Multnomah County
Department of Community Services
Land Use Planning Division
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Date: November 13, 2026

To: Dan Kearns, Hearings Officer for T3-2026-0012

From: Multnomah County Land Use Planning Division

Subject: Conditions of Approval Clarification – Additional Update

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Proposed Condition of Approval No. 3 currently states that the City of Sandy and the Portland Water Bureau need to execute an agreement[1] to accomplish a variety of outcomes, provided in the footnote, prior to the issuance of a Certificate of Occupancy. The County would like to amend Condition of Approval No. 3 to require the agreement to be completed prior to obtaining a Zoning Plan Review approval from Land Use Planning for the Sandy Pump Station.

While there have been and are exceptions from time to time, it is the County's typical process to require such agreements to be completed with the Zoning Plan Review. After the Zoning Plan Review is completed, the applicant will seek building and trade permits from, in this case, the City of Gresham. The County does not have a Building Official and contracts with the City of Gresham and the City of Portland to review and issue building and trade permits.

The Zoning Plan Review is typically, but not always, the County's last land use review on a project. The recommended agreement is proposed because the County wants to ensure that the City of Sandy, which does not own the property, has the right to access, construct, and maintain the proposed use. It is reasonable to

[1] Proposed Condition of Approval No. 3 states that agreement should: (a) Grant the City of Sandy the right to develop, access, and operate the drinking water pump station, and plant and maintain the landscape areas required by this decision; (b), Grant the City of Sandy the right to either discharge stormwater to the filtration facility stormwater system, consistent with this application or infiltrate stormwater from the SPS on-site. If stormwater will be infiltrated on-site and not discharged to the filtration facility stormwater system, the applicant must provide an updated Stormwater Design Certificate to Land Use Planning for review at the time of Zoning Plan Review; and (c) Prohibit the construction of the pump stations (Pleasant Home and fire service) approved through T3-2022-16220 if the Sandy Pump Station is constructed, unless the County grants a separate land use approval specifically authorizing that construction after the expiration of this permit.

request that this agreement be completed prior to the City of Sandy obtaining approval to construct the building from the City of Gresham.

This change will also make proposed Condition of Approval No. 3 consistent with Condition of Approval No. 4, which requires the applicant to submit evidence that Conditions of Approval Nos. 1 through 3 were completed as part of the Zoning Plan Review application.

Again, Land Use Planning finds that our proposed timing, completion prior to Zoning Plan Review, is reasonable, but if the applicant provides a compelling argument to the contrary, we understand that the decision is at the discretion of the Hearings Officer.