

**Sandy Planning Commission
Regular Meeting
Monday, March 30, 2026**

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

Council Liaison Ramseyer – Present

Staff present: Development Services Director Kelly O’Neill Jr., Senior Planner Patrick Depa, Development Services Specialist II Rebecca Markham

3. APPROVAL OF MINUTES – January 12, 2026

Chair Malone asked for any edits to the draft minutes. With no edits requested, the minutes were declared approved at 6:31 p.m.

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

None

5. DIRECTOR’S REPORT

Development Services Director Kelly O’Neill Jr. explained that at this time there’s no future Planning Commission meetings scheduled, but that staff is looking at some long-range planning objectives for which a meeting will be necessary in the future.

O’Neill highlighted the HPS approval from the State of Oregon which now starts the “4-year check-in clock” on accomplishing some of the strategies/goals noted in the submission. He stated there are twelve strategies and believes that DLCDC will want to see six or seven of these completed by the 4-year check-in.

O’Neill then updated the Commissioners on the moratorium and the upcoming wastewater facility plan discussion. He encouraged the Planning Commissioners to attend the May 4th City Council meeting where they will discuss the new draft wastewater facility plan amendments and next steps for wastewater solutions.

O’Neill also explained that in the next few weeks, moratorium 5.0 will be sent to the State of Oregon for notice of adoption. Moratorium 5.0 includes the ERU distribution program. A public hearing regarding Moratorium 5.0 will then take place in late May or early June before the existing moratorium expires. He suggested that a work session could be scheduled for the Commissioners to discuss the details of the distribution program in more detail and have a chance to ask questions. It was also suggested meeting in May after the City Council’s meeting on May 4th. O’Neill stated he would find some potential meeting dates and engage with the

Commission to find a meeting date in May.

6. COUNCIL LIAISON AND PLANNING COMMISSIONER DISCUSSION

City Council Liaison Kristina Ramseyer updated the Commission on her recent visit to Estacada with City Manager Tyler Deems and said they watched a presentation for a large-scale project named “Legacy Ridge” that would include affordable housing, multi-family housing, facilities for seniors, grocery stores, and much more on an 80-acre site. The plans are still in the planning stages and are very ambitious.

Ramseyer asked staff for an update on the proposed RV Park just outside the city limits at Dubarko and 362nd Drive. O’Neill said that Senior Planner Patrick Depa attended the County’s pre-app meeting and also submitted comments which stated the requirements the City would have, specifically because 362nd Drive is maintained by the City. O’Neill also stated that staff haven’t heard anything more from Clackamas County following the pre-app meeting. He believes the applicant is weighing his options to annex into the city depending on if he gains access to ERU’s.

7. NEW BUSINESS:

7.1. Pre-House Bill 2005 Compliance Amendments (File No. 26-004 DCA)

Chair Malone opened the legislative hearing on File No. 26-004 DCA at 6:54 p.m. Malone 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:

Development Services Director O’Neill started his report with background on House Bill 2005 and explained that in 2025 the Oregon State legislature adopted House Bill 2005 dealing with a wide range of mental health related issues and a small portion of that bill has land use provisions. He explained the requirements for cities to go through their development code and make changes to align with legislative changes. Later this year or in 2027, City staff will be back before the City Council and Planning Commission with additional code modifications. However, he explained that they’re not proposing those changes yet for two reasons. There’s pending litigations and because no other city has made those updates related to House Bill 2005.

O’Neill then explained that as City Attorney Josh Sopher was reviewing the City Code in relation to House Bill 2005, he strongly recommended that the City make other code amendment changes that should have been made decades ago, but were unfortunately missed.

The amendments before the Commission are as follows:

17.10 (Definitions) – Redefine “residential facility” and add a new definition for “residential home” to be in line with the ORS.

17.34 (Single Family Residential) – Add “residential home” to the permitted uses section.

17.36 (Low Density Residential) – Add “residential home” to the permitted uses section.

17.38 (Medium Density Residential) – Add “residential home” and “residential facility” to the permitted uses section and remove it from the conditional uses section.

17.40 (High Density Residential) – Add “residential home” to the permitted uses section and remove “residential care facility” from the conditional uses section.

17.44 (General Commercial) – Add “residential facility above a commercial business” to the permitted uses section to be consistent with multi-family dwellings above a commercial business.

17.46 (Village Commercial) – Add “residential facility above a commercial business” to the

permitted uses section to be consistent with multi-family dwellings above a commercial business.

In conclusion, this would make the City code compliant with laws that pre-dated HB 2005.

Public Testimony:

None

Staff Recap:

O'Neill stated that staff recommends that the Commission provide staff with any suggested edits but also said that the code amendments before them were reviewed and updated by the City Attorney. He also asked the Commission to forward their recommendations with any edits to the City Council.

Motion: Motion to close the public hearing at 7:05 p.m.

Moved By: Commissioner Wegener

Seconded By: Vice-Chair Crosby

Yes votes: All Ayes

No votes: None

Abstentions: None

Discussion:

The Commission and staff discussed the definition of "residential care facilities" and what that could encompass.

Motion: Move to recommend approval of the code amendments to the City Council as presented by staff.

Moved By: Vice-Chair Crosby

Seconded By: Commissioner Wegener

Yes votes: All Ayes

No votes: None

Abstentions: None

7.2. Civil Infractions Work Session

Development Services Director O'Neill explained how this discussion "piggybacks" off a work session with the City Council in October of 2024. He said that in December of 2024, the City Council adopted Ordinance 2024-23 which removed Chapter 1.16 and modified Chapter 1.18 significantly to include infraction classifications as well as a fine escalation clause. Before the updated civil infraction code sections go before the City Council at a work session, O'Neill wanted the Commissioners' input and recommendations.

O'Neill went through the proposed modifications to Chapter 1.18, the removal of Chapter 1.20 since the City doesn't hold jury trials, and the reasons for removal of references to ORS in Chapters 8.34 and 8.35 per the City Attorney's recommendation. He also stated that staff also recommended removal of Section 8.34.080.E. that established a floor for at fine which is not common and is instead generally left to the municipal judge to decide.

O'Neill asked the Commissioners if they'd like to go through each Chapter and the proposed fine amount. Chair Malone said she trusted staff's due diligence and didn't feel that was necessary.

When discussing fines, O'Neill stated that the Development Services Department provides every chance possible to come into compliance before an actual fine is issued. He explained how the Development Services Department Code Enforcement Specialist typically sends multiple letters, sends emails, makes phone calls, and sometimes even stops by the property or business before he finally issues a fine.

When looking at the lists and fine amounts in Exhibit A and B, Commissioner Wegener stated how he felt the fines for snow and ice removal were a little steep for the residential community. O'Neill explained that everything in Chapters 8.04 through 8.24 are violations in accordance with nuisance penalties outlined in Chapter 8.28 which are currently listed as a Class A infraction. O'Neill also stated that if the Commission wanted to lower any fines in each of the sections of Chapter 8, staff would need to note the violation details in each section requiring it to be adopted by City Council.

Chair Malone asked City Council Liaison Kristina Ramsayer if Council would be willing to split out each violation in Chapters 8.04 through 8.24. Ramseyer believes the City Council has other priorities that would take precedence over separating out the fines per chapter instead of keeping them all consistent and noting it once in Chapter 8.28.

The Commission and staff discussed the options of lowering the fine amount in just a few sections in Chapter 8, requiring the City Council to adopt separate violation sections. Alternatively, they discussed lowering all the fines in Chapters 8.04 through 8.24 from a Class A (\$1,000) to a Class B (\$500) infraction, which wouldn't require separate adopted violation sections. The Commissioners agreed to recommend lowering Chapters 8.04 through 8.24 infractions to a Class B fine.

Commissioner Wegener asked why Chapter 12.10, sidewalk maintenance didn't have a fine listed in Exhibit B. O'Neill clarified that if the homeowner doesn't respond to code enforcement violations for sidewalk maintenance, the City abates the sidewalk issues, and a lien is placed on the property to cover the City's cost. He stated that this process has been very successful for sidewalk repairs.

8. ADJOURNMENT

Chair Malone adjourned the meeting at 7:47 p.m.

Attest:

Kelly O'Neill Jr.,
Development Services Director

Chair Linda Malone

Date signed: _____