

NOTICE OF DECISION TYPE I TEMPORARY USE PERMIT

DATE:	April 17, 2025
FILE NO.:	25-009 TEMP
APPLICATION:	Type I – Temporary Use
NAME OF PROJECT:	Sandy Night Out Event
APPLICANT:	Amy Hardesty
OWNER/LEASEE:	Leather’s Enterprises/D31 Foundation
LOCATION:	17455 Scales Avenue
TAX MAP & LOT:	24E13CB00900 and 00901
LOT SIZE:	0.65 Acres
ZONING:	C-1 (Central Business District)
STAFF CONTACT:	Patrick Depa, Senior Planner

PROPOSAL

The applicant is requesting temporary use approval to hold an all-day community event at 17455 Scales Avenue on Saturday August 2, 2025. The applicant proposes setting up over twenty (20) tent pole canopies that will be occupied with several carnival games, food, live music, and a variety of vendor tents that showcase local businesses.

17455 Scales Avenue is a vacant parcel. The event will also occupy an adjacent vacant parcel directly north of it. The adjacent vacant parcel does not have an address. 17455 Scales Avenue has frontage on both Pioneer Blvd. and Scales Avenue. The adjacent vacant parcel to the north has frontage on both Proctor Blvd. and Scales Avenue.

EXHIBITS

- A. D31 Foundation’s Narrative
- B. Site Plan
- C. Trolley Service Agreement
- D. Traffic Control/Parking Plan
- E. Special Event Liability Insurance

FINDINGS OF FACT

1. The applicant submitted a Temporary Use Permit application on March 13, 2025. The application was deemed complete on March 28, 2025.
2. The site is zoned C-1 (Central Business District). Community events, with the above-mentioned activities, are a permitted use in this zoning district.

3. Scales Avenue **will not** be closed during this event. The proposed activity shall not disrupt through traffic on Scales Avenue or the couplet and must be monitored to ensure there are no adverse impacts to adjoining properties and businesses.
4. The applicant has confirmed that they will have a “Public Transportation Plan” that includes the creation of a formal City of Sandy transit plan involving designated stops and time schedules that will be developed by Muna Rustam, Transit Manager.
5. As part of the applicant’s submittal, a “Traffic Control/Parking Plan” was received (EXHIBIT D). The intent is to provide traffic and parking information on event websites, via social media, and through local media outlets. The focus will center around alternative forms of travel to arrive at the event and safety precautions.
6. There will be a variety of music and games that will take place throughout the evening which create various levels of elevated noise. The event shall comply with Section 8.20 of the Municipal Code regarding noise and amplified music.
7. The event organizers will access electricity if needed from the AntFarm storage building adjacent to the site where the event is taking place.
8. The event will include a dunk tank as one of its games and has already filed a “Bulk Water Meter” form with the City.
9. No signage has been proposed with this application. The applicant is responsible for complying with Chapter 15.32 for all signage. No signage shall be allowed without obtaining a sign permit. Signs that are prohibited are those that rotate, reflect, flash, blink, fluctuate, or have chaser effects.
10. Additional items that are prohibited from being seen or visible from any of the three public rights-of-way include: Attention-attracting devices, flags, balloons, windsocks, pennants, streamers, valances, spinners, spirals, and other wind-activated devices including propellers.
11. The applicant is proposing to have on site porta-potties and provide different areas for trash and recycling. The event organizers have submitted a clean-up plan and a waste disposal plan with their application.

COMMENTS

The Clackamas Fire Marshall provided comments and conditions that are required to be followed:

Conditions for the Sandy Night Out Event:

- **3103.1 General.** Tents/canopies (no sides allowed) placed side by side are not to exceed an aggregate area of 700 square feet without a fire break clearance that is a minimum 12 feet wide and free from guy ropes or other obstructions.
- **3103.12 Means of egress.** Maintain a minimum aisle width of not less than 44 inches under larger tents.
- **3106.4.4 Portable fire extinguishers.** A minimum of one 2A-10BC fire extinguisher

to be located within 75 feet travel distance of the Sandy Night Out Event Ticket tent. Portable fire extinguisher(s) to be placed conspicuously so its location is visible and accessible in the event of an emergency.

- **3106.4.5 Smoking.** Smoking shall be permitted only in designated areas. “No Smoking” signs are to be conspicuously posted on and near the Sandy Night Out tent area.
- **3106.4.7 Combustible refuse.** Combustible refuse shall be kept in noncombustible containers with tight-fitting or self-closing lids. Combustible refuse shall be removed from the event site at regular intervals to prevent an unsafe accumulation within the event site.
- **3106.5.1 Separation from tents or structures.** Cooking appliances or devices that produce sparks or grease-laden vapors or flying embers (firebrands) shall not be used within 20 feet of a tent or temporary structure.
- **3107.4 Open or exposed flame.** Open flame or other devices emitting flame, fire, or heat or any flammable or combustible liquids, gas, charcoal, or any other unapproved devices shall not be permitted inside or located within 20 feet of any tent/canopy or structures while open to the public unless approved by the Fire Marshal.
- **3107.16 Separation of generators.** Generators and other internal combustion power sources shall be separated from tents/canopies by not less than 20 feet and shall be isolated from contact with the public by fencing, enclosure, or other approved means.
- **604.5 Extension cords.** Extension cords, if used, are to be listed for outdoors and plugged directly into an approved receptacle and except for approved multiplug extension cord, shall serve only one portable appliance.

DECISION

For the reasons described above, the request by Amy Hardesty on behalf of D31 Foundation to hold the Sandy Night Out one-day event at 17455 Scales Avenue on August 2, 2025, is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

1. The applicant is permitted to use the vacant lot located at 17455 Scales Avenue for a one-day event to be held on Saturday August 2, 2025, for the purpose of a carnival and a community gathering.
2. The proposed tent poles shall be secured at all corners to prevent the canopies being blown off by the wind.
3. The proposed activity shall not disrupt through traffic on Scales Avenue or the couplet and must be monitored to ensure there are no adverse impacts to adjoining properties and businesses.

4. When the formal City of Sandy transit plan is completed, a copy must be filed with the City's Planning Division.
5. The applicant shall comply with Section 8.20 of the Municipal Code regarding noise and amplified music.
6. The applicant shall follow all the rules related to the "Bulk Water Meter" approval concerning the hydrant and how to finalize the use when done.
7. The applicant is responsible for complying with Chapter 15.32 for all signage. No signage shall be allowed without obtaining a sign permit.
8. Additional items that are prohibited from being seen or visible from any of the three public rights-of-way include: Attention-attracting devices, flags, balloons, windsocks, pennants, streamers, valances, spinners, spirals and other wind-activated devices including propellers.
9. The applicant shall sure the porta potties and trash are removed from the site within forty-eight (48) hours of the event.
10. The Clackamas Fire Marshall provided comments and conditions that are required to be followed:

Conditions for the Sandy Night Out Event:

3103.1 General. Tents/canopies (no sides allowed) placed side by side are not to exceed an aggregate area of 700 square feet without a fire break clearance that is a minimum 12 feet wide and free from guy ropes or other obstructions.

3103.12 Means of egress. Maintain a minimum aisle width of not less than 44 inches under larger tents.

3106.4.4 Portable fire extinguishers. A minimum of one 2A-10BC fire extinguisher to be located within 75 feet travel distance of the Sandy Night Out Event Ticket tent. Portable fire extinguisher(s) to be placed conspicuously so its location is visible and accessible in the event of an emergency.

3106.4.5 Smoking. Smoking shall be permitted only in designated areas. "No Smoking" signs are to be conspicuously posted on and near the Sandy Night Out tent area.

3106.4.7 Combustible refuse. Combustible refuse shall be kept in noncombustible containers with tight-fitting or self-closing lids. Combustible refuse shall be removed from the event site at regular intervals to prevent an unsafe accumulation within the event site.

3106.5.1 Separation from tents or structures. Cooking appliances or devices that produce sparks or grease-laden vapors or flying embers (firebrands) shall not be used within 20 feet of a tent or temporary structure.

3107.4 Open or exposed flame. Open flame or other devices emitting flame, fire, or heat or any flammable or combustible liquids, gas, charcoal, or any other unapproved devices shall not be permitted inside or located within 20 feet of any tent/canopy or structures

while open to the public unless approved by the Fire Marshal.

3107.16 Separation of generators. Generators and other internal combustion power sources shall be separated from tents/canopies by not less than 20 feet and shall be isolated from contact with the public by fencing, enclosure, or other approved means.

604.5 Extension cords. Extension cords, if used, are to be listed for outdoors and plugged directly into an approved receptacle and except for approved multiplug extension cord, shall serve only one portable appliance.

11. 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.



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) calendar days of notice of the decision. Any person interested in filing an appeal should contact the City to obtain the form, “*Notice of Appeal*”, and Chapter 17.28 of the Sandy Development Code regulating appeals. All applications for an 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:

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.