

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

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

**1. MEETING FORMAT NOTICE: Instructions for electronic meeting**

**2. ROLL CALL**

Commissioner Wegener – Present  
Commissioner Poulin – Present  
Commissioner Weinberg – Present  
Commissioner Ramseyer – Present  
Commissioner Myhrum – Present  
Commissioner Vincent – Present  
Chair Crosby – 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. SELECTION OF CHAIR AND VICE CHAIR**

Commissioner Wegener nominated himself as Chair and Commissioner Weinberg as Vice Chair. Commissioner Ramseyer seconded the motion. The new positions will take effect at the next Planning Commission hearing on February 26, 2024.

**Motion:** Motion to appoint Commissioner Wegener as Chair and Commissioner Weinberg as Vice Chair.

Moved by: Commissioner Wegener

Seconded by: Commissioner Ramseyer

Yes votes: All Ayes

No votes: None

Abstentions: None

**4. APPROVAL OF MINUTES – November 27, 2023**

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

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

None

**6. DIRECTOR'S REPORT**

Development Services Director Kelly O'Neill Jr. reminded the Commission of the next Planning Commission hearing on the 26th of February to discuss the Economic Opportunity Analysis and the Housing Capacity Analysis; both requiring a recommendation to City Council.

O'Neill also updated the Commission on the last steps to finalizing the Comprehensive Plan and mentioned they will most likely cover "Block 3" at a work session in April, with a final draft most likely ready sometime in May or June.

O'Neill completed his report with an update on the moratorium and said the City is still negotiating with DEQ and the EPA and stated it has been a very time consuming process.

## **7. CITY COUNCIL LIAISON REPORT**

City Council Liaison Chris Mayton gave a brief update on the Sandy Community Campus Park project and the demolition progress to date.

Mayton also congratulated new Chair Wegener and Vice Chair Weinberg on their new positions with the Commission.

## **8. NEW BUSINESS:**

### **8.1. Library Support Letter**

Chair Crosby read a letter to the Commission from Library Director Sarah McIntyre. In the letter, McIntyre asked the Commissioners for a letter of support, showing the community is behind their public outreach efforts. McIntyre's letter explained that the library is looking for funding that would assist in paying for the necessary items to "outfit" their new public outreach vehicle.

Crosby suggested staff could draft a letter and each Commissioner could sign it.

**Motion:** Motion asking staff to draft a letter of support for the library and their public outreach efforts with signatures from each of the Commissioners.

Moved by: Commissioner Weinberg

Seconded by: Commissioner Wegener

Yes votes: All Ayes

No votes: None

Abstentions: None

### **8.2. Clear and Objective Audit Public Hearing**

Chair Crosby opened the public hearing on File No. 23-046 DCA at 6:49 p.m. Crosby 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 a brief background on the efforts to start the Clear and Objective audit. He explained that over the last 4- 6 years, the City had a few legal challenges that had to do with our existing development code language and a few of those applications were appealed to LUBA (the Land Use Board of Appeals). In reaction to those challenges, the City hired MIG to assist with these code updates. He explained that the project has been a long and complicated process of scrutinizing over 300 pages of code language, and ensuring the language is "clear and objective".

### **Presentation:**

Kate Rogers

Senior Planner

MIG, Inc.

506 SW 6th Ave #400,

Portland, OR 97204

Rogers went through her presentation that included information on "what it means to be clear and objective", the project purpose, state statutes, and other proposed amendments such as

recently passed affordable housing legislation. She also mentioned the audit includes the dark sky ordinance, exceptions for tree removal permits for the Parks Department, the TSP implementation, and the food and beverage cart updates. Rogers finished the presentation with analysis on the one public comment that staff received.

Commissioner Weinberg advised staff that additional housing bills will likely be passed sometime in February or March and asked if those updates could still be incorporated into this clear and objective audit. O'Neill explained that it wouldn't happen through these updates since it's towards the end of the project, but instead, staff plans to be more proactive in reviewing legislation moving forward. Rogers explained that even if the city code wasn't updated to align with new legislation, the state statute would still apply and supersede the city code if the city code wasn't updated to reflect new legislation.

**Public Testimony:**

Peggy Sheehan  
Vice President Housing Development  
Prestige Development  
[psheehan@prestigedev.com](mailto:psheehan@prestigedev.com)

Ms. Sheehan stated that Prestige Development is very excited about the affordable housing bills and would like to know how they would go about developing affordable multi family housing when they are not a religious organization and do not have a non-profit status.

**Motion:** Motion to close the public hearing at 7:16 p.m.

Moved By: Commissioner Wegener

Seconded By: Commissioner Ramseyer

Yes votes: All Ayes

No votes: None

Abstentions: None

**Discussion:**

The Commission went through the Development Code and discussed dozens of code provisions. Each of the Commissioners had questions or suggestions. During the discussion, City Attorney Josh Soper and MIG consultants Kate Rogers and Catherine Corliss answered questions and provided additional clarification on the proposed updates. The Commissioners also found a few formatting errors that were also noted for revision.

*Note: Commissioner Weinberg had to leave the meeting at 8:57pm.*

O'Neill explained that staff will go through the list of changes mentioned during the discussion and include those edits as an "exhibit" so that the City Council may easily follow the modifications that the Commission recommended.

**Motion:** Motion to approve and recommend to City Council, File No. 23-046 DCA with the mentioned changes, recommendations, and discussion points.

Moved By: Commissioner Wegener

Seconded By: Commissioner Ramseyer

Yes votes: All Ayes

No votes: None

Abstentions: None

**9. ADJOURNMENT**

Chair Crosby adjourned the meeting at 9:20 p.m.

  
\_\_\_\_\_  
Chair Darren Wegener

Attest:

  
\_\_\_\_\_  
Kelly O'Neill Jr.,  
Development Services Director

Date signed: February 26, 2024