



# City of Sandy

## Agenda

### Planning Commission Meeting

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

**Meeting Date:** Monday, September 23, 2019

**Meeting Time:** 7:00 PM

		Page
<b>1. ROLL CALL</b>		
<b>2. APPROVAL OF MINUTES</b>		
2.1.	Approval of Minutes - August 26, 2019 <a href="#">Planning Commission - 26 Aug 2019 - Minutes - Pdf</a>	3 - 7
<b>3. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON- AGENDA ITEMS</b>		
<b>4. OLD BUSINESS</b>		
<b>5. NEW BUSINESS</b>		
5.1.	FSH Overlay  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. <a href="#">19-021 ZC FSH Overlay Map Update - Pdf</a> <a href="#">19-021 ZC FSH Overlay Map Update - Html</a>	8 - 17
5.2.	Chapter 17.44 Modification  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. <a href="#">Modification to Chapter 17.44 - Pdf</a> <a href="#">Modification to Chapter 17.44 - Html</a>	18 - 22

## **6. ITEMS FROM COMMISSION AND STAFF**

**7. ADJOURN**



**MINUTES**  
**Planning Commission Meeting**  
**Monday, August 26, 2019 City Hall- Council**  
**Chambers, 39250 Pioneer Blvd., Sandy,**  
**Oregon 97055 7:00 PM**

**COMMISSIONERS PRESENT:** Don Carlton, Commissioner, Ron Lesowski, Commissioner, Hollis MacLean-Wenzel, Commissioner, Jerry Crosby, Commissioner, John Logan, Commissioner, and Todd Mobley, Commissioner

**COMMISSIONERS ABSENT:** Chris Mayton, Commissioner

**STAFF PRESENT:** Kelly O'Neill, Planning Director and James Cramer, Associate Planner

**CITY ATTORNEY PRESENT:** David Doughman

**1. Roll Call**

**2. Approval of Minutes**

2.1. May 28, 2019 Planning Commission Meeting Minutes

Moved by Hollis MacLean-Wenzel, seconded by Ron Lesowski

*To approve minutes for May 28, 2019*

CARRIED.

2.2. June 24, 2019 Planning Commission Meeting Minutes

Moved by Ron Lesowski, seconded by Hollis MacLean-Wenzel

*To approve minutes for June 24, 2019 with Commissioner Mobley abstaining*

CARRIED.

2.3. July 22, 2019 Planning Commission Meeting Minutes

Moved by John Logan, seconded by Todd Mobley

*To approve minutes for July 22, 2019*

CARRIED.

**3. Requests From the Floor - Citizen Communication on Non- Agenda Items**

None.

**4. OLD BUSINESS**

4.1. 18-030 DR/VAR/CUP Funtime RV

Staff Report - 0170

Chairman Crosby opened the public hearing on File No. 18-030 DR/VAR/CUP (Funtime RV) at 7:05 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 Commissioners.

**Staff Report:**

Associate Planner James Cramer summarized the staff report and addressed the background, factual information, public comments staff received, applicable criteria, and presented a brief slide show.

**Applicant Presentation:**

**Tracy Brown, 17075 Fir Drive, Sandy, OR 97055**

Mr. Brown passed out a letter to the Planning Commissioners and staff. Brown then provided a comprehensive background on the items in the letter, including the difference between the definition's 'display' and 'storage', buildings being required in the C-1 zoning district, lighting standards, landscape buffer regulations, and street trees.

Commissioner Mobley asked if the gate for the driveway on Beers Avenue was no longer proposed. Brown confirmed that the gate is no longer proposed. Commissioner Carlton asked some questions about grading. Brown provided some additional information about the proposed grading.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Staff Recap:**

Cramer, Doughman and O'Neill addressed the applicant's presentation and main points covered in the applicant's letter. Commissioners Carlton, Mobley, and Maclean-Wenzel asked some clarifying questions and staff answered the questions.

**Applicant Recap:**

Brown provided a brief background on staff's recap and the questions raised by the Commissioners. Brown provided additional information on the lighting request and the landscaping/fence on the north side of the property by the adjacent apartment building.

**Discussion:**

Commissioner Maclean-Wenzel stated that the downtown should be pedestrian friendly and champion main street ideals. Maclean-Wenzel is concerned about allowing 100 percent outdoor storage and display. She also raised concerns about lighting and the facility being too bright in the downtown area. Commissioner Carlton asked Doughman a clarifying question about the existing building and site to the west with RV's in front of the building. Doughman explained that the Planning Commission is looking at the proposed site by itself and that making conditions on the site to the west is likely not permissible. Commissioner Carlton explained that the site developed with RVs might be better than allowing the lot to remain vacant. Commissioner Lesowski stated there is a building associated with the use on the property to the west and would like to see the landscaping and fence extended across the contiguous property to the west. Commissioner Carlton explained that in the future the site might redevelop with a building. The Commissioners discussed SandyStyle and why the applicant did not apply for an application to include the remainder of the property. Commissioner Logan stated that the landscaping on the proposed site will look much better than the existing RV display/storage area. Commissioner Mobley explained that everything is labeled as assessor and doesn't understand if display and storage by itself is a permitted use.

Commissioner Carlton asked a question of staff regarding the use that is requested and whether Planning Commission has to approve the use as requested. Doughman stated that independent of the requested use the Planning Commission can approve the proposal under the use as they find applicable. Doughman also provided an explanation that Section 17.90.110(J) applies to this application as RVs are both displayed and stored. The Commissioners discussed the intent of the code and Doughman further explained that Section 17.90.110(J) has to be resolved. Commissioner Maclean-Wenzel stated that Dutch Bros. had to do additional enhancements, but we are not requiring anything additional with this application. Commissioner Carlton explained that only sites proposed with buildings should be required to have buildings. O'Neill provided clarity that zoning codes already control use types on properties. Commissioner Lesowski stated he would appreciate the applicant extending the landscaping further to the west on Proctor Blvd.

Brown stated that the applicant recently spent over \$200,000 on building improvements. Brown also stated the display area proposed will cost several hundred thousand dollars. He also stated that overtime the site will probably get nicer.

O'Neill asked the Commissioners to review the three conditions (Nos. 11, 23, and 24)

that were raised by the applicant. Planning Commission decided the conditions would be modified as follows:

- Modify Condition 11 to allow greater than 2.0 foot-candles of light but keep the condition that the lighting cannot exceed 3,000 Kelvins.
- Remove Condition 23 requiring additional landscaping along the north property line. The proposed retaining wall with fence on top of the wall was deemed sufficient.
- Modify Condition 24 to require Chanticleer Pear as the street trees on Beers Avenue.

Commissioner Mobley also identified modifications he would like to see to Condition 7. The Planning Commission decided the condition would be modified as follows:

- Modify Condition 7 to include ADA ramps in each direction at the NW corner of the intersection of Beers Avenue and Proctor Blvd. Also provide flexibility in the condition so that if ODOT does not allow the crossing south across Proctor Blvd. then the ramp heading south would not be required.

The Commissioners stated they are fine with the interpretation presented by the City Attorney in Exhibit M.

**Motion:** To Close Public Hearing at 9:01 p.m.

Moved by: Commissioner Carlton

Seconded by: Commissioner Logan

No votes: None

Abstentions: None

The motion passed.

Moved by Don Carlton, seconded by Todd Mobley

Staff Report - 0170

*To recommend approval of File No.18-030 DR/CUP/VAR (Funtime RV) with the conditions as recommended by staff with modifications to Conditions 7, 11, 23, and 24 and approve the alternative interpretation in Exhibit M.*

CARRIED.

**5. NEW BUSINESS**

None.

**6. Items from Commission and Staff**

O'Neill presented upcoming items on the September and October Planning Commission meetings. O'Neill also mentioned that meetings in November and December are close to

holidays and therefore staff will be proposing alternative meeting dates. The Commission and staff then had a discussion about existing applications and other development occurring around Sandy.

**7. Adjourn**

7.1.

To adjourn

Moved by Don Carlton, seconded by John Logan

*To adjourn*

CARRIED.



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Chair, Jerry Crosby



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Planning Director, Kelly O'Neill Jr



## Staff Report

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

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**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**

- 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

**Agency Comments:**

None

**I. BACKGROUND**

**A. PROCEEDING**

Type IV Zone Change

**B. FACTUAL INFORMATION**

1. APPLICANT/OWNER: 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. Staff finds the proposal meets all applicable review criteria.

#### **IV. 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.



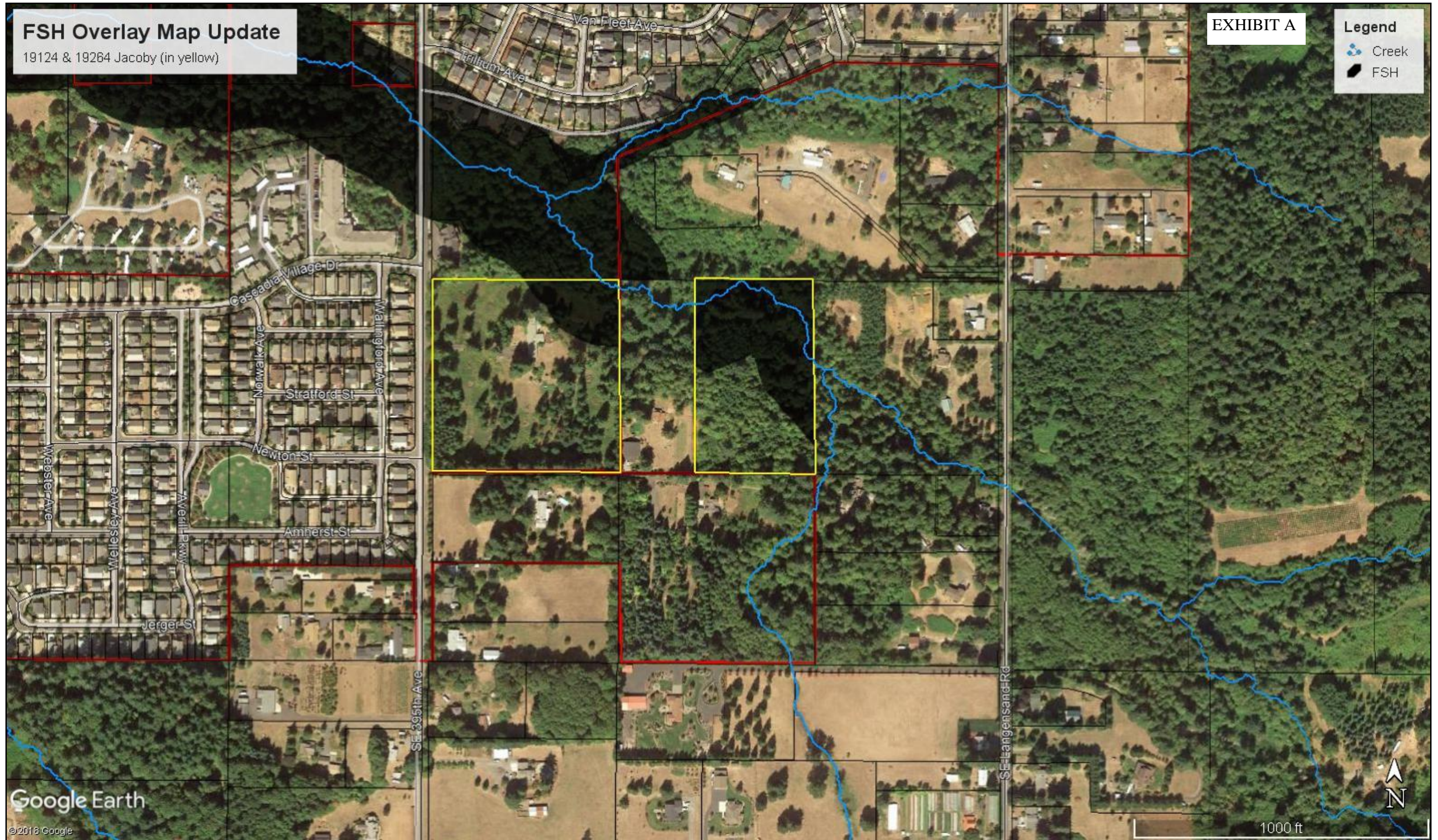
# FSH Overlay Map Update

19124 & 19264 Jacoby (in yellow)

EXHIBIT A

## Legend

-  Creek
-  FSH



Google Earth

©2018 Google

1000 ft



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**  
 TOTAL AREA FROM YOUR REQUEST TO TYPICAL CROSS, TOP OF BANK, MOST IMPROVED TOP OF BANK, OR TYPICAL CROSS, TOP OF BANK, OR SLOPED TOP OF BANK.  
 TOTAL RESTRICTION DEVELOPMENT AREA SHALL BE THE TOTAL AREA OF YOUR BANK.  
 TOTAL RESTRICTION DEVELOPMENT AREA SHALL BE THE TOTAL AREA OF YOUR BANK.  
 THE PROJECT DEVELOPER SHALL BE RESPONSIBLE FOR THE PROJECT DEVELOPMENT.

CORY KNIGHT  
 16153 SE ORCHARD VIEW LANE  
 DA-140019 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

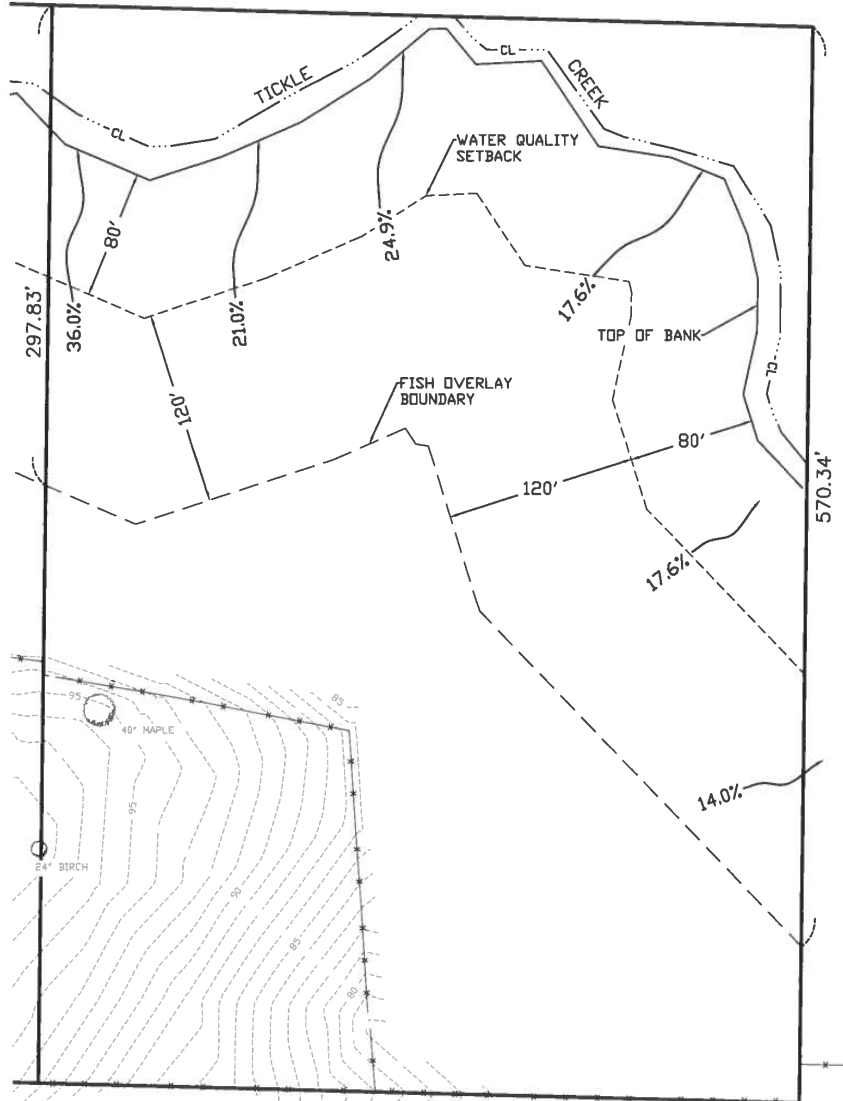
DESIGNED: CTH  
 DRAWN: CTH  
 CHECKED: RSL/PT  
 APPROVED: RSL/PT

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





## Staff Report

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

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**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

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**Meeting Date:** September 23, 2019  
**From** Kelly O'Neill, Planning Director  
**SUBJECT:** Modification to Chapter 17.44

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**Background:**

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.

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:**

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.

**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, beside or behind 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;

17.44 - 1

Revised by Ordinance 2013-11 effective 12/18/13

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

**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 ~~45~~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 ~~45~~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.**

<b><u>Residential – Not Above Commercial Building</u></b>	
<u>Density/Lot Dimension</u>	<u>In Conformance with Chapter 17.40 (R-3)</u>
<u>Setbacks</u>	<u>In Conformance with Chapter 17.40 (R-3)</u>
<u>Lot Coverage</u>	<u>No maximum</u>
<u>Structure Height</u>	<u>55 ft.</u>
<u>Landscaping</u>	<u>20% minimum</u>
<u>Off-Street Parking</u>	<u>See Chapter 17.98</u>

<b><u>Commercial</u></b>	
Lot Area	No minimum
Lot Dimension	No minimum
Setbacks <sup>1</sup>	
Front .....	10 ft. minimum; 50 ft. maximum
Side .....	None

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

Rear .....	None
Corner .....	15 ft.
Outside Display/Sales Lot Area	80% <b>maximum</b>
Lot Coverage - Impervious Area	No maximum
Landscaping	20% (includes required civic space in Section 17.90.120)
Structure Height	<b>45-55</b> ft.
Off-Street Parking	See Chapter 17.98
Design Review Standards	See Section 17.90.120

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

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**Meeting Date:** September 23, 2019  
**From** Kelly O'Neill, Planning Director  
**SUBJECT:** Modification to Chapter 17.44

---

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**Recommendation:**

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