



MEMORANDUM

TO: Deschutes County Board of Commissioners (Board)
FROM: Rachel Vickers, Associate Planner
DATE: May 31, 2023
SUBJECT: Deliberations – 4Peaks 2024 Outdoor Mass Gathering Permit

The Board held a public hearing on April 5, 2023 to consider a request for an Outdoor Mass Gathering permit (file nos. 247-22-000675-OMG) for 4Peaks June 2024 event which will include overnight camping, parking, and food and drink for an estimated 2,000 people. The Board is scheduled to deliberate on May 31, 2023 in consideration of the request.

I. BACKGROUND

The applicant requests approval of an Outdoor Mass Gathering permit to allow a multi-day music festival in June of 2024. The event includes overnight camping, parking, and food and drink for an estimated 2,000 people. The property is approximately 150 acres in size and developed with a single-family dwelling and multiple accessory structures. The surrounding area consists of small scale farm and residential uses.

Proposed location of the festival is at 21085 Knott Road (see attached Location Map). Staff notes that the festival received approval from 2016 through 2019 at the same location with similar proposals, and before 2016 at a property near Tumalo. Set up is scheduled to begin June 15, 2024 and tear down will be fully completed by June 24, 2024. The event will take place June 20, 2024 through June 23, 2024. At this time the proposal has been approved by the Environmental Health Division, Bend Fire Department, County Health Department, and the Deschutes County Sheriff's Office.

The subject property has been divided into specific areas for the music festival. The main activity area is on the central portion of the subject property, which contains the stages, vendors, restrooms, water, first aid, trash and recycling collection, and basic operational aspects of the festival. The entrance to the festival is located on the northeast corner which includes the general admission vehicle lanes, ticket will call, day-use parking, and an area for authorized personnel. Other areas surrounding the main event to the south and southeast are designated as car and RV camping. The design layout includes separate vehicle and pedestrian access aisles and an emergency access road.

The applicant has addressed in their proposal the requirements involving insurance, sanitary facilities, water supply, fire protection, medical services, public safety and enforcement, parking facilities, alcohol and dangerous drugs, and hours of operation.

The Board held a public hearing on April 5, 2023 and initiated a 14-day open record period, which concluded April 19, 2023 at 4:00pm.

II. OPEN RECORD PERIOD

During the initial 7-day segment of the 14-day open record period, staff received 26 public comments and 3 agency comments. During the second 7-day segment of the open record period, staff received no comments from the applicant in regards to their final legal argument.

The new evidence and testimony received during the open record contained 3 agency comments, 22 comments in support of the application, and 4 comments in opposition. The 3 agency comment from Bend Fire Department, Deschutes County Health Department, and Deschutes County Environmental Health Department confirmed their initial approval of the permit and stated they had no additional concerns. The 22 comments in support of the application did not directly relate to any approval criteria, but generally supported the event saying it was well managed, family friendly, and a great addition to the community.

The 4 comments in opposition raised concerns regarding appropriateness of the location, impacts on wildlife and livestock, increased fire risk, security issues, traffic, noise, and enforcement of code violations. The applicant did not provide a response for their final legal argument.

III. BOARD DELIBERATIONS

On May 31, 2023, the Board will deliberate on the proposed Outdoor Mass Gathering Permit request. If the Board finds that additional deliberations are necessary, the Board may schedule a future date for continued deliberations. If the Board finds no additional deliberations are necessary, the Board may then vote on whether to approve or deny the Outdoor Mass Gathering request.

The review of the proposed Outdoor Mass Gathering permit is not subject to the 150-day review period typically associated with land use decisions. The full record is available at the following link: <https://www.deschutes.org/cd/page/247-22-000675-omg-4peaks-outdoor-mass-gathering>

Board Decision Matrix

A more thorough review and discussion of the subject proposal's compliance with the applicable approval criteria and issues is provided in the associated Board Decision Matrix, prepared in conjunction with this deliberation memorandum.

IV. NEXT STEPS

If the Board determines that additional deliberations are necessary, staff will work with the Board to schedule a future meeting for continued deliberations. If the Board concludes their deliberations during the May 31, 2023 meeting, the Board may then vote on whether to approve or deny the Outdoor Mass Gathering permit.

V. SUGGESTED MOTION

To the extent the Board decides to approve the Outdoor Mass Gathering permit, a motion as follows will likely be appropriate:

The Board moves to approve Board Document No 2023-368 for file no. 247-22-000675-OMG.

To the extent the Board decides to add reasonable conditions of approval to the Board Document, that motion will need to be crafted to address the Board's specific concerns, as discussed in the deliberations.

ATTACHMENTS:

- 1) Area Map
- 2) Board Decision Matrix
- 3) Board Document 2023-368