



## MEMORANDUM

TO: Clackamas County Board of County Commissioners  
FROM: Gary Schmidt, County Administrator  
RE: Delegation of Decision for Two Noise Variance Appeals  
DATE: July 15, 2025

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**REQUEST:** Staff seek Board direction on two separate appeals to noise variance denials.

**BACKGROUND:** Clackamas County Code Chapter 6.05, Noise Control, regulates noise levels in the unincorporated areas of the county. The code generally prohibits unreasonable noise with exceptions for certain activities and provides a process to request a variance through Code Enforcement. Generally, those variances are granted for unavoidable construction activities, noises from organized activities at suitably designed locations, or events with public benefit. Denial of a variance does not mean the applicant cannot conduct the activities, merely that those activities must comply with Chapter 6.05. If the variance is denied, applicants have the right to appeal to the Board of County Commissioners. Two appeals have been received in the last week.

Per Chapter 6.05, the Board of County Commissioners shall review the noise variance application de novo and render a decision within 15 days. In April of 2024, the Board approved a one-time delegation to the County Administrator to hear a noise variance appeal on behalf of the Board.

Does the Board wish to delegate the two active appeals to the County Administrator or hear the appeals as the Board? The two current appeals must be heard within the next two weeks.

If the Board wishes to review the applications, staff will schedule a hearing to brief the Board. If the Board wishes to delegate this authority to the County Administrator, staff will bring a Board Order to a future Business Meeting to memorialize this one-time delegation.

### OPTIONS:

1. Delegate one-time authority to the County Administrator to address the noise variance appeals.
2. Direct staff to schedule a hearing for the Board to address the noise variance appeals.