

City of Sandy

Agenda

City Council Meeting

Meeting Location: City Hall- Council Chambers, 39250
Pioneer Blvd., Sandy, Oregon 97055

Meeting Date: Monday, October 21, 2019

Meeting Time: 6:00 PM



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1. WORK SESSION - 6:00 PM	
1.1. Sandy Style Design Standards Overview Sandy Style Design Standards Overview - Pdf	3
2. REGULAR MEETING - 7:00 PM	
3. PLEDGE OF ALLEGIANCE	
4. ROLL CALL	
5. CHANGES TO THE AGENDA	
6. PUBLIC COMMENT	
7. CONSENT AGENDA	
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9. RESOLUTIONS

- 9.1. Continuation of Hearing on Wastewater SDCs Resolutions 2019-17 and 2019-18 40 - 44
[Continuation of Hearing for Wastewater SDCs Resolutions 2019-17 and 2019-18 - Pdf](#)

10. REPORT FROM THE CITY MANAGER

11. COMMITTEE /COUNCIL REPORTS

12. STAFF UPDATES

- 12.1. [Monthly Reports](#)

13. ADJOURN

14. EXECUTIVE SESSION

- 14.1. ORS 192.660(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.



Staff Report

Meeting Date: October 21, 2019

From Kelly O'Neill, Development Services Director

SUBJECT: Sandy Style Design Standards Overview

Background:

Staff will be presenting the history and an overview of the City of Sandy's design standards, known as Sandy Style. For reference, the design standards can be found in [Chapter 17.90 in the Sandy Municipal Code](#).

Recommendation:

This is a work session intended to provide an overview and background on the Sandy Style, applicability of the standards, examples, and to answer City Councilor questions. No decision options or recommendations will be presented.



MINUTES
City Council Meeting
Monday, October 7, 2019 City Hall- Council Chambers, 39250
Pioneer Blvd., Sandy, Oregon 97055 6:00 PM

COUNCIL PRESENT: Stan Pulliam, Mayor, Jeremy Pietzold, Council President, John Hamblin, Councilor, Laurie Smallwood, Councilor, Jan Lee, Councilor, Carl Exner, Councilor, and Bethany Shultz, Councilor

COUNCIL ABSENT:

STAFF PRESENT: Jordan Wheeler, City Manager, Tyler Deems, Finance Director, Ernie Roberts, Police Chief, Jerry Crosby, Commissioner, Ron Lesowski, Commissioner, and Hollis MacLean-Wenzel, Commissioner

MEDIA PRESENT:

1. Work Session 6:00 PM

- 1.1. Roll Call
- 1.2. Agenda Review
- 1.3. Council - Conflicts, Land Use Proceedings (BEH)

David Doughman, City Attorney, presented to those in attendance information related to land use in Oregon. Council and Commissioners asked clarifying questions throughout the presentation.

- 1.4. Adjourn Work Session

2. Regular Meeting 7:00 PM

3. Pledge of Allegiance

4. Roll Call

5. Changes to the Agenda
None.

6. Public Comment

Jerry Crosby, 37390 Dubarko Road, addressed Council regarding future proposed code changes, speaking on behalf of the Planning Commission and allowing mixed use

spaces within the city.

7. Presentation

7.1. Library Haunt Presentation

Rebecca Robinowitz, Teen Librarian, presented to Council with members of Creatures of the Night. Also presented was information regarding the Teen Program at the Sandy Public Library. This years Haunted Library is being held at the Sandy Community Campus.

David D. Jones, Creatures of the Night, provided additional information on the history of Creatures of the Night.

8. Consent Agenda

8.1. City Council Minutes

9. New Business

9.1. Library District Taskforce Update

Sarah McIntyre, Library Director, introduced two members of the Library Taskforce who presented information on the upcoming activities of the taskforce. The two members were Kathryn Kohl, Clackamas County Library Network Director, and Greg Williams, Deputy Director of Business and Community Services.

10. Old Business

10.1. Continuation of Hearing on Wastewater System Facilities Plan

Staff Report - 0185

Mayor Pulliam continued the Public Hearing at 7:42 pm.

Mike Walker, Public Works Director, addressed Council related to the Wastewater Facilities Plan. Director Walker provided background information from the prior meeting, which was held on September 16th. The recommendation from the prior meeting remains the same, which was to adopt the recommended alternative to the plan, and split the plan into two phases. These phases would include discharge into the Sandy River, which still needs additional research. This would be funded by the \$500,000 allocation that the City was awarded during the last legislative session.

Discussion among Council and Staff occurred.

Julie Stephens, 12933 SE Ten Eyck Road, addressed Council regarding the old Roslin Lake and potential flooding issues. Photos were provided to depict past flooding issues.

Levi Levassa, Stafford Development Company 8840 SW Holly Lane Wilsonville, OR, addressed Council related to additional analysis needing to be completed prior to adoption.

Director Walker provided a recap, and suggested no changes to the original recommendation.

Motion to Close the Public Hearing - Moved by Peitzold, seconded by Exner. The vote was unanimous.

Council discussion occurred, which included questions directed to staff.

Moved by Jan Lee, seconded by John Hamblin

Move to adopt the Wastewater Facilities Plan with Alternative D.

CARRIED.

11. Resolutions

11.1. Public Hearing - Wastewater System Development Charges

Staff Report - 0187

Mayor Pulliam opened the Public Hearing at 8:20 pm.

Mike Walker, Public Works Director, provided information related to System Development Charges (SDCs). With the need for the new Wastewater Treatment Facility, it is necessary to increase the SDCs for wastewater. The proposed increase in approximately \$3,000 per equivalent residential unit.

Discussion between Council and Staff occurred.

Jim Raze, Raze Custom Homes 4020 NE 216th Ave, Fairview, OR, expressed his frustration with the timeliness of the notice that he received in relation to the proposed increase in SDCs.

Levi Levassa, Stafford Development Company 8840 SW Holly Lane, Wilsonville, OR, addressed Council and suggested the SDC increase going into effect in ninety days. He is concerned that the costs are going to be passed on to subdivisions that have already been approved, instead of on future subdivisions that are not currently in the works.

Director Walker addressed some of the comments that were made during public testimony.

Motion to Close the Public Hearing moved by Councilor Pietzold, seconded by Councilor Hamblin. The motion passed unanimously.

Council discussed delaying the effective date of the SDC increase. Various councilors believed that January 1, 2020 was an appropriate new effective date.

Moved by Laurie Smallwood, seconded by Carl Exner

Motion to extend the Public Hearing to October 21, 2019.

CARRIED.

11.2. Continuation of Hearing on Utility Rate Changes

Staff Report - 0184

Mayor Pulliam opened the public hearing at 8:59 pm.

Mike Walker, Public Works Director, provided background information on the proposed utility rates. Discussion between Staff and Council occurred.

Greg Becker, 14585 Bluff Road, provided testimony against the proposed rate increases.

Director Walker provided no change to the original staff report, but addressed comments that were made during public testimony.

Motion to close the Public Hearing moved by Councilor Pietzold, seconded by Councilor Hamblin. The motion passed unanimously.

A short discussion took place between Councilors. Council determined that the language in the resolution needed to be amended to show that the rates

would become effective with the December/January billing cycle.

Moved by John Hamblin, seconded by Carl Exner

Motion to adopt Resolution 2019-19, amending the dates to reflect the December 15, 2019 to January 15, 2020 billing cycle.

CARRIED.

12. Report from the City Manager

Jordan Wheeler, City Manager, provided Council with information related to green infrastructure. Also noted was the upcoming Clackamas Cities Dinner on October 24th, and Community Campus costs updates. A lengthy discussion regarding the gym took place.

13. Committee /Council Reports

Councilor Shultz provided a recap of her recent attendance at the League of Oregon Cities (LOC) Conference.

Councilor Exner delivered an update on the Thomas mural restoration that the Arts Commission is currently working on. Also discussed was the Sandy High School Water Polo team.

Councilor Lee updated Council on the status of the Clackamas County budget. Additionally, an update on the 100 Year Water Vision was discussed.

Councilor Smallwood thanked the Police Department for their recent "Coffee with a Cop."

Councilor Pietzold provided a recap of his recent attendance at the League of Oregon Cities Conference. Additionally, he would like to look at the possibility of getting a Bottle Drop in Sandy.

Mayor Pulliam passed around "Thank You" cards for Councilors to sign to thank various businesses for their contributions at the LOC Conference. Additional information from the recent C-4 meeting was provided. Also discussed was the Sandy dental clinic that was recently held with the help of the Seventh Day Adventist church.

13.1. Community Campus Community Survey

Staff Report - 0186

Mayor Pulliam provided Council with information on the recent meeting with CDRI, who will be conducting the community survey for the Community Campus.

14. Staff updates

14.1. [Monthly Reports](#)

15. Adjourn



Mayor, Stan Pulliam



City Recorder, Karey Milne

Draft



Staff Report

Meeting Date: October 21, 2019
From Sarah Richardson, Community Services
SUBJECT: Parks and Trails Advisory Board Applicant

Background:

The Parks and Trails Advisory Board ideally consists of seven members. Currently there are four active members on the board. To encourage new applicants, current board members and staff have been reaching out to the community and inviting new individuals to apply.

Makoto Lane attended a recent meeting of the Parks and Trails Advisory Board and has been interviewed by council liaison Laurie Smallwood, Board Chair Kathleen Walker, and Staff Liaison Sarah Richardson.

Makoto Lane recently moved with his young family from Hawaii to Sandy and brings with him a background in community service and outreach.

His experience includes working with community service organizations, parks and recreation, non-profit administration, and county legislative lobbying.

He is eager to learn more about Sandy, has a passion for parks, trails and outdoor spaces, and hopes to have a positive impact on his community. Makoto expects to be in Sandy for a long time and has grown to love his new hometown.

Recommendation:

Appoint Makoto Lane to the Parks and Trails Advisory Board for a 4-year term.

Budgetary Impact:

None.



Staff Report

Meeting Date: October 21, 2019
From Emily Meharg, Associate Planner
SUBJECT: 19-021 ZC FSH Overlay map update

Background:

The City of Sandy is requesting a Zone Map amendment to update the Flood & Slope Hazard (FSH) Overlay for two (2) tax lots that were annexed into City limits following the June 2017 Urban Growth Boundary (UGB) expansion.

Recommendation:

The Planning Commission voted 7-0 to forward a recommendation of approval to City Council that the proposed Zone Map amendment be approved to update the FSH overlay to include the two (2) subject lots.

Code Analysis:

See attached

Budgetary Impact:

None

**STAFF REPORT
TYPE IV LAND USE PROPOSAL**

REPORT DATE: October 10, 2019

SUBJECT: File No. 19-021 ZC FSH Overlay Map Update

AGENDA DATE: October 21, 2019

DEPARTMENT: Planning Division

STAFF CONTACT: Emily Meharg, Associate Planner

EXHIBITS:

Applicant's Submittals

- A. City of Sandy Updated FSH Overlay Map
- B. Map of FSH Overlay on 19124 Jacoby Road
- C. Map of FSH Overlay on 19264 Jacoby Road
- D. Staff Report for September 23, 2019 Planning Commission Hearing

Agency Comments:

None

I. BACKGROUND

A. PROCEEDING

Type IV Zone Change

B. FACTUAL INFORMATION

- 1. APPLICANT: City of Sandy
- 2. PROJECT NAME: FSH Overlay Update
- 3. LEGAL DESCRIPTION: 24E24A 02300 and 24E24A 00801
- 4. PROPERTY LOCATION: 19124 & 19264 Jacoby Road
- 5. PROPOSED AREA TO BE CHANGED: 15.86 acres (total acreage of the two lots, but the FSH Overlay area is less acreage)
- 6. PROPOSAL: The City of Sandy is requesting a Zone Map amendment to update the Flood & Slope Hazard (FSH) Overlay for two (2) tax lots that were annexed into City limits following the June 2017 Urban Growth Boundary (UGB) expansion.

7. CURRENT ZONING DISTRICT DESIGNATION: Single Family Residential (SFR)
8. PROPOSED ZONING DISTRICT DESIGNATION: Single Family Residential (SFR) with FSH Overlay
9. RESPONSE FROM GOVERNMENTAL AGENCIES, UTILITY PROVIDERS, CITY DEPARTMENTS AND THE GENERAL PUBLIC. None received

C. APPLICABLE CRITERIA: Sandy Development Code 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.26 Zoning District Amendments; 17.60 Flood & Slope Hazard (FSH) Overlay

D. BACKGROUND INFORMATION

The City of Sandy expanded its Urban Growth Boundary (UGB) in July 2017. The FSH overlay was not updated at that time, thus, the current Zoning Map does not reflect the FSH overlay on properties that were previously outside the UGB. This proposal modifies the FSH overlay on two (2) properties that annexed into the City since the UGB expansion.

E. PROCEDURAL CONSIDERATIONS

This request is being processed under a Type IV quasi-judicial review. Notification of the proposal was mailed to property owners within 500 feet of the subject property and to affected agencies on August 29, 2019. Notification of the proposal was sent to the Department of Land Conservation and Development (DLCD) on August 6, 2019 and a legal notice was published in the Sandy Post on September 4, 2019.

II. ANALYSIS OF CODE COMPLIANCE

17.26 – ZONING DISTRICT AMENDMENT

17.26.40 QUASI-JUDICIAL AMENDMENT PROCEDURES

B. Review Criteria. Quasi-judicial zoning district changes shall be reviewed to:

1. Determine the effects on City facilities and services;

RESPONSE: *The proposed zone map change will not impact City facilities and services; the application meets this criterion.*

2. To assure consistency with the purposes of this chapter;

RESPONSE: *The proposal is consistent with the purposes of this chapter. The application is being reviewed through a Type IV Quasi-Judicial Amendment to the Zoning Map as required by Chapter 17.26. Staff has determined the proposal meets applicable criteria.*

3. To assure consistency with the policies of the Comprehensive Plan;

RESPONSE: *The proposal is consistent with the policies of the Comprehensive Plan.*

Goal 1, Policy 2 – This proposed Zone Map change includes citizen participation as the approval process includes two public hearings.

Goal 2, Policy 2 – This proposal is consistent with policies of the Comprehensive Plan, state law, and intergovernmental agreements. Staff finds the proposal is consistent with the policies of the Comprehensive Plan, state law and intergovernmental agreements as reviewed throughout this staff report.

Goal 5, Policy 2 and 3 – This proposal identifies and maps the Flood and Slope Hazard (FSH) overlay analysis area for two new parcels that annexed into the City. Mapping the FSH overlay helps protect significant natural areas, particularly riparian buffers, by limiting development in these critical natural areas.

Goal 5, Policy 6 and 7 – This proposal includes preservation of open space by applying the FSH overlay zoning designation, which has code regulations to protect natural vegetation and to limit development.

Goal 5, Policy 10 – Tickle Creek runs through both properties. This proposal will help preserve the Tickle Creek open space corridor.

Goal 5, Policy 11– This proposal maps the FSH overlay, which includes stream corridors and associated buffers.

Goal 6, Policy 1 and 3 – This proposal guides future development by mapping the FSH overlay, which helps protect significant natural areas by limiting development and preserving the natural resources in the FSH area.

Goal 7, Policy 1 and 2 – This proposal maps the FSH area, which includes 25 percent and greater slopes within the FSH overlay area. Development is limited within the FSH overlay restricted development area.

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.

RESPONSE: *In order to comply with the requirements of this section the proposal must also meet the intent of the applicable Statewide Planning Goals. Based on the proposal and the location of the subject property the following Statewide Planning Goals apply to the proposal: Goals 1, 2, 5, 6, 7, and 8.*

Goal 1 – Review of this proposal includes two public hearings.

Goal 2 – This proposal identifies natural resources in compliance with the Comprehensive Plan.

Goal 5 – This proposal identifies and maps natural resources on two properties that recently annexed into the city.

Goal 6 – This proposal maps critical riparian areas and, thus, helps maintain and improve water quality. Preservation of natural vegetation within these areas also helps improve air quality.

Goal 7 – This proposal maps 25 percent and greater slopes within the FSH overlay, which helps protect people and property from potential landslides and erosion.

Goal 8 – The proposal maps the riparian area around Tickle Creek and will help protect and preserve the area while also allowing for the future expansion of the Tickle Creek Trail.

CHAPTER 17.60 – FLOOD AND SLOPE HAZARD OVERLAY DISTRICT

17.60.00 INTENT

This chapter is intended to promote the public health, safety and general welfare by minimizing public and private adverse impacts from flooding, erosion, landslides or degradation of water quality consistent with Statewide Planning Goals 6 (Air, Land and Water Resources Quality) and 7 (Areas Subject to Natural Disasters and Hazards) and the Sandy Comprehensive Plan (SCP).

RESPONSE: *This proposal will update the FSH overlay on two (2) tax lots that were included in the June 2017 UGB expansion and have been subsequently annexed into city limits.*

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) shall be:

1. 80 feet from the top of bank of Tickle Creek;
2. 50 feet from top of bank along other perennial streams, except for “No Name Creek” east of Towle Drive, as provided in Section 17.60.30.C.2 below.
3. 25 feet around the edge of any mapped locally significant wetland; and
4. 25 feet from the top of any 25% slope break where the slope break occurs within the FSH overlay district as mapped by the city.

RESPONSE: *The updated FSH overlay for these two properties identifies the FSH setback and analysis areas associated with Tickle Creek, perennial streams, and steep slopes located on the properties. There are no locally significant wetlands on either property.*

III. SUMMARY AND CONCLUSION

The applicant requests a Zone Map amendment to update the Flood & Slope Hazard (FSH) overlay for two (2) lots that were annexed into city limits following the June 2017 UGB expansion. The Planning Commission finds the proposal meets all applicable review criteria.

IV. RECOMMENDATION

The Planning Commission voted 7-0 to forward a recommendation of approval to City Council that the proposed Zone Map amendment be approved to update the FSH overlay to include the two (2) subject lots.

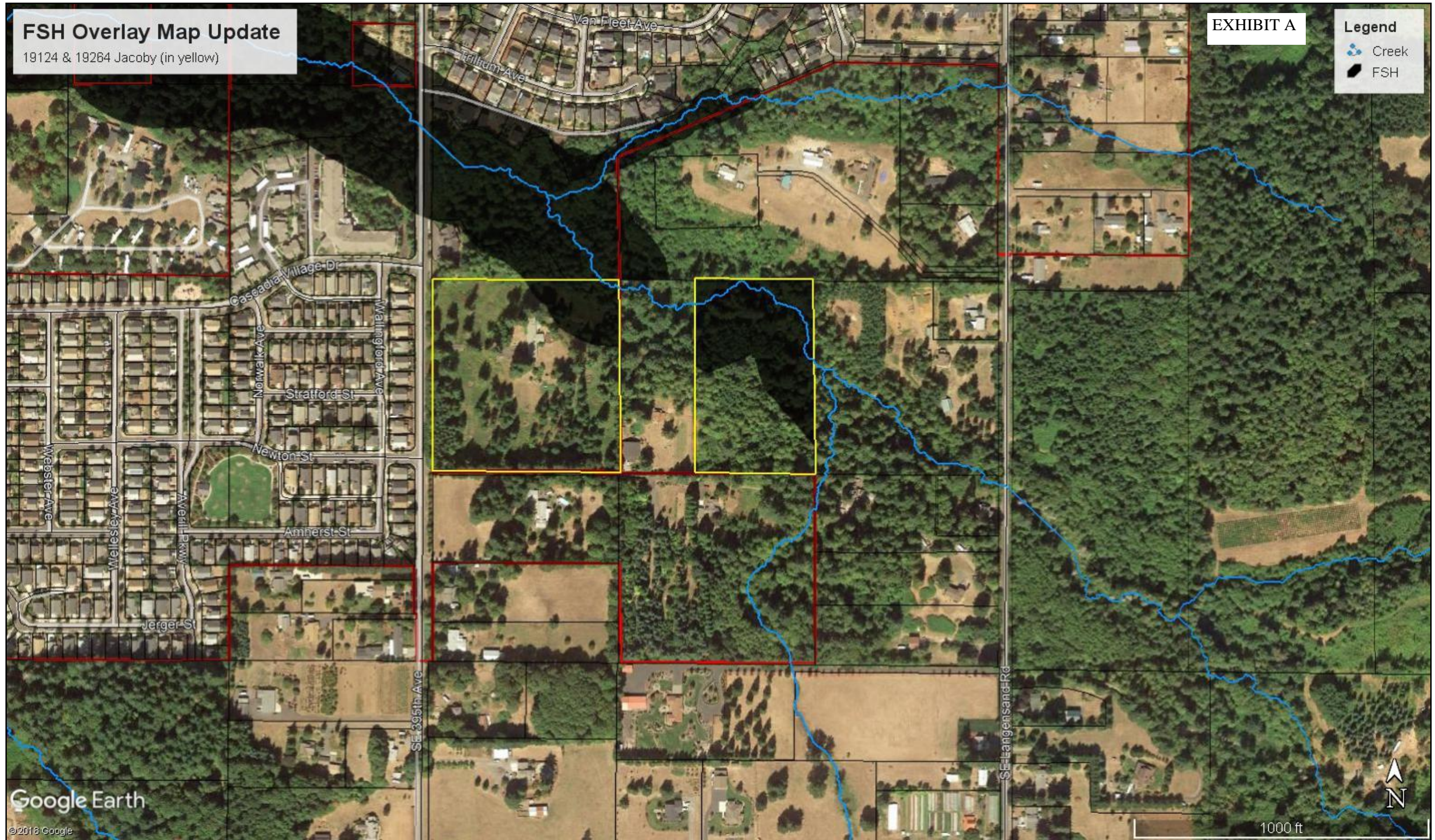
FSH Overlay Map Update

19124 & 19264 Jacoby (in yellow)

EXHIBIT A

Legend

-  Creek
-  FSH



Google Earth

©2018 Google

EXHIBIT B



CORY KNIGHT
 16153 SE ORCHARD VIEW LANE
 DA-140018 OR 91089

Surveyors & Planners, Inc.
 Surveying, Planning and
 Civil Engineering
 P.O. Box 893 Sandy, OR 97055
 Phone: (503) 888-4715
 Fax: (503) 888-4730

PROJECT: **JACOBY HEIGHTS SUBDIVISION**
FSH AND SLOPES MAP
 LOCATION: 10124 SE JACOBY RD, SANDY, OR 97055

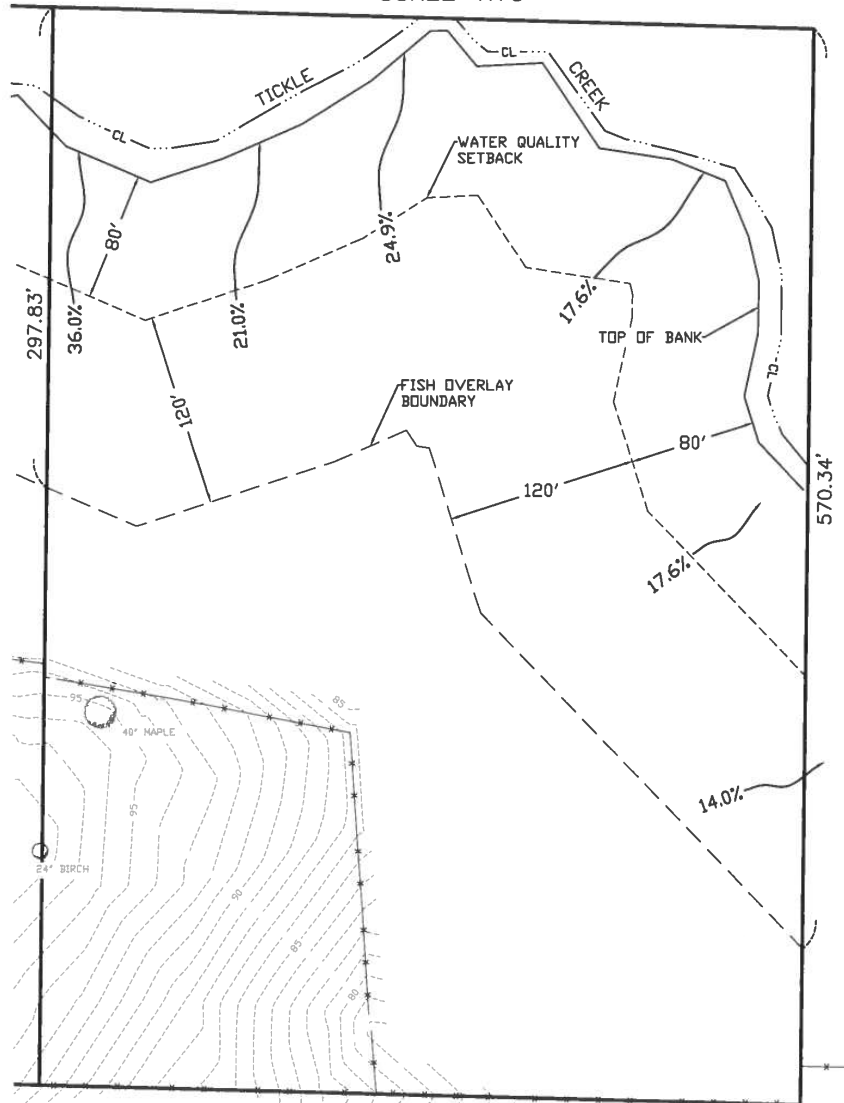
SCALE: AS SHOWN
 DATE: 06/01/2018
 FILE: 11-199-PLANNING.dwg
 LEGAL: SECTION 24 TWP 25 RANGE 4E
 PROJECT DATE: 10/27/2018

DATE NO. REVISION BY
 DESIGNED: CTH
 DRAWN: CTH
 CHECKED: RSL/PT
 APPROVED: RLT
 SHEET 4 OF 10

EXHIBIT

LOCATED IN THE NORTHEAST 1/4 OF SECTION 24
TOWNSHIP 2 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
COUNTY OF CLACKAMAS, STATE OF OREGON
PARCEL 1 OF PARTITION PLAT NO. 2008-036

SCALE: NTS



NOTE:
SLOPES SHOWN WHERE TAKE WITH A CLINOMETER AND
ARE AN APPROXIMATE REPRESENTATION OF THE GROUND
SLOPE.

CLIENT: IAN BIRD



359 E HISTORIC COLUMBIA RIVER HWY.
TROUTDALE, OREGON 97060

Firwood Design Group, LLC
SURVEYING + ENGINEERING + PLANNING

BUS: (503) 668-3737 ♦ FAX: (503) 668-3788 FILE: S19-007_exhibit.dwg
PLOT DATE: 04/04/19



Staff Report

Meeting Date: September 23, 2019
From Emily Meharg, Associate Planner
SUBJECT: 19-021 ZC FSH Overlay Map Update

Background:

The City of Sandy is requesting a Zone Map amendment to update the Flood & Slope Hazard (FSH) overlay for two (2) lots that were annexed into city limits following the June 2017 Urban Growth Boundary (UGB) expansion.

Recommendation:

Staff recommends the Planning Commission forward a recommendation of approval to City Council that the proposed Zone Map amendment be approved to update the FSH overlay to include the two (2) subject lots.

Code Analysis:

See attached

Budgetary Impact:

None

**STAFF REPORT
TYPE IV LAND USE PROPOSAL**

REPORT DATE: September 12, 2019

SUBJECT: File No. 19-021 ZC FSH Overlay Map Update

AGENDA DATE: September 23, 2019

DEPARTMENT: Planning Division

STAFF CONTACT: Emily Meharg, Associate Planner

EXHIBITS:

Applicant's Submittals

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- B. Map of FSH Overlay on 19124 Jacoby Road
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Agency Comments:

None

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A. PROCEEDING

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The applicant requests a Zone Map amendment to update the Flood & Slope Hazard (FSH) overlay for two (2) lots that were annexed into city limits following the June 2017 UGB expansion. Staff finds the proposal meets all applicable review criteria.

IV. RECOMMENDATION

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FSH Overlay Map Update

19124 & 19264 Jacoby (in yellow)

EXHIBIT A

Legend

-  Creek
-  FSH

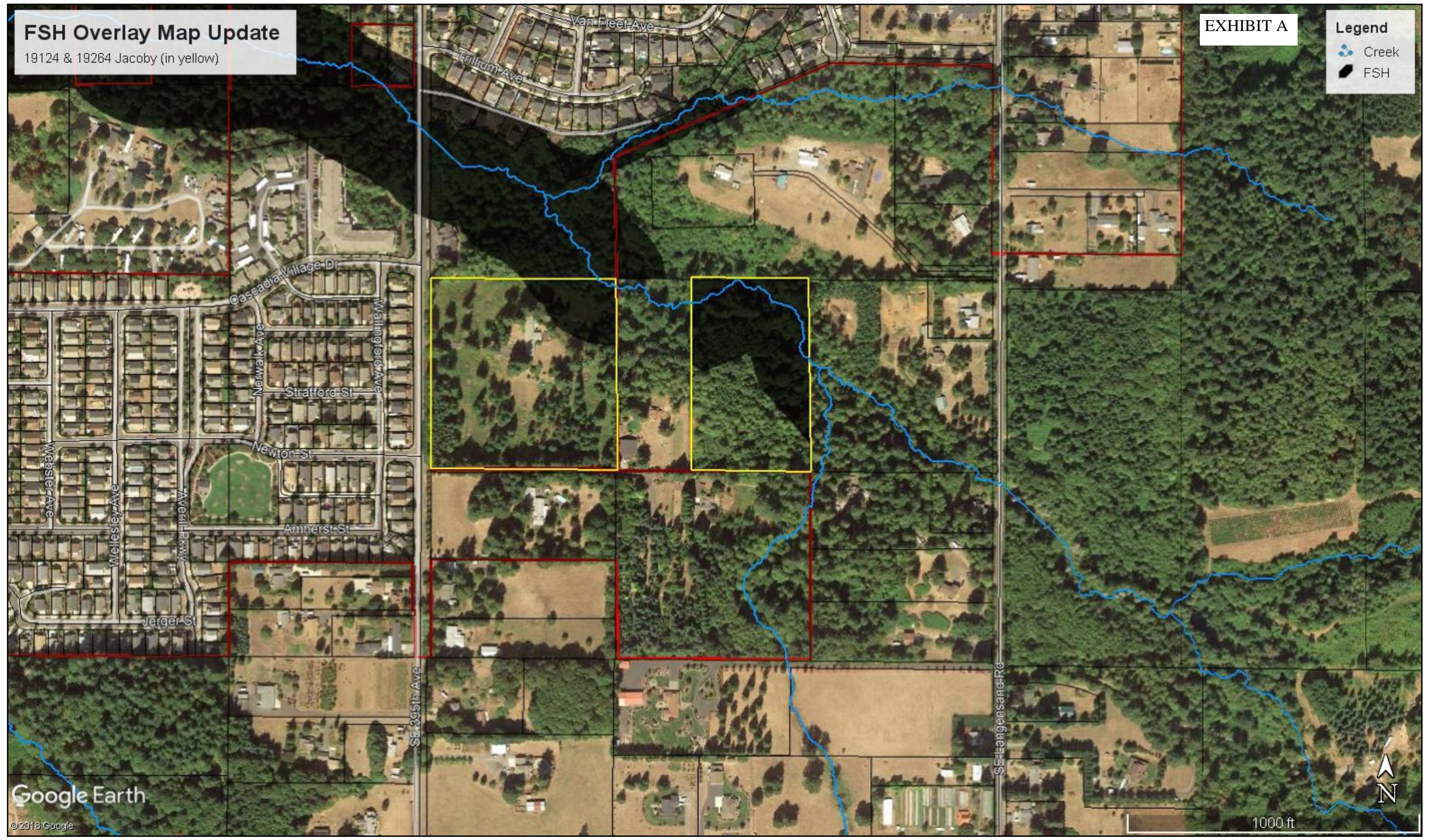


EXHIBIT B



Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	Green
2	10.01%	24.99%	Yellow
3	25.00%	Vertical	Red

FSH AREAS

THIS AREA FROM YOUR REFERENCE TO YOUR OWNERSHIP OF THE PROPERTY IS NOT TO BE CONSIDERED AS A FUTURE ROAD OR FUTURE CURB LINE. THE FUTURE ROAD OR FUTURE CURB LINE IS TO BE DETERMINED BY THE LOCAL GOVERNMENT AND THE PROJECT ARCHITECT.

CORY KNIGHT
16153 SE ORCHARD VIEW LANE
DA-140018 OR 91089

Surveyors & Planners, Inc.
Surveying, Planning and
Civil Engineering
P.O. Box 893 Sandy, OR 97055
Phone: (503) 888-4750
Fax: (503) 888-4750

PROJECT: **JACOBY HEIGHTS SUBDIVISION**
FSH AND SLOPES MAP

LOCATION: 10124 SE JACOBY RD, SANDY, OR 97055

SCALE: AS SHOWN
DATE: 06/01/2018
FILE: 11-199-PLANNING.dwg

LEGAL:
SECTION: 24 TWP: 25 RANGE: 4E

DATE: NO. REVISION

DESIGNED: CTH
DRAWN: CTH
CHECKED: RSL
APPROVED: RSL

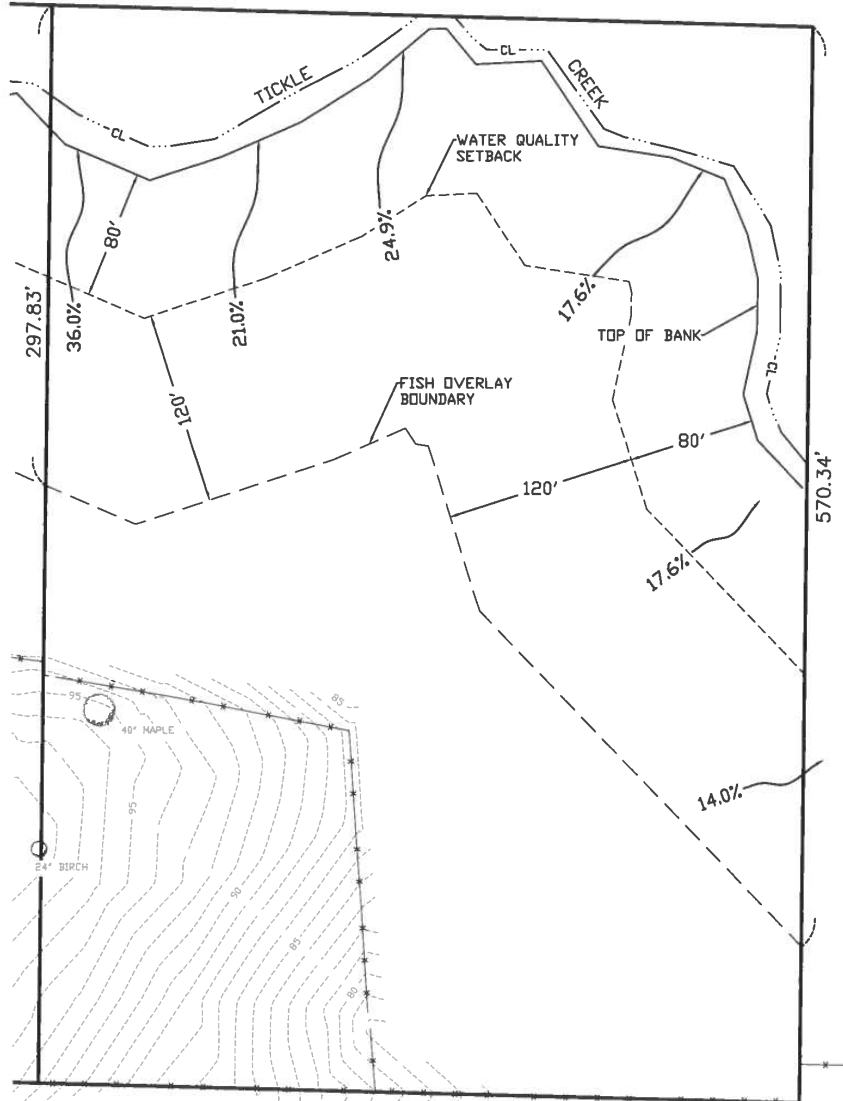
DATE: 10/27/2018

4
10

EXHIBIT

LOCATED IN THE NORTHEAST 1/4 OF SECTION 24
TOWNSHIP 2 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
COUNTY OF CLACKAMAS, STATE OF OREGON
PARCEL 1 OF PARTITION PLAT NO. 2008-036

SCALE: NTS



NOTE:
SLOPES SHOWN WHERE TAKE WITH A CLINOMETER AND
ARE AN APPROXIMATE REPRESENTATION OF THE GROUND
SLOPE.

CLIENT: IAN BIRD



359 E HISTORIC COLUMBIA RIVER HWY.
TROUTDALE, OREGON 97060

Firwood Design Group, LLC
SURVEYING + ENGINEERING + PLANNING

BUS: (503) 668-3737 ♦ FAX: (503) 668-3788 FILE: S19-007_exhibit.dwg
PLOT DATE: 04/04/19



NO. 2019-20

AN ORDINANCE AMENDING THE CITY OF SANDY ZONING MAP TO ADD THE FLOOD AND SLOPE HAZARD (FSH) OVERLAY TO PORTIONS OF TWO PROPERTIES

Whereas, the City of Sandy submitted a request to update the Flood & Slope Hazard (FSH) Overlay on the Zoning Map for a portion of two properties identified as T2S R4E Section 24A Tax Lots 02300 and 00801;

Whereas, on August 6, 2019, the City provided notice of the proposed map amendments to DLCDC in conformance with ORS 197.610;

Whereas, the Planning Commission held a public hearing to review the map amendments on September 23, 2019 and forwarded a recommendation of approval to the City Council;

Whereas, the City Council then held a public hearing to review the proposal on October 21, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy

Section 1: The Council approves the Zoning Map amendment for a portion of two properties identified as T2S R4E Section 24A Tax Lots 02300 and 00801. The Flood & Slope Hazard (FSH) overlay designation will be added to the Zoning Map for these two properties, as shown on Exhibit A, which is attached and incorporated into this ordinance.

Section 2: The Zoning Map amendment is supported by the Findings contained in the October 10, 2019 staff report attached as Exhibit B and incorporated into this Ordinance. This document contains findings supporting the above change to the Zoning Map.

This ordinance is adopted by the Common Council of the City of Sandy and approved by the Mayor this 21 day of October 2019

Stan Pulliam, Mayor

#2019-20

ATTEST:

Karey Milne, City Recorder

#2019-20

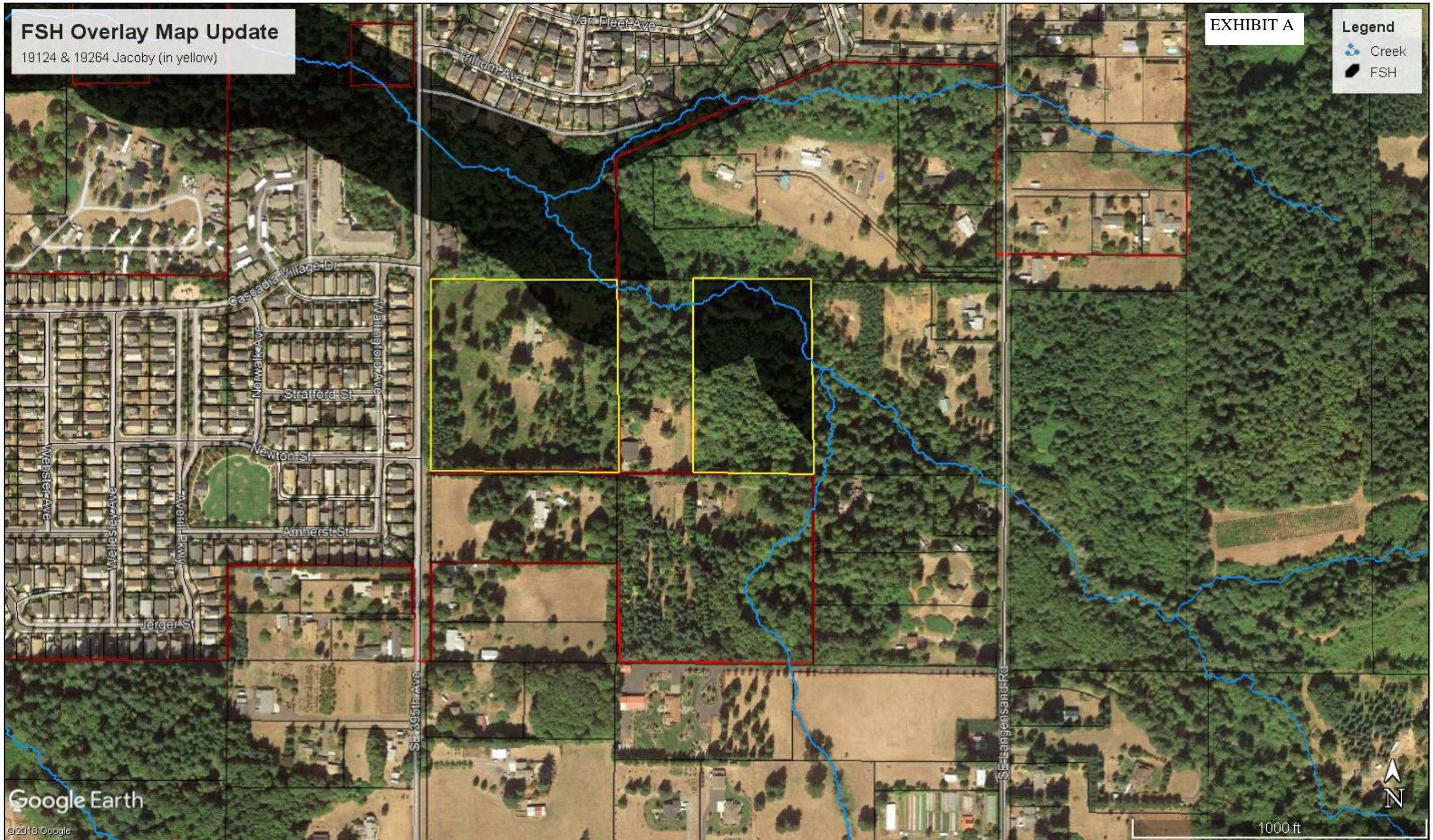
FSH Overlay Map Update

19124 & 19264 Jacoby (in yellow)

EXHIBIT A

Legend

-  Creek
-  FSH



Google Earth

©2018 Google

1000 ft



Staff Report

Meeting Date: October 21, 2019

From Kelly O'Neill, Planning Director

SUBJECT: 19-029 DCA Modification to Chapter 17.44 Report PC

Background:

The proposed code changes for the General Commercial (C-2) zone include the following:

1. Add "multi-family dwellings above a commercial business" as a primary use permitted outright. Density is not limited for residential above a commercial business. Proposed development shall meet parking requirements, landscaping percentages, and other code provisions. At the September 23, 2019 public hearing the Planning Commission removed the provision to allow multi-family dwellings beside or behind a commercial business. The Planning Commission would like to explore code provisions in more detail before recommending residential uses in the C-2 zoning district that are not above commercial business.
2. Increase the allowed outdoor product display or storage of merchandise to 20 percent of the total lot area. Existing regulation is 15 percent.
3. Increase building height to 55 feet. Existing regulation is 45 feet.

The Oregon Department of Land Conservation and Development (DLCD) was noticed on August 19, 2019 and notice was published in the Sandy Post on September 4, 2019. City staff noticed the U.S. Federal Aviation Administration and the Oregon Department of Aviation regarding the proposed building height modification. Measure 56 notice was not required.

Recommendation:

Planning Commission recommends the City Council hold a legislative public hearing to take testimony regarding modifications to Chapter 17.44 and recommend approval of the proposed code modifications to City Council.

Motion from Planning Commission public hearing: *B. in the permitted uses section should become C. Strike beside and behind from mixed-use section (17.44.10(A)) and strike the density section of the proposed code changes.*

Moved By: Commissioner Carlton

Seconded By: Commissioner Lesowski

Yes votes: Carlton, Lesowski, MacLean-Wenzel, Logan, Mobley, Carlton

No votes: Mayton

Abstention: None
The motion passed.

Budgetary Impact:
None

**STAFF REPORT
TYPE IV LAND USE PROPOSAL**

REPORT DATE: September 16, 2019

SUBJECT: File No. 19-029 DCA Modifications to Chapter 17.44

AGENDA DATE: September 23, 2019

DEPARTMENT: Planning Division

STAFF CONTACT: Kelly O'Neill Jr., Planning & Building Director

I. SUMMARY

The proposed code changes for the General Commercial (C-2) zone include the following:

1. Add “multi-family dwellings above, beside or behind a commercial business” as a primary use permitted outright. Density is not limited for residential above a commercial business. For residential beside and behind a commercial business the density is the same as the R-3 zoning district. Proposed development shall meet parking requirements, landscaping percentages, and other code provisions.
2. Increase the allowed outdoor product display or storage of merchandise to 20 percent of the total lot area. Existing regulation is 15 percent.
3. Increase building height to 55 feet. Existing regulation is 45 feet.

II. NOTICE

The Oregon Department of Land Conservation and Development (DLCD) was noticed on August 19, 2019 and notice was published in the Sandy Post on September 4, 2019. City staff noticed the U.S. Federal Aviation Administration and the Oregon Department of Aviation regarding the proposed building height modification. Measure 56 notice was not required.

III. RECOMMENDATION

Staff recommends the Planning Commission hold a legislative public hearing to take testimony regarding modifications to Chapter 17.44 and recommend approval of the proposed code modifications to City Council.

ATTACHMENT:

Chapter 17.44 Code Modifications



NO. 2019-21

AN ORDINANCE AMENDING CHAPTER 17.44 GENERAL COMMERCIAL (C-2) OF THE SANDY MUNICIPAL CODE

Whereas, the City Council wants to permit “multi-family dwellings above a commercial business” as a primary use permitted outright in the General Commercial (C-2) zone district; and

Whereas, the City Council wants to increase the maximum permitted outdoor product display or storage of merchandise from 15 to 20 percent of the total lot area in the General Commercial (C-2) zone district; and

Whereas, the City Council wants to increase the maximum allowed building height from 45 to 55 feet in the General Commercial (C-2) zone district; and

Whereas, on August 19, 2019, the City provided notice of the proposed amendments to DLCD in conformance with ORS 197.610; and

Whereas, the Planning Commission held a public hearing to review the amendments on September 23, 2019 and forwarded a recommendation of approval to the City Council; and

Whereas, the City Council then held a public hearing to review the proposal on October 21, 2019.

NOW, THEREFORE, THE CITY OF SANDY ORDAINS AS FOLLOWS,

Section 1: Sandy Municipal Code Chapter 17.44 is amended as detailed in Exhibit A, attached and incorporated by reference.

This ordinance is adopted by the Common Council of the City of Sandy and approved by the Mayor this 21 day of October 2019

Stan Pulliam, Mayor

#2019-21

ATTEST:

Karey Milne, City Recorder

#2019-21

**CHAPTER 17.44
GENERAL COMMERCIAL - C-2**

17.44.00 INTENT

This district is intended to provide for a wide range of commercial activities in a community scale shopping center and for commercial uses and related services and businesses, which require large land areas for structures and parking facilities and direct automobile access. This district is not intended for exclusively residential uses, although mixed-use developments are encouraged.

17.44.10 PERMITTED USES

A. Primary Uses Permitted Outright – Residential:

1. Multi-family dwellings above a commercial business.

B.A. Primary Uses Permitted Outright in buildings with less than 60,000 square ft. of gross floor area:

1. Retail businesses, including but not limited to:
 - a. Automotive fueling station;
 - b. Automotive, trailer, recreational vehicle, and motor cycle sales and rental;
 - c. Convenience market/store;
 - d. Drive-up/drive-in/drive-through (drive-up windows, kiosks, ATM, restaurants, car wash, quick vehicle servicing, and similar uses);
 - e. Eating and drinking establishments including fast-food and high-turnover sit down restaurants;
 - f. Grocery store or supermarket;
2. Service and professional businesses and organizations, including but not limited to:
 - a. Athletic club, indoor recreation, or entertainment;
 - b. Automotive repair and service;
 - c. Commercial day care facility;
 - d. Community services;
 - e. Education facility (e.g., pre-school, school, college);
 - f. Financial institution;
 - g. Medical facility (e.g., clinic, hospital, laboratory);
 - h. Professional or general business office;
 - i. Self-service storage;
 - j. Social organization;
3. Manufacturing, assembly, processing, and production that do not produce significant levels of noise or odor beyond the boundaries of the site, including but not limited to:
 - a. Brewery, distillery, or winery, with or without pub or tasting room;
4. Bus station or terminal;
5. Group care and assisted living;
6. Minor public facility;
7. Nursery/greenhouse;
8. Outdoor recreation;
9. Overnight lodging;
10. Park and ride station;
11. Parking lot or garage (when not an accessory use);
12. Public park, plaza, playground or recreation area, and buildings;
13. Trucking terminal, distribution center, or transit center;

- 14. Warehousing and distribution facilities for wholesale merchandise;
- 15. Wholesale lumber or building materials yard;
- 16. Other uses similar in nature.

C.B. Accessory Uses Permitted Outright:

- 1. A use customarily incidental and subordinate to a use permitted outright;
- 2. Outdoor product display or storage of merchandise covering no more than ~~15~~**20**% of the total lot area;
- 3. Parking lot or garage (when associated with development).

17.44.20 MINOR CONDITIONAL USES AND CONDITIONAL USES

A. Minor Conditional Uses:

- 1. Outdoor product display or storage of merchandise covering greater than ~~15~~**20**% of the total lot area;
- 2. Other uses similar in nature.

B. Conditional Uses:

- 1. Buildings designed for one or more occupants with more than 60,000 square ft. of gross floor area;
- 2. Major public facility;
- 3. Planned unit developments, including but not limited, to single-family attached and detached residential and multi-family developments, in conjunction with recreation or supportive commercial facilities. Residential uses are limited to a maximum of 50% of the total gross acreage;
- 4. Traveler accommodation facilities including campgrounds, overnight travel parks, and recreational vehicle parks;
- 5. Other uses similar in nature.

17.44.30 DEVELOPMENT REQUIREMENTS

A.

Lot Area	No minimum
Lot Dimension	No minimum
Setbacks ¹	
Front	10 ft. minimum; 50 ft. maximum
Side	None
Rear	None
Corner	15 ft.
Outside Display/Sales Lot Area	80% maximum
Lot Coverage - Impervious Area	No maximum
Landscaping	20% (includes required civic space in Section 17.90.120)
Structure Height	45 55 ft.
Off-Street Parking	See Chapter 17.98
Design Review Standards	See Section 17.90.120

¹ Unless abutting a more restrictive zoning district, or as required under Section 17.90.120 Design Standards for C-2.

B. Special Setbacks - Side or Rear Yard Abutting a More Restrictive District.

1. Property abutting a more restrictive zoning district shall have the same yard setback as required by the abutting district. An additional 10 ft. shall be added for each 10 foot increment in building height over 35 ft;
2. Measurement of the height transition area shall be made between the foundation of the proposed building and the property line of the abutting district;
3. When the proposed structure has different sections that have different heights, the height transition area shall be measured for each vertical surface as if it were to be freestanding. The building then must be located on the site so that no section is closer to the abutting property line than it would be if the section was free-standing;
4. The required buffering and screening and utilities may be located within the height transition area. Off-street parking, accessory structures and incidental development may be located within the height transition area but not any areas designated as buffering and screening area.



Staff Report

Meeting Date: October 21, 2019

From Mike Walker, Public Works Director

SUBJECT: Continuation of Hearing for Wastewater SDCs Resolutions 2019-17 and 2019-18

Background:

At the October 7th meeting, the City Council received testimony from the public and decided to continue the hearing on the Wastewater SDC methodology (Resolution 17-2019) and changes to the Wastewater SDC (Resolution 18-2019). The Council received written comments from two parties (Raze Custom Homes and Stafford Development) and testimony from two persons (Jim Raze and Levi Levasa). Both the written comments and the testimony at the meeting concerned the proposed timing of the SDC change. The consensus was that the notice of the proposed change did not allow builders and developers time to adjust pricing or construction loans to account for the increase in the SDC.

Council discussed both a date certain and a time extension for the new SDCs to be implemented. If a 90 day time extension was granted from the date of the initial hearing (October 7th) the SDCs would become effective on January 6, 2020 (91 days). If the effective date was January 1st 86 days would have elapsed from the date of the initial hearing.

The City is switching to new software for submitting and issuing building permits that will be in place starting October 28th. There will be a learning curve for persons submitting permits and staff processing permits. In addition, builders and developers will likely submit as many single-family permit applications as possible prior to the effective date to pay for wastewater SDCs under the current rate regardless whether the Council chooses a date certain or a time extension. Based on the number of platted lots available this could be anywhere from 90 to 100 permits submitted between now and the start of next year. Because permits are processed on a first-in first-out basis, a big surge in single-family dwelling permit submittals would affect the processing time for all permits including minor mechanical, plumbing and remodel permits. There is also the issue of where to store 90-100 permit packets (each of which consists of two sets of house plans and various other pages).

This is probably the worst-case scenario since builders and developers would have to pay the plan review fee (anywhere between \$1,000 and \$1,700 depending on valuation) with any permit application, even if they don't intend to pick up the permit for 180 days or longer. In addition, builders and developers probably don't want to flood the market

with new spec homes in order to save a couple of thousand dollars on the permit cost. So this problem may end up solving itself.

Finally, there is the issue of allowing permit applications submitted prior to the effective date to be processed under the current wastewater SDC rate (with no requirement to pickup the permit for 180 days or longer) or charging the new rate on the effective date regardless where a permit may be in the process.

Recommendation:

1) Approve Resolution 2019-17 adopting the new methodology for calculating wastewater SDCs and 2) approve Resolution 2019-18 amending the Master Fee Resolution to include the new Wastewater SDC with a date certain or time extension calculated from the date of the first hearing for implementation.

Budgetary Impact:

Extending the effective date of the new wastewater SDC to the first of the year could result in forgone revenues to the Sewer Fund totaling as much as \$320,000.



NO. 2019-17

A Resolution Establishing a new methodology for Wastewater System Development Charges

Whereas, Section 15.28.050 of the Sandy Municipal Code requires that methodologies used to establish systems development charges be approved by a Resolution adopted by the Council; and

Whereas, the City engaged FCS Group, Inc. to review the City's Wastewater System Facilities Plan and Wastewater Capital Improvement Plan and develop a methodology to create Systems Development Charges that equitably apportion costs for capacity-increasing improvements to serve new development; and

Whereas, the City Council at their October 7th, 2019 meeting adopted a new Wastewater Capital Improvement Plan upon which the revised Systems Development Charges are based; and

Whereas, the methodology developed by FCS Group, attached as Exhibit A equitably apportions the cost of the Wastewater projects attributable to new development; and

Whereas, the Sandy City Council desires to adopt the methodology for Wastewater Systems Development Charges and revise the existing Wastewater SDCs accordingly.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy

SECTION 1. The methodology for Wastewater Systems Development Charges as set forth in Exhibit A attached hereto and incorporated herein by this reference is adopted. The per Equivalent Dwelling Unit (EDU) rate and dollar amounts of the systems development charge will be established by separate resolution of the City Council.

SECTION 2. The Wastewater Systems Development Charge imposed by this resolution shall be revised at least annually, or more frequently as necessary based on the Engineering News Record Construction Cost Index (ENR CCI) per the provisions of ORS 223.304(8)(b).

SECTION 3. This Resolution replaces the methodology previously established through Resolution 1991-19.

This Resolution shall be effective on October 21st, 2019.

#2019-17

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 21 day of October 2019

Stan Pulliam, Mayor

ATTEST:

Karey Milne, City Recorder

#2019-17

