



STAFF REPORT

Planning Commission

Work Session

Meeting Type: Planning Commission
Meeting Date: June 10, 2024
From: Kelly O'Neill Jr.
Subject: Chapter 17.74 Work Session

DECISION TO BE MADE:

Hold a work session to discuss proposed code amendments for fences/retaining walls and temporary uses/structures in Chapter 17.74 of the Sandy Municipal Code.

BACKGROUND / CONTEXT:

On November 27, 2023, the Planning Commission held a [work session](#) to discuss municipal code amendments. The work session included a prioritization of code amendments, which included input from the Commission that code amendments from the City Council and City Administration should be completed first. As discussed during that work session, the code amendments would come before the Commission after the adoption of the Clear and Objective Code Audit. The City Council adopted the Clear and Objective Code modifications by ordinance on February 20, 2024.

On April 22, 2024, the Planning Commission held a work session to discuss code modifications to the Sandy Sign Code in Chapter 15.32. Mayor Pulliam has since created a subcommittee consisting of three City Councilors and Commission Chair Wegener to review code amendments related to fines and code enforcement actions.

This work session before the Commission is to address fences/retaining walls and temporary uses/structures. Future code amendment work sessions will include urban forestry standards (Chapter 17.102), drive-thru requirements (Chapter 17.94), commercial and industrial accessory building standards (Chapter 17.90), and major utilities (Chapter 17.76).

KEY CONSIDERATIONS / ANALYSIS:

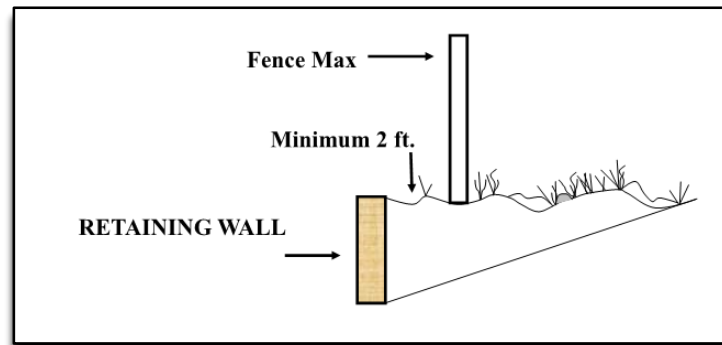
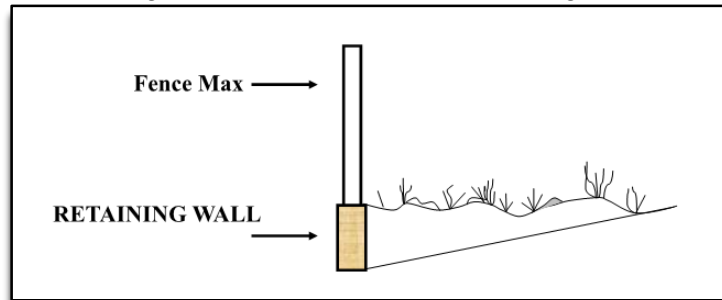
The following information outlines the primary proposed code modifications:

Section 17.74.40. Fences and retaining walls:

Staff brought proposed amendments regarding fences and retaining walls to the Planning Commission in November 2015, but those code amendments were never adopted. The height of fences and retaining walls are currently regulated by regulations based on the zoning district of the property and the location of the fence or wall. For example, in a residential zone the maximum fence/retaining wall (for combination walls also) is only permitted at 8 feet in height in rear yards and interior side yards, and 6 feet in height in side yards abutting a right-of-way.

Due to topography in Sandy, many lots have slopes that make strict adherence to fence and retaining wall height regulations challenging. We occasionally receive requests from property owners wanting to exceed the eight-foot combined height for fences and retaining walls in rear and side yards. There have been cases where modifications to this standard can be processed through an adjustment or variances process. Creating additional code language for combined fences/retaining walls could allow for increased flexibility without violating the intent of the regulations. Staff recommends new standards are adopted to allow a fence/retaining wall combination to exceed the eight-foot height maximum under some circumstances. The proposal is to allow a combined height up to 10 feet when a fence is on top of a retaining wall and allow a combined height up to 12 feet when the fence is setback at least two linear feet from the retaining wall.

Diagram of combined fence/retaining wall:



The proposed code modifications also include a limitation on galvanized metal fencing in front yards, except for hog wire framed with wood.

Picture of hog wire framed with wood:



Section 17.74.60. Temporary uses or structures:

City Administration asked for updates to this code section to align code language with temporary use and temporary structure permits that have been issued the past few years. The proposed code language incorporates standards that are commonly integrated into the findings and conditions for temporary uses and structures.

The Development Services Department routinely issues temporary use permits for events, such as the Mount Hood Farmers Market or Sandy Invitational Chainsaw Carving Event. Temporary structure permits are more routinely issued for construction trailers and temporary storage.

RECOMMENDATION:

Staff recommends that the Planning Commission discuss the proposed code modifications and provide staff with suggested modifications for staff to prepare a legislative public hearing.

LIST OF ATTACHMENTS / EXHIBITS:

Exhibit A. Chapter 17.74 markup