



MINUTES
Planning Commission Meeting
Monday, July 26, 2021 Virtual via Zoom
6:30 PM

COMMISSIONERS PRESENT: Donald Carlton, Commissioner, Ron Lesowski, Commissioner, Chris Mayton, Commissioner, Jan Lee, Commissioner, and Steven Hook, Commissioner

COMMISSIONERS ABSENT: Hollis MacLean-Wenzel, Commissioner and Jerry Crosby, Commissioner

STAFF PRESENT: Kelly O'Neill, Development Services Director, David Doughman, City Attorney, and Shelley Denison, Associate Planner

COUNCIL LIAISON PRESENT: Rich Sheldon, Councilor

1. MEETING FORMAT NOTICE

Instructions for electronic meeting

2. ROLL CALL

Vice Chairman Carlton called the meeting to order at 6:36 p.m.

3. APPROVAL OF MINUTES

3.1. Minutes for May 24, 2021

Motion: Approve the Planning Commission minutes for May 24, 2021.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Lee

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

4. REQUESTS FROM THE FLOOR - Citizen Communication on Non-Agenda Items

None

5. DIRECTOR'S REPORT

Development Services Director O'Neill summarized the House Bill 2001 presentation that staff made in late July to LCDC and summarized the report in the Planning Commission packet. Commissioner Lee asked about the status of the two existing LUBA appeals. Mr. Doughman gave a brief overview of the LUBA appeals. Commissioner Lesowski asked about staffing changes in the Development Services Department. O'Neill provided some information on the changes to David Snider's position and the retirement of Noryne Robinson.

6. PLANNING COMMISSIONER DISCUSSION

Commissioner Carlton thanked Councilor Sheldon for his attendance. Mr. Carlton asked for a brief update on the 362nd Drive and Bell Street extensions. Councilor Sheldon and Attorney Doughman provided some background on the needed next steps and exactly what is occurring with the street extensions. Commissioner Lesowski asked a clarifying question about code modification priorities and expressed a desire to move forward with tree code modifications. O'Neill listed the code change priorities that were decided by the City Council and the Planning Commission in early June. Commissioners Lee and Carlton provided some additional information and expressed their thoughts on moving forward with the urban forestry code changes.

7. NEW BUSINESS

7.1. Olson Street Hardship Permit (21-020 HRD/VAR)

Vice chairman Carlton opened the public hearing on File No. 21-020 HRD/VAR at 6:53 p.m. Carlton 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:

Senior Planner Meharg summarized the staff report and provided an overview of the proposal, history of the project, and explained the variance request.

Applicant Testimony:

None

Public Testimony:

None

Staff Recap:

Meharg said she didn't have anything to add and that ultimately this is a Commission decision.

Applicant Rebuttal:

None

Commissioner Hook joined the meeting at 7:05 PM.

Discussion:

Commissioner Mayton asked if the proposal includes a recreational vehicle on the existing concrete pad. Meharg said that the proposal is to allow someone to live in the recreational vehicle for a maximum of two years with an accompanying doctor's letter. Commissioner Mayton asked a clarifying question about the duration of the hardship permit. O'Neill said that staff never asks for more specifics beyond the doctor letter. Commissioner Carlton provided additional background on hardship permits he has reviewed. Commissioner Lesowski said that his understanding is that if the person vacates the recreational vehicle then the recreational vehicle can remain, but no one can live in the recreational vehicle. Commissioner Hook asked a clarifying question about who determines if the hardship permit is still needed. O'Neill said it would depend on what the doctor says. Commissioner Lee asked how staff enforces removal of the hardship permit. O'Neill explained the code enforcement process. Commissioner Carlton asked a clarifying question regarding setbacks. O'Neill and Doughman explained the different options that the Commission could proceed with. Commissioner Carlton said the Commission could approve the hardship trailer with the condition that the rear setback shall be met.

Motion: Motion to close the public hearing at 7:18 p.m.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstentions: None

Motion: Motion to approve the hardship request with the special variance request to the side yard setback.

Moved By: Commissioner Mayton

Seconded By: Commissioner Lesowski

Yes votes: Lesowski, Lee, Hook, Mayton, and Carlton

No votes: None

Abstentions: None

The motion passed at 7:20 p.m.

7.2. Repeal Planned Developments (21-034 DCA)

Vice chairman Carlton opened the public hearing on File No. 21-034 DCA at 7:22 p.m. Carlton 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:

Senior Planner Meharg summarized the staff report and provided an overview of the proposal, history of the project, and explained the notices that occurred. O'Neill added that removal of planned developments from the fee schedule would be reviewed by the City Council.

Public Testimony:

None

Staff Recap:

None

Discussion:

Commissioner Carlton provided a brief background on planned developments in the development code and that he believes the original intent was for planned developments to only apply to areas designated as village on the comprehensive plan map. O'Neill said that planned developments existed in the code since at least 1997. Doughman stated that he agrees with Commissioner Carlton and that planned developments were likely originally only meant for villages. He then elaborated on his general experience with planned developments and how they can be an option if done correctly. Commissioner Carlton said we have numerous villages designated around Sandy, but only one village has been developed since 1997. Commissioner Hook asked a question related to the zoning map. O'Neill stated that the proposed repeal of planned developments will not affect the zoning map.

Motion: Motion to close the public hearing at 7:38 p.m.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None
Abstentions: None

Motion: Motion to forward a recommendation of approval to the City Council to remove planned developments from the development code.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Lee

Yes votes: Lesowski, Lee, Hook, Mayton, and Carlton

No votes: None

Abstentions: None

The motion passed at 7:39 p.m.

8. ADJOURNMENT

Motion: To adjourn

Moved By: Commissioner Hook

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Vice Chairman Donald Carlton adjourned the meeting at 7:42 p.m.



Chair, Jerry Crosby



Planning Director, Kelly O'Neill Jr