



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

(503) 373-0050

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NOTICE OF ADOPTED AMENDMENT

January 2, 2009



TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Clackamas County Plan Amendment
DLCD File Number 008-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 20, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Lorraine Conzales, Clackamas County
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> ya/l

DLCD NOTICE OF ADOPTION

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

(See reverse side for submittal requirements)



Jurisdiction: CLACKAMAS COUNTY Local File No.: Z0471-08-CP (If no number, use none)

Date of Adoption: 12-18-2008 Date Mailed: 12-30-2008 (Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 9-18-2008

- Comprehensive Plan Text Amendment, Comprehensive Plan Map Amendment, Land Use Regulation Amendment, Zoning Map Amendment, New Land Use Regulation, Other: (Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Adopt 20-year population forecast for the City of Sandy. Amend Comprehensive Plan text to specify process for city/county coordination of population forecasts.

[Blank lines for summary]

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

[Blank lines for description]

Plan Map Changed from: N/A to

Zone Map Changed from: N/A to

Location: N/A Acres Involved:

Specify Density: Previous: N/A New:

Applicable Statewide Planning Goals: 1, 2, 9, 10, 11, 14

Was an Exception Adopted? Yes: No: X

DLCD File No.: 008-08 (17129)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: _____

City of Sandy

Local Contact: Lorraine Gonzales Area Code + Phone Number: 1-503-742-4541

Address: 150 Beaver Creek Rd.

City: Oregon City, OR Zip Code+4: 97045

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:
**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

LAND USE - BOARD ORDER COVER SHEET

In the Matter of an Amendment to the Comprehensive Plan
Regarding Population Forecasts for The City of Sandy:

Z0471-08-CP

Hearing Date(s): December 17, 2008

Minutes: Yes

Board Order Signed: December 18, 2008 2008-191

Sent to Parties: December 30, 2008

DLCD
City of Sandy – Tracy Brown
Recording
Planning – Lorraine Gonzales
Counsel
File



OFFICE OF COUNTY COUNSEL

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D. Daniel Chandler
Assistants

CERTIFICATE OF MAILING

I hereby certify that the enclosed Board Order No. 2008-191 was deposited in the mail on December 30, 2008

Signed: _____

Cheryl J. Cornelison, Administrative Assistant
Clackamas County Board of Commissioners
(503) 655-8619

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of an Amendment to
The Comprehensive Plan Regarding
Population Forecasts for
The City of Sandy



ORDER NO. 2008-191
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Clackamas County

File No.: Z0471-08-CP

This matter coming regularly before the Board of County Commissioners, and it appearing that The City of Sandy has requested an amendment to Chapter 4 of the Clackamas County Comprehensive Plan to adopt a 20-year population forecast for the city; and

It further appearing that it is advisable to amend the Urbanization Section of Chapter 4 (Land Use) and Appendix A of the Comprehensive Plan to specify the requirements for the coordination of population forecasts with other cities, and to adopt the City of Sandy population forecast; and

It further appearing that the Planning Commission, at its November 3, 2008 meeting, recommended approval of the amendments; and

It further appearing that after appropriate notice a public hearing was held before the Board of County Commissioners on December 17, 2008, at which testimony and evidence were presented, and that a preliminary decision was made by the Board on December 17, 2008; and

Based upon the evidence and testimony presented, this Board finds that the proposed Comprehensive Plan amendments comply with the applicable provisions of the Statewide Planning Goals, Oregon Administrative Rules and Oregon Revised Statutes, as set forth in the Staff Report Dated October 31, 2008:

NOW, THEREFORE, IT IS HEREBY ORDERED that the requested Comprehensive plan amendment is adopted as shown on Exhibit A.

DATED this 18 day of Dec

BOARD OF COUNTY COMMISSIONERS



Lynn Peterson, Chair



Mary Raetke, Recording Secretary

URBANIZATION

The goals and policies in the following section address the designation of lands for urban uses, conversion of lands from Urban Reserve to Future Urban plan designations, and County actions regarding Future Urban Study areas and Urban Reserve areas.

GOALS

- Clearly distinguish Urban and Urban Reserve areas from non-urban areas.
- Encourage development in areas where adequate public services and facilities can be provided in an orderly and economic way.
- Insure an adequate supply of land to meet immediate and future urban needs.
- Provide for an orderly and efficient transition to urban land use.
- Distinguish lands immediately available for urban uses from Future Urban areas within Urban Growth Boundaries.

POLICIES

- 1.0 Coordinate with Metro in designating urban areas within Metro's jurisdiction. Recognize the statutory role of Metro in maintenance of and amendments to the Portland Metropolitan Urban Growth Boundary.
- 2.0 Coordinate with affected cities in designating urban areas outside of Metro. The following areas may be designated as Urban:
 - a. Land needed to accommodate 20 years of future urban population growth.
 - b. Land needed for increased housing, employment opportunities and livability from both a regional and subregional view.
 - c. Land to which public facilities and services can be provided in an orderly and economic way.
 - d. Land which insures efficient utilization of land within existing urban areas.
 - e. Land which is best suited for urban uses based on consideration of the environmental, energy, economic and social consequences.

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EXHIBIT A

- f. Agricultural land only after considering retention of agricultural land as defined, with Class I having the highest priority for retention and Class VI the lowest priority.
 - g. Land needed after considering compatibility of proposed urban uses with nearby agriculture activities.
 - h. Land where the strategic location of employment and living opportunities can minimize commuting distance, traffic congestion, pollution and energy needs.
- 3.0 Land use planning for urban areas shall integrate all applicable policies found throughout the Plan including the following:
- a. Locate land uses of higher density or intensity to increase the effectiveness of transportation and other public facility investments.
 - b. Encourage infilling of Immediate Urban Areas with a minimum of disruption of existing neighborhoods (see infill policies in the Housing Chapter).
 - c. Enhance energy conservation and transportation system efficiency by locating opportunities for housing near work and shopping areas.
 - d. Integrate developments combining retailing, office, and medium and high density housing at places with frequent transit service and pedestrian facilities.
- 4.0 Establish Urban Growth Management Areas and Urban Growth Management Agreements to clarify planning responsibilities between the County and cities for areas of mutual interest.
- 5.0 Establish agreements with cities and service districts to clarify service and infrastructure responsibilities for areas of mutual interest.

Immediate Urban Policies

- 6.0 An area may be designated Immediate Urban consistent with the definition. The following policies apply to Immediate Urban areas:
- 6.1 Use the following guidelines when evaluating proposed changes in zoning designations that convert an area from Future Urban to Immediate Urban status:

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EXHIBIT A

- a. Capital improvement programs, sewer and water master plans, and regional public facility plans shall be reviewed to ensure that orderly, economic provision of public facilities and services can be provided.
 - b. Sufficient vacant Immediate Urban land should be permitted to ensure choices in the market place.
- 6.2 Apply urban zoning districts that implement the Plan through a legislative or quasi-judicial zone change process consistent with applicable state, Metro and local requirements.
- 6.3 Control land uses in Immediate Urban areas through the Zoning and Development Ordinance.
- 6.4 Place conditions on development to ensure adequate services and facilities prior to or concurrent with development.

Future Urban Policies

7.0 The following policies apply to Future Urban lands:

- 7.1 Control premature development (before services are available) by:
(5/27/04)
- a. Applying a future urban zone with a 10 acre minimum lot size within the Portland Metropolitan UGB except those lands identified in Subsection 7.1.b. (5/27/04)
 - b. Applying a future urban zone with a 20 acre minimum lot size or greater for areas planned for employment, industrial and commercial uses within the Portland Metropolitan UGB. (5/27/04)
 - c. Applying within the urban growth boundaries of Canby, Estacada, Sandy or Molalla, a 5 acre lot size or larger in rural, agricultural or forest zones. (5/27/04)
- 7.2 Prohibit subdivisions, as defined in the Zoning and Development Ordinance, until the land qualifies as Immediate Urban. (5/27/04)
- 7.3 Review partition requests to ensure that the location of proposed easements and road dedications, structures, wells, and septic drainfields are consistent with the orderly future development of the property at urban densities.

- 7.4 For land within the urban growth boundaries of Canby, Estacada, Sandy or Molalla, require annexation to a city as a requirement for conversion to Immediate Urban unless otherwise agreed to by the City and County.

Future Urban Study Area Policies

8.0 The following policies apply to Future Urban Study Areas:

- 8.1 Conduct a planning process consistent with the policies of Chapter 11 of this Plan, that coordinates with affected service providers, agencies, and jurisdictions, and meets pertinent state, regional and local requirements.
- 8.2 In the Portland Metropolitan Urban Area, develop Comprehensive Plan designations that are consistent with Regional Urban Growth Goals and Objectives and the Regional Urban Growth Management Functional Plan, including Title 11, and the following. (6/6/02)

When areas are brought into the Urban Growth Boundary, the following actions shall be undertaken: (6/6/02)

- a. Control premature development (before services are available) within the Portland Metropolitan Urban Growth Boundary by applying a 20-acre minimum lot size to lands within the boundary that have the following plan designations: Unincorporated Community Residential, Rural Commercial, Rural Industrial, and Rural. (4/13/06)
- b. The County shall enter into discussion with nearby cities, agencies that provide public facilities and services, and area citizens, to determine how services and governance will be provided for the area. (6/6/02)
- c. Agreements shall be developed with affected cities and service providers to cooperate in development of a Concept Plan for the area, and to consider the Concept Plan in development of future Plans. (6/6/02)
- d. A Concept Plan shall be developed meeting state and regional requirements. Opportunity shall be provided to citizens and affected public agencies to participate in the development of the Concept Plan. In the Damascus area, the Damascus Concept Planning Study Report shall be used to provide background information and guidance for the Concept Planning process. (6/6/02)

- e. A request shall be made to revise state and regional transportation plans to reflect the Concept Plan. (6/6/02)
 - f. Public facilities plans shall be developed or revised to accommodate the Concept Plan. (6/6/02)
 - g. The Comprehensive Plan, Comprehensive Plan Maps, Zoning and Development Ordinance and zoning maps shall be revised according to the Concept Plan. (6/6/02)
- 8.3 Develop and adopt urban comprehensive plan designations that meet applicable state planning requirements and balance County planning goals adopted in the Comprehensive Plan. This will convert Future Urban Study Areas to Future Urban or Immediate Urban areas.
- 8.4 During development of Comprehensive Plan provisions pursuant to Title 11 of the Urban Growth Management Functional Plan, consider the feasibility of providing and funding adequate infrastructure. (3/14/02)

Urban Reserve Area Policies

9.0 The following policies apply to Urban Reserve areas:

- 9.1 Clackamas County shall recommend to Metro land in Clackamas County which should be designated Urban Reserve, when Urban Reserve amendments to the Region 2040 Urban Growth Management Functional Plan are considered by Metro. The cities of Sandy, Molalla, Estacada and Canby, in coordination with Clackamas County, may designate and adopt other urban reserve areas in a manner consistent with OAR 660-021-0000.
- 9.2 Clackamas County will consider the following characteristics of each area when recommending Urban Reserve areas to Metro: potential for providing jobs within near proximity to housing; the feasibility and cost effectiveness of extending urban infrastructure; the suitability of an area to accommodate urban level densities; and, the relationship and implications to existing areas designated urban.
- 9.3 When considering the designation of Urban Reserve areas near Sandy, Molalla, Estacada and Canby, the County, in cooperation with the City, shall make findings and conclusions based on the requirements of OAR 660-021-0030.

- 9.4 Urban Reserve areas designated by Metro will be depicted on Metro's Region 2040 Growth Concept map. Designated Urban Reserve areas near Sandy, Molalla, Estacada and Canby shall be defined within the Urban Growth Management agreements with each city. (6/6/02)
- 9.5 Lands within a designated Urban Reserve area shall continue to be planned and zoned for rural uses in a manner that ensures a range of opportunities for the orderly, economic and efficient provision of urban services when these lands are included in the Urban Growth Boundary. Planning and zoning shall be done in a manner consistent with OAR 660-021-0000 and the Metro Code, in areas where Metro has jurisdiction.

Population Coordination

10.0 The following policies apply to population planning and coordination.

- 10.1 **Pursuant to OAR 660-024-0030, counties are required to adopt and maintain a coordinated 20-year population forecast that is consistent with the applicable statutory requirements of ORS 195.025 to 195.036 for each urban area within the county . Each city within the county is required to adopt a 20-year population forecast for its urban area that is consistent and coordinated with the county's 20-year population forecast, except for those urban areas located within the Metro jurisdiction that must also coordinate with the metropolitan service district's 20-year population forecast.**
- 10.2 **The County and cities shall coordinate with each other, and the appropriate metropolitan service district, to establish a 20-year population projection in order to evaluate and provide sufficient lands necessary for housing and employment needs within the urban growth boundary.**
- 10.3 **The County adopts the City of Sandy's 20-year population projection identified in the ECONorthwest Report dated July 22, 2008, and included under Appendix of the Clackamas County Comprehensive Plan. This population projection is adopted in File No. Z0471-08-CP under the Safe Harbor provisions under ORS 195.034 and OAR 660-024-0030.**

Appendix A

MAPS AND DOCUMENTS ADOPTED BY REFERENCE

The following maps and documents have been adopted by reference to the Comprehensive Plan. These documents are available for review at the Clackamas County Planning office.

NATURAL RESOURCES AND ENERGY

1994 Clackamas County Wetland Inventory, Comprehensive Plan Map Map A:
Northeast Urban Area, West of I-205

1994 Clackamas County Wetland Inventory, Comprehensive Plan Map Map B:
Northeast Urban Area, East of I-205

TRANSPORTATION

Clackamas County Pedestrian Master Plan

Clackamas County Bicycle Master Plan

Clackamas County Airport Plan (11/1/01)

COMMUNITY AND DESIGN PLANS, Clackamas Regional Center Area Plan

Phillips Creek Greenway Framework Plan

SUMMARY OF SUPPORTING DOCUMENTS

CITIZEN INVOLVEMENT

Citizen and Agency Involvement Program.

Clackamas County Citizen Involvement Program. Comprehensive Plan Chapter 2.

Committee for Citizen Involvement Bylaws.

Committee for Citizen Involvement Roster.

Community Planning Organization Leaders. Lists and maps of CPO areas.

NATURAL RESOURCES AND ENERGY

Clackamas County Energy Project Publications, 1983:

1. An Energy Anthology
2. Clackamas County Energy Use and Supply Background Data
3. Clackamas County Energy Management Plan
4. Technical Memorandum, Energy Emergency Planning
5. Technical Memorandum, County Buildings
6. Technical Memorandum, County Motor Fleet
7. Technical Memorandum, County Organization

Clackamas County Resources Atlas, Clackamas County Dept. of Environmental Services, Planning Division. Includes maps of the following:

General Resources

Agricultural Land Types and Major Production Areas

Forest Zones and Vegetative Types

Cubic Foot Forest Site Classes

LAND USE

Comprehensive Plan, Clackamas County, Oregon, Planning Dept., Clackamas County, August, 1974.

Comprehensive Plan, Clackamas County, Oregon, Planning Dept., Clackamas County, June, 1980.

Comprehensive Plan Update, The Sunnyside United Neighbors, June 30, 1988, Revised August 22, 1988.

Comprehensive Plan, Clackamas County, Oregon, Planning Dept., Clackamas County, June 1992.

Let's Build A Revised Comprehensive Plan for Clackamas County, Dept. of Environmental Services, Clackamas County, January, 1979.

Sunrise Center Task Force, Clackamas County, December, 1987.

City of Sandy Safe Harbor Population Forecast, ECONorthwest, City of Sandy, July 22, 2008