all these issues are addressed prior to occupancy by a new business. A stop work order was formally issued via a letter issued to the property owner by the Building Department on December 27, 2018. This letter revoked the building occupancy under the Oregon Structural Specialty Code, Section 111.4 and the Dangerous Buildings ordinance (SMC Section 15.08.055). The closure of the mezzanines was also explicitly stated on the certificate of occupancy for the business and on the business license application under "Conditions of Approval."

Building repairs resumed shortly thereafter with the acquisition of proper permits, but a cost-effective solution for making the mezzanine spaces available for use and compliant with the building code has not yet been found. The mezzanines are important for the business as their customer base has a historical attachment to these spaces and the additional space allows for additional occupancy especially for parties or sports award presentations. However, there are several issues with allowing occupancy to the mezzanines, including:

- The occupancy of the building with both mezzanines accessible would be over 99 persons. Any occupancy over 99 persons in this category of building requires the building to have a fire suppression system (i.e. sprinklers) installed.
- There is only one means of ingress/egress to each mezzanine space, which makes emergency exit in the case of fire or earthquake very difficult.
- The single means of ingress/egress to these two mezzanine spaces is a single set of stairs for each mezzanine, and neither internal staircase is current building code compliant.

On February 25, 2019, staff offered the business owner three possible options for gaining access to the mezzanines. Unfortunately, all three options have significant downsides, either operationally due to the maximum occupancy or financially. The options included adding external fire escapes and making the stairs code compliant, installing a fire suppression system, or attempting an appeal to the Oregon Building Code Structures Board for a ruling.

In the spirit of supporting local business and the objective of the grant program, staff is seeking the Board's direction on providing financial support via a tenant improvement grant for the business to install a sprinkler system.

#### Economic Development Benefit

In addition to the loss of current occupancy from the mezzanines, the areas provide expanded business opportunities in the form of group gatherings and parties. Large groups and gatherings are an essential and profitable segment of restaurant business.

From an economic development standpoint, staff believes Paola's Pizza Barn to be a unique opportunity and community asset. To restore this restaurant would be a community-wide benefit to the City of Sandy, providing winter sports enthusiasts with that traditional stop for pizza, beer and video games that they remember from their past, and providing Sandy with yet another opportunity to capture economic activity from pass-through traffic. It would also provide another restaurant in Sandy with the capacity to serve large groups, which is an under-served market niche that only a few restaurants are currently filling.

Furthermore, with older buildings in the Sandy downtown area, providing more flexibility in the tenant improvement program criteria could help address barriers for local property owners and businesses from investing. Bringing older buildings up to current building codes are expensive, often prohibitively so, for smaller, locally owned businesses.

#### Tenant Improvement Program Modification

Our city attorney has advised us that we can make changes to the program to assist commercial property owners with fire and life safety issues like this one. We would like to propose to the Urban Renewal Board the following solution:

- Modify the tenant improvement program criteria to include fire safety upgrades required by the Fire Marshal and/or Building Official as an eligible improvement.
- Increase the maximum matching grant from \$25,000 to \$30,000.
- The tenant improvement program only has \$20,000 left for the current biennium. We would need to transfer additional funds to the Economic Development Department from Urban Renewal in order to fund the request.

The Urban Renewal Agency is offering to assist this property owner with the cost of installing a fire suppression system and modifying the interior stairs to achieve code compliance. This assistance would solve the current fire safety problem with the building while allowing building occupancy to remain at its maximum pre-September 2018 levels to benefit the business.

We would ask the business owner to complete a grant application.



**Recommendation:**

Staff recommends modifying the tenant improvement grant guidelines and offering a tenant improvement grant up to \$30,000 to the owners of the Paola's Pizza Barn for the purpose of adding a fire suppression (sprinkler) system.

**Budgetary Impact:**

The cost to assist the Paola's Pizza Barn business would most likely cost no more than \$30,000. A budget adjustment would be needed before the end of the fiscal year to fund the grants.

## City of Sandy – Economic Development Tenant Improvement Grant Program Guidelines

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### **I. Background:**

The Tenant Improvement Grant Program is a City of Sandy matching grant program. This program makes \$25,000 per year in matching grant funding available for qualified projects to generally be awarded on a first come, first served basis.

### **II. Program Objectives:**

The purposes of this incentive program are as follows:

1. To encourage new restaurants in Sandy by helping to address the cost of a commercial kitchen acting as a barrier to entry into this market.
2. To incentivize private investment in Sandy's existing restaurants.
3. To address the stated Council goals of "encouraging the location of a brewpub/restaurant" and "encouraging the development of other dining opportunities to complement the offerings of existing businesses" by offering an incentive to investment in this industry.

### **III. Eligibility:**

Any commercial property or business within any of Sandy's commercial zoning districts (C-1, C-2, C-3) or Industrial Park zoning district (I-1) is eligible if they meet the following requirements:

1. The recipient of matching funds must be either a food service business (restaurant or food product manufacturer) or a building owner seeking to attract a food service tenant to move into the space where matching funds are expended.<sup>38</sup>
2. The recipient business/building must be open to the public.
3. **Chain restaurants are not eligible.** (For the purposes of this program, a chain restaurant is defined as a restaurant with 12 or more locations within the U.S.)
4. Food carts are not eligible.
5. No grant recipient can receive more than two (2) Tenant Improvement grants within a five (5) year period.

### **IV. Eligible Improvements**

For **existing** restaurants or businesses that are moving into **a space previously used as a restaurant**, the following expenses are eligible for matching funds:

1. ADA or seismic improvements
2. Lighting

3. Plumbing and plumbing fixtures
4. Flooring
5. Adding a public restroom
6. Ceiling fans/air conditioning units for dining area
7. New interior walls
8. New interior paint or finishing effects (includes tile, reclaimed wood, etc. Wallpaper is excluded)
9. Permanent fixtures (adding a bar, counter space, sinks, etc.)
10. Grease interceptor
11. Commercial hoods
12. Commercial kitchen fire suppression systems
13. Other improvements as approved by the Program Manager (this may include changes that have the capacity to increase business – does not include normal wear and tear “maintenance” expenses)

For businesses moving into a tenant space **not previously used as a restaurant**, the following expenses are eligible for matching funds:

1. Grease interceptor
2. Commercial hoods
3. Commercial kitchen fire suppression systems
4. Other improvements as approved by the Program Manager (this may include changes that have the capacity to increase business – does not include normal wear and tear “maintenance” expenses)

Expenses that are not eligible for matching funds:

- Changes to the exterior of the building
- Replacement of old, worn or broken equipment (replacement of worn or broken equipment is considered a regular maintenance expense)
- Flatware, silverware, plates, dishes, cooking utensils, cookware
- Moveable furniture (permanent fixtures are reimbursable; moveable fixtures are not reimbursable)
- City, county and state permit fees

**V.      Financing:**

This program will pay for **50% of eligible project costs**, up to a maximum grant total of **\$25,000 per project**.

**VI.      Application Process**

1. The applicant fills out and submits the Tenant Improvement Program application on the City of Sandy’s website.

2. Upon receiving the completed grant application, the Economic Development Office will contact the applicant to set up a meeting to discuss project concepts, eligibility, getting contractor bids, the reimbursement process and other program requirements.
3. Upon application approval, the grantee will be required to enter into a Grant Approval Agreement with the City of Sandy. Work cannot begin until this agreement is signed.

**VII. General Conditions**

1. Approval of grant applications is contingent on available funds.
2. Grant period begins on July 1 and ends on June 30 of the following calendar year. Applications will be accepted beginning on July 1 through June 30th for each grant period.
3. Projects shall conform to all applicable regulations in the Sandy Municipal Code.
4. Funding is limited to one (1) Tenant Improvement Grant per recipient per grant period. A recipient cannot receive more than two (2) Tenant Improvement grants within a five (5) year period.
5. Some projects may require Design Review approval prior to submittal of a grant application.
6. Once a grant application is approved, the recipient will be required to enter into a Grant Agreement with the City of Sandy in order to receive funding.
7. Construction may begin only after an application is approved and a Grant Approval Agreement has been signed by the recipient and the City of Sandy. Any work completed prior to application approval and signing of the Grant Agreement may not be eligible for reimbursement.
8. All contractors working on the project shall have a valid contractor's license in the state of Oregon and a current City of Sandy business license. Projects must use licensed contractors for all project elements to be eligible for this program. The program manager may make exceptions for individual project elements on a case-by-case basis.
9. Projects costing \$25,000 or less require submittal of a minimum of two (2) competitive bids. Projects costing more than \$25,000 require submittal of a minimum of three (3) bids.
10. Projects are required to be completed within one (1) year of the date of the grant approval. Any project items completed after one (1) year will not be eligible for reimbursement. Applicants that do not complete the scope of work identified in the Grant Agreement within one year will not be eligible to receive another Tenant Improvement Grant for five (5) years.
11. Applicants may not be the contractor on their own project. Any work performed by the applicant, regardless of contractor status, is ineligible for reimbursement.
12. Applicants are responsible for obtaining all necessary permits (building, electrical, plumbing, and mechanical) prior to conducting work.
13. Additional conditions may be included in the Grant Agreement.

**VIII. Review process**

The Tenant Improvement Program is offered as a first-come, first-served grant program. Applications will be processed in the order that they are received, and grant funding shall be awarded within the grant period until annual program funds are depleted. Any unspent funds remaining in the grant program at the end of the program year will be rolled over into the following program year.

Grant applications shall be reviewed by the Program Manager (consulting with other City departments as needed) to make sure that projects are in compliance with grant guidelines and all applicable city regulations.

**IX. Reimbursement procedure**

Project reimbursement will occur based on the following procedures:

1. Reimbursement will occur only after construction is complete and a city inspection has been conducted.
2. Upon project completion, grantee shall contact the Building Department to schedule a final site inspection. Reimbursement may only occur after a final inspection of the site has been conducted and all project work is approved by the City Building Official.
3. Detailed invoice(s) or itemized receipts and proof of payment (i.e. cancelled checks) shall be provided with all reimbursement requests.
4. If a licensed contractor was not used for any project element, only receipts for materials shall be provided. Labor costs incurred for work done by anyone without a valid contractor's license are not reimbursable.
5. Funds will be dispersed within thirty (30) days following submittal and verification of all documentation.