



STAFF REPORT

Meeting Type: City Council
Meeting Date: May 6, 2024
From: Patrick Depa, Senior Planner
Subject: Noise Exception and Road Closure – Chainsaw Carving Event (File No. 24-011 TEMP and 24-012 TEMP)

DECISION TO BE MADE:

Whether to approve a noise exception and road closure for the Sandy Invitational Chainsaw Carving Event.

PURPOSE / OBJECTIVE:

Approve or deny the following requests for File No. 24-011 TEMP and 24-012 TEMP (Sandy Invitational Chainsaw Carving Event). The noise exception is for a one-day wood carving art event on Saturday June 1, 2024, from 8:00 am to 7:00 pm in downtown Sandy at 38600 Proctor Blvd and 16640 Champion Way.

1. Noise exception under [Section 8.20.020 of the Sandy Municipal Code](#) (Unnecessary Noise)
2. Closure of Scales Avenue between Pioneer and Proctor Boulevards, per [Section 12.02.030 of the Sandy Municipal Code](#) (Jurisdiction and Management of the Public Rights-of-Way)

BACKGROUND / CONTEXT:

Staff received two temporary land use applications and other related materials on February 23, 2024, requesting approval for a one-day “chainsaw carving” event from 8:00 am to 7:00 pm in downtown Sandy to the east of the AntFarm building at 38600 Proctor Blvd. and on the vacant lot at 16640 Champion Way, to the west of the Fred Meyer’s fueling station.

The first location, 38600 Proctor Blvd, is proposed to span over three lots that are under the same ownership where the Mount Hood Farmers Market is held. The temporary closure of the Scales Avenue right-of-way is associated with this location.

The second location, 16640 Champion Way, is at the northeast corner of Champion Way and Industrial Way. The lots to the north and south are vacant, the lot to the west is Champion Collision, and the lot to the east is the Fred Meyer’s fueling station. The subject site and the lots to the east and west are zoned Industrial Park (I-1) and the lot to the south is zoned Light Industrial (I-2).

The applicant is proposing the following during this event:

- Twenty plus active carvers creating and carving a piece for auction
- A demonstration of skills by competitive foresters from OSU
- Mechanical Demo Field: Heavy machinery for public viewing and explanation
- Oregon Mass Timber Manufacturing information of the regenerative wave and construction future
- Public participation in forestry related activities (signed waivers will be required)
- Auction of carver's art at the end of the event

The applicant submitted an application, site plan, narrative, and event schedule. These submittals are provided as exhibits.

The applicant has stated he has secured a new insurance policy which is scheduled to start May 16, 2024. The Insurance and "Hold Harmless" clause for the city will be conditions in the final temporary use order and the policy will be verified by the Planning Division prior to the event.

KEY CONSIDERATIONS / ANALYSIS:

Noise Exception

- Section 8.20.020 (A) states: "No person may make, assist in making, continue or cause to be made any loud, disturbing or unnecessary noise which either annoys, disturbs, injures or endangers the comfort, repose, health, safety or peace of others."
- Section 8.20.020 (B) states: "Loud, disturbing and unnecessary noises in violation of this section include, but are not limited to the following:"
- Section 8.20.020 (B)(10) goes on to state: "The discharge in the open air of the exhaust of a steam engine, internal combustion engine, motorboat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises and the emission of annoying smoke."

The Code does not provide the City Council with specific criteria for reviewing and approving noise exceptions. Approval of the exception is within the Council's judgment and discretion.

Scales Avenue Road Closure

- Section 12.02.030 states: "the City has jurisdiction and exercises regulatory management over all rights-of-way within the City under authority of the City charter and state law."

In 2023, the City Council provided direction to staff that the Council wishes to review and approve all requests for right-of-way closures within the downtown core.

Following Council approval, the application will complete the process by submitting a [Right of Way Permit Application](#) to the Public Works Department, with the articles listed under the [Right of Way Permit Plan Submittal Requirements](#).

BUDGET IMPACT:

None

RECOMMENDATION:

Staff recommends approval of the noise exception under Chapter 8.20.020 (B)(10) and the temporary road closure of Scales Avenue for the Sandy Invitational Chainsaw Carving Event, as this application otherwise meets the general requirements of the Development Code Section 17.74.60 (A) (Temporary Uses) and promotes a unique art event in downtown Sandy.

SUGGESTED MOTION LANGUAGE:

"I move to approve the noise exception at 38600 Proctor Blvd. and at 16640 Champion Way, and the Scales Avenue road closure between Pioneer and Proctor Boulevards, for File No. 24-011 TEMP and File No. 24-012 TEMP on June 1, 2024, from 8:00 am to 7:00 pm."

LIST OF ATTACHMENTS / EXHIBITS:

- Exhibit A. Land Use Application
- Exhibit B. Special Event Permit Application
- Exhibit C. Narrative, Site Plan, and Information flyer