

**Sandy Planning Commission  
Regular Meeting  
Monday, June 30, 2025**

Chair Wegener called the meeting to order at 6:30 p.m.

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

**2. ROLL CALL**

Commissioner Lee – Excused  
Commissioner Poulin – Excused  
Commissioner Zawaski – Present  
Commissioner Malone – Present  
Commissioner O’Leary – Present  
Vice Chair Crosby – Present  
Chair Wegener – Present

Council Liaison Ramseyer – Present

Staff present: Development Services Director Kelly O’Neill Jr., Public Works Director AJ Thorne, Senior Planner Patrick Depa, Executive Assistant Rebecca Markham, City Attorney Josh Soper

**3. APPROVAL OF MINUTES – May 27, 2025**

Chair Wegener asked for any edits to the draft minutes.

**Motion:** Motion to approve the minutes from May 27, 2025.

Moved By: Commissioner Malone

Seconded By: Commissioner Zawaski

Yes votes: Commissioners Malone, Zawaski, O’Leary, Crosby, and Wegener

No votes: None

Abstentions: None

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

None

**5. DIRECTOR’S REPORT**

Development Services Director Kelly O’Neill Jr. stated that there’s a tentative meeting scheduled for a design review and variances for the Deer Pointe Park covered basketball court in July. He explained that when staff initially approved the design review for the construction and street improvements for the park neither the Parks Department nor the City Council had decided whether the basketball court would be covered or not. Since then, the City Council decided to allocate funds for this project.

O’Neill reminded the Commissioners that there’s no meeting scheduled for August, but is anticipating a September meeting to discuss code modifications.

O’Neill also told the Commission that the City received an award from the State of Oregon recognizing their work on the Comprehensive Plan, specifically for the “broad reaching engagement process” and “broad reaching set of policies and goals”.

Lastly, O'Neill and Public Works Director AJ Thorne provided a brief update on the moratorium and explained that the City Council has narrowed down the wastewater treatment system to two solutions. The City can either pipe the untreated sewage to Gresham to be treated with the output going into the Columbia River or the City can build a new treatment plant in Sandy with the treated waste being piped out to the Sandy River. O'Neill explained that the cost is roughly the same, but the Sandy River option would have more environmental obstacles. With that said, he believes piping it to Gresham will be the preferred method. Ultimately there's still quite a bit of funding still needed.

The Commissioners had questions about the future ERU's, connection points in Gresham, and long-term moratorium implications.

## **6. CITY COUNCIL LIAISON REPORT**

City Council Liaison Ramseyer stated that the City Council was happy to hear that the City of Sandy received five million dollars out of the 14 million they requested from the State of Oregon.

## **7. NEW BUSINESS:**

### **7.1. Alternative Wastewater Systems Code Additions (File No. 25-031 DCA)**

Chair Wegener opened the legislative hearing on File No. 25-031 DCA at 6:48 p.m. Wegener 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 started his discussion by mentioning that City Attorney, Josh Soper had a "heavy hand" in helping write up the ordinance, code language modifications, and findings for these code amendments. O'Neill explained that the Commissions task will be to review the application, propose any modifications, and forward a recommendation to City Council who will hear the application at a public hearing on July 21.

O'Neill explained the background and said that under Goal 7.8 from the recent City Council goal setting session, they were to explore possible alternative wastewater treatment systems and to facilitate targeted economic development under the moratorium.

O'Neill briefly addressed the "key considerations and analysis" in the staff report for discussion and explained this code addition would allow systems such as porta potties, grey water systems, and septic systems to name a few. He also said they would be processed under a Type IV procedure which would include a Planning Commission recommendation and a City Council decision. He clarified that the fee is not an approval fee, but a processing fee. He also explained that each of these will require a design review application but will encourage the applicants to apply for that separately in case the alternative treatment system isn't approved.

O'Neill noted that the City Council is open to using the alternative treatment systems for businesses without public facing uses and not for residential, at least for now, but said that could evolve.

Lastly, O'Neill said the applicant would also be required to "rough plumb" their entire building leaving a 2-to-4-foot section unconnected in the right-of-way so it's ready for connection when the City requests that they hook to the City's sewer system.

**Public Testimony:**

None

**Motion:** Motion to close the public hearing at 7:01 p.m.

Moved By: Commissioner Malone

Seconded By: Vice Chair Crosby

Yes votes: All Ayes

No votes: None

Abstentions: None

**Discussion:**

Chair Wegener asked if there was a description or minimum requirements for porta potties. City Attorney Josh Soper explained that it would be up to the business owners what they want for their employees, but they would have to meet all federal, state, and local laws including building and plumbing code regulations. Also, depending on the number of employees the business has, it will determine how many bathrooms are required and one would have to be ADA compliant.

O'Neill also said that the porta potties would have to be screened from the right-of-way and from adjacent properties.

Commissioner O'Leary suggested that the base model porta potties be cleaned twice a week with the "luxury" models once a week as he's managed these over the course of his career and knows they tend to get very smelly within a week's time. Commissioner Zawaski agreed. Soper followed up and said the business would be required to submit operation and maintenance requirements when they apply for the alternative system. If approved, there's also a condition of approval that will require the business to operate it consistently with what they proposed. Alternatively, Soper also suggested the Commission could add another approval criteria proposing that the cleaning of the porta potties be based on the number of employees and volume.

Wegner also suggested opening this option up to more than just industrial businesses but to stores as well since he felt it worked well when the Fred Meyer was being remodeled. O'Neill said that it could be proposed to the City Council in the recommendation of the Commission, but the direction to minimize the use of alternative wastewater systems for businesses without public facing uses was direction from the City Council.

**Motion:** Motion to recommend that the City Council approve the proposed text amendments to Title 17, Chapter 17.12, Procedures for Decision Making and Chapter 17.84, Improvements Required with Development of the Sandy Municipal Code as presented in attachment one and as suggested by the Planning Commission in tonight's session.

Moved By: Commissioner Malone

Seconded By: Vice Chair Crosby

Yes votes: All Ayes

No votes: None

Abstentions: None

**7.2. FEMA PICM Code Modifications (File No. 25-030 DCA)**

Chair Wegener opened the legislative hearing on File No. 25-030 DCA at 7:18 p.m. Wegener 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 presented a PowerPoint presentation that included the background, the floodplain map, and FEMA's Pre-Implementation Compliance Measures (PICM) that will require a code amendment to Chapter 17.60. He also said there are only 12 policy holders in Sandy with a total of \$2,887,000 in coverage that could be affected if the City did not update the code per FEMA's regulatory mandates.

In order to keep in compliance with FEMA, the City was notified that they needed to comply with one of three Pre-Implementation Compliance Measures (PICM) options by July 31, 2025. The City chose to require a "habitat assessment and mitigation plan for development on a permit-by-permit basis" to be in good standing with FEMA. This would only be required for new development and not for existing properties.

O'Neill said the City is still on track to meet FEMA's deadline as it will go before the City Council on July 21 based on the Planning Commission's recommendation. O'Neill also explained that if the City didn't follow through with the code adoption it would put the 12 policy holders at risk of losing their coverage which he feels is an important reason to move forward with the adoption of this code modification.

O'Neill also said this code modification would only affect the properties in the floodplain and not everyone in the Flood and Slope Hazard (FSH) Overlay. Soper said that the code modification can be repealed at any time if there are any changes legally with FEMA or with the current federal administration.

**Public Testimony:**

None

**Motion:** Motion to close the public hearing at 7:39 p.m.

Moved By: Vice Chair Crosby

Seconded By: Commissioner Malone

Yes votes: All Ayes

No votes: None

Abstentions: None

**Motion:** Move to recommend that the City Council approve the proposed text amendments to Title 17, Chapter 17.60, Flood Slope Hazard Overlay District as presented in attachment two.

Moved By: Commissioner Malone

Seconded By: Vice Chair Crosby

Yes votes: All Ayes

No votes: None

Abstentions: None

**8. ADJOURNMENT**

Chair Wegener adjourned the meeting at 7:40 p.m.

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Chair Darren Wegener

Attest:

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

Date signed:\_\_\_\_\_

DRAFT