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# ORDINANCE 2024-09 LAND USE EXTENSION NARRATIVE

## SANDY WOODS - PHASE II

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DATE: September 3, 2024

SUBMITTED TO: City of Sandy

APPLICANT: SGS Development, LLC  
62765 Powell Butte Hwy  
Bend, OR 97701

PROPERTY OWNER: Silver V Construction  
10117 SE Sunnyside Rd Ste F1178  
Clackamas, OR 97015

FILE NO: 21-037 SUB/VAR/ADJ/TREE

CLACKAMAS COUNTY  
ASSESSOR'S MAP: 2S4E11-02204; -02203; -02202

APPLICATION: Land Use Extension through Ordinance 2024-09

## I. GENERAL NARRATIVE

**SECTION 1.** An owner, as that term is defined in Sandy Municipal Code 17.10.30, whose property has received land use approval based on an application which was submitted prior to October 3, 2022, may apply for and be granted a one-year extension of the expiration date of such approval as provided herein. If approved, one year will be added to the current expiration date of the land use approval. This extension is in addition to any other extension which may be available under the Sandy Municipal Code. The Development Services Director will review and approve an extension request pursuant to a Type I process under Sandy Municipal Code 17.12.10 if an applicant satisfies the clear and objective criteria above.

**APPLICANT RESPONSE:** Sandy Woods – Phase II received land use approval on November 30, 2021; per Ordinance 2024-09, an owner whose property received land use approval on an application which was submitted prior to October 3, 2022, may apply for and be granted an extension of the expiration date of such approval. This criterion is met.

**SECTION 2.** The period of the extension described in Section 1 shall be two years rather than one year if requested by the applicant and the request meets at least one of the following additional criteria:

2. The land use approval is for a complex development, defined for purposes of this Section 2 as a development which will consume more than thirty (30) ERUs, calculated as set forth in the consent decree for the City of Sandy entered in the U.S. District Court for the District of Oregon on September 11, 2023, and based on:
  - ...
  - b. For all other land use decisions, 1 ERU per lot or parcel, excluding lots and parcels which are dedicated or restricted to use as open space, common areas, water quality facilities, or similar.

Any land use approval which receives a two-year extension under this Section 2 shall be ineligible for modification under Section 17.90.80 of the City of Sandy Development Code for a period of three (3) years commencing on the date the extension application is submitted, unless such modification reduces the number of ERUs associated with the project, as calculated pursuant to this Section 2.

**APPLICANT RESPONSE:** Sandy Woods – Phase II is a complex development that is proposing 43 residential dwelling units (an excess of 30 designated ERUs). This project was officially allocated 43 ERU's per Resolution NO. 2024-11, which provided the required 1 ERU per lot. The applicant is requesting the two-year extension criterion per Section 2.b.

## II. CONCLUSION

The applicant has outlined that they meet the requirements of Sections 1 and 2 of Ordinance 2024-09, therefore they are requesting approval from the City of Sandy for the extension available through Ordinance 2024-09.