



PLANNING COMMISSION MEETING

Monday, May 11, 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/88353351538>

Or by phone: (253) 215-8782; Meeting ID: 883 5335 1538

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) Approval of Minutes for March 30, 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.

COUNCIL LIAISON AND PLANNING COMMISSIONER DISCUSSION

NEW BUSINESS

- [2.](#) Wastewater Facility Plan Amendment and Draft Moratorium 5.0 discussion

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, March 30, 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., Senior Planner Patrick Depa, Development Services Specialist II Rebecca Markham

3. APPROVAL OF MINUTES – January 12, 2026

Chair Malone asked for any edits to the draft minutes. With no edits requested, the minutes were declared approved at 6:31 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. explained that at this time there’s no future Planning Commission meetings scheduled, but that staff is looking at some long-range planning objectives for which a meeting will be necessary in the future.

O’Neill highlighted the HPS approval from the State of Oregon which now starts the “4-year check-in clock” on accomplishing some of the strategies/goals noted in the submission. He stated there are twelve strategies and believes that DLCDC will want to see six or seven of these completed by the 4-year check-in.

O’Neil then updated the Commissioners on the moratorium and the upcoming wastewater facility plan discussion. He encouraged the Planning Commissioners to attend the May 4th City Council meeting where they will discuss the new draft wastewater facility plan amendments and next steps for wastewater solutions.

O’Neill also explained that in the next few weeks, moratorium 5.0 will be sent to the State of Oregon for notice of adoption. Moratorium 5.0 includes the ERU distribution program. A public hearing regarding Moratorium 5.0 will then take place in late May or early June before the existing moratorium expires. He suggested that a work session could be scheduled for the Commissioners to discuss the details of the distribution program in more detail and have a chance to ask questions. It was also suggested meeting in May after the City Council’s meeting on May 4th. O’Neill stated he would find some potential meeting dates and engage with the

Commission to find a meeting date in May.

6. COUNCIL LIAISON AND PLANNING COMMISSIONER DISCUSSION

City Council Liaison Kristina Ramseyer updated the Commission on her recent visit to Estacada with City Manager Tyler Deems and said they watched a presentation for a large-scale project named “Legacy Ridge” that would include affordable housing, multi-family housing, facilities for seniors, grocery stores, and much more on an 80-acre site. The plans are still in the planning stages and are very ambitious.

Ramseyer asked staff for an update on the proposed RV Park just outside the city limits at Dubarko and 362nd Drive. O’Neill said that Senior Planner Patrick Depa attended the County’s pre-app meeting and also submitted comments which stated the requirements the City would have, specifically because 362nd Drive is maintained by the City. O’Neill also stated that staff haven’t heard anything more from Clackamas County following the pre-app meeting. He believes the applicant is weighing his options to annex into the city depending on if he gains access to ERU’s.

7. NEW BUSINESS:

7.1. Pre-House Bill 2005 Compliance Amendments (File No. 26-004 DCA)

Chair Malone opened the legislative hearing on File No. 26-004 DCA at 6:54 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:

Development Services Director O’Neill started his report with background on House Bill 2005 and explained that in 2025 the Oregon State legislature adopted House Bill 2005 dealing with a wide range of mental health related issues and a small portion of that bill has land use provisions. He explained the requirements for cities to go through their development code and make changes to align with legislative changes. Later this year or in 2027, City staff will be back before the City Council and Planning Commission with additional code modifications. However, he explained that they’re not proposing those changes yet for two reasons. There’s pending litigations and because no other city has made those updates related to House Bill 2005.

O’Neill then explained that as City Attorney Josh Sopher was reviewing the City Code in relation to House Bill 2005, he strongly recommended that the City make other code amendment changes that should have been made decades ago, but were unfortunately missed.

The amendments before the Commission are as follows:

17.10 (Definitions) – Redefine “residential facility” and add a new definition for “residential home” to be in line with the ORS.

17.34 (Single Family Residential) – Add “residential home” to the permitted uses section.

17.36 (Low Density Residential) – Add “residential home” to the permitted uses section.

17.38 (Medium Density Residential) – Add “residential home” and “residential facility” to the permitted uses section and remove it from the conditional uses section.

17.40 (High Density Residential) – Add “residential home” to the permitted uses section and remove “residential care facility” from the conditional uses section.

17.44 (General Commercial) – Add “residential facility above a commercial business” to the permitted uses section to be consistent with multi-family dwellings above a commercial business.

17.46 (Village Commercial) – Add “residential facility above a commercial business” to the

permitted uses section to be consistent with multi-family dwellings above a commercial business.

In conclusion, this would make the City code compliant with laws that pre-dated HB 2005.

Public Testimony:

None

Staff Recap:

O'Neill stated that staff recommends that the Commission provide staff with any suggested edits but also said that the code amendments before them were reviewed and updated by the City Attorney. He also asked the Commission to forward their recommendations with any edits to the City Council.

Motion: Motion to close the public hearing at 7:05 p.m.

Moved By: Commissioner Wegener

Seconded By: Vice-Chair Crosby

Yes votes: All Ayes

No votes: None

Abstentions: None

Discussion:

The Commission and staff discussed the definition of "residential care facilities" and what that could encompass.

Motion: Move to recommend approval of the code amendments to the City Council as presented by staff.

Moved By: Vice-Chair Crosby

Seconded By: Commissioner Wegener

Yes votes: All Ayes

No votes: None

Abstentions: None

7.2. Civil Infractions Work Session

Development Services Director O'Neill explained how this discussion "piggybacks" off a work session with the City Council in October of 2024. He said that in December of 2024, the City Council adopted Ordinance 2024-23 which removed Chapter 1.16 and modified Chapter 1.18 significantly to include infraction classifications as well as a fine escalation clause. Before the updated civil infraction code sections go before the City Council at a work session, O'Neill wanted the Commissioners' input and recommendations.

O'Neill went through the proposed modifications to Chapter 1.18, the removal of Chapter 1.20 since the City doesn't hold jury trials, and the reasons for removal of references to ORS in Chapters 8.34 and 8.35 per the City Attorney's recommendation. He also stated that staff also recommended removal of Section 8.34.080.E. that established a floor for at fine which is not common and is instead generally left to the municipal judge to decide.

O'Neill asked the Commissioners if they'd like to go through each Chapter and the proposed fine amount. Chair Malone said she trusted staff's due diligence and didn't feel that was necessary.

When discussing fines, O'Neill stated that the Development Services Department provides every chance possible to come into compliance before an actual fine is issued. He explained how the Development Services Department Code Enforcement Specialist typically sends multiple letters, sends emails, makes phone calls, and sometimes even stops by the property or business before he finally issues a fine.

When looking at the lists and fine amounts in Exhibit A and B, Commissioner Wegener stated how he felt the fines for snow and ice removal were a little steep for the residential community. O'Neill explained that everything in Chapters 8.04 through 8.24 are violations in accordance with nuisance penalties outlined in Chapter 8.28 which are currently listed as a Class A infraction. O'Neill also stated that if the Commission wanted to lower any fines in each of the sections of Chapter 8, staff would need to note the violation details in each section requiring it to be adopted by City Council.

Chair Malone asked City Council Liaison Kristina Ramsayer if Council would be willing to split out each violation in Chapters 8.04 through 8.24. Ramseyer believes the City Council has other priorities that would take precedence over separating out the fines per chapter instead of keeping them all consistent and noting it once in Chapter 8.28.

The Commission and staff discussed the options of lowering the fine amount in just a few sections in Chapter 8, requiring the City Council to adopt separate violation sections. Alternatively, they discussed lowering all the fines in Chapters 8.04 through 8.24 from a Class A (\$1,000) to a Class B (\$500) infraction, which wouldn't require separate adopted violation sections. The Commissioners agreed to recommend lowering Chapters 8.04 through 8.24 infractions to a Class B fine.

Commissioner Wegener asked why Chapter 12.10, sidewalk maintenance didn't have a fine listed in Exhibit B. O'Neill clarified that if the homeowner doesn't respond to code enforcement violations for sidewalk maintenance, the City abates the sidewalk issues, and a lien is placed on the property to cover the City's cost. He stated that this process has been very successful for sidewalk repairs.

8. ADJOURNMENT

Chair Malone adjourned the meeting at 7:47 p.m.

Chair Linda Malone

Attest:

Date signed: _____

Kelly O'Neill Jr.,
Development Services Director



STAFF REPORT

Planning Commission

Meeting Type: Planning Commission
Meeting Date: May 11, 2026
From: Kelly O'Neill Jr., Development Services Director
Subject: Wastewater Facility Plan Amendment and Draft Moratorium 5.0

At the Planning Commission meeting on March 30, 2026, the Commissioners requested that staff prepare a discussion on the Wastewater Facility Plan Amendment and Draft Moratorium 5.0.

Wastewater Facility Plan Amendment:

On May 4, 2026, the City Council held a work session to discuss the proposed amendment to the Wastewater Facility Plan. The Public Works Director, AJ Thorne, will provide an overview of the amendment and answer questions.

Draft Moratorium 5.0:

On April 1, 2026, the City Attorney notified the Department of Land Conservation and Development (DLCD) of draft Moratorium 5.0. This moratorium includes an allocation program for the 190 ERUs that the City of Sandy anticipates receiving access to from DEQ and EPA later in 2026. The draft moratorium resolution will be considered by the City Council for adoption on May 18, 2026. The City Attorney, Josh Soper, will provide an overview of the draft moratorium and answer questions.

Exhibits:

- Exhibit A. Staff Report for Wastewater Facility Plan Amendment Work Session
- Exhibit B. Moratorium 5.0 Draft



STAFF REPORT

Meeting Type: City Council Work Session
Meeting Date: May 4, 2026
From: AJ Thorne, Public Works Director
Subject: Wastewater Facility Plan Amendment Work Session

DECISION TO BE MADE:

No decision is required in this meeting.

APPLICABLE COUNCIL GOAL:

- **Goal 7.6.1:** Complete and adopt the [Wastewater Facilities Plan Amendment](#).

BACKGROUND / CONTEXT:

The purpose of this Wastewater Facility Plan Amendment, required by the City's [Consent Decree](#) with the US Environmental Protection Agency (EPA) and the Oregon Department of Environmental Quality (DEQ), is to plan for near-term and long-term improvements at the City's Wastewater Treatment Plant (WWTP) and develop a viable long-term wastewater treatment and discharge strategy to accommodate Sandy's future population.

The City previously adopted a Wastewater System Facilities Plan [in 2019](#). However, by early 2022 it began to become apparent that the improvements contemplated in the 2019 plan were no longer appropriate for the City's circumstances. For example, the additional collection pipe rehabilitation required by the EPA meant the treatment facilities in the plan were likely oversized. In addition, the plan underestimated the cost of treatment facilities, leading to the true cost of the recommended plan being unaffordable. Finally, the 2019 plan significantly underestimated the schedule to finance, permit, and construct such significant and environmentally complex projects. (In fact, the 2019 plan estimated the City could, in addition to everything completed to date, have built a second satellite treatment plant and completed construction of a Sandy River Outfall by 2024, which would have been vastly unrealistic and infeasible). Therefore, an updated/amended facility plan that better addressed the City's needs and that incorporated more accurate schedules and budgets was necessary to provide a true pathway to regulatory compliance.

Development Moratorium Context

Pursuant to the Consent Decree, the City implemented a moratorium on new development applications that would result in increased wastewater flows beginning in October 2022. The City has been investing in increased capacity at the wastewater treatment plant by rehabilitating aging sewer pipes (reducing peak flows to the WWTP) and conducting stress testing to determine the plant's maximum capacity. A Comprehensive Capacity Evaluation Report was submitted in to EPA and DEQ in

September 2023, demonstrating that 760 ERUs should be approved for connection to the existing wastewater treatment plant as part of the Capacity Assurance Program (CAP), per requirements of the Consent Decree.

Clarifications and discussions with legal counsel were completed in May 2024 which resulted in EPA granting conditional approval of 570 ERUs with an additional 190 ERUs that will be released once the City completes several improvements to the existing treatment and discharge system. Those improvements are scheduled to be completed in 2026.

Approval of additional growth beyond the 760 ERUs requires completion of the long-term improvements established in the Facility Plan Amendment, which include a new discharge and additional treatment plant improvements and expansion.

KEY CONSIDERATIONS / ANALYSIS:

The Facility Plan Amendment ([linked here](#)) determined the City needs to pursue near-term improvements, long-term improvements, and permit modifications to maintain compliance and meet the requirements of the Consent Decree.

1. NEAR-TERM IMPROVEMENTS

Near-term improvements will allow the City to request approval for release of the remaining 190 ERUs under EPA's conditional approval and will allow plant staff to continue to operate the WWTP reliably until the long-term wastewater discharge project is completed. Most near-term improvements will be completed using grant funding secured for projects that can be completed by fall 2026. Spending grant funding is key to keeping rates as manageable as possible.

2. LONG-TERM IMPROVEMENTS

The Facility Plan Amendment evaluated a [variety of long-term alternatives](#) for expanding the existing wastewater treatment plant (WWTP) and constructing a new outfall as well as regional solutions for wastewater treatment. The Consent Decree requires long-term improvements to be constructed within 15 years of the signing of the decree.

The two alternatives initially identified as viable in late 2024 included:

- A. Treatment at Existing WWTP and Discharge to Sandy River: Three treatment processes were considered to maintain treatment at the Jarl Road facility. All processes would continue to provide a minimum of high level of treatment (tertiary filtered effluent). Effluent would continue to be used for irrigation during the summer and would be discharged to Tickle Creek as allowed during the winter, with peak flows diverted to a new Sandy River outfall.
 - B. Regional Treatment and Discharge: This alternative would include constructing a new pump station and pipeline to send flow from Sandy to a nearby larger wastewater treatment plant. The City of Gresham was identified as the most viable regional treatment and discharge partner.
- Note: in late 2024 groundwater recharge (discussed later in this staff report) was not considered to be a viable approach under the regulatory environment that existed in Oregon at that time.

Study of the Gresham Regional Treatment Option

[In December 2024](#), staff presented a draft Facility Plan Amendment to the City Council that identified the alternative of pumping flow to the City of Gresham for treatment and discharge as the preferred alternative because it provided the greatest long-term certainty regarding treatment requirements and could be designed, constructed, and permitted with the fewest unknowns. Expanding the existing WWTP and constructing a new Sandy River Outfall was the other viable alternative identified, however costs for this alternative were comparable to the Gresham alternative while also introducing the need for a new outfall permit, which requires a lengthy and uncertain public process. Council authorized City staff to request an extension of the Facility Plan Amendment submittal date to further investigate the regional treatment alternative, and this extension was approved.

The studies and inter-city coordination conducted in 2025 confirmed that the Gresham WWTP has capacity to serve the City of Sandy and that the City of Gresham is willing to partner with Sandy to find a long-term solution to its wastewater treatment challenges. Studies also determined that the most cost-effective approach to conveying flow to Gresham is through a new pump station, force main, and dedicated gravity pipe discharging into a portion of the City of Gresham's collection system that has available capacity.

However, during the process of confirming the viability of the Gresham discharge solution, more detailed cost analysis showed that this alternative was more expensive than previously estimated. Major cost increases were driven by the need for a redundant force main and an odor control facility, as well as more detailed route analysis combined with additional requirements determined in meetings with Gresham staff. In late 2025, these increased project costs crossed from being extremely expensive to unaffordable for Sandy. Relevant cost estimating increases were applied to the Sandy River discharge alternative and the two were compared again. The result was a similarly equivalent cost for both alternatives and an assessment that neither were affordable.

New Preferred Alternative: Groundwater Recharge

In late 2025, the City became aware of recently enacted state legislation (HB 2169) demonstrating that the State is interested in expanding water reuse. This change in the state's stance makes groundwater recharge (which was previously considered but dismissed as unrealistic) newly viable as a discharge solution. In light of this, the City asked for a final, six month, extension to the due date for Facility Plan Amendment. This was granted, and the City began work on exploring a groundwater recharge discharge alternative.

This new draft of the Facility Plan Amendment now being presented to the Council includes **groundwater recharge as the preferred alternative for Sandy's long-term discharge**. The solution proposed will be in the form of either a deep or shallow discharge to groundwater in a location near the existing outfall. This solution is similar to the Sandy River discharge in many ways and begins with the construction of Membrane Bioreactor (MBR) treatment at the existing plant. The effluent will then be treated further or 'polished,' to a level determined by the nature of the discharge and the requirements imparted by the State. This option will be substantially less expensive than either the Sandy River outfall, or a pipeline to Gresham. Operationally, this solution will help in the short term by providing Sandy discharge options during shoulder season storms or times when flow in Tickle Creek is too low to allow discharge during the winter period. In the long term, this solution will allow Sandy to grow without impacting the limits of the Three Basin Rule.

Staff is currently working on plans to move forward with this solution immediately after this Facility Plan is adopted. The first steps will be starting the process to build an MBR at the treatment plant while simultaneously starting the required studies of the intended recharge location. With this plan, a new

Sandy River discharge now becomes the backup alternative because it would also require the construction of an MBR. The regional (Gresham) alternative, which would not involve any on-site treatment, would no longer be a practical backup.

Risk Considerations and Timelines

It should be noted that all three studied discharge alternatives carry risk. Below are notable risk factors to consider, as well as estimated timelines for completion:

- **Regional (Gresham):** extreme expense; challenging intergovernmental agreement negotiations related to connection fee, maintenance responsibilities, and rate increase procedures; significant and distant infrastructure to maintain with high consequence of failure; however, lack of ongoing treatment responsibilities. Estimated timeline: 4 years¹
- **Sandy River:** extreme expense; lengthy and uncertain NPDES process with anticipated public opposition; ongoing treatment responsibilities. Estimated timeline: 6 to 8 years^{1, 2}
- **Groundwater Recharge:** large but more manageable expense; approval process uncertainty due to project novelty in Oregon; ongoing treatment responsibilities. Estimated timeline: 4 to 7 years^{2, 3}

3. PERMIT MODIFICATIONS

The City's NPDES permit is currently being renewed, with a draft permit developed in 2026. City team members are working with DEQ permitting staff to negotiate a bridging strategy to maintain compliance until long-term improvements are in place.

BUDGET IMPACT:

While the act of adopting the Facility Plan Amendment does not have an immediate budget impact, the planning estimates for project completion will inform future rate models and SDC valuation.

Estimated totals for the studied discharge alternatives are as follows:

- | | |
|---|-------------------|
| - Groundwater Recharge: | \$134M - \$147M* |
| - Sandy River Discharge: | \$165M |
| - Regional Solution (Gresham Connection): | \$184M - \$195M** |

**Groundwater recharge is represented as a range due to multiple water polishing and discharge depth options.*

***Regional option is represented as a range due to the unknown cost of capacity purchase.*

In addition to the discharge alternatives noted above, it's also important to note the system improvements that have already been implemented, and additional collection system improvements that still need to be made. From July 2020 through mid-April 2026, approximately \$40 million has been invested in the wastewater system. The Facility Plan Amendment calls for an additional \$14 million to be spent over the next several years to improve the collection system further, and address Category 4 and 5 defects, in alignment with the Consent Decree. These costs, coupled with the Groundwater Recharge option, yield a program total of \$188 million.

¹ Assuming that sufficient funding can be secured

² Range due to uncertainty of length of permitting process

³ MBR component of this solution can be completed within three years

The last time Council received a comprehensive utility rate update was in [December 2024](#). At that time, the wastewater rate projection was as follows:

December 2024 Rate Projections

2026	2027	2028	2029	2030	2031	2032	2033	2034
15%	14%	14%	14%	14%	10%	10%	10%	8.5%

The [Biennium 2025-27](#) budget reflects the 15% and 14% in years one and two.

Based on the information that has been garnered throughout the Facility Plan Amendment process, a rate projection for each alternative has been compiled. Please note that these projections are estimates and once a final alternative is adopted the City’s rate consultants will do a final projection for both rates and System Development Charges (SDC).

Discharge Alternative Impact on Utility Rate Projections

Sandy River Discharge

The estimated rate schedule for this alternative is presented below. The annual debt service to construct this project would be in excess of \$12 million upon completion of the project.

2026	2027	2028	2029	2030	2031	2032	2033	2034
15%	15%	15%	15%	15%	15%	15%	12%	12%

The estimated SDC for this alternative is \$17,257.

City of Gresham Discharge

The estimated rate schedule for this alternative is presented below. The annual debt service to construct this project would be approximately \$14 million upon completion of the project.

2026	2027	2028	2029	2030	2031	2032	2033	2034
16%	16%	16%	16%	16%	16%	16%	12%	12%

The estimated SDC for this alternative is \$26,327.

Groundwater Recharge

The estimated rate schedule for this alternative is presented below. The annual debt service to construct this project would be approximately \$10 million upon completion of the project.

2026	2027	2028	2029	2030	2031	2032	2033	2034
12%	12%	12%	12%	12%	12%	12%	12%	12%

The estimated SDC for this alternative is \$12,235.

Upon plan adoption, staff will re-engage with FCS to formally revise the rate and SDC projections.

RECOMMENDATION:

Continue review of the Facility Plan Amendment to prepare for adoption in June of 2026. Staff is available to answer questions or to attend council meetings to further discuss the contents of plan.

SUGGESTED MOTION LANGUAGE:

None at this time.

LIST OF ATTACHMENTS / EXHIBITS:

- [Draft Wastewater Facility Plan Amendment – May 2026 \(link\)](#)
- Presentation Slides



RESOLUTION NO 2026-04

A RESOLUTION APPROVING A MORATORIUM ON DEVELOPMENT PURSUANT TO ORS 197.505 TO 197.540 BASED ON LIMITED SANITARY SEWER CAPACITY

WHEREAS, pursuant to the federal Clean Water Act of 1972, the City of Sandy sanitary sewer collection and treatment system is subject to a National Pollutant Discharge Elimination System (NPDES) permit (the Permit) issued to the City by Oregon Department of Environmental Quality (DEQ) under authority granted by the U.S. Environmental Protection Agency (EPA); and

WHEREAS, the Permit limits the types and amounts of discharges from the City treatment plant into Tickle Creek; and

WHEREAS, population growth and development in the city has increased the demand on the available capacity at the treatment plant; and

WHEREAS, inflow and infiltration (I&I) into the City collection system (i.e. sewer pipes) from surface water has also increased the demand on available treatment plant capacity; and

WHEREAS, the combination of I&I and increased base flows has caused discharges from the treatment plant to violate permitted NPDES levels during certain weather events; and

WHEREAS, the City has engaged in a significant program of investigation, remediation, and repair of the collection system to reduce the amount of I&I and the corresponding demand on the treatment facilities; and

WHEREAS, the City is also amending the Facilities Master Plan to provide for the design, financing, and construction of additional facilities to improve the capacity of the City's wastewater system in the long term; and

WHEREAS, the aforementioned permit violations resulted in enforcement proceedings from DEQ and EPA which were resolved via the consent decree entered in the U.S. District Court for the District of Oregon on September 11, 2023 (the "Consent Decree"); and

WHEREAS, the terms of the Consent Decree required the City to perform a "stress test" and comprehensive capacity analysis to determine the capacity of the City's existing sanitary sewer system based on work the City had already performed to improve capacity; and

WHEREAS, the Consent Decree also required the City to limit new connections to the City's sanitary sewer system, and modifications to existing connections to the City's sanitary sewer system that increase flows, to no more than 300 equivalent residential units (ERUs) until the comprehensive capacity analysis results were approved by EPA and DEQ, at which point the 300 ERU cap would be replaced with a cap determined by the results of the comprehensive capacity analysis; and

WHEREAS, the City submitted the results of the comprehensive capacity analysis to EPA and DEQ on September 29, 2023, which resulted in a conditional approval decision on April 11, 2024, authorizing the

City to immediately access 270 additional ERUs above and beyond the 300 ERUs previously available, and to access 190 additional ERUs upon the completion of certain specified actions by the City and approval by EPA and DEQ; and

WHEREAS, as of the date of this Resolution, the City has issued 200.9 ERUs to developments out of the 570 ERUs, resulting in a total number of ERUs available as of this date of 369.1 ERUs; and

WHEREAS, upon completion of the actions described in the conditional approval, and further approval by EPA and DEQ, the City anticipates that more capacity will become available and additional development projects will be allowed to connect to the sanitary sewer system and add increased flows through existing connections; and

WHEREAS, the Consent Decree requires the City to take such actions as are necessary to meet the above obligations, including enactment of a development moratorium; and

WHEREAS, while negotiations with EPA and DEQ relating to the Consent Decree were ongoing, the City enacted a development moratorium via Resolution 2022-24 on October 3, 2022, and extended that moratorium via Resolution 2023-07 on March 20, 2023 (the "First Moratorium"); and

WHEREAS, upon approval of the Consent Decree by City Council, the City repealed and replaced the First Moratorium and enacted a new development moratorium with Resolution 2023-27 on June 20, 2023, and extended that moratorium via Resolution 2023-34 on November 20, 2023 (the "Second Moratorium"); and

WHEREAS, upon approval of the 270 additional ERUs, the City repealed and replaced the Second Moratorium and enacted a new development moratorium with Resolution 2024-11 on June 3, 2024, and extended that moratorium via Resolution 2024-24 on December 2, 2024 (the "Third Moratorium"); and

WHEREAS, in order to provide additional flexibility and better address the needs of the City, developers, and property owners, the City repealed and replaced the Third Moratorium and enacted a new development moratorium with Resolution 2025-14 on June 2, 2025, and extended that moratorium via Resolution 2025-29 on November 17, 2025 (the "Fourth Moratorium"); and

WHEREAS, land use applications which were submitted prior to enactment of the First Moratorium (the "Pre-Moratorium Applications") were not subject to the prohibition on acceptance and processing of new land use and development applications in the First, Second, Third, or Fourth Moratorium, but were impacted by the limitations on issuance of building permits and other permits also established in those moratoria; and

WHEREAS, in the interest of fairness, a priority of the City has been and continues to be to limit negative impacts on the Pre-Moratorium Applications; and

WHEREAS, the additional ERUs available to the City with adoption of the Third Moratorium made it possible for the first time since the enactment of the First Moratorium for the City to ensure ERUs are available to allow each of the Pre-Moratorium Applications to move forward; and

WHEREAS, as a result, the City established an ERU allocation program as part of the Third Moratorium, pursuant to which 359.6 of the remaining 369.1 ERUS available to the City have been allocated; and

WHEREAS, during the term of this moratorium (the “Fifth Moratorium”), the City anticipates receiving approval from EPA and DEQ to access the additional 190 ERUs described in the September 29, 2023, conditional approval, and the City Council believes it is appropriate to adopt a plan for distribution of that additional capacity at this time; and

WHEREAS, it also appears to the City Council that it is appropriate to make additional changes to the ERU allocation program originally adopted with the Third Moratorium and modified in the Fourth Moratorium in order to continue to make improvements to the program to better address the needs of the City, developers, and property owners; and

WHEREAS, the Consent Decree also sets out a process the City is required to follow in order to address the need for additional capacity in its wastewater system into the future, including specific steps the City is required to take and deadlines for completion; and

WHEREAS, the moratorium imposed by this Resolution is intended to meet the City’s obligations under the Consent Decree and to limit the approval of additional development that will require new connections to the City’s sanitary sewer system or increased flow through existing connections to the City’s sanitary sewer system, to ensure that the capacity in the City’s wastewater system is not exceeded; and

WHEREAS, the new moratorium enacted by this Resolution is intended to replace the Fourth Moratorium; and

WHEREAS, this Resolution is authorized by ORS 197.505 to 197.540.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY:

DEVELOPMENT APPLICATION LIMITATIONS

Section 1. **Generally.** The City of Sandy Development Services Department (the “Department”) staff shall not accept or process a land use application or other application for approval of development that is submitted on or after the effective date of this Resolution if the development will require a new connection to the City sanitary sewer system or will result in increased flow through an existing connection to the City’s sanitary sewer system.

Section 2. **Subject Application Types.** Section 1 of this Resolution applies to the following types of land use applications or other similar applications as determined by the Department Director:

- a. Subdivision.
- b. Partition, except as provided in Section 3.n and 3.r below.
- c. Specific area plan.
- d. Replat that results in creation of an additional lot.

- e. Design review that will require a new connection or increased flows through an existing connection if approved, including conversion of a single-family dwelling into a duplex.
- f. Accessory dwelling unit.
- g. Food cart permit outside of an existing food cart pod.
- h. Conditional use permit that requires a new connection or will result in increased flows through an existing connection.

Section 3. **Exempt Application Types.** Section 1 of this Resolution does not apply to the following types of land use applications or other similar applications as determined by the Department Director:

- a. Comprehensive plan or zoning map amendment.
- b. Property line adjustment.
- c. Design review without a new connection and which will not result in increased flows through an existing connection.
- d. Conditional use permit without a new connection and which will not result in increased flows through an existing connection.
- e. Food cart permit inside an existing food cart pod.
- f. Adjustment, variance, or design deviation.
- g. Tree permit.
- h. Flood slope hazard permit.
- i. Hillside development permit.
- j. Replat that does not create an additional lot.
- k. Street vacation.
- l. Request for code interpretation.
- m. Development that relies on on-site septic treatment or another alternative that does not connect to the City sanitary sewer, as allowed under City code and other applicable laws.
- n. Middle Housing Land Division per Section 17.100.50 of the Sandy Municipal Code and SB 458 (2021).
- o. City projects described in a facility plan or master plan.
- p. Annexations.
- q. Hardship permits.

- r. Partition, provided the property owner records a deed restriction on each resulting parcel, preventing the parcel from being developed until such time as the City is no longer subject to the Consent Decree or such time as the City agrees, in its sole discretion, to release the deed restriction. The recording instrument for the deed restriction shall be approved by the Department Director prior to recording. For purposes of this subsection, “developed” refers to any use of the property that would require a new connection to the City sanitary sewer system or result in increased flow through an existing connection to the City’s sanitary sewer system.

Section 4. **Other Exceptions.** Section 1 of this Resolution does not apply to the following land use applications or other applications for approval of development:

- a. Applications which will not require a new connection to the City sanitary sewer system and will not result in increased flow through an existing connection to the City’s sanitary sewer system.
- b. Applications for which ERUs have been allocated pursuant to Sections 6 through 10 of this Resolution or to which ERUs have been reassigned pursuant to Section 12 of this Resolution.

SEWER CONNECTION LIMITATIONS

Section 5. **Generally.** During the time this Resolution is in effect, the Department will limit any new connections to the City’s sanitary sewer system, and any increased flows through existing connections, to the sum of 369.1 ERUs and any additional ERUs which may be approved for the City to access by EPA and DEQ subsequent to the adoption of this Resolution. The Department shall not issue building permits or other permits that in total would allow more than the above sum of ERUs through new connections or increased flows through existing connections to the City’s sanitary sewer system. This Section 5 is subject to the following:

- a. ERUs shall be calculated as set forth in the Consent Decree.
- b. A second connection to an existing duplex currently served by a single connection in order to allow a Middle Housing Land Division under Section 3.n above, per Section 17.100.50 of the Sandy Municipal Code and SB 458 (2021), shall not be considered a new connection for purposes of this Section 5.
- c. In order to ensure compliance with the requirements of this section and achieve the purposes of the ERU allocation programs described in this Resolution, the Department shall not issue any building permits or any other permits that would allow new connections or increased flows through existing connections to the City’s sanitary sewer system except for developments for which ERUs have been allocated pursuant to Sections 6 through 10 of this Resolution or to which ERUs have been reassigned pursuant to Section 12 of this Resolution.

PRE-MORATORIUM ERU ALLOCATION PROGRAM

Section 6. **Pre-Moratorium Allocations Generally.** The City has allocated ERUs to specific development projects for which land use applications were submitted prior to the enactment of the First Moratorium, and for which such approval was subsequently obtained, as set forth in the Third Moratorium, in the interest of ensuring maximum possible fairness and certainty under the circumstances, and in an effort to accommodate the housing and economic development needs of the City as much as possible, pursuant to ORS 197.520. That program has concluded and no new ERU allocations will be issued pursuant to that program; any additional ERU allocations will only be as provided in Sections 8 through 10 below.

Section 7. **Extension of Pre-Moratorium Allocations.**

- a. In the interest of ensuring maximum possible fairness and certainty under the circumstances, and in an effort to accommodate the housing and economic development needs of the City as much as possible, pursuant to ORS 197.520, the City has elected to provide additional time to the development projects described in Section 6 above, beyond the time extensions described in the Third Moratorium and Fourth Moratorium, through one final extension.
- b. A person who wishes to obtain an extension of the term of an allocation of ERUs issued under the Third Moratorium for a development project on a property owned by that person must submit a written application to the Department prior to the expiration of the term existing on the date of adoption of this Resolution. The application must include the following:
 - i. A description of the property.
 - ii. A reference to the land use decision which approved the development on the property for which an ERU allocation is sought.
 - iii. The number of ERUs for which the extension of term is requested.
 - iv. The names and signatures of all of the owners of the property.
 - v. A narrative explaining how the criteria of subsection (c) are met.
 - vi. A processing fee in the amount of \$530.00, plus a 3 percent technology fee.
- c. The Development Services Director, or designee, shall review applications submitted under subsection (b) above as they are received, and shall approve each application in writing if it meets all of the following criteria:
 - i. The development project previously received an ERU allocation under the Third Moratorium.
 - ii. The number of ERUs for which the extension of term is requested does not exceed the number of ERUs previously allocated minus any ERUs which have been subsequently issued.

- iii. The land use approvals for the development project have not expired, if applicable.
- d. An extension approval issued by the Department Director, or designee, under this Section 7 shall:
 - i. Be the final extension.
 - ii. Specify and be restricted to the property for which it was requested and qualified, except as set forth in Section 12.
 - iii. Specify and be restricted to the land use approval for which it was requested and qualified, except as set forth in Section 12.
 - iv. Specify the number of ERUs allocated.
 - v. Expire on December 31, 2027.

DEVELOPMENT ALLOCATION PROGRAM

Section 8. Development Allocation Program Generally.

- a. During the term of this moratorium, the City anticipates receiving approval from EPA and DEQ to access the additional 190 ERUs described in the September 29, 2023, conditional approval from those agencies. The City of Sandy Development Allocation Program (DAP), as described in Sections 8 through 11 of this Resolution, will go into effect fifteen (15) business days after the City's receipt of such written approval.
- b. In addition to the ERUs subject to the allocation programs described in Sections 9 through 11 below, 13 ERUs of the 190 ERUs described in the September 29, 2023, conditional approval from EPA and DEQ are allocated for City projects.

Section 9. Residential Lands Development Allocation Program – Accessory Dwelling Units (ADUs).

- a. In accordance with the 2024 Housing Capacity Analysis (HCA), Sandy needs an increase in affordable housing options for both renters and homeowners. In the interest of encouraging housing affordability and infill development, the City will allocate 7 ERUs specifically to ADU projects, which is sufficient to allow 10 ADUs to be constructed, in addition to any ADUs that may be constructed under the Residential Lottery Allocation described in Section 10. ADU ERUs allocated through Section 9 of this Resolution will be allocated on a first come, first served basis.
- b. A person who wishes to obtain an ADU ERU allocation for a property owned by that person must submit a written application to the Department. The application must include the following:
 - i. A description of the property.
 - ii. The names and signatures of all of the owners of the property.
 - iii. A narrative explaining how the criteria of subsection (c) are met.

- iv. A processing fee in the amount of \$200.00, plus a 3 percent technology fee.
- c. The Development Services Director, or designee, shall review applications submitted under subsection (b) above in the order they are received, and shall approve each application in writing if it meets all of the following criteria:
 - i. All submittal requirements under subsection (b) have been met.
 - ii. The subject property is already located in city limits.
 - iii. An allocation for no more than one (1) ADU may be issued per property, lot, or owner. For purposes of this section, an owner shall also be considered to be the same as another owner if the relationship between the two owners is that of a parent corporation or other parent entity, or a subsidiary, or if 50% or more of the membership or ownership of the two entities is the same.
 - iv. The subject property must have been created by deed, or the lot must have been platted prior to October 3, 2022.
 - v. Sufficient ERUs designated for ADUs under this Resolution are available for the project.
- d. An approval issued by the Department Director, or designee, under this Section 9 shall:
 - i. Specify and be restricted to the property for which it was requested and qualified.
 - ii. Specify an allocation of 0.7 ERU.
 - iii. Specify that the approval is subject to the timelines in subsection (e) below.
- e. ADU ERU allocations under this Section 9 are subject to the following timelines:
 - i. An applicant that is issued an ADU ERU will have 60 calendar days after the date of issuance to apply for a pre-application meeting for the ADU project.
 - ii. Once the pre-application meeting has been held, the applicant will have 120 calendar days to submit a land use application, which must be deemed complete within the time required by state law.
 - iii. If the project has already been discussed at a pre-application meeting prior to issuance of an ADU ERU, the applicant will have 120 calendar days from the date of ADU ERU issuance to submit a land use application, which must be deemed complete within the time require by state law.
 - iv. Once the land use decision is issued, the applicant will have one (1) year from the date of decision to submit for a building permit.
 - v. No extensions will be granted.
 - vi. If any of these deadlines are not met, the ERU allocation will expire and the ERU will be returned to the City for reallocation.

Section 10. **Residential Lands Development Allocation Program – Residential ERU Lottery Allocation.**

- a. The Residential ERU Lottery Allocation program applies to the distribution of 42 ERUs of the 190 ERUs described in the September 29, 2023, conditional approval from EPA and DEQ, plus any ERUs which were allocated under the Third Moratorium for residential uses and for which that ERU allocation has expired as of the date of notice of the Residential ERU Lottery described in subsection (b) below or the date of notice of a subsequent lottery under subsection (i) below, as applicable. ERUs allocated under the program described in this Section 10 can be used only for residential uses.
- b. Within 30 calendar days after the effective date of this Section 10 (as described in Section 8), the City will publish a notice of Residential ERU Lottery on the City's website. The notice must include the number of ERUs that will be available for allocation pursuant to the lottery, instructions for entering the lottery, and the entry deadline.
- c. A person who wishes to enter the Residential ERU Lottery for a property owned by that person must submit a written application to the Department within 150 calendar days after the date of notice under subsection (b) above. The application must include the following:
 - i. A description of the property.
 - ii. The names and signatures of all of the owners of the property.
 - iii. A tentative site plan and/or tentative subdivision plat for the property.
 - iv. A narrative explaining how the criteria of subsection (d) are met and describing the number of ERUs requested and how that number was calculated.
 - v. A processing fee in the amount of \$600.00, plus a 3 percent technology fee.
- d. The Development Services Director, or designee, shall review applications submitted under subsection (c) above to determine whether they qualify for entry into the Residential ERU Lottery. Applications shall qualify for entry into the lottery if they meet all of the following criteria:
 - i. All submittal requirements under subsection (c) have been met.
 - ii. The number of ERUs requested does not exceed the number that are available as described in the notice of the lottery under subsection (b).
 - iii. The subject property is already located in city limits.
 - iv. No more than one entry is permitted for the same property.
- e. Within 20 business days after the deadline to submit entries under subsections (b) and (c), the City will conduct a random drawing of all eligible entries. The drawing will be conducted in a manner which allows the public to observe the drawing remotely. The drawing will continue until each eligible entry has been drawn, with entries placed on a list in the order in which they were drawn.

- f. The City will allocate ERUs in the order of the list produced under subsection (e) until all available ERUs (as described in the notice of lottery) are exhausted.
 - i. If the remaining number of available ERUs is not sufficient to fulfill the number of ERUs requested for a particular entry, the City will provide the applicant with thirty (30) calendar days to modify their application in order to not exceed the number of ERUs available. If the applicant chooses not to modify their application under this subsection, the application will be denied and the City will continue to the next applicant in the list developed under subsection (e).
 - ii. If the proposed project exceeds 50 ERUs, including future phases, then a project specific capacity evaluation (as required by the Consent Decree) must be conducted by the City of Sandy and must find that sufficient project specific capacity exists in order for ERUs to be allocated. The applicant shall pay a non-refundable third-party assessment fee of \$2,230 for a project specific capacity evaluation, due within five business days after notice from the City that the applicant's entry is under consideration pursuant to the list developed under subsection (e). If the fee is not paid, the application will be denied and the City will continue to the next application on the list. If the fee is paid, the lottery process will be paused while the capacity evaluation is conducted. If the capacity evaluation finds that sufficient capacity exists, the Residential ERU Lottery application will approved. If the capacity evaluation finds that insufficient capacity exists, the City will provide the applicant with thirty (30) calendar days to modify their application in order to not exceed the capacity available. If the applicant chooses not to modify their application under this subsection, the application will be denied and the City will continue to the next applicant in the list developed under subsection (e).
- g. An approval issued by the Department Director, or designee, under this Section 10 shall:
 - i. Specify and be restricted to the property and project for which it was requested and qualified.
 - ii. Specify the number of ERUs allocated.
 - iii. Specify that the approval is subject to the timelines in subsection (h) below.
- h. ERU allocations under this Section 10 are subject to the following timelines and requirements:
 - i. An applicant that is issued ERUs through the Residential ERU Lottery will have 60 calendar days after the date of issuance to apply for a pre-application meeting for the project.

- ii. Once the pre-application meeting has been held, the applicant will have 120 calendar days to submit a land use application, which must be deemed complete within the time required by state law.
 - iii. If the project has already been discussed at a pre-application meeting prior to issuance of ERUs, the applicant will have 120 calendar days from the date of ERU issuance to submit a land use application, which must be deemed complete within the time required by state law.
 - iv. Once the land use decision is issued, expiration of the land use approval as set forth in Title 17 of the Sandy Municipal Code will result in expiration of the Residential ERU Lottery allocation.
 - v. No extensions will be granted beyond those already allowed under Title 17 of the Sandy Municipal Code.
 - vi. If any of these deadlines are not met, the ERU allocation will expire and the ERUs will be returned to the City for reallocation.
 - vii. If an application receives an ERU allocation, but the resulting project consumes fewer ERUs than were allocated, the surplus ERUs will be returned to the City for reallocation upon determination by the City that a surplus exists.
- i. At any time after the completion of the Residential ERU Lottery, the City Manager may elect to conduct one or more additional lotteries in order to distribute ERUs which were allocated for residential purposes under this Section 10 but not distributed under the first lottery, any ERUs which were allocated under a prior residential lottery but for which the ERU allocation expired, and any ERUs which were allocated under the Third Moratorium for residential uses and for which that ERU allocation has expired. Any additional lotteries must be conducted consistent with the requirements of this Section 10.

Section 11. Employment Lands Development Allocation Program.

- a. The Employment Lands DAP applies to the distribution of 128 ERUs of the 190 ERUs described in the September 29, 2023, conditional approval from EPA and DEQ, plus any ERUs which were allocated under the Third Moratorium for commercial or industrial uses upon expiration of those ERU allocations. ERUs allocated under the program in this Section 11 can be used only for commercial and industrial uses. Employment Lands ERUs will be allocated on a first come, first served basis.
- b. A person who wishes to obtain an Employment Lands ERU allocation for a property owned by that person must submit a written application to the Department. The application must include the following:
 - i. A description of the property.
 - ii. The names and signatures of all of the owners of the property.
 - iii. A tentative site plan and/or tentative subdivision plat for the property.
 - iv. A narrative explaining how the criteria of subsection (c) are met.
 - v. A processing fee in the amount of \$600.00, plus a 3 percent technology fee.

- vi. If the proposed project exceeds 50 ERUs, the applicant shall pay an additional non-refundable third-party assessment fee of \$2,230 for a project specific capacity evaluation.
- c. The Development Services Director, or designee, shall review applications submitted under subsection (b) above in the order they are received, and shall approve each application in writing if it meets all of the following criteria:
- i. All submittal requirements under subsection (b) have been met.
 - ii. The subject property is already located in city limits.
 - iii. The proposed development is in one or more of the following target industries or target development areas, as described in the March 2023 Economic Development Strategic Plan (EDSP) that was adopted by Ordinance No. 2025-31:
 - a. Health care facilities;
 - b. Childcare facilities;
 - c. Job training and wraparound services for youth and disadvantaged workers;
 - d. Manufacturing;
 - e. Food processing, produce, and cold storage;
 - f. Lodging, tourism, and hospitality;
 - g. Outdoor recreation, equipment, and apparel;
 - h. Experiential retail;
 - i. Large retail businesses in the 362nd Avenue / Bell Street area; or
 - j. Small retail businesses in downtown Sandy or on Pleasant Street.
 - iv. A project which previously obtained approval for and installed an alternative wastewater system under the City's development code in Chapter 17.84 and which is now required to connect to the City's public wastewater system under the terms of that approval is exempt from the requirements of subsection (iii) above.
 - v. If the proposed project exceeds 50 ERUs, then a project specific capacity evaluation (as required by the Consent Decree) must be conducted by the City of Sandy and must find that sufficient project specific capacity exists in order for ERUs to be allocated. However, if all other criteria are met, the requested ERUs will be temporarily placed on hold for the project while the project specific capacity evaluation is being conducted.
 - vi. Sufficient ERUs designated for Employment Lands under this Resolution are available for the project. If insufficient ERUs are available at the time of

application review, and all other criteria are met, the City will provide the applicant with thirty (30) calendar days to modify their application in order to not exceed the number of ERUs available. If the applicant chooses not to modify their application under this subsection, the application will be denied.

- d. An approval issued by the Department Director, or designee, under this Section 11 shall:
 - i. Specify and be restricted to the property and project for which it was requested and qualified.
 - ii. Specify the number of ERUs allocated.
 - iii. Specify that the approval is subject to the timelines in subsection (e) below.

- e. Employment Lands ERU allocations are subject to the following timelines and requirements:
 - i. An applicant that is issued Employment Lands ERUs will have 60 calendar days after the date of issuance to apply for a pre-application meeting for the project.
 - ii. Once the pre-application meeting has been held, the applicant will have 120 calendar days to submit a land use application, which must be deemed complete within the time required by state law.
 - iii. If the project has already been discussed at a pre-application meeting prior to issuance of Employment Lands ERUs, the applicant will have 120 calendar days from the date of ERU issuance to submit a land use application, which must be deemed complete within the time required by state law.
 - iv. Once the land use decision is issued, expiration of the land use approval as set forth in Title 17 of the Sandy Municipal Code will result in expiration of the Employment Lands ERU allocation.
 - v. No extensions will be granted beyond those already allowed under Title 17 of the Sandy Municipal Code.
 - vi. If any of these deadlines are not met, the ERU allocation will expire and the ERUs will be returned to the City for reallocation.
 - vii. If an application receives an ERU allocation, but the resulting project consumes fewer ERUs than were allocated, the surplus ERUs will be returned to the City for reallocation upon determination by the City that a surplus exists.

ERU REASSIGNMENT PROGRAM

Section 12. **Generally.** The owner of a property may submit an application to the Department to reassign ERUs associated with that property, subject to the following:

- a. **Eligible Properties.** ERUs may be reassigned only from either:
 - i. A property to which ERUs were allocated under the Third Moratorium; or

- ii. A property on which an existing development was located as of the date of enactment of the First Moratorium (October 3, 2022). For purposes of this Section, “existing development” means any improvements to the property that involved use of the City’s sanitary sewer system.

b. Number of ERUs Available to be Reassigned

- i. For properties described in Section 12(a)(i) (ERUs allocated under the Third Moratorium), the number of ERUs which can be reassigned is limited to the number of ERUs so allocated.
- ii. For properties described in Section 12(a)(ii) (existing developments), the number of ERUs which can be reassigned is limited to the number of ERUs calculated for the existing development based on the terms of the Consent Decree.

c. Where ERUS May be Reassigned.

- i. ERUs from properties described in Section 12(a)(i) (ERUs allocated under the Third Moratorium) may be reassigned to either:
 - a. The same land use on a different property; or
 - b. A different land use on the same property; or
 - c. A commercial or industrial use on a different property.
 - ii. ERUs from properties described in Section 12(a)(ii) (existing developments) may only be reassigned to a different land use on the same property or to a commercial or industrial use on a different property.
 - iii. ERUs may not be reassigned to a different land use on a different property, except for a commercial or industrial use on a different property.
 - iv. Notwithstanding the foregoing, ERUs from properties described in Section 12(a)(ii) (existing developments) may be reassigned to a different property, regardless of land use type, for essential public facilities. For purposes of this subsection, essential public facilities means public safety facilities, public schools, and city administrative facilities.
- d. Deed Restriction.** When the request is to reassign ERUs from one property to a different property, the owner of the property from which ERUs are requested to be reassigned (the “Originating Property”) must record a deed restriction on the Originating Property, preventing the Originating Property from being developed until such time as the City is no longer subject to the Consent Decree or such time as the City agrees, in its sole discretion, to release the deed restriction. The recording instrument for the deed restriction shall be approved by the Department Director, or designee, prior to recording. For purposes of this subsection, “developed” refers to any use of the property that would involve use of the City’s sanitary sewer system.
- e. Review and Approval.** If the application meets the requirements of this Section 12, the Department Director, or designee, shall approve the request in writing.

MISCELLANEOUS PROVISIONS

Section 13. The moratorium previously enacted via Resolution 2025-14 on June 2, 2025, and extended via Resolution 2025-39 on November 17, 2025, is hereby repealed.

Section 14. The City Council shall review this Resolution and determine whether there is a need to extend or repeal the moratorium it establishes not more than six months after the effective date of this Resolution.

Section 15. The City hereby adopts the requirements of the Consent Decree as its program to correct the problems leading to this moratorium, as required by ORS 197.530.

Section 16. This Resolution is based on the recitals above and the findings of fact set forth in the attached Exhibits A and B.

Section 17. This Resolution is effective June 1, 2026 and shall remain in effect for a period of six months, unless earlier extended or repealed.

This resolution is adopted by the City Council of the City of Sandy this 18th day of May, 2026.

Kathleen Walker, Mayor

ATTEST:

Jeffrey Aprati, City Recorder

EXHIBIT A

FINDINGS OF FACT

1. These findings are intended to supplement the findings stated in the recitals to Resolution 2025-14.
2. ORS 197.520 provides:

- (1) No city, county or special district may adopt a moratorium on construction or land development unless it first:
 - (a) Provides written notice to the Department of Land Conservation and Development at least 45 days prior to the final public hearing to be held to consider the adoption of the moratorium;

Finding: The City e-mailed notice to DLCD on April 1, 2026. This criterion is satisfied.

- (b) Makes written findings justifying the need for the moratorium in the manner provided for in this section; and

Finding: The findings stated in the recitals to Resolution 2026-04, this Exhibit A, and Exhibit B are written findings justifying the need for the moratorium. This criterion is satisfied.

- (c) Holds a public hearing on the adoption of the moratorium and the findings which support the moratorium.

Finding: The City Council held a hearing on the adoption of the moratorium and the findings during a duly noticed public meeting on May 18, 2026. This criterion is satisfied.

- (2) For urban or urbanizable land, a moratorium may be justified by demonstration of a need to prevent a shortage of public facilities which would otherwise occur during the effective period of the moratorium. Such a demonstration shall be based upon reasonably available information, and shall include, but need not be limited to, findings:

Finding: The land affected by this moratorium is the entire city limits of the city of Sandy, which is urban or urbanizable land. The basis for the moratorium is a need to prevent a shortage of public facilities which would otherwise occur during the effective period of the moratorium. This criterion is satisfied.

- (a) Showing the extent of need beyond the estimated capacity of existing public facilities expected to result from new land development, including identification of any public facilities currently operating beyond capacity, and the portion of such capacity already committed to development;

Finding: The Consent Decree constitutes a legally binding agreement and court order establishing that the capacity of the City’s wastewater system is the ERU cap set by EPA and DEQ pursuant to the Capacity Assurance Program component of the Consent Decree, which is 369.1 ERUs as of May 18, 2026. The City has allocated ERUs to development projects where applications for land use approval were submitted prior to the effective date (October 3, 2022) of the prior moratorium created by Resolution 2022-24, totaling 359.6 ERUs of wastewater system capacity, including duplexes within those developments. City staff further estimates that a small number of ERUs will be necessary during the term of this moratorium to address failed septic systems. Therefore, the wastewater system capacity already committed to development, for purposes of ORS 197.520(2)(a), is expected to consume the capacity of existing public facilities as that capacity exists on May 18, 2026. Any need which may exist beyond the development represented by applications for land use approval that were submitted prior to October 3, 2022, and failing septic systems, is thus beyond the estimated capacity of existing public facilities as of May 18, 2026.

During the term of this moratorium, the City anticipates receiving approval from EPA and DEQ to increase the ERU cap by an additional 190 ERUs as described in the September 29, 2023, conditional approval from those agencies issued pursuant to the Consent Decree. As described in Exhibit B to Resolution 2026-04, the need for sanitary sewer capacity over a five-year period, based on the Sandy 2023-2043 Housing Capacity Analysis and Sandy 2023-2043 Economic Opportunity Analysis previously adopted by the City, is expected to consume the ERU cap even with the addition of 190 ERUs. Section 1 of Appendix D of the Consent Decree provides that the ERU cap will remain in place “until the improvements for Continued Compliance identified in the approved Amended Wastewater System Facilities Plan... have been implemented, permitted, and are fully operational, and the City is in compliance with all Permit Wate Discharge Limitation.” Section 22 of the Consent Decree requires the City to complete all work under its Amended Wastewater Facilities Plan within 15 years of the date the Facilities Plan is approved by EPA and DEQ, which has not yet occurred. Although the City is working as expeditiously as possible to adopt the Amended Wastewater Facilities Plan and implement it, the City therefore anticipates that the period of time that the City will be subject to the ERU cap in the Consent Decree is greater than five years, and that the need for wastewater capacity therefore exceeds the estimated capacity available under the ERU cap.

This criterion is satisfied.

- (b) That the moratorium is reasonably limited to those areas of the city, county or special district where a shortage of key public facilities would otherwise occur; and

Finding: The City sanitary sewer system serves the entire city of Sandy. Therefore, the moratorium must apply to the entire city. This criterion is satisfied.

- (c) That the housing and economic development needs of the area affected have been accommodated as much as possible in any program for allocating any remaining public facility capacity.

Finding: The City negotiated with EPA and DEQ to maximize the number of ERUs of capacity that would be available under the Capacity Assurance Program component of the Consent Decree in order to accommodate as much development addressing housing and economic development needs as possible.

The number of ERUs available under the Capacity Assurance Program and allocated pursuant to the Third Moratorium will allow each of the developments for which land use applications were submitted prior to October 3, 2022, to move forward, with a small number of ERUS reserved to address failed septic systems. Therefore, the City has accommodated housing and economic development needs as much as possible, with the level of need and the balance between economic development and housing needs determined by the market forces which resulted in those applications being submitted.

During the term of this moratorium, the City anticipates receiving approval from EPA and DEQ to increase the ERU cap by an additional 190 ERUs as described in the September 29, 2023, conditional approval from those agencies issued pursuant to the Consent Decree. As described in Exhibit B, the City has evaluated its housing and economic development needs and developed a program to accommodate those needs as much as possible, with the level of need and the balance between economic development and housing needs determined by the Sandy 2023-2043 Housing Capacity Analysis and Sandy 2023-2043 Economic Opportunity Analysis previously adopted by the City.

Moreover, if further capacity becomes available as a result of the City's ongoing efforts toward improvement to and repair of the collection and treatment systems, the City also intends that this capacity will be made available to address additional housing and economic development needs.

Finally, the City has structured the ERU allocation programs and ERU reassignment program to ensure, to the maximum extent reasonably possible, that available capacity (including both the 570 ERUs that have already been approved by EPA and DEQ and the 190 ERUs in the conditional approval from those agencies) is actually used to address housing and economic development needs.

This criterion is satisfied.

3. ORS 197.530 provides:

- (1) A city, county or special district that adopts a moratorium on construction or land development in conformity with ORS 197.520(1) and (2) shall within 60 days after the effective date of the moratorium adopt a program to correct the problem creating the moratorium. The program

shall be presented at a public hearing. The city, county or special district shall give at least 14 days' advance notice to the Department of Land Conservation and Development of the time and date of the public hearing.

Finding: Resolution 2026-04 adopts the requirements of the Consent Decree as the City's program to correct the wastewater system problems creating the need for the moratorium. The City's program to correct the wastewater system problems is adopted simultaneously with adoption of the moratorium. This program was presented at a public hearing during consideration of Resolution 2026-04 on May 18, 2026. Notice of this public hearing was provided to DLCD via e-mail on April 1, 2026. This criterion is satisfied.

- (2) No moratorium adopted under ORS 197.520(2) shall be effective for a period longer than six months from the date on which the corrective program is adopted...

Finding: The effective period for this moratorium is six months. This criterion is satisfied.

4. This Resolution is based on and directly implements state law. There are no applicable goals and policies in the Sandy Comprehensive Plan.

EXHIBIT B

Sandy Development Allocation Program (DAP) Methodology

The City of Sandy adopted a moratorium which stopped the acceptance of new land use applications that propose new or expanded wastewater system connections in October 2022, to ensure that demands on the wastewater system did not exceed the system's capacity while the City made improvements to the system. The City has since adopted several similar replacement moratoria.

The City's current allowance for new or expanded wastewater connections is 570 Equivalent Residential Units (ERU) during the moratorium. As part of the moratorium, ORS 197.520(2)(c) requires that the City demonstrate that "...the housing and economic development needs of the area affected have been accommodated as much as possible in any program for allocating any remaining public facility capacity." This methodology starts with a summary of relative needs and provides a proposed approach for prioritizing development during the moratorium.

Summary of Needs

Over the past 10 years, Sandy experienced substantial housing growth while economic development lagged. Although housing demand remains critical, the increasing job-housing imbalance is resulting in a potential shortage of employment opportunities and local services. **It is likely that Sandy will widen the jobs-housing imbalance unless it prioritizes economic development growth.**

Key Findings

- **Sandy's population increased much faster than employment.** In 2008, there were 2.6 residents for every one job. In 2021, there were 4.2 residents for every one job.
- **Sandy is becoming more of a bedroom community.** The number of residents commuting *out* of Sandy for work increased by about 57% between 2008 and 2020. Meanwhile, the number of residents who *live and work* in Sandy and the number of residents who commute *into* Sandy for work grew by about 25% each.
- **In the past seven years, housing growth significantly outpaced commercial and industrial growth within the city of Sandy. This trend continues with the current development projects in the pipeline (i.e., those for which land use applications were submitted prior to the initial moratorium adoption in October 2022).**
 - Between January 2015 and December 2024, 1,024 housing units were built in the City of Sandy which required approximately 878 ERUs or about 88 ERUs annually.
 - Between January 2015 and December 2024, 17 new commercial and industrial buildings were built in Sandy along with numerous additions to existing structures. Many of these buildings were for storage. This required approximately 16 ERUs or approximately 1.6 ERUs annually.

- As of September 1, 2025, the City has approximately 375 ERUs remaining in capacity availability. Projects representing approximately 369 ERUs are in the development pipeline while approximately 6 ERUs have been reserved for emergency provisions, such as failed septic systems that cannot be repaired or replaced, and a duplex pool. Of the 369 ERUs in the development pipeline, 1.9% (7 ERUs) are for economic development and the remaining 98.1% (362 ERUs) are for residential development.
- Because the Development Allocation Program (DAP) Methodology is reliant on the pipeline distribution in determining the housing and economic development needs of the area affected, any ERUs that have been previously allocated but which are returned to the City have to be reallocated to the same category of use (i.e. a residential ERU that is returned in the pipeline has to be reallocated for a residential use).
- **Sandy is expected to need approximately 747 ERUs over the next 5 years.** Of these ERUs 585 are needed for housing, 152 for employment, and 10 for government use.¹
 - Sandy is forecast to grow by 606 new housing units and 631 new jobs over the next 5 years.²

Conclusion

Balancing housing with economic development offers numerous benefits. A diversified employment landscape brings more local job opportunities, reduces commutes, improves access to services, and strengthens the city's tax base for enhanced long-term service delivery.

The City's Economic Development Strategic Plan intends to address this imbalance by refocusing on economic development and achieving a better equilibrium between population growth and employment opportunities. However, limited ERU availability presents a challenge in balancing housing and economic growth.

As shown in Exhibit 1, forecasted growth requires 150 ERUs annually with approximately 78% of ERUs for residential, 20% for employment (commercial/industrial), and 2% for government. However, *98.1% of the ERUs represented by the current development pipeline are for housing projects*, perpetuating the housing-jobs imbalance.

¹ Based on the housing forecast in the Sandy Housing Needs Analysis, the employment forecast in the Economic Opportunity Analysis, and City staff analysis.

² City of Sandy, Sandy Housing Needs Analysis 2023-2043 and Economic Opportunity Analysis 2023-2043.

Exhibit 1. Summary of Forecasted ERU Need and Pipeline ERUs

Source: City of Sandy, Sandy Housing Needs Analysis, Sandy Economic Opportunity Analysis

	Forecasted ERU need		Forecasted share of ERU	Pipeline ERUs (Sept 2025)	Pipeline share of ERUs
	1-year	5-year			
Residential	117	585	78%	362	98%
Employment	31	152	20%	7	2%
Government	2	10	2%	0	n/a
Total	150	747	100%	369	100%

When the City's wastewater system has capacity beyond the 375 ERUs remaining in capacity availability, the City has the opportunity to allocate some of the additional ERUs to support employment growth. To balance the need for employment growth with need for housing the City could consider implementing criteria that will help it evaluate development proposals while the moratorium is in place. The City could consider allocating ERUs based on the forecasted share as shown in Exhibit 1 and reiterated below.

- 78% of ERUs for residential development
- 20% of ERUs for employment (commercial/industrial) development
- 2% of ERUs for government uses

For implementation this means that if the City has 760 total ERUs the City would allocate 588 (78%) for residential, 151 (20%) for economic development and 15 (2%) for government uses. While also reserving 6 ERUs for emergency provisions, such as failed septic systems that cannot be repaired or replaced. After subtracting the ERUs for projects in the development pipeline, the City would have an additional 49 ERUs for residential, 128 ERUs for economic development, and 13 ERUs for government use as shown in Exhibit 2.

Exhibit 2. Excess ERU allocation

Source: City of Sandy

	Allocated ERUs by Share	ERUs issued (since consent decree)	Pipeline ERUs	Allocation of ERUs minus pipeline
Residential	588	177	362	49
Employment	151	16	7	128
Government	15	2	0	13
Emergency	6	0	0	6
Total	760	195	369	196

Within these broad groupings, the City could allocate ERUs based on a first-come, first-serve basis. Or Sandy could prioritize development that meets additional goals set forth by the City. A potential allocation program by type of development is included in **Appendix A**.

Methodology to Assess Relative Needs Forecast of Housing and Employment Needs

Housing

Sandy is forecast to need 2,424 new housing units over the next 20 years (2023-2043) to accommodate population growth.³ This is an annual average of 121 dwelling units. Although the duration of Sandy’s development moratorium is unknown, it is reasonable to assume that it could last in excess of an additional five years. During this five-year period, Sandy would need to add approximately 606 dwelling units to keep pace with forecasted growth. As illustrated below, the majority of this need will be addressed through projects already in the development pipeline.

About 80% of Sandy’s needed housing will be for households with incomes at 120% MFI and below. This implies the need for more multi-dwelling (5+ units) housing as well as duplexes, triplexes, quadplexes, and townhomes which are relatively more affordable than single family detached homes. Exhibit 3 shows the projected growth by housing type in one-year, five-year, ten-year, and 20-year increments.

Exhibit 3. Housing Growth by Unit Type, One-, Five-, Ten-, and 20-Year Estimates

Source: Sandy 2023-2043 Housing Capacity Analysis

Housing Type	New Units			
	1-year	5-year	10-year	20-year
Single-Family Detached	73	364	727	1,454
Single-Family Attached	9	43	85	170
Duplex, Triplex, Quadplex	6	30	61	121
Multi-Dwelling (5+ units)	34	170	340	679
Total	121	606	1,212	2,424

For this methodology, it is important to understand how this housing need translates to equivalent residential units (ERUs) so that we can understand the impacts to Sandy’s wastewater system. ERUs by housing type are listed in Exhibit 4. Quadplex (4 units) and multi-dwelling with 5+ units require fewer ERUs relative to the number of units than other types of residential development according to the consent decree.⁴ As shown in Exhibit 5, Sandy will need approximately 586 ERUs over the next five years to accommodate projected housing growth.

³ City of Sandy 2023-2043 Housing Capacity Analysis

⁴ From City of Sandy v. US EPA 2023 Consent Decree

Exhibit 4. ERUs by Housing Type

Source: Capacity Assurance Program Evaluation, City of Sandy, Consent Decree

Housing Type	ERUs
Single-family	1
Duplex (incl. manufactured homes)	2
Triplex (incl. manufactured homes)	3
Quadplex (incl. manufactured homes)	0.7 per household unit
Multi-Dwelling (5+ units)	0.7 per household unit
Accessory Dwelling Unit (“ADU”)	0.7

Exhibit 5. The Projected Need of ERUs by Housing Type

Source: Capacity Assurance Program Evaluation, City of Sandy, Consent Decree, Sandy 2023-2043 Housing Capacity Analysis

Note: For the purposes of this analysis, we assume that all plexes require two ERUs. This is because the Housing Capacity Analysis did not estimate individual need for duplexes, triplexes, and quadplexes but rather grouped them together. The estimated need for these housing types is fairly small.

Housing Type	ERUs	Total ERUs needed			
		1-year	5-year	10-year	20-year
Single-Family Detached and Attached	1	81	406	812	1,624
Duplex, Triplex, Quadplex	2, 3, and 0.7 per unit, respectively	12	61	121	242
Multi-Dwelling (5+ units)	0.7 per unit	24	119	238	475
Total		117	586	1,171	2,341

Employment

Sandy is forecast to add 2,523 new jobs over the 2023 to 2043 period.⁵ About 443 of these jobs will be industrial, 1,678 will be in office and commercial services, 218 in retail, and 184 in government. On an annual basis this means that Sandy will grow by about 126 jobs per year. Over the next five years, this is approximately 630 jobs across all employment sectors. Exhibit 6 shows the projected growth in one-year, five-year, ten-year, and 20-year increments by type of employment.

Exhibit 6. Job Growth by Employment Type, One-, Five-, Ten-, and 20-Year Estimates

Source: Sandy 2023-2043 Economic Opportunity Analysis

Employment Type	Job Growth			
	1-year	5-year	10-year	20-year
Office	84	420	839	1,678
Retail	11	55	109	218
Industrial	22	111	222	443
Government	9	46	92	184
Total	126	631	1,262	2,523

⁵ City of Sandy 2023-2043 Economic Opportunity Analysis

To understand how many ERUs will be needed to accommodate employment growth, the forecasted growth in employment must be converted to square feet of development. Staff used the U.S. Energy Information Administration’s Commercial Building Energy Consumption Survey (CBECS), a national sample survey that collects information on commercial buildings, to understand the median square feet per employee based on employment type. Staff then used the median square feet per employee to understand approximately how much additional commercial and industrial space Sandy will need to accommodate projected employment growth. It is important to note that this is an estimate and that actual square feet per employee, also called job density, will vary by business.

Industrial uses vary substantially in their wastewater needs and will need to be considered on a case-by-case basis. However, for the purposes of this methodology an assumption had to be made for industrial ERUs, so City staff projected one ERU for every six employees, which is consistent with the ERU allocation in the consent decree for a bakery.⁶ A bakery is the category of use in the ERU table in the Consent Decree which is most consistent with a typical industrial use. Similar to most industrial uses, bakery employees are assembling, processing, and producing a product.

Government will also need ERUs, but these are not directly tied to employment growth.⁷ The City of Sandy may need ERUs for new park restrooms and new office space during the moratorium period. The City expects to need about 10 ERUs over the next five years to accommodate these government uses.

As shown in Exhibit 7, Sandy will need approximately 480,881 square feet of office, retail, and industrial space over the next five years to accommodate projected employment growth. This equals approximately 152 ERUs over five years (Exhibit 8).

Exhibit 7. Total Square Foot of Need to Accommodate Employment Growth

Source: U.S. Energy Information Administration, Commercial Building Energy Consumption Survey, revised 2022, table B-2, Sandy 2023-2043 Economic Opportunity Analysis

Employment Type	Sq. ft. per employee	Sq. ft. need			
		1-year	5-year	10-year	20-year
Office	609	51,095	255,476	510,951	1,021,902
Retail	1,232	13,429	67,144	134,288	268,576
Industrial	1,429	31,652	158,262	316,524	633,047
Total		96,176	480,881	961,763	1,923,525

⁶ From City of Sandy v. US EPA 2023 Consent Decree.

⁷ From Sandy’s 2023 Economic Opportunity Analysis: Government employment is not included when discussing employment land demand since growth in government employment does not result directly in need for more land for public uses. Local or regional governments may grow and continue to occupy existing built space or may need land based on factors other than employment growth.

Exhibit 8. ERUs by Employment Type

Source: Capacity Assurance Program Evaluation, City of Sandy, Consent Decree, Sandy 2023-2043 EOA

Employment Type	ERUs	Total ERUs needed			
		1-year	5-year	10-year	20-year
Offices	1 per 2,000 sq. ft.	26	128	255	511
Retail	1 per 12,000 sq. ft.	1	6	11	22
Industrial	1 per 6 employees	4	18	37	74

Historical trends in housing and employment

Has employment growth kept pace with population growth?

Sandy's population increased much faster than employment between 2008 and 2021. Sandy's population increased 61% (4,864 people) between 2008 and 2021.⁸ Meanwhile, Sandy's covered employment increased 15% (468 jobs) over the same period.⁹ In 2008, there were 2.6 residents for every one job. In 2021, there were 4.2 residents for every one job.¹⁰

How have commuting trends changed over time in Sandy?

Sandy is becoming more of a bedroom community. The number of residents commuting *out* of Sandy for work increased by about 57% between 2008 and 2020. Meanwhile the number of residents who *live and work* in Sandy and the number of residents who commute *into* Sandy for work grew by about 25% each.

Exhibit 9. Commuting Trends in Sandy, 2008 and 2020

Source: U.S. Census Bureau, Census On the Map.

People who...	Number of people		Change between 2008 and 2020	
	2008	2020	Number	Percent
Live and work in Sandy	528	673	145	27%
Commute <i>into</i> Sandy for work	2,285	2,852	567	25%
Commute <i>out</i> of Sandy for work	3,404	5,332	1,928	57%

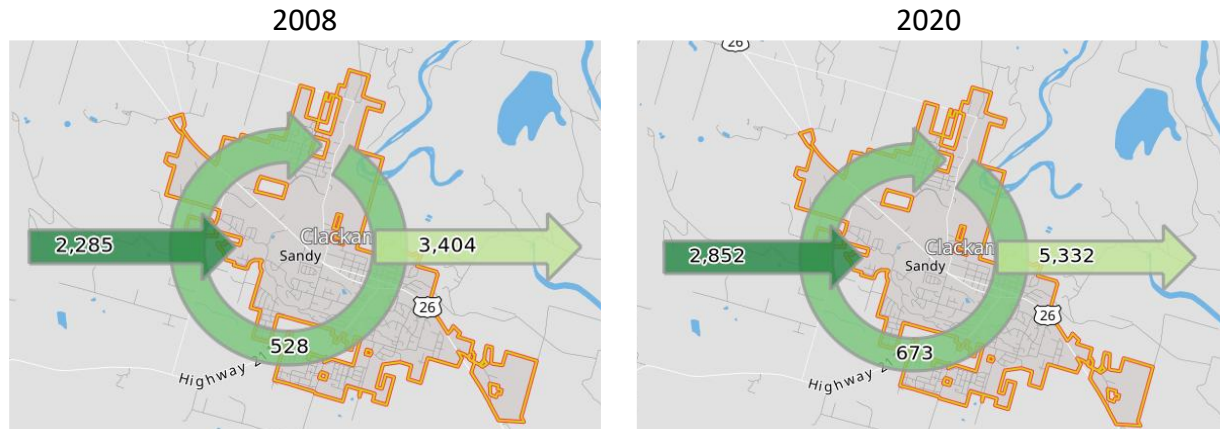
⁸ PRC at PSU

⁹ QCEW

¹⁰ Analysis based on covered employment data from the Oregon Employment Department. Covered employment includes employees covered by unemployment insurance.

Exhibit 10. Inflow/Outflow Analysis, Sandy, 2008 and 2020

Source: U.S. Census Bureau, Census On the Map.



How much residential and economic development has occurred over the past five years?

Over the past 10 years, housing growth has significantly outpaced economic growth within the city. This trend continues with the current development projects in the pipeline.

- Between January 2015 and December 2024, 1,024 housing units were built in the City of Sandy which required approximately 878 ERUs or about 88 ERUs annually. Of those units, 637 were single family and duplex units, and 387 units were multi-dwelling units.
- Between January 2015 and December 2024, 17 new commercial and industrial buildings were built in Sandy along with numerous additions to existing structures. Many of these buildings were for storage. This required approximately 15.5 ERUs or approximately 1.5 ERUs annually.
- As of September 1, 2025, the City had approximately 375 ERUs remaining in capacity availability. Of the 375 ERUs remaining, approximately 369 ERUs are in the development pipeline while approximately 6 ERUs have been reserved for emergency provisions, such as failed septic systems that cannot be repaired or replaced, and a duplex pool. Of the 369 ERUs in the development pipeline, 1.9% (7 ERUs) are for economic development (Exhibit 11) and the remaining 98.1% (362 ERUs) are for residential development (Exhibit 12).

Exhibit 11. Commercial/Industrial Development Pipeline

Source: City of Sandy

Employment Pipeline Projects	ERUs	Type
Barlow Trail Vet Clinic	1	veterinary clinic
Next Adventure Expansion	1	retail
The Riffles Food Cart Facility	2	food cart pod
Roll Tide Properties (commercial)	2	unknown
State Street Mini-Storages	1	self storage
Total Commercial ERUs	7	

Exhibit 12. Residential Development Pipeline

Source: City of Sandy

Residential Pipeline Projects	ERUs	Type
Cedar Creek Heights Phase II	17	SFR & Duplex Units
Bull Run Terrace	134.4	Multifamily
Bull Run Terrace	8	SFR & Duplex Units
Idleman Park Subdivision	6	Duplex Units
Jewelberry Meadows	9	SFR
Pioneer Meadows	10	Duplex Units
Sandy Plaza Apartments	12.6	Multifamily
Salmon Creek Estates	3	SFR
Sandy Woods Phase II	43	SFR
State Streets Homes	21	Multifamily
Ten Eyck Rim	10	Duplex Units
The Bornstedt Views	43	SFR
Tickle Creek Village	33.6	Multifamily
Tiller Project	2	SFR
Trimble PD	6	Duplex Units
duplex availability	3	Duplex Units
Total Dwelling Units	362	