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Representative:	Winterbrook Planning 610 SW Alder Street, Suite 810 Portland, Oregon 97205
Contact:	Tim Brooks, ASLA, Winterbrook Planning Grace Coffey, AICP, Winterbrook Planning
Site Address:	35320 SE Carpenter Lane, Gresham, OR
Map & Tax Lot Numbers:	Tax Lot 1S4E22-00400 & 1S4E22D-00100 Alt. Acct. #R994220980
Property ID:	#R342619 & R342603 (Lot Consolidation being processed by County Assessor)
Base Zone:	Multiple Use Agriculture MUA-20
Proposal:	The City of Sandy proposes to install a drinking water pump station, a “community service use”. The Sandy Pump Station will be built in lieu of the Pleasant Home Pump Station approved in Case File T3-2022-16220 on the Bull Run Filtration Facility Site.
Land Use Review:	Type III Conditional Use/Community Service Review Type II Design Review Lot of Record Verification

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Appendices

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Appendix B: Design Drawings/Visualizations

Appendix C: Farm Impacts Study

Appendix D: Lighting Report and Cutsheets

Appendix E: Stormwater Drainage Report and Certificate

Appendix F: Acoustical Analysis

Appendix G: Impacts Analysis

Appendix H: Service Provider Letters

1. Gresham Fire Will Serve
2. Multnomah County Sheriff Will Serve Letter
3. PGE Will Serve Letter
4. Portland Water Bureau/Sandy IGA
5. PWB City of Sandy Land Use Support Letter

Appendix I: Preapplication Conference Notes

Appendix J: Property Deeds

Appendix K: Trip Generation and Distribution Report

Appendix L: Consultant Resumes

Referenced Documents included for the Record

- T3-2022-16220 Hearings Officer Decision
- T3-2022-16220 Hearings Officer Remand Decision
- Applicant's Final Written Argument under ORS 197(6)(e) rec 9.28.23
- ZX0044-25 Decision Final (Clackamas County)
- Compatibility of Proposed Portland Water Bureau Filtration Facility and Pipeline Operations With Surrounding Agriculture, dated September 2022
- Bull Run Filtration Facility and Pipelines Project - Response to Public Comments Related to Farm Use Impacts in Multnomah County, (open record period one), Memorandum dated August 5, 2023, to Multnomah County Hearings Officer.
- Bull Run Filtration Facility and Pipelines Project - Response to Public Comments Related to Cumulative Farm Use Impacts in Multnomah County, Memorandum, dated September 6, 2023, to Multnomah County Hearings Officer
- PWB Filtration Facility Construction TIA dated May 8, 2023.
- PWB Filtration Facility Ongoing Operations TIA dated September 2, 2022.
- N.58- Filtration Facility Site Stormwater Drainage Report, dated April 15, 2025.
- E.3 Bull Run Filtration Facility Exterior Noise Analysis
- Portland Water Bureau Bull Run Traffic Impact Analysis

1. Introduction and Project Description

The City of Portland provides water to a number of communities near Portland on a wholesale basis pursuant to intergovernmental agreements. One of those wholesale customers is the City of Sandy (Sandy). As a result of upcoming changes to the City of Portland's water system,

specifically the approved City of Portland Bull Run Filtration Facility (filtration facility) in Multnomah County, Sandy's existing connection to the Bull Run Supply will no longer be viable as a supply of potable water, so a new connection from the filtration facility is required. Similar to the City of Portland, Sandy is subject to a bilateral compliance agreement with the State of Oregon to meet the treatment requirements for cryptosporidium by September 30, 2027. Connecting to the filtration facility with a pump station on the site and a transmission line routed to the existing Sandy water system will bring Sandy into compliance with the bilateral agreement.

Sandy proposes to install a pump station on the filtration facility site. Sandy will own, operate and be responsible for designing and constructing the new pump station, which will be located in an easement at the filtration facility site. The County's approval (Case File T3-2022-16220) of the filtration facility includes a pump station for Pleasant Home Water District (PHWD), the PHWD pump station (PHPS), and a separate fire pump station. The applicant (City of Sandy) proposes the Sandy pump station as an alternative to the PHPS and fire pump stations that have already been approved. If this application for a Sandy pump station is approved, both alternatives (the Sandy pump station or the PHPS/fire pump) would be able to meet applicable approval criteria. If Sandy proceeds to construct the Sandy pump station, the Water Bureau will not build the alternative (PHPS/fire pump) stations. Because this is an application by Sandy for an alternative design, it is submitted as a new, separate application rather than a modification of T3-2022-16220.

The proposed project includes the following:

- Install City of Sandy pump station as shown on enclosed drawings (Appendix A).
 - Compared to the approved PHPS and fire pump station, this would represent a net change in structure footprint of +960 sq. ft. and a shift in location of the pump station to the east, increasing the setback to the west and shifting from 110 feet from SE Carpenter Lane to 112 feet.
 - The proposed Sandy pump station also serves fire functions.
 - Two additional utility cabinets (less than 5 ft high) to house check valves are proposed on the east side of the pump station, within the fenced area.
- Alternative layout of buildings and driveway proposed as compared to previous approval result in a net change in impervious surfaces of +172 sq. ft.
- Adjustments in plantings provide additional screening between the Sandy pump station and SE Carpenter Lane compared to the approved alternative (PHPS and fire pump).
- Upgrade underground 8" fire water pipeline to 16" fire/transmission water pipeline.

Figure 1 shows the revisions to the proposed conditions site plan represented in this application in red. Figure 2 shows a clip of the plan set zoomed in on the Sandy pump station site, located to the west of the access off SE Carpenter Lane. Figure 3 shows a rendering of the pump station structure and its design features.

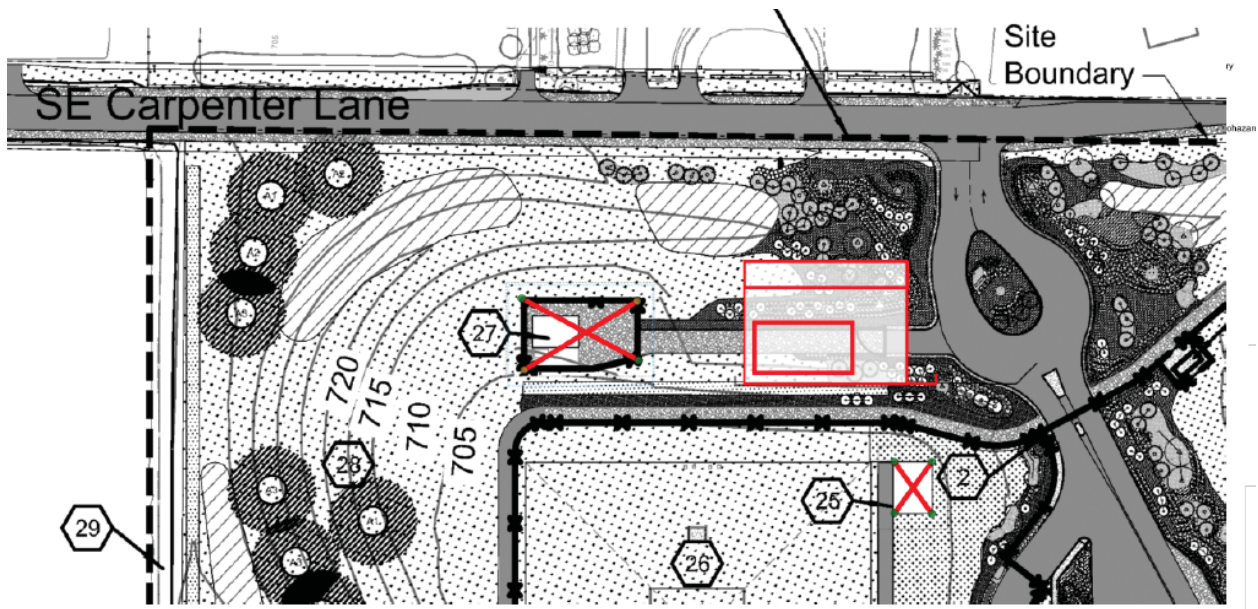


Figure 1: Proposed Sandy Pump Station within the Footprint of the Filtration Facility (PHPS and Fire Pump Station Removed)

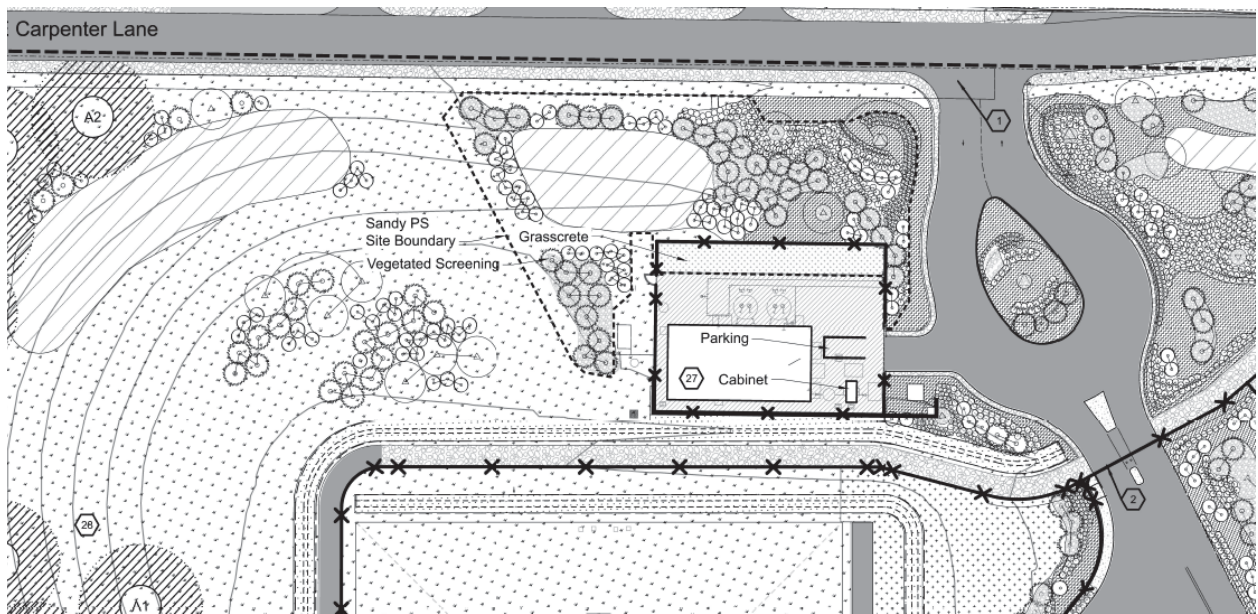


Figure 2: Clip from Plan Set (Site Plan)



Figure 3: Rendering Clip from Appendix B

Site Overview and Zoning

The filtration facility site abuts the Clackamas County line to the south, Dodge Park Boulevard and rural residential use to the east, small lot development to the north, and agricultural land used primarily to grow nursery crops to the west and south. The proposed Sandy pump station is located on the north side of the 94-acre site, near Carpenter Lane and the filtration facility site access. The pump station's immediate vicinity is shown in Figure 4.

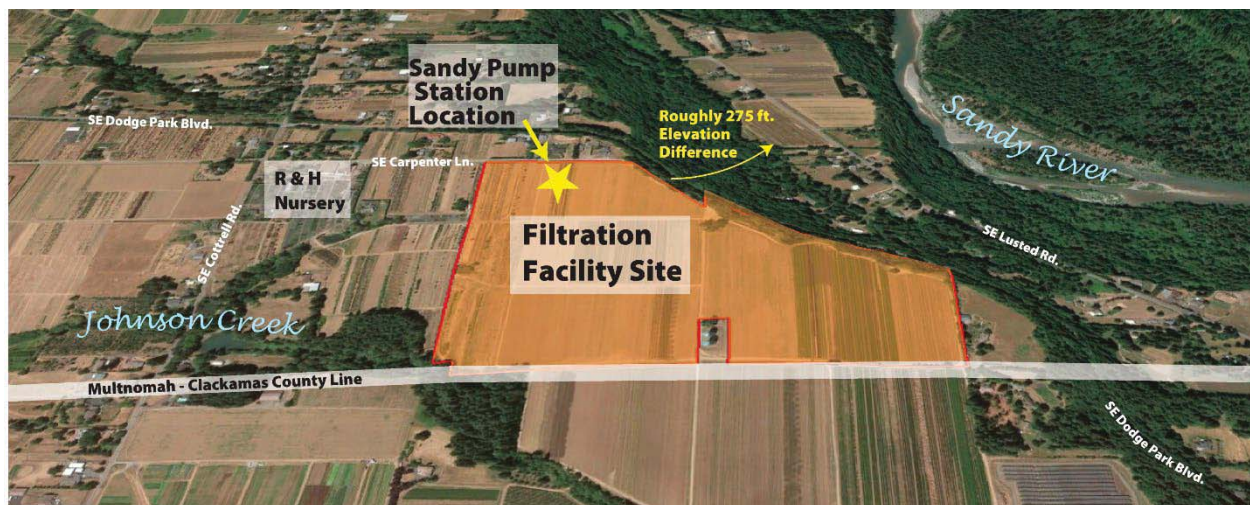


Figure 4: Aerial View of Site and Immediate Vicinity

The site is zoned MUA-20. The proposed pump station is a Community Service use that is allowed through a Conditional Use process in the MUA-20 zone.

The proposed development avoids entirely the Multnomah County SEC-h and SEC-wr overlay zones that apply to the northeast and southwest areas of the filtration facility site, respectively. Similarly, the Geologic Hazard overlay zone applies to the northeast area of the filtration facility site, outside of the project area. Therefore, these overlay zones are not applicable to this application.

Land Use Case T3-2022-16220

In late 2023, a Multnomah County Hearings Officer issued a decision approving the Community Service Conditional Use Permits (CUPs) for the filtration facility (including the PHPS and fire pump station), pipelines, and communication tower, along with associated discretionary environmental and geologic hazard reviews. The decision was appealed to LUBA.

In early 2025, LUBA issued an opinion in *Cottrell CPO et al. v. Multnomah County* (LUBA No. 2023-086), remanding the application to Multnomah County, for further review of MCC 39.7515(B)—specifically the requirement that community service uses “will not adversely affect natural resources.”

In June 2025, the County Hearings officer again approved the CUPs and associated permits, but with findings explicitly responding to LUBA’s remand regarding MCC 39.7515(B).

In this application, Sandy is requesting a new application for its pump station as an alternative to the PHPS and fire pump stations. As discussed in the project description, the Sandy pump station facility is located further to the east, is slightly larger than the PHPS, and has updated landscaping to screen it from Carpenter Lane. A rendering showing updated landscaping and the plan for the Sandy pump station is shown in Figure 5 below.



Figure 5: Clip from Appendix B: Birds Eye View of the Pump Station

The application for the proposed Sandy pump station requires the following reviews:

- Conditional Use Review
- Design Review
- Lot of Record Verification

Compliance with Base Zone standards is found in Section 2 of this narrative. Community Service Use/Conditional Use standards and criteria are addressed in Section 3. Section 4 addresses Design Review standards and criteria. Section 5 addresses Exterior Lighting Standards, Section 6 addresses Sign Code Standards, and Section 7 addresses Lot of Record Review.

2. Compliance with MUA-20 Standards

Multiple Use Agriculture (MUA-20) Base Zone

MCC 39.4305 Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this base zone except for the uses listed in MCC 39.4310 through 39.4320 when found to comply with MCC 39.4325 through 39.4345 provided such uses occur on a Lot of Record.

Response: As documented below, the proposed pump station is a community service use, which is a conditional use in the MUA-20 zone, that meets the applicable conditional use criteria. As determined in Land Use Case T3-2022-16220, the two filtration facility lots are legal Lots of Record. These lots were consolidated through Case T1-2023-15-6600; the lot consolidation is still being processed by the County Assessor’s Office.

MCC 39.4320 Conditional Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

- A. *Community Service Uses listed in MCC 39.7520 pursuant to the provisions of MCC 39.7500 through MCC 39.7810;*

Response: The proposed pump station is a listed community service use in MCC 39.7520(A)(6): “Utility facilities ... public utility buildings or uses”. The City of Sandy is a public entity operating a water system as a public utility for its citizens, and the proposed project will be a part of that system. Utility facilities are reviewed under the approval criteria of MCC 39.7515(A) through (H). Findings demonstrating compliance with these criteria are presented in Section 3.

MCC 39.4325 Dimensional Requirements and Development Standards

All development proposed in this base zone shall comply with the applicable provisions of this section.[...]

- A. *Except as provided in MCC 39.3080, 39.4330, 39.4335 and 39.5300 through 39.5350, the minimum lot size for new parcels or lots shall be 20 acres.*
- B. *That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.*

Response: No new parcels or lots are proposed, the standards above are not applicable.

- C. *Minimum Yard Dimensions – Feet*

<i>Front</i>	<i>Side</i>	<i>Street Side</i>	<i>Rear</i>
<i>30</i>	<i>10</i>	<i>30</i>	<i>30</i>

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

Response: As shown on the site plan (Appendix A, Sheet C-100), the proposed building exceeds all minimum yard requirements. The building is set back 112 feet from the northern property line (the closest property line). The approved PHPS was located 110 feet from the front lot line. The distance to the west property line (side) will be greater than 400 feet, the distance to the

east property line (side) will be greater than 300 feet, and the distance to the southern property line (rear) property line is more than 1,000 feet, each greatly exceeds the minimum yard dimensions. Note: MCC 39.7525(A) modifies the street side yard standard to 20 feet.

The maximum height of the pump station building is 20 ft. 5 in. (Appendix A, Sheet A-401), the two proposed utility cabinets are a maximum of 5 feet tall (Appendix A, Sheet D-102); therefore, the standard is met.

The filtration facility site is on one consolidated lot with a front lot line exceeding 50 feet, no new lots are proposed.

D. The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction Manual" and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

Response: County-required right-of-way (ROW) dedication along Carpenter Lane was implemented through Case T3-2022-16220 (pg. 78). Therefore, this standard has been addressed and the proposed development meets the minimum yard requirements as stated in findings above.

E. Structures such as barns, silos, windmills, antennae, chimneys or similar structures may exceed the height requirement if located at least 30 feet from any property line.

Response: The standard is not applicable, no barns, silos, windmills, antennae, chimneys, or similar structures are proposed.

F. Agricultural structures and equine facilities such as barns, stables, silos, farm equipment sheds, greenhouses or similar structures that do not exceed the maximum height requirement may have a reduced minimum rear yard of less than 30 feet, to a minimum of 10 feet, if: [...]

Response: The standard is not applicable, as no agricultural structures are proposed.

G. On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the lot.

Response: The application is for an unmanned pump station; there are no bathrooms proposed. Sewage disposal for the filtration facility will be provided by an on-site septic drainfield. Stormwater disposal systems are provided on the filtration facility site. Stormwater and drainage control for the pump station are addressed in Appendix E. No changes to the previously approved storm system were required to accommodate updates to drainage basins or runoff quantities.

On-site water is provided by the Portland Water Bureau, a public source, as documented in Appendix H.

Parking for the pump station is provided on the lot. Service access to the pump station will be provided, as shown in Figure 2.

- a. Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.*

Response: Sewage and stormwater disposal systems approved for the filtration facility will be provided on-site.

- b. Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.*

Response: Modifications to approved stormwater and drainage control to serve the Sandy pump station are shown on the Stormwater Plans in Appendix A and described in the Stormwater Report in Appendix E. Stormwater facilities are designed to ensure that stormwater runoff leaving the site does not exceed pre-development rates during the 25-year 24-hour storm event; therefore, this project meets and exceeds the 10-year 24-hour standard. In the filtration facility design, the impervious area associated with the PHPS totaled 6,495 sq. ft. The fire pump station encompassed approximately 988 sq. ft. of impervious area. The Sandy pump station will add 7,655 sq. ft. of impervious surface, and 1,650 sq. ft. of pervious “grasscrete”. The resulting net increase in onsite impervious area due to the pump station is 172 sq. ft. No changes to the previously approved storm system were required to accommodate for the updates to drainage basins or runoff quantities. The addition of the pump station will have no negative effects on the onsite stormwater management system and will require no revisions to the relevant treatment, flow control, or conveyance facilities.

This standard is met.

- H. New, replacement, or expansion of existing dwellings shall minimize impacts to existing farm uses on adjacent land (contiguous or across the street) by: [...]*

Response: No dwellings or changes to dwellings are proposed, the standard is not applicable.

- I. Required parking, and yard areas shall be provided on the same Lot of Record as the development being served.*

Response: One parking space for the pump station is proposed, located on the same lot of record. Service access to the pump station will be provided- as shown in Figure 2. All required yard areas are provided on the site, as demonstrated above.

J. All exterior lighting shall comply with MCC 39.6850.

Response: The dark sky lighting standards of MCC 39.6850 are met, as documented in Appendix D and Section 5 of this narrative.

MCC 39.4335 Lot Sizes for Conditional Uses

The minimum lot size for a Conditional Use permitted pursuant to MCC 39.4320, except subsection (C)(1) thereof, shall be based upon:

- A. *The site size needs of the proposed use;*
- B. *The nature of the proposed use in relation to its impact on nearby properties;*
- C. *Consideration of the purposes of this base zone; and*
- D. *A finding that the lot or parcel is at least two acres in area and in the West of Sandy River Rural Plan Area, if a lot or parcel is created to support a conditional use, a finding that the remainder parcel is not less than five acres.*

Response: Land Use Case T3-2022-16220 (pg. 13) found the 94-acre site is large enough to meet filtration facility site needs (about 50 acres) and to provide landscaped buffers from neighboring residential and farm uses (the remaining area). The proposed use of the site has not changed. The proposed pump station will be within the 50 acres of filtration facility area. Therefore, the site size is sufficient to meet the needs of the proposed use for a pump station and to provide extensive buffers between the proposed pump station and nearby properties

The purpose of the MUA-20 zone includes the accommodation of conditional uses – such as the proposed pump station use. Sections 3 and 4 of this narrative and supporting appendices demonstrate that the proposed use is consistent with the character of the area, is designed to be “harmonious” with nearby properties, and is compatible with natural resources. Therefore, the lot size is appropriate, considering the purposes of the MUA-20 zone.

MCC 39.4340 Off-Street Parking and Loading

Off-Street parking and loading shall be provided as required by MCC 39.6500 through 39.6600.

Response: MCC 38.6500 General Provisions says the following: *“In the event of the erection of a new building or an addition to an existing building, or any change in the use of an existing building, structure or land which results in an intensified use by customers, occupants, employees or other persons, off-street parking, loading and traffic circulation and access (whether pedestrian, vehicular or otherwise) shall be provided according to the requirements of this Section Subpart.”*

In Land Use Case T3-2022-16220 (pg. 51), off-street parking and loading standards were found to be met. The Sandy pump station proposal will not result in an intensified use of the site

compared to the approved PHPS and fire pump station. However, to accommodate the infrequent maintenance visits by staff to the pump station, one parking space is provided on the east side of the building.

MCC 39.4345 Access

All lots and parcels in this base zone shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lot of Record described in MCC 39.3080(B).

Response: The site has two contiguous lots of record served by Carpenter Lane, a public street. Therefore, this standard does not apply. In Land Use Case T3-2022-16220, the Water Bureau was conditioned to dedicate and make improvements to Carpenter Lane, the public street providing access to the site.

3. Community Service Use Standards and Criteria

MCC 39.7505 General Provisions

(A) Community Service approval shall be for the specific use or uses approved together with the limitations or conditions as determined by the approval authority.

Response: This application is for a proposed Sandy pump station, a Community Service Use on the Water Bureau's filtration facility site. Community Service Use standards and criteria are addressed in this section.

(B) Uses authorized pursuant to this section shall be subject to Design Review approval under MCC 39.8000 through 39.8050.

Response: Section 4 addresses applicable Design Review criteria and development standards for the proposed pump station.

(C) A Community Service approval shall not be construed as an amendment of the Zoning Map, although the same may be depicted thereon by appropriate color designation, symbol or short title identification.

Response: The applicant understands the nature of the approval.

MCC 39.7510 Conditions And Restrictions

The approval authority may attach conditions and restrictions to any community service use approved. Conditions and restrictions may include a definite time limit, a specific limitation of use, landscaping requirements, parking, loading, circulation, access, performance standards,

performance bonds, and any other reasonable conditions, restrictions or safeguards that would uphold the purpose and intent of this Chapter and mitigate any adverse effect upon the adjoining properties which may result by reason of the conditional use allowed.

Response: Conditions of approval have been attached to Land Use Case T3-2022-16220, and this application complies with those conditions. The City of Sandy understands that the approval authority may attach additional conditions related to mitigation of adverse effects from the Sandy pump station on adjoining properties, although none are anticipated.

MCC 39.7520 Uses

- A. *Except as otherwise limited in the EFU, all CFU and OR base zones, the following Community Service Uses and those of a similar nature, may be permitted in any base zone when approved at a public hearing by the approval authority. [...]*
 - 6. *Utility facilities, including power substation or other public utility buildings or uses, subject to the approval criteria in MCC 39.7515(A) through (H).*

[...]

Response: Compliance with MCC 39.7517(A) through (H) is demonstrated in the narrative below.

- C. *Approval of a Community Service Use shall be deemed to authorize associated public utilities to serve the site, including energy and communication facilities.*

Response: Service provider letters are included in Appendix H.

MCC 39.7525 Restrictions

A building or use approved under MCC 39.7520 through 39.7650 shall meet the following requirements:

- A. *Minimum yards in EFU, CFU (Note – not applicable to CFU-1 through CFU-5), MUA-20, RR, BRC, OCI, OR and PH-RC, UF-20, LR-10, UF-20, MUF, SRC, and RC Base zones:*
 - 1. *Front yards shall be 30 feet.*
 - 2. *Side yards for one-story buildings shall be 20 feet; for two-story buildings, 25 feet.*
 - 3. *Rear yards shall be as required in the base zone.*

Response: The required yards for the building are 30 feet from the front property line, 20 feet to the side property line, and 30 feet from the rear property line. As documented in Section 2, the proposed yards exceed the minimum requirements. As shown on the site plan (Appendix A, Sheet C-100), the building is set back 112 feet from the northern property line (the closest property line). The distance to the west property line (side) will be greater than 400 feet, the

distance to the east property line (side) will be greater than 300 feet, and the distance to the southern property line (rear) property line is more than 1,000 feet, each greatly exceeds the minimum yard dimensions.

B. Minimum yards in LR-7, LR-5 and MR4 Base zones: [...]

Response: The proposed development is in an MUA-20 base zone; the standard does not apply.

C. (C) Minimum Site Size:

- 1. A day nursery or kindergarten shall provide not less than 100 square feet per child, of outdoor play area located other than in a required front yard.*
- 2. Primary (kindergarten through fourth grade), private and parochial schools shall be on sites of one acre for each 90 pupils or one acre for each three classrooms, whichever is greater.*
- 3. Elementary public schools shall be on sites of one acre for each 75 pupils or one acre for each two and one-half classrooms, whichever is greater.*
- 4. Churches shall be on sites of 15,000 square feet.*

Response: None of the above-mentioned developments are proposed; the standard does not apply.

D. Off-street parking and loading shall be provided as required in MCC 39.6500 through 39.6600.

Response: MCC 38.6500 General Provisions says the following: *“In the event of the erection of a new building or an addition to an existing building, or any change in the use of an existing building, structure or land which results in an intensified use by customers, occupants, employees or other persons, off-street parking, loading and traffic circulation and access (whether pedestrian, vehicular or otherwise) shall be provided according to the requirements of this Section Subpart.”*

In Land Use Case T3-2022-16220 (pg. 51), off-street parking and loading standards were found to be met. The Sandy pump station proposal will not result in an intensified use of the site compared to the approved PHPS and fire pump station. However, to accommodate the infrequent maintenance visits by staff to the pump station, one parking space is provided on the east side of the building.

E. Signs for Community Service Uses pursuant to the provisions of MCC 39.6700 through 39.6820.

Response: The proposed pump station includes a sign on the east side of the building that says “pump station,” which meets the exemption for sign review per MCC 39.6720 *Exempt Signs*. Section 6 addresses sign code standards.

F. *N/A*

G. *Other minimum yards, restrictions or limitations of use or development not required under this subsection shall be provided in the base zone.*

Response: The proposed pump station meets all applicable MUA-20 base zone standards, as documented in Section 2.

MCC 39.7515 Approval Criteria

In approving a Community Service use, the approval authority shall find that the proposal meets the following approval criteria, except for transmission towers, which shall meet the approval criteria of MCC 39.7550 through 39.7575, wireless communications facilities, subject to the provisions of MCC 39.7705, and except for regional sanitary landfills, which shall comply with MCC 39.7600 through 39.7625.

Response: The information and analysis in approval criteria Sections A through H below demonstrate compliance with MCC 39.7515. Note that the ninth criterion in MCC 39.7515 (Criterion I) does not apply to proposed utility facilities such as the pump station. MCC 39.7520(A)(6). Each criterion is quoted (in italics) below, followed by references to supporting studies and detailed explanations as to why each criterion is met.

Note also that, as determined by the Multnomah County Hearings Officer and upheld by LUBA in LUBA No. 2023-086, construction-related activities and their impacts are not a part of the “use” in question when evaluating compliance with these approval criteria.

A. *Is consistent with the character of the area;*

Response: As documented below, the proposed pump station is consistent with the character of the area in part because it is a use type—a water utility community service use—commonly found in the area. The proposed pump station is consistent with the character of the area in terms of design, footprint, traffic, and other characteristics. Moreover, the pump station design mitigates potential impacts on surrounding land uses from light, sound, traffic, and other potential externalities.

For purposes of determining whether a proposal is consistent with the character of the area, the MCC requires identification of the area, a description of the character of the area, and a discussion of the character of the use—including potential visual, noise, odor, and traffic impacts—and how that character fits with the area.

Identification of the Area

The core analysis area for the pump station is a quarter mile from the filtration site boundary, shown in Figure 7 below. The proposed pump station structure (without mitigation) potentially could have visual, auditory, and light impacts. For example, although the structure is designed to mimic structures in the study area, as documented below, those structures often are visible from public roads and often have noise and glare impacts on nearby residential properties. To ensure that all potential impacts on nearby land uses are effectively mitigated, the core analysis area for the pump station is a quarter mile from the property boundary, the area in which an unmitigated structure could potentially be visually significant. Figure 6 below shows the viewshed from the filtration facility site, which roughly correlates to the $\frac{1}{4}$ mile study area. While the pump station is only on the northern part of the site and is likely not viewable from much of the viewshed shown in Figure 6, it could be potentially viewable from Cottrell Road, $\frac{1}{4}$ mile away. The $\frac{1}{4}$ mile study area is conservative, considering that the pump station would be screened from the south or east from the filtration facility buildings, landforms, and landscaping, and is screened from the north and west by landscaping.

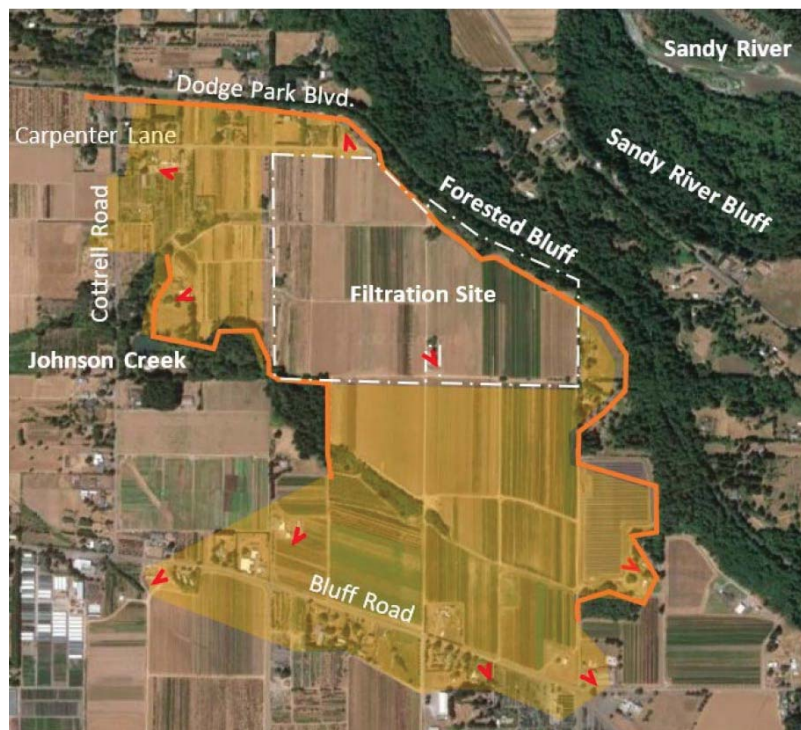


Figure 6: Viewshed from the filtration facility site generally (not specific to proposed Sandy pump station location)

A quarter mile impact area is also consistent with prior County decisions requiring impact area analyses, and a distance of a quarter mile is required for similar reviews in the Columbia River Gorge National Scenic Area.

Properties to the west of the site are zoned MUA-20, and the properties to the south are generally zoned EFU. To the east are EFU and rural residential zoned lands, and to the northeast are rural residential and forest-zoned lands (Figure 8). The north fork of Beaver Creek flows north through the study area and is covered by an SEC-wr overlay with areas of SEC-h at the edges. Similarly, Johnson Creek flows to the west and south through the study area, covered by SEC-wr overlays and areas of SEC-h at the edges. The forested slope in the northeast study area is covered by an SEC-h overlay. The Clackamas/Multnomah County line follows the south edge of the pump station tax lots.

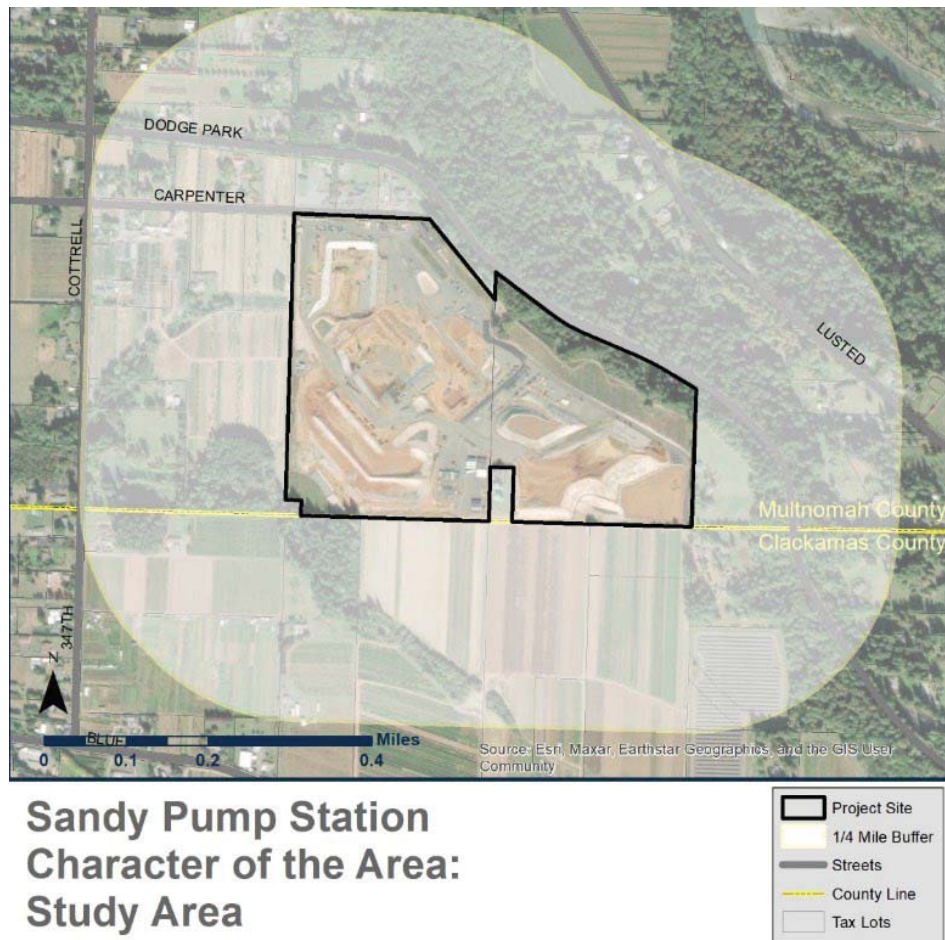


Figure 7: Study Area (1/4 mile)

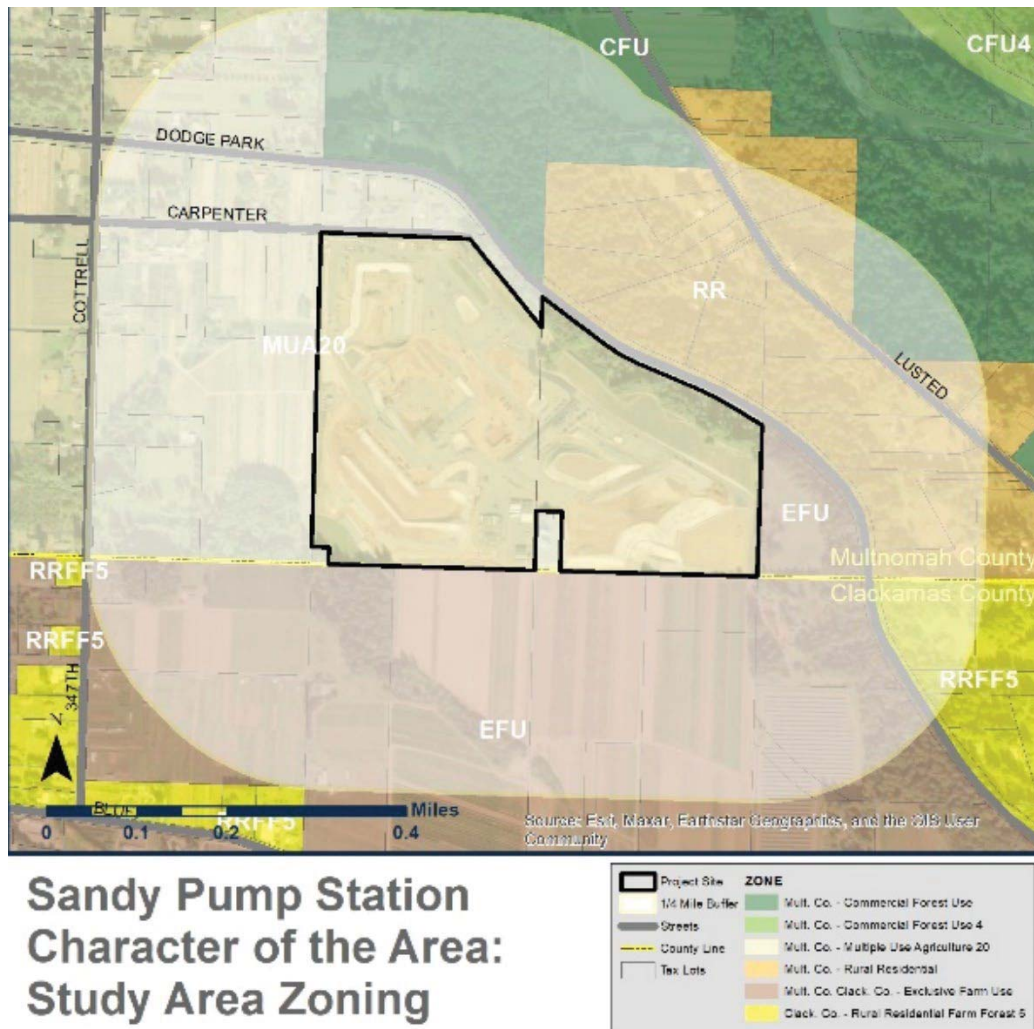


Figure 8: Study Area Zoning

Description of the Character of the Area

Much of the study area is in agricultural production. Nurseries are the predominant farm use. Agricultural uses include large-scale nursery operations, which, in addition to growing nursery crops in extensive farm fields, include office headquarters, outdoor storage areas, and warehouses/outbuildings. Nurseries typically export nursery products outside the area. On-site and off-site parking and loading areas accommodate employee and visitor parking as well as trailer trucks.



Figure 9: R&H Nursery

Figure 9 shows images of the R&H Nursery operational center, which abuts the filtration facility site to the west. There are five farm outbuildings and four temporary greenhouses that share access from Carpenter Lane. Most of these outbuildings are painted white and have gable or shed roofs. The classic, gambrel-roof barn is roughly 27 feet tall.



Figure 10: Homesite at 35321 Carpenter Lane.

Rural residences contribute substantially to the character of the area and are permitted outright in the MUA-20 zone (located to the north and west of the pump station site). They come in a wide variety of sizes, ages, and designs. Figure 10 shows a two-story, 1,512 sq. ft. home with a gable roof that is painted gray or beige. The 2.57-acre parcel includes a construction business, a manufactured home, and a large, detached shop building. Outdoor storage areas for vehicles and construction materials are visible from the street. This homesite is located across Carpenter Lane near the filtration facility entrance and the proposed pump station.

The area to the east of the site is zoned Rural-Residential, along Lusted Road. This area has many one- and two-story single-family residential dwellings and accessory structures such as garages, barns, and sheds.



Figure 11: Rural Residences and accessory structures within the Study Area

In aggregate, residential uses have external impacts related to noise, outdoor lighting, and appearance. They also generate substantial traffic; for example, a single-family dwelling typically produces 10 vehicle trips (5 roundtrips) per day.

The proposed pump station is similar in design and function to the existing water utility facilities in the area. The Bull Run water system was constructed in the late 1800s when 24 miles of pipelines were laid to create a gravity-fed supply of clean drinking water from the Bull Run River to Portland. The system became operational in 1895 and—along with evolving agricultural, forestry, and rural residential uses—has helped define the character of the area for the last 130 years. Water Bureau facilities, pipelines, and appurtenances preceded and support much of the development that has occurred in the study area and have played a role in defining its character. Water facilities have co-existed with agricultural and forest operations as well as rural residential development in the study area since the 1890s and do not conflict with these land uses.



Figure 12: PHWD Water Tanks (35524 Carpenter Lane)

As shown in Figure 12, PHWD has two 80- to 90-foot-tall water storage tanks on a separate parcel abutting the filtration facility site. The first tank was conditionally approved in 1975; the second larger tank was conditionally approved in 2013 (Land Use Case T3-2013-2935) and was found to be visually compatible with the surrounding area. These water tanks are served by water supply pipelines that cross the filtration facility site in easements and travel through the study area.

Today, existing Bull Run conduits traverse the study area through land in and around Lusted Road. The Water Bureau's existing Lusted Hill Treatment Facility (LHTF) and the Hudson Intertie are located nearby. The LHTF, Hudson Intertie, and existing water pipelines are part of the landscape and character of the area. The proposed pump station is typical of existing utility equipment and water infrastructure in the study area, including the Water Bureau's gravity-fed

water transmission system, which has long been a part of the local landscape and the character of the area.

Pump Station-Character of the Use and Compatibility with Character of the Area

The proposed Sandy pump station will be a low-profile facility, set back from the road and screened from public view with a dense buffer of trees and shrubs planted on a landscape berm. The pump station is a single story 2,520 sq. ft. building. The building size will be similar to a single-story barn and smaller than existing houses in the study area. It is also smaller than the existing Water Bureau building at the LHTF. The two utility cabinets are less than 5 feet high and will be completely screened by the surrounding fence and landscaping. The character of the use is also defined by the potential impacts—including potential visual, noise, odor, and traffic impacts—and if they are consistent with the character of the area. These are discussed in more detail below.

Transportation

The pump station is not a manned facility. An unmanned pump station facility will produce considerably fewer trips than residences in the area, which, for reference, a single-family dwelling typically produces 10 vehicle trips (5 roundtrips) per day. The anticipated number of trips will be the same as or less than the approved PHPS. Thus, there will be no net change in trip generation due to the proposed pump station. A transportation report documenting this is attached as Appendix J. As there will be no change, the proposed pump station is consistent with the transportation character of the area.

Noise and Vibration

An Acoustical Analysis, attached as Appendix F, demonstrates that the proposed pump station will not produce noise that is inconsistent with the character of the area. Conditions of approval in Land Use Case T3-2022-16220 (pg. 76) ensure that noise at property lines will not exceed 50 dBA at all times during normal operations. The Appendix F report demonstrates that noise generated by the pump station will comply with that condition of approval and with Multnomah County's noise ordinance. The proposed generator for the pump station was moved inside the building to minimize potential noise. Landscape berms and vegetation installed around the pump station will further mitigate noise impacts on sensitive residential uses. As documented in Appendix G, equipment will be mounted with appropriate mass and base isolation to limit vibration. The study area is characterized by farming, residential and public facility land uses. Many of these uses generate noise that is occasionally audible beyond their site boundaries, including farm equipment, large trucks, irrigation pumps, businesses, and residents. Noise levels at the site property line during pump station operation will be within or below the range of current ambient sounds levels, and the type of noise generated by the facility will be similar to noises currently existing within the study area.

Light

The study area is characterized by farming, residential and public facility land uses. Lighting in the study area includes unshielded residential outdoor security or safety lighting and agricultural operations light fixtures. Lighting associated with the facility is shielded and directed downward, as documented in the lighting report in Appendix D. Multnomah County Dark Sky Lighting Standards (MCC Section 39.6850) apply to new development -- including residences, public utilities, and new agricultural or forest structures constructed after October 22, 2016. The proposed lighting fixtures will meet Multnomah County Dark Sky Lighting Standards, as documented in Appendix D and Section 5 of this narrative, and will be mounted to point downwards. Additionally, the pump station will be screened from property lines with landscaping as shown in Appendix A and B. The lighting study found that when all lights are energized, there will be no light trespass outside of property lines. The proposed lighting has less lighting impact than many unshielded lights in the study area, and complies with Multnomah County's Dark Sky Lighting Standards Ordinance; therefore, the proposed pump station is consistent with the lighting character of the area.

Air Quality

Potential adverse air quality impacts include dust, odors, and operational air emissions. The study area includes residential development, that typically does not have significant adverse air quality impacts, however farming uses in the study area can potentially produce air quality impacts in the form of dust from farm planting, soil preparation, and harvesting, use of diesel or gasoline engines for farm equipment, and odors from farm fertilizers. Impacts on air quality for the pump station are discussed further in Appendix G. The pump station site will be covered by landscaping, pavement, or the pump station itself, so no dust from pump station operations is expected to leave the site or impact surrounding land uses. There will be no chemical or solids storage, nor will any of the equipment used for the operation and maintenance of pump station generate any odors. The pump station will be pumping clean drinking water only. There will be infrequent visits and, therefore, negligible impacts to air quality due to internal combustion engines. Diesel engines for the standby generator will meet air quality regulations and will not be used for normal operations.

Water Quality

As the system will be zero liquid discharge, the only potential impacts to water quality relate to the generation of stormwater from impervious surfaces. The proposed pump station would result in a net increase of 172 sq. ft. of impervious surface area as compared to the previously approved pump station. As documented in Appendix E, the proposed Sandy pump station will comply with the County's Stormwater Drainage Control regulations of MCC 39.6235, and stormwater will be treated on site. The proposed pump station will have no negative effects on the onsite stormwater management system and will require no revisions to the relevant treatment, flow control, or conveyance facilities.

Visual Impacts

The design of the pump station is subject to Design Review standards and criteria (see Section 4). The proposed pump station will be slightly taller and have a slightly larger footprint than the approved PHPS and fire pump station. The approved PHPS is 17' 10.5" high, while the proposed Sandy pump station is a 20' 5" high building. The pump station will continue to meet the established 110-foot setback from the nearest property line.

As seen in the landscape plans (Appendix A) and site visualizations (Appendix B), the Sandy pump station will be visually screened from Carpenter Lane. With the proposed screening and large setbacks, the minor increase in building height and dimensions will not have a significant visual impact. As discussed further in the section on Design Review, typical built features in the study area are as follows:

- Residential Buildings – Varied in design, but typically have horizontal or vertical siding, gabled roofs, and neutral colors. Rural residences often have accessory structures such as garages, barns, workshops, and other outbuildings. Outbuildings generally have metal siding and gable or shed roofs.
- Agricultural Buildings – Also varied in design, but typically have simple and rectangular forms, uniform cladding, wood or metal siding, and gabled or pitched roofs. Agricultural properties often host several buildings, equipment storage areas, and shipping and receiving areas that are visible from public roads. Agricultural buildings in the area have different color schemes, but are typically consistent with their own site.
- Water Utility Buildings – Existing water utility buildings include the PHWD tanks. These tanks are adjacent to the filtration facility site and have been considered in the overall facility design. They are metallic and teal in color, and visible to the broader area due to their scale.

The pump station harmonizes with these buildings by utilizing similar form and materials, such as metal, horizontally oriented siding; a simple, rectangular form; and a pitched shed roof. Neutral greys and blues have been selected, which are found in the existing natural environment and are complementary to the neutral tones of buildings within the area. As with the adjacent agricultural compounds, the Sandy pump station color palette is consistent with the filtration facility building complex. The pump station is consistent in height with the typical one- to two-story buildings found in the area and has a footprint consistent with accessory residential and agricultural buildings.

Character of the Area Conclusion

The study area is characterized by farming (primarily nursery crops), residential, and public facility land uses. Water pipelines, appurtenances, and associated structures have been a part of, and supported, rural development in the study area for more than 100 years; they are therefore innately consistent with the character of the area.

The pump station will not emit light, excessive noise, or vibration beyond the property line. The pump station will have shielded exterior lighting that contains light and glare on-site; moreover, the entire site will be screened by a mix of evergreen and deciduous trees and shrubs. Sounds from the equipment operation will be muffled by insulation and building design and will meet County noise standards. The pump station will be similar in size to many of the barns and residential accessory structures in the area, and smaller than many residences in the area.

Therefore, the proposed Sandy pump station is consistent with the character of the area.

B. Will not adversely affect natural resources;

Response: The vast majority of the filtration facility site has been cleared of trees and is not in a natural resource state. County-identified significant natural resources on the site are fully protected. The County SEC-h (wildlife habitat) overlay protects the forested habitat along the steep slope that drops down to Dodge Park Boulevard along the northeast edge of the site. The SEC-wr (water resource) overlay in the southwest corner of the site provides a 200-foot buffer along Johnson Creek, which flows northwest on an adjacent property. The proposed pump station is on a small area of former agricultural land more than 500 feet from these natural resource areas (Appendix A, Sheet L-101).

In early 2025, LUBA issued an opinion in *Cottrell CPO et al. v. Multnomah County* (LUBA No. 2023 086), remanding the T3-2022-16220 application to Multnomah County for further review of MCC 39.7515(B)—specifically the requirement that community service uses “will not adversely affect natural resources.” In June 2025, a County Hearings officer again (T3-22-16220 Hearings Officer Remand Decision) approved the CUPs and associated permits, with findings explicitly responding to LUBA’s remand regarding natural resource impact under MCC 39.7515(B). Ultimately, the Hearings Officer concluded that the proposed filtration facility would not adversely affect any identified natural resources—including agricultural soils, groundwater systems, wildlife habitat, or hydrologic functions.

As documented in Appendix G, Impacts Analysis, *“pump station operations at the BRSPS will not cause any significant change to off-site dust, air quality, noise, vibration, odor, storm water discharge or hazardous materials storage or release”*. The lack of significant change across these areas of impact indicates consistency with filtration facility plans relating to natural resources.

The 2025 Hearings Officer found that the filtration facility will not adversely affect natural resource areas located on or near the filtration facility and pipelines sites. Additionally, regarding habitat areas specifically, the Hearings Officer found *“Overall, and taking into consideration all of the testimony and evidence presented on both sides related to the wildlife habitat across the four Project areas under the pre-construction use and the wildlife habitat across the four Project areas under the post-construction use, and taking into consideration the conditions of approval, I find the wildlife habitat value of the Project areas under the post-*

construction use will be higher and therefore, the Project will not adversely affect the natural resource of wildlife habitat” and that “I also find that a conclusion that the post-construction wildlife habitat value of the Project areas will be higher than the pre-construction value on day one is not necessary to meet the MCC 39.7515(B) approval criterion, and that based upon the substantial evidence in the record, over time, the wildlife habitat value of the Project areas will not only be higher than the pre-construction wildlife habitat value, but will be significantly higher. ” (Hearings Officer Remand Decision, pg. 198)

The only category of natural resources potentially relevant to this application for the Sandy pump station would be habitat areas or wildlife habitat. The proposed Sandy pump station will not adversely affect these habitat areas or wildlife habitat- instead this proposal will increase the native plantings around the pump station (Appendix A, Sheet L-101 and L-103); therefore, this proposal will have a positive impact on wildlife habitat and natural resources. Sheet L-103 compares the previously approved landscaping in the vicinity to the proposed landscaping. As shown on L-103, there are 36 additional native trees and 36 additional native shrubs proposed.

The filtration facility project will provide mitigation with an overall benefit to temperature conditions in Johnson Creek through extensive improvement of Johnson Creek’s riparian areas and the removal of Cottrell Pond, which has been shown to create lethal temperature impacts in the creek. The Hearings Officer found that the filtration facility project will not adversely affect fish habitat areas, water quality, or aquatic habitat. (Hearings Officer Remand Decision, pgs. 88-137)

The stormwater report in Appendix E demonstrates that Johnson Creek water quality will not be adversely impacted by the proposed pump station. The addition of the pump station will have no negative effects on the onsite stormwater management system and will require no revisions to the relevant treatment, flow control, or conveyance facilities.

For the above reasons, natural resources on and around the filtration facility site will not be adversely affected by the proposed pump station and therefore this criterion is met.

C. The use will not:

- 1. Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; nor*
- 2. Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.*

Response: As documented in Appendix C, the proposed pump station will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use, nor significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use. Land Use Case T3-2022-16220 included a detailed Agricultural Compatibility Study and Forest Compatibility Study, the Hearings Officer found that *“both the operation and the construction under the Application, does not violate the farm impact test”*. LUBA (Case 2023-086) upheld that conclusion. In Appendix C, the agricultural expert who analyzed the filtration facility found that, with the proposed pump station, the only externality

that would change from the original filtration facility analysis was noise. The acoustical analysis provided in Appendix F determined that under the condition of continuous operation of mechanical equipment the County codes for noise exterior to buildings will be met with no additional mitigation required. The agricultural expert found that the changes in noise will meet the farm impacts test and there is no potential for an increase in noise externality to impact farm use in the Surrounding Lands. The agricultural expert concluded that *“the approval of the modifications in design as described above will not force a significant change in, nor significantly increase the cost of, accepted farm practices in the Surrounding Land.”*

D. Will not require public services other than those existing or programmed for the area;

Response: The applicant has obtained service provider letters from:

1. Gresham Fire
2. Multnomah County Sheriff
3. Multnomah County Sanitarian
4. PGE
5. Portland Water Bureau

The above letters are provided in Appendix H. These demonstrate the pump station will not require public services other than those existing or programmed for the area.

E. Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;

Response: As shown in Figure 13, the Multnomah County Comprehensive Plan identifies Oregon Department of Fish and Wildlife (ODFW) elk and deer winter range areas on the East Multnomah County Wildlife Habitat map. These winter range areas are in the northern portion of the County near the Columbia and Sandy rivers, north of Oxbow Park, and outside the study area. Therefore, the pump station will be located entirely outside big game winter range habitat areas.

As a part of the Land Use Case T3-2022-16220, the Water Bureau contacted Steve Niemela, ODFW’s Watershed Manager for the North Willamette Watershed Manger of the North Willamette Watershed District. Mr. Niemela verified that the subject site is “in Impacted Habitat, not in winter range or even year-round range.”

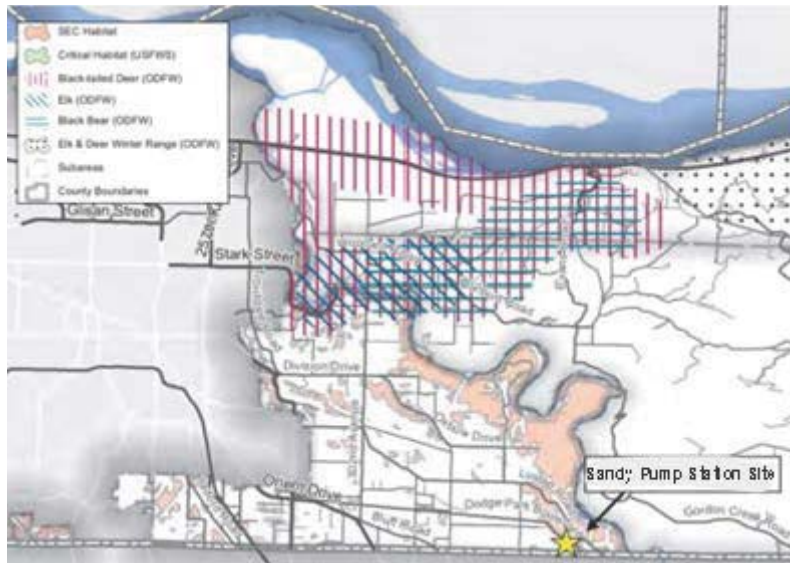


Figure 13: Clip of County Comprehensive Plan 5-6 Wildlife Habitat, with project site identified.

F. Will not create hazardous conditions;

Response: The Hearings Officer found that the filtration facility project, including the previously approved PHPS, did not create hazardous conditions in Land Use Case T3-2022-16220 (pgs. 47-49). LUBA upheld this conclusion in LUBA Case 2023-086.

The pump station design and operation will meet all applicable state and federal safety standards. As documented in Appendix G, there will be no chemical or solids storage or storage of potentially hazardous materials associated with the pump station.

Therefore, the proposed pump station will not create hazardous conditions. This approval criterion is met.

G. Will satisfy the applicable policies of the Comprehensive Plan;

Response: The comprehensive plan policies discussed by the Hearings Officer in Land Use Case T3-2022-16220 and on remand are discussed below – although some are not “applicable” within the meaning of MCC 39.7515(G) because the policy is not a mandatory statement (indicating that it is not intended to be an approval criterion); because the policy has been incorporated into the zoning code, making direct application of the policy as an approval criterion inappropriate; or because the limited scope of the Sandy pump station application does not reach the topic of the policy. Some clearly inapplicable policies raised in T3-2022-16220 are not addressed here. All of these policies were found to be inapplicable or met for the filtration facility project, including the PHPS and fire pump.

Land Use

Other Policies

Policy 2.50 As part of land use permit approval, impose conditions of approval that mitigate offsite effects of the approved use when necessary to:

1. Protect the public from the potentially deleterious effects of the proposed use; or
2. Fulfill the need for public service demands created by the proposed use.

Response: Policy 2.50 is not applicable within the meaning of MCC 39.7515(G), as it provides direction to the County decision maker rather than a standard that can be applied directly as a permit approval standard. Additionally, this policy is fully implemented in the zoning code in MCC 39.1170(A). However, the applicant acknowledges the county may impose conditions of approval as part of land use permit approval and, to the extent Policy 2.50 is applicable, it is satisfied. The applicant acknowledges the ability of the hearings officer to impose conditions of approval to mitigate off-site impacts.

Farm Land

Multiple Use Agricultural Land

County policies for these areas promote agricultural activities and minimize conflicts between farm and non-farm uses but are less stringent than policies in Exclusive Farm Use zones.

Policy 3.14 Restrict uses of agricultural land to those that are compatible with exclusive farm use areas in recognition of the necessity to protect adjacent exclusive farm use areas.

Policy 3.15 Protect farm land from adverse impacts of residential and other non-farm uses.

Response: The Hearings Officer found in Land Use Case T3-2022-16220 (pgs. 65, 66) for the filtration facility, that MCC 39.7515(A) (the farm impacts test) fully implements comprehensive plan policies 3.14 and 3.15, and no additional analysis is required as these policies are not applicable within the meaning of MCC 39.7515(G). That conclusion remains true and the farm impacts test is addressed previously in this narrative. This policy is not applicable, as it is directly implemented by the zoning code.

Historic and Cultural Resources

Policy 6.2 Protect cultural areas and archeological resources and prevent conflicting uses from disrupting the educational and scientific value of known sites.

Policy 6.5 Where development is proposed on areas of cultural significance, require evaluation of alternative sites or designs that reduce or eliminate impacts to the resource.

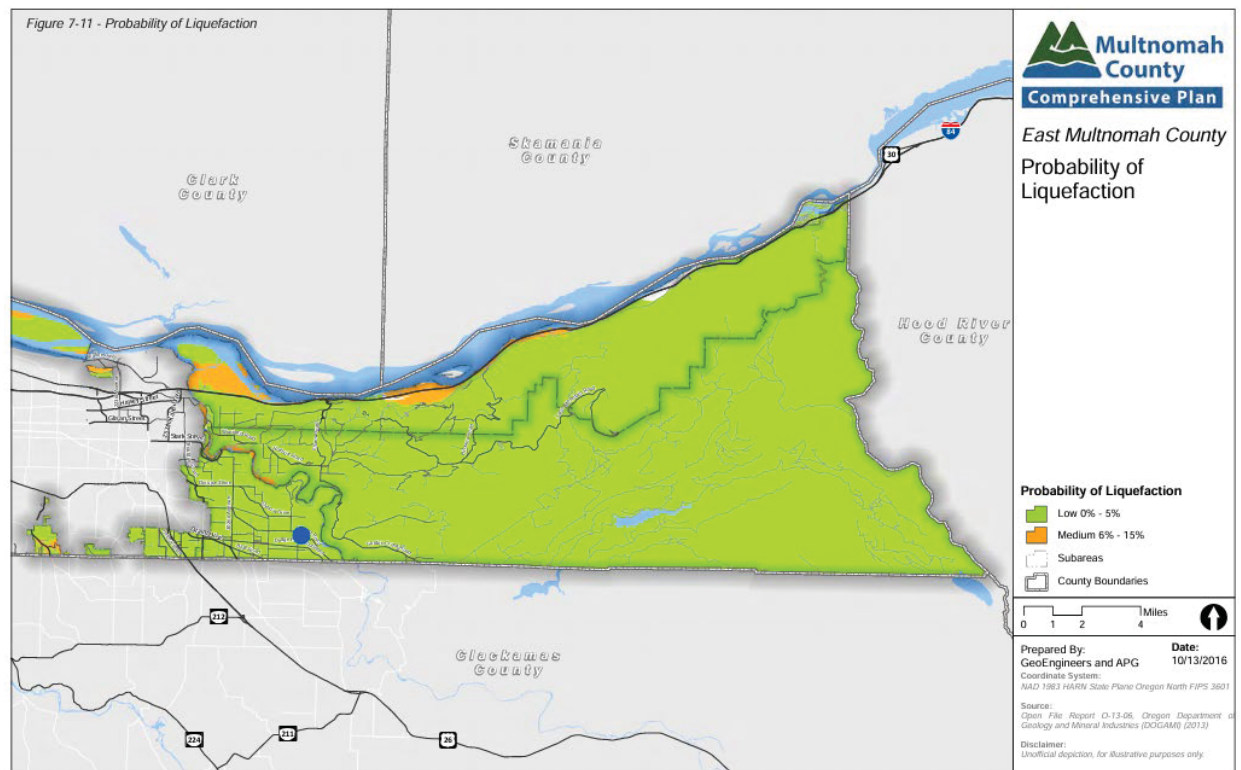
Response: The Hearings Officer found in Land Use Case T3-2022-16220 (pg. 68) for the filtration facility that Policy 6.2 and its Strategies are not applicable as it directs the County to take action to protect resources from conflicting uses. They found Policy 6.5 is also planning direction, and therefore not applicable. Even if it was applicable the project site is not identified as an “area of cultural significance” by the County, State or federal government.

Natural Hazards

Earthquake Hazards

Policy 7.3 Direct development away from areas with hazards associated with potential liquefaction resulting from major earthquakes.

Response: This policy is a direction to staff and has been implemented through the Geologic Hazards sections of the zoning code. Therefore, Policy 7.3 is not applicable within the meaning of MCC 39.7515(G). Additionally, if applicable, the policy is met. The proposed pump station is located in an area with a “Low” Liquefaction Probability of 0-5 percent, as shown in Figure 14 below.



East Multnomah County Comprehensive Plan

Natural Hazards

Figure 14: Probably of Liquefaction Map (pump station location marked in Blue)

The Hearings Officer found the policy was met by the filtration facility in Land Use Case T3-2022-16220 (pg. 66). The proposed pump station will also meet any relevant building code requirements related to seismic hazards or liquefaction. The policy is met.

Policy 7.4 Protect against seismic hazards to structures and ground areas susceptible to earthquake damage.

Response: This policy is a direction to staff and has been implemented through the Geologic Hazards sections of the zoning code. Therefore, Policy 7.4 is not applicable within the meaning of MCC 39.7515(G). Additionally, the proposed pump station is located in an area with a Modified Mercalli Intensity Scale/Damage Potential of “Light” from a Magnitude 9 Cascadia Earthquake as shown in Figure 15 below:

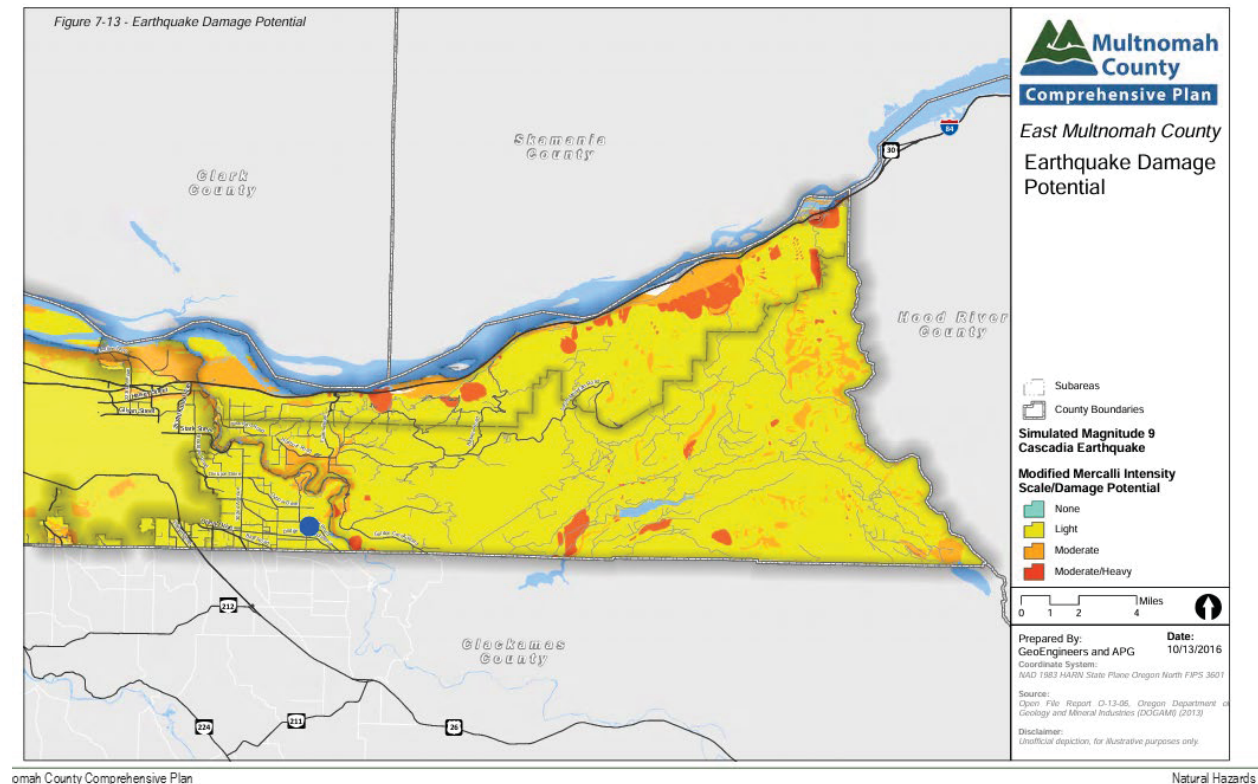


Figure 15: Earthquake Damage Potential Map (pump station location marked in blue)

The Hearings Officer found the policy was met by the filtration facility in Land Use Case T3-2022-16220 (pg. 66). The proposed pump station will also meet any relevant building code requirements related to seismic hazards. The policy is inapplicable or is met.

Public Facilities

General Policies

Policy 11.3 Support the siting and development of public facilities and services appropriate to the needs of rural areas while avoiding adverse impacts on farm and forest practices, wildlife, and natural and environmental resources including views of important natural landscape features.

Response: Policy 11.3 states “Support the siting and development of public facilities...” It does not provide policy direction to exclude or not support any other category of public facilities, even ones that provide a preponderance of their services to urban areas. Additionally, the first

half of Policy 11.3 provides policy direction to staff rather than a mandatory standard that is appropriate to apply as an approval criterion. The second half of the policy regarding adverse impacts has been implemented directly in the zoning code and is therefore not applicable to this land use review, as explained by staff in Exhibit I.45 of Land Use Case T3-2022-16220. Farm and forest practices are considered through MCC 39.7515(C). Natural and environmental resources, including views, are considered by MCC 39.7515(A) and (B) as well as the SEC sections of the zoning code. As applicable, these standards are all directly addressed in this narrative. Therefore, Policy 11.2 is not applicable within the meaning of MCC 39.7515(G). To the extent it is applicable, implementing zoning code criteria are met for the proposed pump station.

Policy 11.10 Except as otherwise provided by law, new electrical substations and water system storage tanks or reservoirs intended to solely serve uses within the urban growth boundary shall not be located outside the urban growth boundary unless it can be demonstrated that there is no practical alternative site within the urban growth boundary that can reasonably accommodate the use.

Response: The proposed pump station is not an electrical substation or water system storage tank or reservoir; therefore, policy 11.10 is not applicable to this application.

11.11 For development that will be served by a power utility company, the utility company must be willing and able to provide the power needs of the development.

Response: The filtration facility site is served by PGE, which has provided a will-serve letter, included in Appendix H. The Sandy pump station project will require a similar load to the previously approved PHPS and fire pump, and will continue to be served by PGE; therefore, the policy is met.

Water Supply and Wastewater Treatment Systems

Policy 11.12 A water supply system for new development shall be by either of the following methods:

1. Connection to a public water system having adequate capacity to serve the development and all other system customers.
2. A private water system that produces safe drinking water with sufficient volume and pressure to meet applicable Building Code and Fire Protection Code.

Response: Prior to the construction of the filtration facility at tax lots 1S4E22D-00400 and 1S4E22D-00100, PHWD has agreed to provide water to the site. Once the filtration facility is completed, Portland Water Bureau will become the water purveyor for the site and will have adequate capacity to serve the Sandy pump station. No changes to the water supply are proposed. The pump station will enable Sandy customers to have access to clean drinking water that meets federal standards. This policy is satisfied.

Policy 11.13 Wastewater disposal for new development shall be by any of the following methods:

1. Connection to a public sewer system having adequate capacity to serve the development and all other system customers
2. A private system that meets Oregon Department of Environmental Quality regulations

Response: The Sandy pump station does not require a sewer system. Policy 11.13 is not applicable to this application.

Police, Fire and Emergency Response Facilities

Policy 11.17 As appropriate, include school districts, police and fire protection, and emergency response service providers in the land use process by requiring review of land use applications from these agencies regarding the agency's ability to provide the acceptable level of service with respect to the land use proposal.

Response: Policy 11.17 is not applicable within the meaning of MCC 39.7515(G) because it directs a process policy (review of land use applications by these agencies) rather than a standard that can be applied as an approval criterion. Additionally, service provider letters are attached to this application as Exhibit H. The proposed pump station will not affect the ability of agencies to provide the acceptable level of service to the site as compared to the previously approved pump station. The policy is inapplicable or is met.

H. Will satisfy such other applicable approval criteria as are stated in this Section.

Response: Compliance with other applicable approval criteria and standards is demonstrated in the following sections of this narrative:

- Section 2 addresses applicable MUA-20 base zone standards.
- Section 4 Design Review addresses all other development standards applicable to the proposed pump station.

I. In the West of Sandy River Rural Planning Area, the use is limited in type and scale to primarily serve the needs of the rural area.

Response: This criterion does not apply per MCC 39.7520(A)(6) because the proposed pump station is a "utility facility" subject only to Criteria A through H.

4. Design Review Standards and Criteria

MCC 39.8010 Design Review Plan Approval Required

No building, grading, parking, land use, sign or other required permit shall be issued for a use subject to this section, nor shall such a use be commenced, enlarged, altered or changed until a final design review plan is approved by the Planning Director, under this Code.

Response: The proposed Sandy pump station is subject to Design Review per MCC 39.8020(A). A similar pump station, the PHPS, received Design Review approval in 2023. This proposal is an alternative to the PHPS and fire pump station, in a location approximately 140 feet to the east of the approved PHPS.

MCC 39.8020 Application of Regulations.

(A) Except those exempted by MCC 39.8015, the provisions of MCC 39.8000 through 39.8050 shall apply to all conditional and community service uses, and to specified uses, in any base zones.

Response: As explained in findings for MCC 39.4320, the proposed pump station is a conditional, community service use under the MUA-20 zone within which the site is located. As such, the standards of this section apply.

(B) Uses subject to Design Review that require the creation of fewer than four new parking spaces pursuant to MCC 39.6590 shall only be subject to the following Design Review approval criteria: MCC 39.8040(A)(1)(a) and (1)(c), and (4) and (7), except when located in the RC, BRC, OR, OCI, PH-RC or SRC zone base zones. [...]

Response: The proposed pump station will result in the addition of only one new parking space and is not within any of the listed zones; therefore, the applicable Design Review approval criteria are: MCC 39.8040(A)(1)(a) and (1)(c), and (4) and (7). The MCC allows for a modification of development previously reviewed under MCC 30.8020(D), however, this new and separate application is for an alternative pump station by the city of Sandy in place of the PHPS and fire pump, not a “modification” of T3-2022-16220.

(C) All other uses are subject to all of the Design Review Approval Criteria listed in MCC 39.8040 and 39.8045.

(D) Alteration or modification of the physical development previously reviewed through the Design Review process shall be subject to the Design Review Approval Criteria listed in MCC 39.8040 and 39.8045.

Response: As the use only creates one new parking space, the applicable design criteria are those specified in MCC 39.8020(B). Therefore, standards (C) and (D) do not apply. This provision allows a modification of development previously reviewed, however, this new and separate application is for an alternative pump station by the city of Sandy in place of the PHPS and fire pump, not a “modification” of T3-2022-16220.

MCC 39.8040 Design Review Criteria

A. Approval of a final design review plan shall be based on the following criteria:

1. Relation of Design Review Plan Elements to Environment.

a. The elements of the design review plan shall relate harmoniously to the natural environment and existing buildings and structures having a visual relationship with the site.

Response: The response above to the Community Service Use Approval Criterion MCC 39.7515(A) establishes the visual character of the area. As explained in the response above, the study area for the pump station is a ¼ mile buffer around the filtration facility site (Figure 7), because that is the area that may have a visual relationship with the Sandy pump station site. The identified study area is primarily agricultural, with extensive farm fields and a large-scale nursery operation to the west. The large-scale nursery grows crops and hosts office headquarters, warehouses, greenhouses, and outdoor storage areas. There are also many rural residences in the area, particularly on Lusted Road, Dodge Park Boulevard, and Carpenter Lane. Existing water utility facilities contribute to the character of the area; the existing PHWD tanks are the most prominent of these facilities and are located directly adjacent to the site where the Sandy pump station is proposed. The natural area is characterized by rolling hills with gentle slopes down from the site to the west and the south. To the northeast, much of the study area is a steep forested slope. Findings for MCC 39.7515(A) include images of surrounding topography, nursery, residences, and water utility facility that help define the character of the area. This section will review the design of the Sandy pump station and its “visual relationship” to the filtration facility site and the surrounding natural and built environment.

Sandy Pump Station Design and On-Site Compatibility

The approved design review for the overall filtration facility site (T3-2022-16220, Staff Report pgs. 77-86) details how site buildings and structures have a visual relationship with the surrounding built and natural environment. The filtration facility buildings are designed to blend in with the farm and forest land while incorporating design themes that reflect the characteristics of residential, agricultural, and public facility buildings within the filtration facility's viewshed. The filtration facility site design was based on a review of the context, a

public outreach process, and internal workshops with Water Bureau stakeholders. The design also consulted the guidelines of the Columbia River Gorge Commission's *Building in the Scenic Area, Scenic Resources Implementation Handbook*. The approved filtration facility incorporated the following design features:

- A unified campus to house a variety of building functions, clustered on site
- Secondary buildings match shed roofs common to many local accessory buildings
- Use of simple forms that relate to the natural environment and existing nearby buildings, including rectangular footprints and uniform cladding types
- Use of materials such as metal
- Use of neutral, earth-toned colors
- Buildings with heights that are typical of one- and two-story dwellings and farm buildings
- Use of an integrated horizontal and vertical cladding style



Figure 16: Clip from Appendix B: Birds-Eye View of the Pump Station

The proposed Sandy pump station incorporates these features in its design. It is designed to blend in with the approved facility and to be visually subordinate, if visible at all, from off-site. The pump station is a single-story, 2,520 sq. ft. building, which is similar in size to local

accessory buildings and smaller than most of the filtration facility buildings. As seen in the birds-eye view in Figure 16, it is a simple, rectangular form, with a consistent sloped roofline compatible with other filtration facility roof styles and mimicking other roof styles in the study area. The building will be uniformly clad in horizontally oriented corrugated metal and will feature a shed-style, standing-seam metal roof (Figure 17). The highest point of the roofline will be 20' 5", which is similar to or shorter than other approved filtration facility facilities. The color palette is neutral, featuring greys and blues, common in the surrounding landscape.

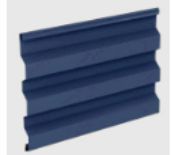
Illustration	Material	Color	Notes
	Standing seam metal roof panel	Light grey	High solar reflectance index. Local metal buildings primarily white/grey roofs.
	Corrugated metal panel siding, primary building cladding	Dark Blue – Centria #9930 Night Horizon	Fire resistant, durable/long lasting, low maintenance, follows Columbia Gorge design guideline recommendation
	Flat metal panel siding, secondary accent building cladding	Medium Gray - Centria #9947 Gray Velvet	Fire resistant, durable/long lasting, low maintenance
	Storefront glazing systems	Black aluminum, light grey tinted dual glazing	Low-e, insulated, daylight control, operable windows in offices, bird-friendly horizontal etching on select areas

Figure 17: Clip from Appendix B: Materials and Color Palette

As shown on Sheet -L-101, Appendix A, the Sandy pump station will be clustered between earthen mounds and vegetated areas, just north of the filtration facility finished water clearwell. The pump station will be surrounded by a high-quality security fence that is compatible with the adjacent filtration facility fencing. The fencing is surrounded by landscaping, including a mix of trees, shrubs, and groundcover, making the site visually inobtrusive (Figure 18 and Figure 19). Grasscrete is proposed just north of the pump station building, expanding the vegetated/green character of the site.

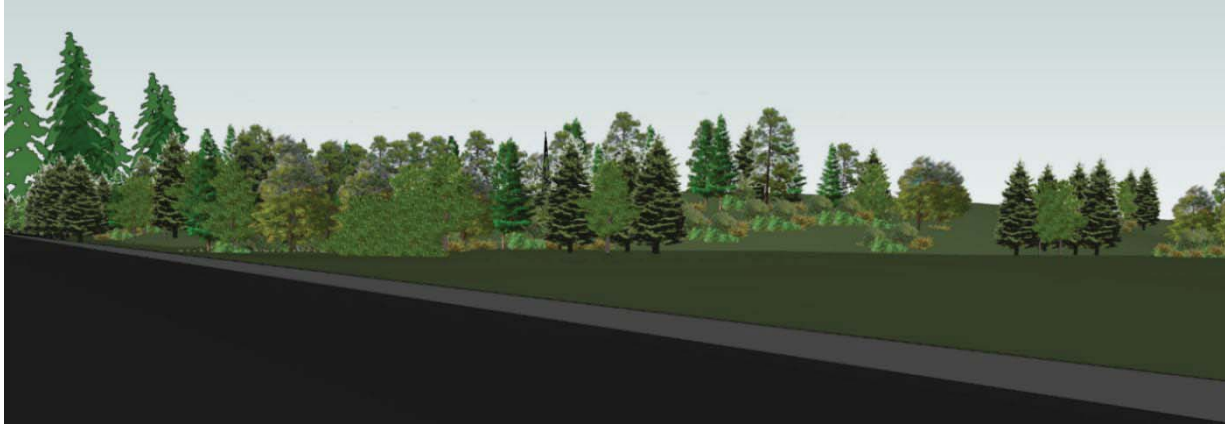


Figure 18: View from Carpenter Road



Figure 19: View from the Filtration Facility Front Entry

The proposed Sandy pump station alternative looks modestly different than the previously approved PHPS, as discussed in the introduction. This is visualized in Figure 20, which shows the elevations of the previously approved PHPS, as compared to Figure 21, which shows the Sandy pump station elevations. However, these differences are limited in scale and, in some cases, improve the area's visual quality. Again, the proposed Sandy pump station is slightly larger and taller, with a small increase in impervious surface. The proposed alternative design incorporates additional plantings and moves the structure east, increasing the setback from adjacent farmland. The setback to Carpenter Lane is maintained, but the vegetated buffer from the street is expanded. The Sandy pump station design is harmonious with the adjacent filtration facility buildings, due to the consistent materials and design, subordinate scale, matched fencing, and use of landscaping to blend into the wider site. This consistency contributes to an overall harmonious filtration facility complex design. Further, the differences in the Sandy pump station alternative do not compromise the wider filtration facility's site visual relationship with the surrounding built and natural environment, which was previously reviewed and

approved (T3-2022-16220). The remainder of this response will review the visual relationship between the Sandy pump station and off-site built and natural environment.

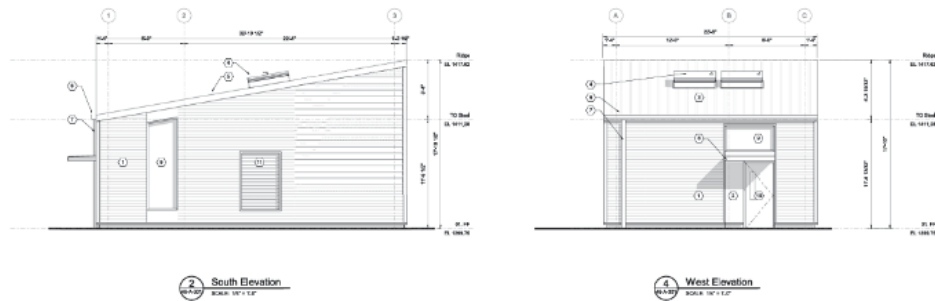


Figure 20: Land Use Case T3-2022-16220 PHPS Elevations

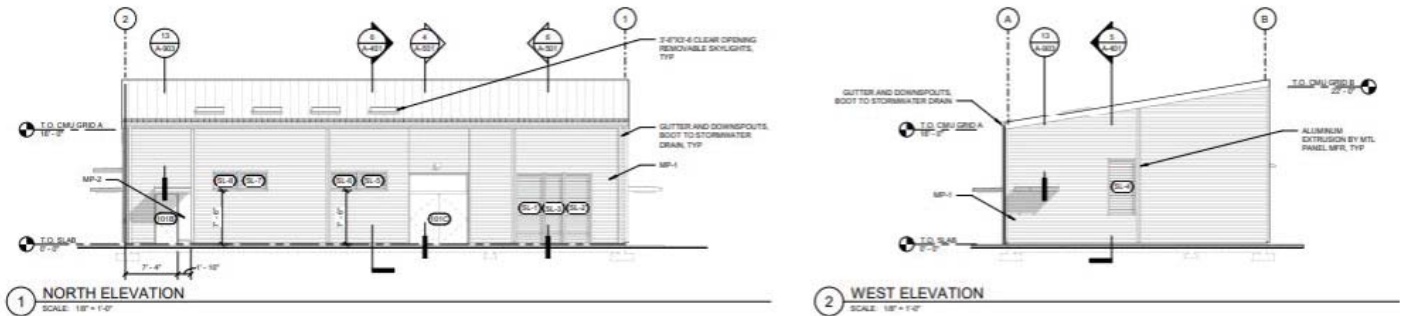


Figure 21: Sandy Pump Station Elevations Clip from Site Plan (Sheet A-101)

Off-Site Built and Natural Environment Compatibility

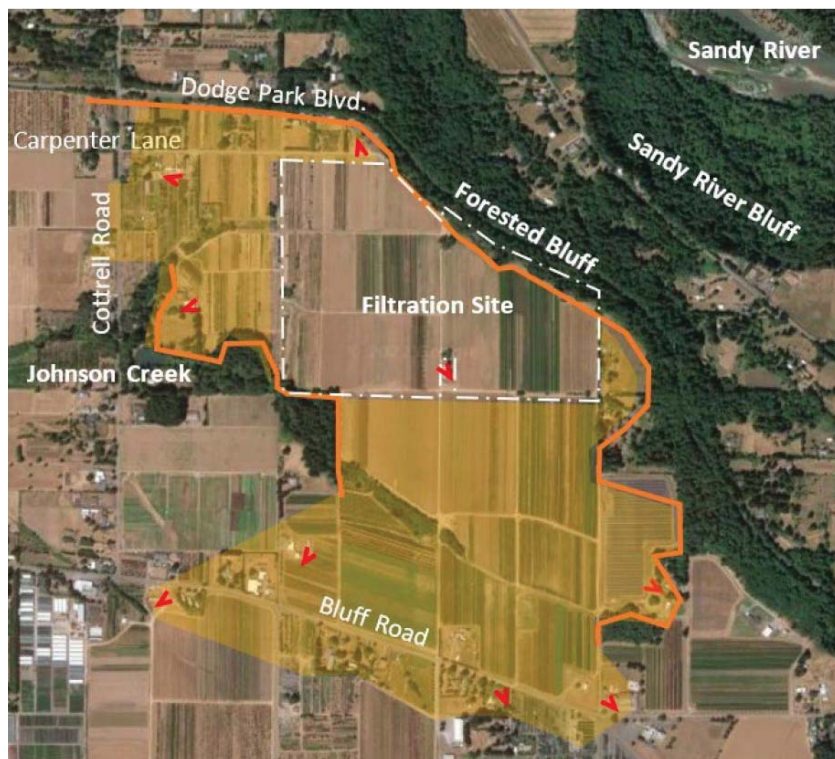


Figure 22: Filtration Facility Viewshed with Natural Vegetation and Topographic Screening

Figure 22 is a viewshed map illustrating areas with views to the filtration facility site (yellow), areas with vegetative and topographic screening (orange line), and representative buildings and structures (red view wedges). Buildings and structures on this map that have a visual relationship with the wider filtration facility site include residential buildings to the north, south, east, and west of the site; agricultural buildings to the west and south; and the PHWD water tanks. Representative images that are applicable to the Sandy pump station study area are shown in Figures 9 through 12.

The viewshed for the Sandy pump station is much smaller than that for the filtration facility site. The pump station will not be visible from the south or east, as it will be screened by approved filtration facility buildings (seen in Figure 1), as well as landforms and landscaping. Additionally, any view from the south or east would be from over 2,000 feet away, across the filtration facility site. The Sandy pump station design has increased the setback to the west by 140 feet as compared to the previously approved PHPS, reducing visibility of the building. Proposed landscaping and earthen mounds will also screen views from the west. Views from SE Carpenter Lane to the north, such as sensitive residential views, will be screened by the expanded native landscaping and berm north of the pump station. Considering this constrained viewshed, harmony with nearby residential, agricultural, and water utility structures, as well as the natural environment, is demonstrated below.

In the study area, typical built features are as follows:

- Residential Buildings – Varied in design, but typically have horizontal or vertical siding, gabled roofs, and neutral colors. Rural residences often have accessory structures such as garages, barns, workshops, and other outbuildings. Outbuildings generally have metal siding and gable or shed roofs.
- Agricultural Buildings – Also varied in design, but typically have simple and rectangular forms, uniform cladding, wood or metal siding, and gabled or pitched roofs. Agricultural properties often host several buildings, equipment storage areas, and shipping and receiving areas that are visible from public roads. Agricultural buildings in the area have different color schemes, but are typically consistent with their own site.
- Water Utility Buildings – Existing water utility buildings include the PHWD tanks. These tanks are adjacent to the filtration facility site and have been considered in the overall facility design. They are metallic and teal in color, and visible to the broader area due to their scale.

The pump station harmonizes with these buildings by utilizing similar form and materials, such as metal, horizontally oriented siding; a simple, rectangular form; and a pitched shed roof. Neutral greys and blues have been selected, which are found in the existing natural environment and are complementary to the neutral tones of buildings within the area. As with the adjacent agricultural compounds, the Sandy pump station color palette is consistent with the filtration facility building complex. The pump station is consistent in height with the typical one- to two-story buildings found in the area and has a footprint consistent with accessory residential and agricultural buildings. The small utility cabinets (shown within the fence near the entry drive in Figure 16) are painted to match the pump station color and fully screened by the surrounding fence and landscaping. Again, the surrounding natural environment is predominantly agrarian, with rolling hills and areas of dense vegetation. Residences along Carpenter Lane also feature landscaping such as hedges and trees. The filtration facility site includes earthen mounds to the west and north of the proposed pump station. The rise of these earthen mounds is 10 feet, which will provide significant screening for western and northern viewpoints. The pump station will be surrounded by new landscaping, including a mix of trees, shrubs, and ground cover, shown in Appendix A, Sheet -L-101. Grasscrete is proposed to the north to reduce impervious paving and soften the impact of hardscaping. The landscaping will blend the pump station with the forest to the east and the existing surrounding residential landscaping, resulting in a harmonious visual relationship demonstrated in Figure 18 and Figure 19.

- c. Each element of the design review plan shall effectively, efficiently, and attractively serve its function. The elements shall be on a human scale, inter related, and shall provide spatial variety and order.*

Response: The pump station is an unmanned utility facility that serves its function effectively and efficiently. The pump station is located directly north of the clearwell, efficiently drawing

water from finished water conduits next to the source (Figure 1). The pump station sits at the north edge of the filtration facility complex, providing ease of accessibility for the City of Sandy. The Sandy water transmission line follows a short, direct path across the filtration facility site and down to Bluff Road, where it continues south to the City of Sandy system. The Sandy pump station would serve both transmission and fire water needs; an improvement compared to the approved alternative with separate buildings for the PHPS and fire pump station. The pump station attractively serves its function: it is a utilitarian function and has a utilitarian design while being sympathetic to its agricultural and natural surroundings as discussed in findings for MCC 39.8040(A)(1)(a). Additionally, the pump station and appurtenances utilize the same design language as the filtration facility, including consistent rooflines, colors, and materials, contributing to a consistent campus feel. Proposed fencing around the pump station is required for security, but has been designed to be attractive and complementary to the fencing surrounding the wider filtration facility building complex.

Recognizing the utilitarian nature of the design, the proposed landscaping and berm will reduce views of the site and soften the impact of the pump station on its surroundings. The landscape design uses grasscrete to reduce the amount of impervious surface. A mix of trees, shrubs, and ground covers are proposed to the north and east to provide screening for the nearest public viewpoints from SE Carpenter Lane and the residences along this road. The proposed landscaping, grasscrete, and bioswale are also effective and efficient in addressing the stormwater needs for the pump station. They also provide spatial variety and order at the site. The pump station is a one-story structure with awnings, lighted entries, low windows, and plantings that create a human-scale environment. Walkways along the building edges and at the entry, together with proposed signage and lighting, will assist in efficient site circulation and safety.

4. *Preservation of Natural Landscape - The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve their functions. Preserved trees and shrubs shall be protected during construction.*

Response: The existing natural landscape areas on and adjacent to the site will be fully protected. No existing trees or other vegetation are proposed for removal as part of this project. The proposed pump station is far from existing natural features on site, and there are no significant differences in the site grading compared to the approved filtration facility plans (Appendix A, Sheet 00-LU-302). Cut and fill volumes have been minimized as much as possible, limited to that needed to create a level surface and build the structure and associated below-grade appurtenances. Grasscrete has been used where possible, just north of the pump station, to reduce the amount of impervious surface. Otherwise, proposed landscaping and bioswales will manage stormwater runoff resulting from the additional impervious surface in this alternative.

No trees are proposed for removal as part of the proposed pump station design. Appendix A, Sheet L-101, L-102, and L-103 shows proposed new native landscaping north of the pump station.

7. *Buffering and Screening - Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.*

Response: The Sandy pump station contains most associated machinery and equipment either internally or below-grade, thus not visible from the surrounding area. As seen in Figure 16, the pump station is the primary built structure, with vaults in the paving to access below-grade machinery, two utility cabinets for check valves located within the fenced area, one parking space within the fenced area, and one small transformer cabinet outside of the fence line to the east (Sheet C-101, Appendix A). The area surrounding the pump station is paved for the below-grade infrastructure and access. Again, grasscrete is proposed north of the pump station to soften the visual impact of the paving and reduce impervious surface.

As discussed in the findings for MCC 39.8040(A)(1)(a), the pump station is not visible from the south or east due to the filtration facility landscaping, buildings, and topography. Potential views of the pump station will primarily be from SE Carpenter Lane to the north and the agricultural use to the west. The proposed pump station maintains a large front setback (112 feet) from SE Carpenter Lane to the north. It expands the west setback by an additional 140 feet as compared to the approved PHPS for a total of approximately 410 feet. As seen in the landscape plan (Sheet -L-102, Appendix A), there are native plantings to the north and a berm to the north and west of the pump station that provide screening for the structure. The two small utility cabinets are similarly screened and are shorter than the surrounding fence. Proposed plantings surround the small additional cabinet outside of the fence line to the east (Sheet -L-102, Appendix A). As shown in Figure 18, the proposed berms and landscaping will screen the pump station and associated machinery and paving from SE Carpenter Lane and neighboring properties. The variety in plant size and species will create a natural look and minimize visual impact of the pump station when viewed from adjacent properties or roadways.

As detailed in Appendix F, the noise from the pump station will comply with Multnomah County and Clackamas County Noise Codes at the adjacent property lines, which impose a 60 dBA daytime and 50 dBA nighttime limit. Proposed landscaping and berms north and west of the pump station will add an additional layer of sound buffering. As such, the pump station will continue to meet the conditions of approval as they relate to noise in Land Use Case T3-2022-16220.

MCC 39.8045 Required Minimum Standards

A. Private and Shared Outdoor Recreation Areas in Residential Developments: [...]

Response: A residential development is not proposed; the standard does not apply.

B. Storage

Residential Developments - Convenient areas shall be provided in residential developments for the storage of articles such as bicycles, barbecues, luggage, outdoor furniture, etc. These areas shall be entirely enclosed.

Response: A residential development is not proposed; the standard does not apply.

C. Required Landscape Areas

The following landscape requirements are established for developments subject to design review plan approval:

- 1. A minimum of 15% of the development area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subpart 3 of this subsection.*

Response: The Sandy pump station development site, shown on Sheet L-100 of Appendix A, is 25,872 square feet. Of that area 16,685 square feet are proposed as landscaped areas, and include a mix of trees, shrubs, and groundcover (Sheet LU-104). This area does not include the grasscrete portion of the site. Therefore, 64% of the Sandy pump station development site is landscaped. As shown on Sheets L-100, L-101 and L-102, all areas affected by this proposal and not otherwise improved are landscaped.

- 2. The following landscape requirements shall apply to parking and loading areas:*

- a. A parking or loading area providing ten or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.*
- b. A parking or loading area shall be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least 5 feet in width.*
- c. A landscaped strip separating a parking or loading area from a street shall contain:*

1. *Street trees spaces as appropriate to the species, not to exceed 50 feet apart, on the average;*
 2. *Low shrubs, not to reach a height greater than 3'0", spaced no more than 5 feet apart, on the average; and*
 3. *Vegetative ground cover.*
- d. *Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.*
 - e. *A parking landscape area shall have a width of not less than 5 feet.*

Response: There is one parking space proposed in this application, therefore, MCC 39.8045(C)(3)(a), (d) and (e) do not apply. The site's northern lot line abuts Carpenter Lane, therefore the requirement for a 10-foot landscaped strip that meet MCC 39.8045(C)(3)(b) and (c) applies. The parking area is set back more than 120 feet from the northern lot line and Carpenter Lane. In between the parking area and Carpenter Lane is a 70 ft wide strip of landscaping, as shown on Sheets L-101 and L-102 of Appendix A: Plan Set. The landscaping includes tree and shrub planting clusters and groundcover. Tree plantings have a spacing of less than 50 feet. Low shrubs are provided at a spacing of 5 feet, with ground cover applied to the remaining landscaped areas. Per MCC 39.8045(C)(3)(b), a 5 feet landscaped strip between the parking area and the east, west and southern lot line is required. To the east, south and west of the parking area are hundreds of feet of landscaped areas, including groundcover, trees and shrubs (Sheets L-101, L-102, and L-104) exceeding the required 5 foot wide landscaped strip.

3. *Provision shall be made for watering planting areas where such care is required.*
4. *Required landscaping shall be continuously maintained.*

Response: The applicant acknowledges that landscaping for the project must be continuously maintained.

5. *Maximum height of tree species shall be considered when planting under overhead utility lines.*

Response: The only overhead utility line on the property is within a PGE easement on the west property line, hundreds of feet from the proposed Sandy pump station; no trees are proposed under this line.

6. *Landscaped means the improvement of land by means such as contouring, planting, and the location of outdoor structures, furniture, walkways and similar features.*

Response: The proposed landscaping near the pump station includes contouring, planting, and walkways.

5. Exterior Lighting Standards and Criteria

MCC 39.6850 Dark Sky Lighting Standards

- A. *The purpose of the Dark Sky Lighting Standards in this Section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.*
- B. *The following exterior lighting is exempt from the requirements of paragraph (C) of this section:*

Response: The proposed Sandy pump station lighting does not fall under any exemptions in MCC 39.6850-(B). Therefore, the requirements of paragraph (C) are addressed below.

- C. *The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.*
 - 1. *The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. “Fully shielded” means no light is emitted above the horizontal plane located at the lowest point of the fixture’s shielding. Shielding must be permanently attached.*
 - 2. *The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.*

Response: The lighting study attached as Appendix D demonstrates compliance with Multnomah County Dark Sky Lighting Standards and documents the proposed lights do not trespass light beyond the site property lines. Proposed exterior lighting will be fully shielded and directed downwards. Lighting cutsheets showing each fixture type are provided in Appendix D.

6. Sign Code Standards

MCC 39.6720 Exempt Signs

The following signs are exempt from the provisions of this Subpart, but may be subject to other portions of the County Zoning Code:

- A. Signs not oriented or intended to be legible from a right-of-way, private road or other private property; [...]*

Response: The pump station includes a sign on the east elevation above the door. This sign is not oriented towards the Carpenter Lane ROW and is not intended to be legible from the ROW, or other private property; therefore the sign is exempt and the sign code standards do not apply to this application.

7. Lot of Record Review

MCC 39.3005- Lot of Record-Generally

(A) An area of land is a “Lot of Record” if it meets the standards in Subsection (B) of this Section and meets the standards set forth in this Part for the Zoning District in which the area of land is located. [...]

Response: Multnomah County made a Lot of Record determination for the two subject properties, 36910 SE Lusted Rd (1S4E23C-01400), 36800 SE Lusted Rd (1S4E23C-01500), and 1S4E23C-0080 in Land Use Case, T3-2022-16220. As determined in Land Use Case T3-2022-16220, the two filtration facility lots are legal Lots of Record. These lots were consolidated through Case T1-2023-15-6600; the lot consolidation is still being processed by the County Assessor’s Office.

MCC 39.3080 Lot of Record-Multiple Use Agriculture-20 (MUA-20)

(A) In addition to the standards in MCC 39.3005, for the purposes of the MUA-20 district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

- (1) July 10, 1958, SR zone applied;*
- (2) July 10, 1958, F-2 zone applied;*
- (3) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;*
- (4) October 6, 1977, MUA-20 zone applied, Ord. 148 & 149;*
- (5) October 13, 1983, zone change from EFU to MUA-20 for some properties, Ord. 395;*

(6) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997.

(B) A Lot of Record which has less than the minimum lot size for new parcels or lots, less than the front lot line minimums required, or which does not meet the access requirement of MCC 39.4345, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

(C) Except as otherwise provided by MCC 39.4330, 39.4335, and 39.5300 through 39.5350, no sale or conveyance of any portion of a lot other than for a public purpose shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

(D) The following shall not be deemed to be a Lot of Record:

(1) An area of land described as a tax lot solely for assessment and taxation purposes;

(2) An area of land created by the foreclosure of a security interest.

(3) An area of land created by court decree.

Response: Multnomah County made a Lot of Record determination for the two subject properties, 36910 SE Lusted Rd (1S4E23C-01400), 36800 SE Lusted Rd (1S4E23C-01500), and 1S4E23C-0080 in Land Use Case, T3-2022-16220. No changes to the lots are proposed in this application. The lots of record meet the minimum lot size for new parcels and meets access requirements. As determined in Land Use Case T3-2022-16220, the two filtration facility lots are legal Lots of Record. These lots were consolidated through Case T1-2023-15-6600; the lot consolidation is still being processed by the County Assessor's Office.

8. Conclusion

In conclusion, as demonstrated in the findings and analysis included in Sections 1-7 of this application narrative (including referenced appendices and sheets), the City of Sandy believes that this proposal meets all applicable County land use approval criteria and applicable development standards.

The proposed pump station represents only minor differences compared to the previously approved PHPS/fire pump plan in Case T3-2022-16220. The relatively small Sandy pump station building will be over 100 feet from property boundaries, screened by landscaping, and will be an unmanned facility requiring no additional trip generation. In summary, the development is consistent with the character of the area, will have no significant adverse impact on the surrounding area and activities, and the land use approval criteria are met.

The applicant appreciates the assistance that Multnomah County staff has provided thus far in the review process and looks forward to working with Multnomah County staff to address any questions that may arise during the review process.