

**Sandy Planning Commission
Regular Meeting
Monday, April 22, 2024**

Chair Wegener called the meeting to order at 6:32 p.m.

1. MEETING FORMAT NOTICE: Instructions for electronic meeting

2. ROLL CALL

Commissioner Crosby – Present
Commissioner Poulin – Present
Commissioner Ramseyer – Present
Commissioner Vincent – Present
Commissioner Myhrum – Absent
Vice Chair Weinberg – Excused
Chair Wegener – Present

Council Liaison Mayton – Present

Others present: Development Services Director Kelly O’Neill Jr., Executive Assistant Rebecca Markham, Senior Planner Patrick Depa, City Attorney Josh Soper

3. APPROVAL OF MINUTES – February 26, 2024

Chair Wegener asked for any edits to the draft minutes. With no requested edits, Wegener declared the minutes approved.

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

None

5. DIRECTOR’S REPORT

Development Services Director Kelly O’Neill Jr. updated the Commissioners on the two upcoming work sessions discussing the Comprehensive Plan with the City Council on May 20th and the work session on Development Code Amendments that was scheduled for May 28th. After some discussion, the Planning Commission decided to move the work session scheduled for May 28th to June 10th.

O’Neill provided an update on the moratorium and the Commissioners asked O’Neill about the additional 270 ERU’s. O’Neill said that the updated resolution with the additional 270 ERU’s will be presented to the City Council on June 3rd for adoption.

6. NEW BUSINESS:

6.1. Land Use Approval Extension Ordinance (File No. 24-020 DCA)

Chair Wegener opened the legislative hearing on File No. 24-020 DCA at 6:46 p.m. Wegener called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. No challenges were made, and no declarations were made by the Planning Commission.

Staff Report:

O'Neill provided the Commission with the background, reason for the ordinance, and went over who would qualify. He explained that the ordinance will only allow for allocating ERU's for already approved developments prior to October 3, 2022, and will assist developers in gaining lending.

O'Neill also mentioned the public comments staff received from Next Adventure, Margo Clinton with SGS Development (Sandy Woods II), and Garrett Stephenson for Dave Vandehey (Bull Run Terrace). Mr. Stephenson on behalf of Bull Run Terrace supports the ordinance but would like to see a few modifications for "clear and objective" purposes and requests a two (2) year extension instead of the one (1) year extension being proposed.

O'Neill finished with staff's recommendation that the Planning Commission review the ordinance and findings and provide a recommendation to City Council.

Public Testimony in Favor:

Dave Vandehey
PO Box 703
Cornelius, OR 97113

Mr. Vandehey thanked O'Neill and said he did a great job summarizing the ordinance and their request for modifications. Vandehey explained their challenges and the reason for their request to modify the ordinance to two years from the one year being presented by staff.

Public Testimony in against:

None

Public Testimony neutral:

None

Staff Recap:

O'Neill said that he doesn't feel strongly one way or another on the modification or on changing the ordinance from one year to two years as requested by Mr. Vandehey's attorney.

Motion: Motion to close the public hearing at 7:03 p.m.

Moved By: Commissioner Crosby

Seconded By: Commissioner Ramseyer

Yes votes: All Ayes

No votes: None

Abstentions: None

Discussion:

The Commissioners discussed the request to modify the ordinance from one year to two years and had some concerns about the longer extension request. Chair Wegener stated that he doesn't like longer extensions but he's also neutral on either one or two years. Commissioner Crosby said he's also neutral on the modification to extend to two years but said the two years does give more assurance to lenders. Commissioner Ramseyer was concerned that two years would create a lapse in urgency and was not in favor of the two-year modification.

After some discussion, the Commissioners discussed ways to draft language that would allow a two-year extension only for projects that meet certain criteria such as size, scope, or related to a letter from a financial institution. Ramseyer also wanted something specified that wouldn't allow the applicant to modify the project.

Motion: Motion to forward the ordinance for File No. 24-020 DCA to the City Council for their approval with the addition of staff and the City Attorney drafting language that would allow for a two-year extension based on the complexity or size of the project, a letter from a financial institution, and that the development could not be altered.

Moved By: Commissioner Crosby
Seconded By: Commissioner Ramseyer
Yes votes: All Ayes
No votes: None
Abstentions: None

7. WORK SESSION:

7.1. Sign Code Modifications (Chapter 15.32)

O'Neill explained to the Commissioners that the last time the sign code was updated was in 2011. He also stated that staff started these modifications back in 2017 and worked closely with the City Attorney on the changes.

O'Neill said that the main modifications centered around removing First Amendment violations. He explained that the sign code is full of First Amendment rights violations such as what types of flags citizens can fly. He said the existing sign code is also very hard to understand and is very complicated.

O'Neill went through all the modifications with the Commission and answered their questions.

The Commission would like to see modifications to the reference of "watts" by having that updated to either "lumens" or the most up to date measurement of lighting.

Chair Wegener said that under "projecting signs" in Section 15.32.020(C)(6), he noticed that "marquees" do not mention size requirements as the other signs in that section do. The Commission discussed if "marquees" should have its own section or be modified with size and clearance restrictions. O'Neill stated that staff will look into it further.

Wegener also asked about the "base" requirements within residential zones for commercial and institutional uses under Section 15.32.30 (E)(5). Wegener feels it would be a bit burdensome for a home-based business. O'Neill explained that it relates to businesses such as daycares and churches while the smaller home-based businesses are referenced in the home occupation code in Section 17.74.80. O'Neill said staff will update this section to clarify and "cross reference" the home-occupation section.

Under Section 15.32.032 it was noted that item number three (3) under "area" is a repeat of number one (1) which also references the size. Staff will remove item number three.

Wegner asked for additional clarity under "prohibited signs" in Section 15.32.080(E) that mentions signs placed on motor vehicles. There was discussion about if it was clear enough to differentiate between work vehicles and larger non-operational parked trailers, semi-trucks, and other large stationary vehicles advertising a business. O'Neill stated that staff will modify and add clarity to the section. It was also noted in this same section there was a duplicate mention of the food cart exemption. O'Neill will remove one of the repeat sentences.

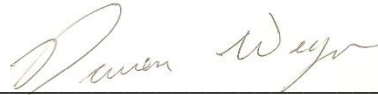
Under "nonconforming signs" (Section 15.32.060), Section A, number three (3), Crosby would like to see the wording "shall be abandoned" removed from the end of the sentence as he felt

there was no definition to determine what “abandoned” meant. O’Neill said that staff will review.

Ending the discussion, the Commission had questions about electronic menu boards that could be facing the right-of-way. O’Neill said that staff will review the electronic menu board regulations further.

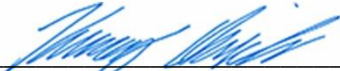
8. ADJOURNMENT

Chair Wegener adjourned the meeting at 9:04 p.m.



Chair Darren Wegener

Attest:



Kelly O’Neill Jr.,
Development Services Director

Date signed: June 10, 2024