

FINDINGS OF FACT and FINAL ORDER TYPE I TEMPORARY USE PERMIT

DATE:	August 20, 2024
FILE NO.:	24-041 TEMP
NAME OF PROJECT:	Sandy Area Oregon Chamber 75 th Celebration
APPLICANT:	Sandy Area Chamber
PROPERTY LESSEE:	Dick Hannah, Ford Dealer
PROPERTY OWNER:	JJHO LLC
LOCATION:	37000 Hwy 26
MAP/TAX LOT:	24E14 01126 and 24E14 01103
ZONING:	General Commercial (C-2)
SFAFF CONTACT:	Patrick Depa, Senior Planner

FINDINGS OF FACT

1. On July 24, 2024, the applicant submitted payment, a Temporary Use Permit application, and a site plan, requesting temporary use permit approval to hold a one-day outdoor theater event. The event will be in the spirit of an old outdoor drive-in movie theater. The drive-in movie presentation is proposed for Saturday September 14, 2024, from 6:00 p.m. to 12:00 a.m. (midnight), where food and drink will be available.
2. The outdoor screen and parking are proposed to take place at the Dick Hannah Ford Dealership located at 37000 Hwy 26.
3. The site is zoned C-2, General Commercial and is located on the south side of Highway 26 just west of Ruben Lane. Temporary uses are permitted in the C-2 zoning district under a Type I review.
4. The applicant indicates that the drive-in screen will be set up on the east building elevation of the Dick Hannah Maintenance Building.
5. The east open-air sales lot will be cleared out to make available approximately 180 parking spaces to face the screen located on the building's east elevation.
6. There is no reason to obtain a noise exemption for the theater/movie extending late into the night because the movie's audio is streamed through radio.

7. The applicant also indicated there will be temporary portable restrooms along with hand washing stations located along the south building elevation of the Dick Hannah Maintenance Building.
8. Food trucks are not being used and the organizers state that local non-profits will be the only vendors set up to sell food. Dick Hannah will be supplying the power to the vendors. They are also working on obtaining Clackamas County Health approval.
9. Clackamas Fire District was asked for comments, but the Fire Marshal said they had no comments on the proposed event.
10. The City and the event organizers both reached out to the Oregon Department of Transportation (ODOT) who stated that they did not believe the event warranted any traffic safety measures due to the time of day and the classification of the road. Regular road rules apply.
11. Sandy Police Department is aware of the event and will be available in case there is heavy attendance. They did not have any concerns or precautions to report on at this time.

DECISION

The proposed Temporary Use Permit for the outdoor theater/movie on September 14, 2024, from 6:00 p.m. to 12:00 a.m. (midnight), is in general conformance with the standards of the Sandy Development Code, Chapter 17.74.60, and is therefore **approved**, subject to the conditions of approval below.

CONDITIONS OF APPROVAL

1. The applicant is permitted to use the subject property at 37000 Hwy 26 for an outdoor screening of various movies on Saturday, September 14, 2024, from 6:00 p.m. to 12:00 a.m. (midnight). The subject property shall be returned to pre-event condition on Sunday, September 15, 2024.
2. All existing drive aisles in the parking lot shall be kept clear to allow vehicular movement and the proposed activity shall not disrupt traffic to adjacent businesses.
3. The applicant shall obtain Clackamas County Health approval to sell food and beverage.
4. Two (2) fire extinguishers shall be onsite, and “No smoking” signs shall be posted.
5. Tents, canopies, or membrane structures and their appurtenances shall be adequately roped, braced, and anchored to withstand the elements of weather and prevent against collapse. Documentation of structural stability shall be furnished to the Clackamas Fire Marshall upon request. The securing system used shall not penetrate into any parking lot surface.

6. The applicant is responsible for complying with Chapter 15.32 for all signage. No signage shall be installed without first obtaining a sign permit.
7. This Temporary Use Permit may be revoked by the City if conditions of approval are not met. Approval of this Temporary Use does not grant authority for the unrestricted use of the site.
8. Any other conditions or regulations required by Clackamas County, Clackamas Fire District, Oregon Department of Transportation, or County, State, or Federal agencies are hereby made a part of this permit and any violation of the conditions of this approval will result in the review of this permit and/or revocation.



Patrick Depa
Senior Planner

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within twelve (12) days of notice of the decision. The notice of appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain at least the following:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Section 17.28.50;
5. Payment of required filing fees. Payment of required filing fees is jurisdictional and must accompany an appeal at the time it is filed;
6. The name and mailing address of the person or entity appealing the decision; and
7. List and two sets of mailing labels for property owners within 300 feet of the subject property (for appeal of a Type I decision), 500 feet of the subject property for appeal of a Type II, III, or IV decision, or 1,000 feet for appeal of an annexation request. The property owner list and labels shall be obtained from a Title Company no more than seven days prior to submitting the appeal.