

**Sandy Planning Commission
Work Session
Monday, November 27, 2023**

Chair Crosby called the meeting to order at 6:30 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 – Absent
Commissioner Vincent – Present
Chairman Crosby – Present

Council Liaison Mayton – Present

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

3. APPROVAL OF MINUTES – September 25, 2023

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

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

None

5. DIRECTOR’S REPORT

Development Services Director O’Neill referred to his staff report with code enforcement data and explained to the Commission that he plans to give quarterly code enforcement updates.

O’Neill also gave updates on the Comprehensive Plan and the moratorium that was approved for another 6-month extension by the City Council.

Commissioner Wegener asked O’Neill if there would be a December Planning Commission meeting. O’Neill said that staff doesn’t have anything for a December meeting. He did, however, remind the Commission of their upcoming work session on December 4 with the City Council. O’Neill also explained that in January they’ll have the Clear and Objective Audit public hearing that will require a recommendation to the City Council.

6. CITY COUNCIL LIAISON REPORT

City Council Liaison Chris Mayton updated the Commission on the Feasibility Study they received last week which provided different configurations of the Sandy Community Campus Annex building and how it could be used in the future.

Mayton also reminded everyone of the Christmas tree lighting on December 1 at the Centennial Plaza.

7. NEW BUSINESS:

7.1. Code Priorities Work Session

Chair Crosby asked Senior Planner Patrick Depa to start his presentation at 6:41 p.m.

Staff Report:

Senior Planner Depa outlined the upcoming code amendments coming before the Commission in the upcoming months. Depa asked for the Commission's guidance on the order of which amendments would come before them from first to last. Depa reminded the Commission they also have the Clear and Objective Audit, the upcoming Housing Needs Analysis (HNA), and the Economic Opportunities Analysis (EOA) that will also require their time and recommendations.

Director O'Neill told the Commission it's time to revisit code amendments that ultimately need updating such as "retaining walls", "urban forestry", and the "sign code". He explained that the sign code hasn't been updated since 2011 and needs to be simplified.

O'Neill also mentioned that the City Council and City Administration want to see the Commission dive into "temporary uses and structures" as well as "forfeitures and fees". He explained how the City Council wants to see increased fees for non-compliance as well as an escalation matrix.

O'Neill asked the Commissioners for feedback on code sections they felt were too restrictive. The Commissioners discussed being more user friendly but with more consequences for failure to follow the code requirements.

Urban Forestry and tree retention were discussed in general, and O'Neill explained that at one point every subdivision application had a tree variance request showing the need to update that code section. Depa thinks our current strategy to save trees isn't working and in the long run, we end up losing even the trees that were intended to be saved. He would like the Commissioners to think of alternative ways to be tree friendly and user friendly and thinks there's a lot of conversation to be had with different scenarios. Depa wants to see us be more "proactive" versus "reactive" as we're doing now. O'Neill also explained that one of the problems with the tree retention standards is not having any "minimum lot size requirements" and said we are not relating our tree retention to lot size.

O'Neill asked the Commissioners if any other code sections need another look and need updates. Commissioner Weinberg suggested starting with "retaining walls" and "drive-thru" requirements. O'Neill agreed that getting through some of these smaller code sections could be a small victory.

Next, Chairman Crosby asked staff how these code amendments will play out while also reviewing the Clear and Objective Audit. O'Neill explained that the Clear and Objective Audit review will come before the Commission in January, hopefully adopted by City Council in February, and will then be behind them when other code amendments are presented.

Commissioner Ramseyer asked how the City can work with state legislation while still retaining a "smidge" of control over the development of our own city and if that can be considered while working on the code amendments. O'Neill said the only "exceptions" are when it's related back to environmental protections or historic districts. He explained they could increase the buffers to create more wetland protections and increase tree protection as well as hillside protections.

Commissioner Weinberg said there are new rules for setbacks under the "Forestry Practices Act" that could play a part in the forestry amendment but wasn't sure if it relates to local

jurisdictions. O'Neill said he doesn't think it will relate but it would still be good to review.

Commissioner Wegener asked about tackling lot sizes and setbacks and O'Neill said with House Bill 3414 likely to pass it would make minimum lot sizes "not applicable" anymore. He said the Commission will learn more at the December 4 work session with the City Council.

O'Neill next mentioned "Sandy Style". He believes there was an oversight when it was implemented in 2008 as there is no relation with size of building and "Sandy Style". He explained that if an applicant builds a 200 square foot building versus a 2,000 square foot building, the design requirements are the same. O'Neill said it would be a good code amendment to explore and would like to see it based on square footage.

Chairman Crosby asked the Commissioners about prioritizing the list of code amendments staff presented and suggested prioritizing the City Council and City Administration's requests first. Depa explained these amendments would start to come before them most likely once a month in 2024.

Depa said he'll draft a "tentative" schedule of upcoming meetings and work sessions for 2024. He also said we'll "play it by ear" and then adjust schedules as needed.

O'Neill also told the Commission that due to the nature of the "Clear and Objective Audit", staff determined that most "zones" will require a Measure 56 notice about the code changes that will be before the Planning Commission in January. Staff decided to notice all property owners in the city limits instead of excluding a few zones that it didn't affect. This will include around 4,000 properties.

Commissioner Weinberg asked staff if there's a "sign review committee". O'Neill explained we used to have a committee but as of now the sign variance requests go through City Council. In the future, he'd like to see those sign variance requests come through Planning Commission instead.

Commissioner Vincent asked what code amendments are most important at this time for review and O'Neil believes some of the smaller amendments such as "signage" and "accessory structures" should be discussed first while the City is in a moratorium. He explained that during this unique time, staff will most likely get these types of applications versus subdivisions that require review of the Urban Forestry code. While Urban Forestry is important, he believes it's less applicable during the moratorium.

8. ADJOURNMENT

Chairman Crosby adjourned the meeting at 7:58 p.m.

Attest:

Chair Jerry Crosby

Kelly O'Neill Jr., Development Services Director

Date signed: _____