

File # 26-029 ZC

**Bornstedt Views
Subdivision
FSH Overlay
Zone Amendment**

City Council
October 5, 2026

Vicinity Map



ORIGIN OF THE ZONING AMENDMENT REQUEST

At the July 28, 2022, Planning Commission meeting for the Bornstedt Views subdivision, the Planning Commission conditioned its approval on the developer completing an environmental report and submitting it to the Oregon Department of State Lands (DSL) to identify if there are any delineated wetlands on the project site.

The zone change request is predicated on the Departments of State Lands (DSL) confirmation that there are wetlands associated with an Ephemeral waterway on the property. Within the study area, one wetland totaling approximately 0.03 acres and one ephemeral stream were identified.

An Ephemeral Stream is defined as:

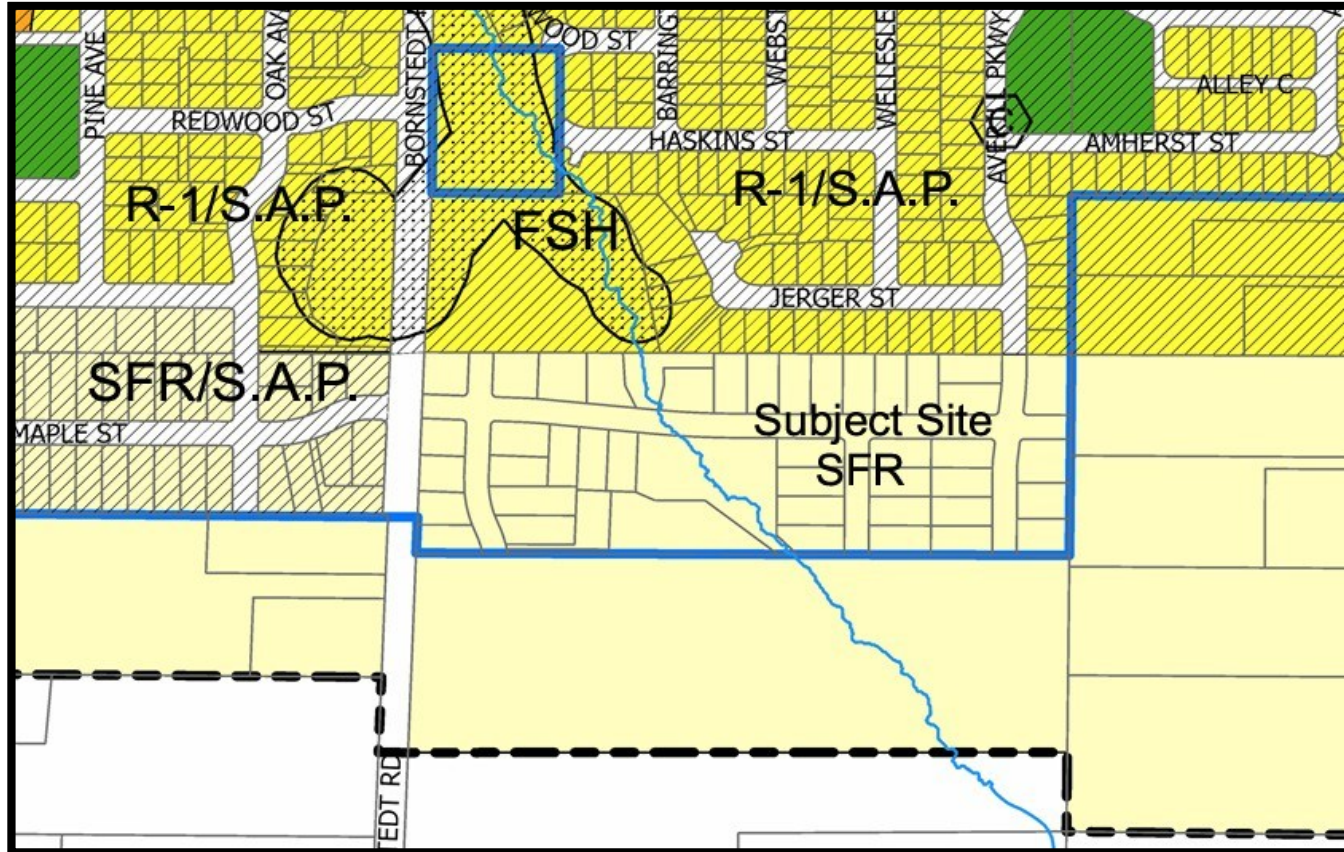
“A stream that has flowing water only during or for a short duration after precipitation events in a typical year. In many states, this term refers to streambeds that are located above the water table year-round and streams where groundwater is not a source of water for the stream.”

The stream continues to follow in its original path through Bornstedt Views but now travels through the detention pond and outfalls into its original stream channel under Maple Street. The tailwater just below the outlet is where the stream continues to travel through the wetland area before it continues north off the property.

Type IV Zone Change - Quasi-judicial process of adding the Flood and Slope Hazard (FSH) Overlay District to two lots and one tract in the Bornstedt Views subdivision.



Zoning Map

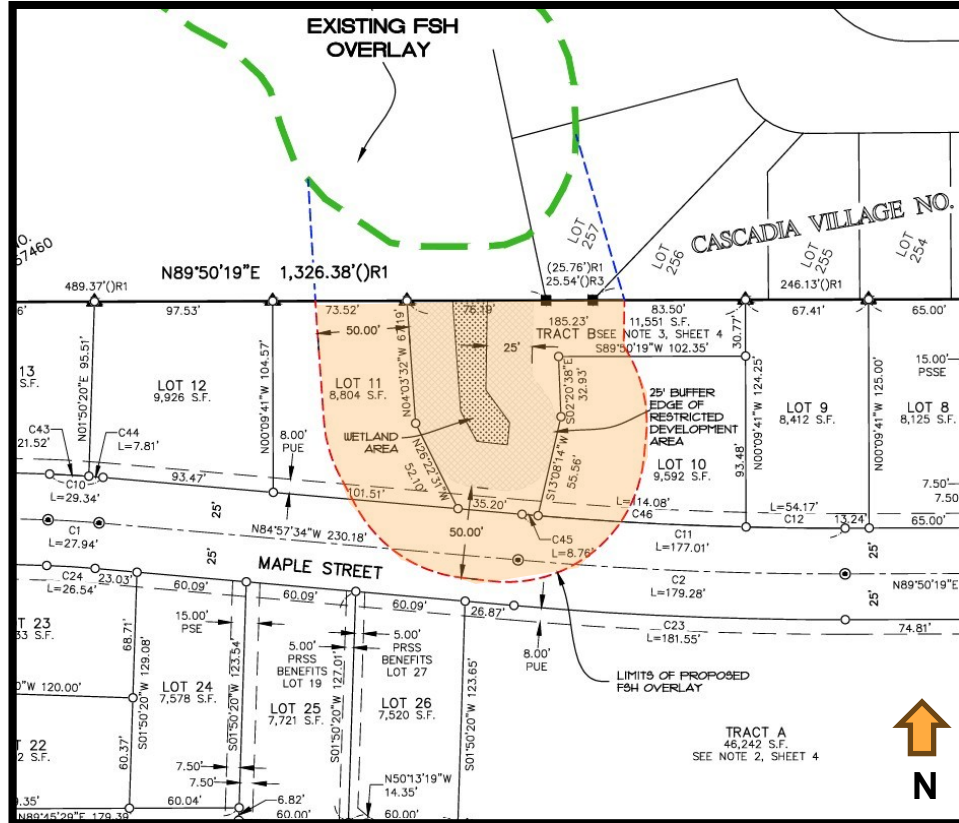


Zoning Map
Sandy, Oregon
Adopted February 5, 2025
Ordinance No. 2025-01



-  Streams
-  Urban Growth Boundary
-  City Limits
-  Planned Unit Development (P.D.)
-  Cascadia Development
-  Bornstedt Village (S.A.P.)
-  FSH Overlay
-  POS (Parks & Open Space)
-  SFR (Single Family Residential)
-  R-1 (Low Density Residential)
-  R-2 (Medium Density Residential)

Bornstedt Views FSH Overlay Sketch Map



Sec. 17.60.30. Required setback areas.

Setback areas shall be required to protect water quality and maintain slope stability near stream corridors and locally significant wetlands. Setbacks are measured horizontally from, parallel to, and upland from the protected feature.

A. *Required Setbacks.* The required special setback(s), as illustrated in Figure 1, shall be:

- Eighty feet from the top of bank of Tickle Creek and other fish-bearing streams (this supersedes the setback in Figure 1).
- Fifty feet from the top of bank along other perennial streams, except for "No Name Creek" east of Towle Drive, as provided in Subsection 17.60.30.C.2.
- Twenty-five feet around the edge of any mapped locally significant wetland.

LEGEND

- LIMITS OF PROPOSED FSH OVERLAY
- POTENTIAL FSH OVERLAY OFF SITE
- EXISTING FSH OVERLAY



The tailwater from the detention basin is discharged into its original stream channel under Maple Street.

The stream will follow its original path through the wetland area before it continues north off the property.



Chapter 17.26 Zoning District Amendments

Section 17.26.40. Quasi-judicial amendment procedures.

All zoning district changes not deemed legislative shall be quasi-judicial.

- A. *Initiation-Quasi-Judicial.* Initiation of a zoning district change that is quasi-judicial in nature may be accomplished by one of the following ways:
 - 1. Filing of an application by the owner(s) of the subject property(ies);
- B. *Review Criteria.* Quasi-judicial zoning district changes shall be reviewed to:
 - 1. Determine the effects on City facilities and services;
 - 2. To assure consistency with the purposes of this chapter;
 - 3. To assure consistency with the policies of the Comprehensive Plan;
 - 4. To assure consistency with the Statewide Planning Goals as may be necessary, and any other applicable policies and standards adopted by the City Council.

Recommendation

The Planning Commission and staff recommend the City Council approve the request for the zone change based on the findings outlined in the staff report and summarized in the conclusion.

Recommended Motion

I move to adopt the first reading of Ordinance No. 2026-22 *to amend the City's Zoning Map by adding the Flood and Slope Hazard (FSH) overlay zone to the subject properties in Bornstedt Views Subdivision.*