



PLANNING COMMISSION MEETING

Monday, October 26, 2026 at 6:30 PM
Sandy City Hall and via Zoom

AGENDA

TO ATTEND THE MEETING IN-PERSON:

Come to Sandy City Hall (lower parking lot entrance) - 39250 Pioneer Blvd., Sandy, OR 97055

TO ATTEND THE MEETING ONLINE VIA ZOOM:

Please use this link: <https://us02web.zoom.us/j/89418437886>

Or by phone: (253) 215-8782; Meeting ID: 89418437886

ROLL CALL

APPROVAL OF MINUTES

1. Approval of Minutes for August 24, 2026

REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON- AGENDA ITEMS

The Commission welcomes your comments at this time. Please see the instructions below:

- If you are participating online, click the "raise hand" button and wait to be recognized.
- If you are participating via telephone, dial *9 to "raise your hand" and wait to be recognized.

DIRECTOR'S REPORT

Link: <https://reports.cityofsandy.com/planning/>

COUNCIL LIAISON AND PLANNING COMMISSIONER DISCUSSION

NEW BUSINESS

2. HB 2138 Mandatory Code Amendments public hearing

ADJOURN

Americans with Disabilities Act Notice: Please contact Sandy City Hall, 39250 Pioneer Blvd. Sandy, OR 97055 (Phone: 503-668-5533) or (Email: recorder@ci.sandy.or.us) at least 48 hours prior to the scheduled meeting time if you need an accommodation to observe and/or participate in this meeting.

Sandy Planning Commission Regular Meeting Monday, August 24, 2026

Chair Malone called the meeting to order at 6:30 p.m.

1. MEETING FORMAT NOTICE: Instructions for electronic meeting

2. ROLL CALL

Commissioner Lee – Excused
Commissioner Zawaski – Present
Commissioner O’Leary – Present
Commissioner Wegener – Present
Vice Chair Crosby – Present
Chair Malone – Present

Council Liaison Ramseyer – Present

Staff present: Development Services Director Kelly O’Neill Jr., City Attorney Josh Soper, Senior Planner Patrick Depa

3. APPROVAL OF MINUTES – June 22, 2026

Chair Malone asked for any edits to the draft minutes for June 22, 2026. With no edits requested, the minutes were declared approved at 6:30 p.m.

4. REQUESTS FROM THE FLOOR – CITIZEN COMMUNICATION ON NON-AGENDA ITEMS:

None

5. DIRECTOR’S REPORT

Development Services Director Kelly O’Neill Jr. told the Commission that there’s no September Planning Commission meeting. The next meeting will likely be on October 26, 2026, which will likely include a legislative hearing. O’Neill mentioned that an employee in the Development Services Department was severely injured in a car accident but returned home today. He explained that he will be writing the minutes for the meeting.

O’Neill also provided an update on Mikes Drive-In deciding not to move forward with their property purchase, the former location of KFC, and the former location of Paola’s Pizza.

6. COUNCIL LIAISON REPORT

City Councilor Kristina Ramseyer updated the Commission on the Drop-In event at Basecamp Action Sports Park. She also provided a brief overview of the successful bargaining agreement with the Police Department.

7. NEW BUSINESS:

7.1. Bornstedt Views subdivision zoning map amendment (File No. 26-029 ZC)

Chair Malone opened the quasi-judicial hearing on File No. 26-029 ZC at 6:44 p.m. Malone called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning

Commission. No challenges were made, and no declarations were made by the Planning Commission.

Staff Report:

Senior Planner Depa provided a presentation on the zone change request. He explained the history of the property being included in the Urban Growth Boundary (UGB), the timeframe of the annexation and the subdivision approval, and the DSL review in regard to the wetlands and stream. Depa also explained the process to include the FSH Overlay on the track and two lots in the Bornstedt Views subdivision. He also explained the public comment that was received on August 24, 2026.

Applicant:

Tracy Brown
17075 Fir Drive
Sandy, OR 97055

Mr. Brown provided a brief presentation and advised the Commission that going forward the City could consider a different administrative process for FSH Overlay map amendments to save money for applicants.

Public Comments:

None

Staff Report Recap:

Depa reiterated that staff recommend that the Planning Commission recommend approval of the zone change to the City Council. O'Neill explained the history on this particular application and that staff has spent a considerable amount of time on the request since the annexation.

Applicant Rebuttal:

None

Motion: Motion to close the public hearing at 7:11 p.m.

Moved By: Commissioner Wegener

Seconded By: Commissioner Crosby

Yes votes: All Ayes

No votes: None

Abstentions: None

Discussion:

Commissioner Wegener asked about development on Lots 10 and 11 and when the FSH Overlay analysis will occur. O'Neill explained that during building permit review staff will review the plans and determine if a geotechnical report is warranted. Commissioner Crosby clarified that Lots 10 and 11 can be built on. Depa confirmed that Lots 10 and 11 are buildable, but additional FSH Overlay review might need to occur concurrently with building permit review. O'Neill stated that in accordance with the Sandy Municipal Code a geotechnical report is required if the construction is proposed on slopes of 25 percent or greater.

Motion: Move that the findings, as presented in the staff report dated August 24, 2026, shall be adopted and the Planning Commission hereby recommends approving File No. 26-029 ZC to the City Council to amend the Zoning Map to add the Flood and Slope Hazard (FSH) Overlay to the subject properties.

Moved By: Commissioner Wegener

Seconded By: Vice Chair Crosby

Yes votes: All Ayes
 No votes: None
 Abstentions: None

7.2. 19124 Jacoby Road two parcel partition (File No. 26-028 MP/VAR/FSH)

Chair Malone opened the quasi-judicial hearing on File No. 26-028 MP/VAR/FSH at 7:17 p.m. Malone called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. No challenges were made, and no declarations were made by the Planning Commission.

Staff Report:

Senior Planner Depa provided a presentation on the partition request, including background of previous land use applications and pre-application meetings. Depa explained the reasons for the partition request and explained the shadow plat for future development on the remainder of the property. O'Neill also explained the termination of the easement for the driveway and the eventual additional right-of-way dedication for future streets in the area of the shadow plat. Depa went on to explain the conditions in the staff report, the partition criteria, and the recommendation.

Applicant:

Tracy Brown
 17075 Fir Drive
 Sandy, OR 97055

Mr. Brown provided a brief presentation, including that the property was approved for a subdivision in the past. He went on to explain the proposal including information on access, dedications, and easements. Mr. Brown said this is an interim step for the applicant before he can fully develop the property sometime in the future.

Public Comments:

None

Staff Report Recap:

Depa reiterated that staff are supportive of the partition proposal.

Applicant Rebuttal:

None

Motion: Motion to close the public hearing at 7:45 p.m.

Moved By: Vice Chair Crosby

Seconded By: Commissioner Wegener

Yes votes: All Ayes

No votes: None

Abstentions: None

Discussion:

Commissioner Crosby stated that he is supportive of the partition proposal. Commissioner Wegener asked if completing the partition now changes the future parks fee in-lieu figures or density allowances. Depa explained that the applicant will pay a parks fee in-lieu for the one new lot created prior to recording the plat for the partition and the density provisions will not be negatively impacted in the future as shown on the shadow plat.

Motion: Move that the findings are in support of the approval criteria or have been met or explained to a sufficient amount and therefore recommend approval of the major partition and two proposed variances presented in File No. 26-028 MP/VAR/FSH, subject to the recommended conditions presented in the final order.

Moved By: Commissioner Crosby

Seconded By: Vice Chair Wegener

Yes votes: All Ayes

No votes: None

Abstentions: None

8. ADJOURNMENT

Chair Malone adjourned the meeting at 7:51 p.m.

Attest:

Chair Linda Malone

Kelly O'Neill Jr.,
Development Services Director

Date signed: _____



STAFF REPORT

Item # 2.

Meeting Type: Planning Commission
Meeting Date: October 26, 2026
From: Kelly O'Neill Jr., Development Services Director
Josh Soper, City Attorney
Subject: HB 2138 Mandatory Code Amendments public hearing

DECISION TO BE MADE:

Hold a legislative public hearing to discuss proposed code amendments in Chapters 17.10, 17.38, 17.40, 17.64, 17.84, and 17.98 of the Sandy Municipal Code related to House Bill 2138 and provide a recommendation to the City Council.

APPLICABLE COUNCIL GOAL:

- **Goal 6.9:** Ensure compliance with state legislative and regulatory mandates through code amendments that are responsible and reflect the community's values.

BACKGROUND / CONTEXT:

In 2025, the Oregon legislature adopted House Bill (HB) 2138, expanding allowable middle housing and applying such regulations to more jurisdictions and certain unincorporated areas.

HB 2138 made numerous changes regarding substantive requirements for middle housing. Cities are required to implement many of these changes in their development codes by January 1, 2027.

Changes in HB 2138 include:

1. Duplexes. Cities are required to allow not just attached but also detached duplexes. Sandy already allows detached duplexes, but HB 2138 will now prevent Sandy from prohibiting them in the future.
2. Single Room Occupancies (SROs). This is an unfamiliar term to many (it was introduced by the legislature in 2023) which refers to "A residential development with no fewer than four attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant but require that the occupant share sanitary or food preparation facilities with other units in the occupancy." It has been described as similar to a dorm. These are already allowed in Sandy as required by existing law, but HB 2138 made several significant changes. For one, SROs must now be allowed to be detached, rather than just attached. It is unclear what that is intended to look like, but in theory it could look a lot like a cottage cluster, but without individual kitchens and instead some sort of share kitchen facility. In addition, the bill increases the number of units allowed for an SRO in a multi-unit zone to be three times the maximum unit density of the zone.

3. Bonus units. When one or more of the units in a middle housing development are accessible or affordable, HB 2138 requires cities to allow an additional bonus unit. This means that, in these circumstances, the City will be required to allow triplexes rather than just duplexes.
4. Retention of existing units. The City will now be required to allow an existing unit on a property to be retained when a middle housing development is proposed. In other words, when a property has an existing single-family dwelling, the owner may be able to build a duplex on the property and keep the single-family dwelling, provided the new duplex complies with siting and design standards.
5. Limitations on when the City can require a traffic impact study for middle housing developments.

KEY CONSIDERATIONS / ANALYSIS:

City staff were advised by the City Attorney that compliance with the above HB 2138 requirements could be accomplished by amending portions of Chapters 17.10, 17.38, 17.40, 17.64, 17.84, and 17.98 in Title 17 of the Sandy Municipal Code. With these revisions, the City would be in compliance with these requirements of HB 2138.

Unfortunately, the Planning Commission has limited ability to modify any of the proposed code language and still achieve compliance with the new state statute.

UPDATE

On October 16, 2026, DLCD and the Housing Accountability and Production Office (HAPO) sent an email about the code amendments which included the following:

"Thanks for providing the city's proposed amendments for review. I've reviewed the code amendments referenced in the subject line with regard to housing laws as that term is defined in ORS 197A.800(5) and have the following comments. I'm available to discuss further if there are questions, as well as to hear further explanation if I've misread the amendments or am missing context from elsewhere in the city's land use regulations.

- *Make sure the city's off-street parking regulations in 17.98.20 are amended to comply with ORS 197A.430(3)(a)(B), covering the maximum allowed parking requirement for SROs with more than 6 units. This would appear to be 1.5 spaces for every 3 units, based on the Multi-Family Dwellings ratio of 1.5 spaces per studio or 1-bedroom unit.*
- *Middle Housing Land Divisions:*
 - *17.100.50.D.4 is not proposed for amendment. HB 2138 amended ORS 92.031(2)(d) to allow more than 1 unit/lot or parcel for existing retained dwellings.*
 - *HB 2138 amended ORS 92.031(3)(e) to allow an MHLD to be submitted before, at the same time, or after as the middle housing building permit. Sandy's code in 17.100.50 appears silent on this point.*
 - *Similarly, ORS 92.044(1)(c)(C) was amended to require a process for concurrent review of a land division to create parent lots/parcels and MHLDs on the resulting lots/parcels.*

There are multiple options for the city to address compliance with amendments to housing laws. To the extent that the city intends to amend its land use regulations, we'd recommend codifying the procedural allowances for MHLDs mentioned above. This is clearer for applicants and city staff if they're relying on the city's zoning ordinance for information about applicable standards and processes. Alternatively, if

the city's code doesn't conform to recent legislation, the state statutes apply directly for application review (ORS 197.646(3)). The housing model codes and modules are also a resource the city could apply in processing a land use application as a way to stay in compliance with housing laws. See OAR 660-008-0415 (adopt via reference) and 660-008-0420 (apply model code directly to an application for housing law compliance).

I did not otherwise have questions or comments on the proposed amendments. I'm available to answer questions or provide clarifications."

After much consideration, our attorney has a few different interpretations as explained in the table below. Exhibit A has been revised to address the HAPO comment in Section 17.100.50.D.4.

HAPO Comment	City Response
Make sure the city's off-street parking regulations in 17.98.20 are amended to comply with ORS 197A.430(3)(a)(B), covering the maximum allowed parking requirement for SROs with more than 6 units. This would appear to be 1.5 spaces for every 3 units, based on the Multi-Family Dwellings ratio of 1.5 spaces per studio or 1-bedroom unit.	<p>The proposed amendments are intended to comply with ORS 197A.430(3)(a)(B), which provides that "a local government may not require more parking for every three single room occupancy units than the local government requires for... A dwelling unit in a multiunit housing development, if the single room occupancy development has more than six units."</p> <p>The City has two parking requirements for multiunit housing developments depending on unit size:</p> <p>1.5 per studio unit or 1-bedroom unit 2.0 per 2-bedroom unit or greater</p> <p>ORS 197A.430(3)(a)(B) does not require the City to use the lowest tier of parking requirements applicable to multiunit housing. It only requires that the City not impose a parking requirement that is greater than what it requires for "a dwelling unit in a multiunit housing development." The City therefore may choose which of its multiunit housing parking requirements it will apply to SROs.</p>
17.100.50.D.4 is not proposed for amendment. HB 2138 amended ORS 92.031(2)(d) to allow more than 1 unit/lot or parcel for existing retained dwellings.	This has been corrected with additional amendments to 17.100.50(A) and (D).
HB 2138 amended ORS 92.031(3)(e) to allow an MHL to be submitted before, at the same time, or after as the middle housing building permit. Sandy's code in 17.100.50 appears silent on this point.	As noted by HAPO, current code is silent on this subject and therefore no amendment is required in order to comply with state law; the City will allow these applications to be submitted as required.
Similarly, ORS 92.044(1)(c)(C) was amended to require a process for concurrent review of a land division to create parent lots/parcels and MHLs on the resulting lots/parcels	Existing language in SMC 17.18.00 allows multiple applications to be submitted concurrently. The City will apply this to continue to allow the concurrent application types noted by HAPO.

BUDGET IMPACT:

Staff and City Attorney expenses that have already been incurred.

RECOMMENDATION:

Hold a legislative public hearing to discuss proposed code amendments in Chapters 17.10, 17.38, 17.40, 17.64, 17.84, and 17.98 of the Sandy Municipal Code related to House Bill 2138 and provide a recommendation to the City Council.

LIST OF ATTACHMENTS / EXHIBITS:

- Draft Ordinance No. 2026-21
 - Exhibit A. Code modifications
 - Exhibit B. Findings



ORDINANCE NO. 2026-21

AN ORDINANCE ADOPTING MANDATORY CODE PROVISIONS RELATED TO HOUSE BILL 2138

WHEREAS, in 2025, the Oregon legislature adopted House Bill (HB) 2138 expanding allowable middle housing and applying such regulations to more jurisdictions and certain unincorporated areas; and

WHEREAS, HB 2138 requires local governments to update land use regulations by January 1, 2027; and

WHEREAS, with adoption of HB 2138 the City Attorney reviewed Chapters 17.10, 17.38, 17.40, 17.64, 17.84, and 17.98 in Title 17 of the Sandy Municipal Code and identified multiple sections to revise; and

WHEREAS, with the proposed revisions to Chapters 17.10, 17.38, 17.40, 17.64, 17.84, and 17.98, the City would be in compliance with the requirements of HB 2138 and the modified Oregon Revised Statutes that the City is required to implement by January 1, 2027; and

WHEREAS, the Planning Commission held a public hearing on **October 26, 2026**, allowing the public an opportunity to provide testimony on the proposed code amendments; and

WHEREAS, the City Council held a public hearing on **November 16, 2026**, allowing the public an opportunity to provide testimony on the proposed code amendments.

NOW, THEREFORE, THE CITY OF SANDY ORDAINS AS FOLLOWS:

Section 1. Sandy Municipal Code Chapters 17.10, 17.38, 17.40, 17.64, 17.84, and 17.98 are hereby amended as detailed in Exhibit A, attached and incorporated by reference.

Section 2. In support of this ordinance, the City Council adopts the findings and conclusions attached as Exhibit B.

Section 3. This Ordinance shall become effective 30 days from the date of adoption.

This ordinance is adopted by the City Council of the City of Sandy on this **16th day of November 2026**.

Kathleen Walker, Mayor

ATTEST:

Jeffrey Aprati, City Recorder

Sec. 17.10.30. - Meaning of specific words and terms.

The listed specific words and terms are defined as follows:

Middle housing: Middle housing refers to duplexes, triplexes, quadplexes, cottage clusters, and townhouses as defined in ORS 197A.420. For the purposes of middle housing land division, middle housing only refers to duplexes. [“Middle housing” also includes dwelling units that are: \(i\) Additional units allowed under section 17.64.20; and \(ii\) Existing dwelling units to which additional units are added under section 17.64.30.](#)

Middle housing land division: A partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197A.420(2) or (3) [or 197A.421](#). Middle housing land division applications shall be processed pursuant to the expedited land division procedures set forth in ORS Sections 197.360 to 197.380 and Section 17.18.120 of this development code.

Single room occupancy. A residential development with no fewer than four attached [or detached](#) units (referred to as "SRO units") that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.

Sec. 17.38.10. - Permitted uses.*A. Primary Uses Permitted Outright:*

1. Single detached dwelling (subject to design standards in [Chapter 17.90](#));
2. Single detached or attached zero lot line dwelling (subject to design standards in [Chapter 17.90](#));
3. Row house;
4. Duplex;
5. Multi-family dwelling;
6. Manufactured dwelling parks (see [Chapter 17.96](#));
7. Single room occupancy with up to six SRO units on a lot, or up to ~~14~~[42](#) SRO units per net acre, whichever is greater;
8. Residential home;
9. Residential facility.

B. Accessory Uses Permitted Outright:

1. Accessory dwelling unit subject to the provisions in [Chapter 17.74](#);
2. Accessory structure, detached or attached subject to the provisions in [Chapter 17.74](#);

3. Family day care homes, subject to any conditions imposed on the residential dwellings in the zone (see [Chapter 17.74](#));
4. Home business (see [Chapter 17.74](#));
5. Livestock and small animals, excluding carnivorous exotic animals: The keeping, but not the propagating, for solely domestic purposes on a lot having a minimum area of one acre. The structures for the housing of such livestock shall be located within the rear yard and at a minimum distance of 100 feet from an adjoining lot in any residential zoning district;
6. Minor utility facility;
7. Other development customarily incidental to the primary use.

Sec. 17.40.10. - Permitted uses.

A. Primary Uses Permitted Outright:

1. Single Detached, if located on an existing legal lot;
2. Single Attached Zero Lot Line;
3. Duplex;
4. Row houses;
5. Multi-family dwellings;
6. Manufactured dwelling parks;
7. Residential home.
8. Residential facility;
9. Single room occupancy with up to six SRO units on a lot, or up to ~~20~~60 SRO units per net acre, whichever is greater.

B. Accessory Uses Permitted Outright:

1. Accessory dwelling unit (see [Chapter 17.74](#));
2. Accessory structure, detached or attached (see [Chapter 17.74](#));
3. Family day care homes, subject to any conditions imposed on the residential dwellings in the zone;
4. Home business (see [Chapter 17.74](#));
5. Livestock: The keeping, but not the propagating, of one horse, or one cow, or two sheep for solely domestic purposes on a lot having a minimum area of one acre. The structures for the housing of such livestock shall be located within the rear yard and at a minimum distance of 100 feet from an adjoining lot in any residential zoning district;
6. Minor utility facility;
7. Other development customarily incidental to the primary use.

CHAPTER 17.64 – ~~RESERVED~~MIDDLE HOUSING

Sec. 17.64.10. – Purpose.

The purpose of these regulations are to implement certain state law requirements related to middle housing.

Sec. 17.64.20. – Bonus Units.**A. Definitions**

“Accessible unit” means a unit of housing that complies with the “Type A” requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code.

“Affordable unit” means a unit of housing that is subject to an affordable housing covenant, as described in ORS 456.270 to 456.295, that:

1. Makes the unit available to purchase for a maximum sales price and requires that the unit be purchased by a household with an income below 120 percent of median income, with both the maximum price and income threshold as published per region on an annual basis by the division of the Oregon Department of Administrative Services that serves as office of economic analysis; and
2. Is enforceable for a duration of not less than 10 years from the date of the certificate of occupancy.

B. Bonus Units Allowed. Notwithstanding any other provision of Title 17, on any lot or parcel on which middle housing may be sited, if one or more of the units of middle housing is an accessible or affordable unit, the developer shall be allowed additional development of:

1. For any allowable duplex, one additional attached or detached dwelling unit, resulting in a triplex.
2. For any allowable single detached or attached zero lot line dwelling or rowhouse, up to two additional attached or detached dwelling units, resulting in additional single detached or attached zero lot line or row house units.

C. Siting and Design Standards. The additional units under this section are subject to the siting and design standards applicable to the base middle housing units, except that a commensurate increase to any applicable developable area, floor area, height or density requirements will be provided to allow for the development of the units.

Sec. 17.64.30. – Additions to Existing Housing.

A. A lot or parcel on which middle housing is proposed to be developed may include existing housing consisting of:

1. One single-unit dwelling;
2. One single-unit dwelling plus one accessory dwelling unit; or
3. One duplex.

~~A.B.~~ Only the new units, and not the existing units, will be required to comply with applicable siting and design standards.

C. Existing units on the lot or parcel may be separated from the new units by a middle housing land division and are considered a single unit for the purposes of such division.

Sec. 17.84.50. - Street requirements.

B. *Transportation Impact Study (Dwellings)*. For development applications that propose dwelling units, an applicant must submit a transportation impact study unless the application is exempt from this requirement pursuant to Subsection B.7., below. Failure to submit the study will result in an incomplete application. A traffic impact study shall bear the seal of a Professional Engineer licensed in the State of Oregon and qualified in traffic or civil engineering. The applicant shall prepare the study in accordance with the following:

7. A transportation impact study is not required under this section if:

- a. The cumulative impact of the proposed development and development on abutting properties that received a certificate of occupancy or recorded a plat within the past five years will generate no more than 20 vehicle trips in any weekday a.m. or p.m. peak hour as determined by using the Institute of Transportation Engineers Trip Generation Manual (11th Edition); or
- b. The proposed development completed a transportation impact study at the time of annexation within the past five years and that study assessed the impact of the same or more dwelling units than proposed under the new land use action; or
- c. The application only proposes to convert an existing detached single family dwelling to a duplex; or

d. The application only proposes development of middle housing and the application meets both of the following criteria:

1. [The development does not consist of twelve or more row house or single detached or attached zero lot line dwelling units; and](#)
2. [The development is not located on a lot or parcel created by a division of land, other than a middle housing land division, that occurred within the previous five years.](#)

Sec. 17.98.20. - Off-street parking requirements.

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

8.

Residential / Congregate Living Uses	Number of Parking Spaces	Number of Bicycle Spaces
***	***	***
Single Room Occupancy ¹	12 per every 3 SRO units	Exempt
***	***	***

Sec. 17.100.50. - Middle housing land divisions.

A.

Applicability. When land which has been, or is proposed to be, developed for middle housing is proposed to be partitioned or subdivided so that each dwelling unit will be located on its own separate lot [\(except as provided in subsection \(D\)\(4\) below\)](#), the partition or subdivision shall be processed as a middle housing land division pursuant to this section, in-lieu of the standards and procedures otherwise applicable to partitions and subdivisions included under this chapter.

D. *Approval Criteria.* The Director shall review middle housing land division applications based on the procedure set forth in [Chapter 17.18](#) and the following approval criteria:

4. The middle housing land division results in exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels, or tracts used as common areas [and lots or parcels with a detached single-unit dwelling and accessory dwelling unit or a duplex as allowed under ORS 197A.420\(4\);](#)

¹ [This requirement does not apply to single room occupancies used as residential care facilities, which are subject to the parking requirements for residential care facilities.](#)

Ordinance 2026-21 Findings

Goal 1: Citizen Involvement

This goal calls for "the opportunity for citizens to be involved in all phases of the planning process."

Findings: The City held public hearings before both the Planning Commission and the City Council to afford the public the opportunity to be involved. Notice of the two hearings was published in the Sandy Post, posted on the City's website, and on the City Facebook account. Notice was provided to the Department of Land Conservation and Development on September 21, 2026.

Conclusion: *Goal 1 Public Involvement requirements are met.*

Goal 2: Land Use

This goal requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. Cities and counties must build their comprehensive plans on a factual basis and follow their plan when making decisions on appropriate zoning.

Findings: The proposed code amendments provide the development community with a revised development code that is aligned with House Bill 2138, as required by the legislation. With approval of these amendments the City will now be in compliance with HB 2138.

Conclusion: *Goal 2 Land Use requirements are met.*

Goal 10: Housing

This goal calls for an adequate housing supply to ensure opportunity for and promotion of the provision of adequate numbers of needed housing units and the efficient use of land within a city's urban growth boundary. Additionally, this goal aims to promote safe, accessible, and affordable housing options for all Oregonians in their communities of choice, in alignment with the Affirmatively Furthering Fair Housing mandate.

Findings: House Bill 2138 is intended to improve housing supply, and ensure opportunity for and promotion of the provision of adequate numbers of needed housing units and the efficient use of land within each city's urban growth boundary. It is also intended to promote safe, accessible, and affordable housing options for all Oregonians in their communities of choice. Adopting these changes into Sandy's development code is therefore expected to have these effects in Sandy.

Conclusion: *Goal 10 Housing requirements are met.*