



# Wasco County Planning Department

*"Service, Sustainability & Solutions"*

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## SUMMARY OF INFORMATION

Prepared for Wasco County Board of Commissioners Hearing

**FILE #** PLAOMG-16-09-0002

**HEARING DATE:**

October 21, 2016

**PUBLISH DATE:**

October 13, 2016

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**REQUEST:** Outdoor Mass Gathering permit for a music and art festival entitled "What the Festival," June 15-19, 2017. Total attendance of participants and staff not to exceed 9,000.

**RECOMMENDATION:** Approval, with conditions

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### APPLICANT/OWNER INFORMATION:

**Applicant:** Moonshine Events, LLC, 25 NW 23<sup>rd</sup> Place, Suite 6, PMB 505, Portland, OR 97210

**Owner:** Wolf Run Ranch, LLC, 25 NW 23<sup>rd</sup> Place, Suite 6, PMB 505, Portland, OR 97210

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### PROPERTY INFORMATION:

The property is located on the north side of Dufur Valley Road, approximately 10 miles southwest of Dufur, OR. More specifically described as:

78889 Dufur Valley Road, Dufur, OR 97021

<u>Existing Tax Lot</u>	<u>Previous</u>	<u>Acct#</u>	<u>Acres</u>
2S 12E 0 1400	2S 12E 0 2000	9603	245

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### ATTACHMENTS:

- A. Options & Staff Recommendation
- B. Recommended Conditions
- C. Maps
- D. Staff Report
- E. Sanitary Food Service Requirements
- F. Wildland Fire Prevention Plan

# ATTACHMENT A – OPTIONS & STAFF RECOMMENDATION

Under ORS 433.750, the Board of County Commissioners is the only body authorized to issue an Outdoor Mass Gathering permit in Wasco County. While Wasco County has exercised its authority to expand the definition of outdoor mass gathering, the only applicable regulations are those contained in ORS 433.735 to 433.770 and OAR 333 Division 39.

The following Staff Report provides background information and addresses the applicable standards. After reviewing the applicable regulations, Staff has identified the following four options for consideration by the Board of County Commissioners.

## Board of County Commissioner Options:

1. **Approve** the application for an Outdoor Mass Gathering, and accept the proposed conditions and findings contained in the Staff Report.
2. **Approve** the application for an Outdoor Mass Gathering with amended findings and conditions.
3. **Deny** the application with amended findings that the request does not comply with the applicable health and safety regulations contained in ORS 433.735 to 433.770 and OAR 333 Division 39
4. **Continue** the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are sufficiently addressed.

## Staff Recommendation:

Staff recommends **Option 1** – Approve the application for an Outdoor Mass Gathering, and accept the proposed conditions and findings contained in the Staff Report (**Attachment D**).

## ATTACHMENT B – RECOMMENDED CONDITIONS

The full Staff Report with all proposed findings of fact and conclusions of law is enclosed as **Attachment D** and was available at the Wasco County Planning Department for review one week prior to the October 21, 2016 hearing. The full Staff Report is made a part of the record. This summary does not supersede or alter any of the findings or conclusions in the Staff Report, but summarizes the results of Staff's review and recommendation. The request and subsequent decision do not constitute land use decisions, as governed by Oregon law. All applicable standards are addressed in **Attachment D**.

Subject to the proposed findings contained in **Attachment D**, Staff recommends the following **conditions of approval**:

- A. Applicant and property owners shall comply with the application as reviewed and approved by the Staff Report, which is available at the Wasco County Planning Department. This report details the restrictions on aspects of the proposed event including but not limited to time, location, dimensions and use. This decision does not constitute tacit approval for any other development or use.
- B. **Attendance**: Maximum attendees for What the Festival 2017 shall be 9,000, including staff and volunteers necessary to operate the event safely and effectively, as described in **Attachment D**.
- C. **Insurance**: Applicant shall provide a Commercial General Liability Insurance policy of not less than \$1,000,000 specific to What the Festival, and naming Wasco County, its officers, agents, volunteers, and employees as an additional insured. Applicant shall furnish Wasco County with a Certificate of Insurance including a copy of the Additional Insured Endorsement that is attached to, and part of, the insurance policy by June 1, 2017 or the commencement of setup activities, whichever occurs first.
- D. **Water Supply System Construction, Maintenance, and Design**: The temporary water system shall be inspected by Wasco County or North Central Public Health District (NCPHD) prior to the event for compliance with *OAR 333-039-0015(3)(a)* through *(3)(l)*.
- E. **Pool Records**: Pool records need to be taken at least every 4 hours by the applicant's agent or contractor. The results shall be recorded and the log sheet needs to be available for inspection.
- F. **Water Hauler**: The potable water hauler shall fill out the form supplied by the State/NCPHD which tracks the chlorine levels when delivered. The chlorine that is being used to increase the chlorine level needs to be NSF certified product. There shall be a copy of the form on hand when the inspection takes place. The form shall detail the volume and chlorine levels at the time and of pickup and delivery
- G. **Greywater**: Greywater tanks shall be located not more than 50 feet from the food vendors and labeled with a sign stating "Waste Water Disposal". The seepage pit shall be constructed and ready for inspection by June 12, 2017 and shall be at least three feet deep covering an area not less than

32 square feet. The pit shall be backfilled with clean, course rock and be protected by a one-fourth inch screen which shall be removed, with any waste being appropriately disposed, and cleaned every 24 hours during the event or more often as needed.

- H. **West Entrance Facilities:** As shown on the 2017 site plan, the applicant shall locate and maintain toilet facilities near the West Entrance during peak arrival times in order to best accommodate attendees who are waiting in line to enter the property and approach the Box Office.
  
- I. **Food and Sanitary Food Service:** All food vendors shall comply with the applicable food and sanitary food service requirements listed in *OAR 333-039-0035 (Attachment E)*, and make themselves available for inspection during the event. Furthermore, only vendors with valid licenses, as provided by the Oregon Health Authority, shall be contracted to prepare and provide food for the event.
  
- J. **Oregon Liquor Control Commission (OLCC):** If a Temporary Sales License (TSL) is approved by the OLCC, the applicant shall submit a copy to Wasco County Planning Department.
  
- K. **Emergency Medical Facilities:**
  - 1) At a minimum one licensed physician and one licensed nurse shall be present during the operating hours of the event (June 15<sup>th</sup>-June 19<sup>th</sup>, 2017).
  - 2) The medical structure shall contain the facilities listed in *OAR 333-039-0040(2)* through (7) and be inspected by Wasco County or partner agencies.
  
- L. **Fire Protection:** Applicant shall employ its own voluntary open flame and smoking policy and shall comply with the Wildland Fire Prevention Plan detailed in the Oregon Department of Forestry letter (**Attachment F**).
  
- M. **Traffic:** Each vehicle parking space shall have a minimum width of 10' and minimum width of 20' and parking shall be clearly marked. Furthermore, parking shall be arranged to provide clear access for emergency responders and access to exits at all times.
  
- N. **Main Stage Hours of Operation:** All amplified noise from the WTF Main Stages shall cease by midnight. The smaller stages may operate after midnight, but applicant and its sound engineers shall direct speakers in a way that minimizes notable off property noise.
  
- O. **Security and Personnel:** The applicant shall coordinate radio frequencies to be used during the event with the Wasco County Sherriff Department to prevent disruption of local emergency service provider communications.

# ATTACHMENT C – MAPS

## Vicinity Map and 750' Adjacent Property Owner (APO) Curtesy Notification Radius



This product is for information purposes only and is not necessarily suitable for legal, engineering, or surveying purposes.

# ATTACHMENT C – MAPS

## Site Plan

