

GENERAL INFORMATION

Owner:

City of Grants Pass

Applicant/Representative:

Greater Grants Pass Rotary Club

Requested Action:

Tentative Plan approval of mass gathering

Purpose/Activity:

2nd Annual Grants Pass Balloon & Kite

Festival to be held June 1-3, 2018 at the

River Road Reserve located at 3658 and

4111 Upper River Road. Exhibit A contains

all application materials. Exhibit B is a

reduced copy of the tentative plan map.

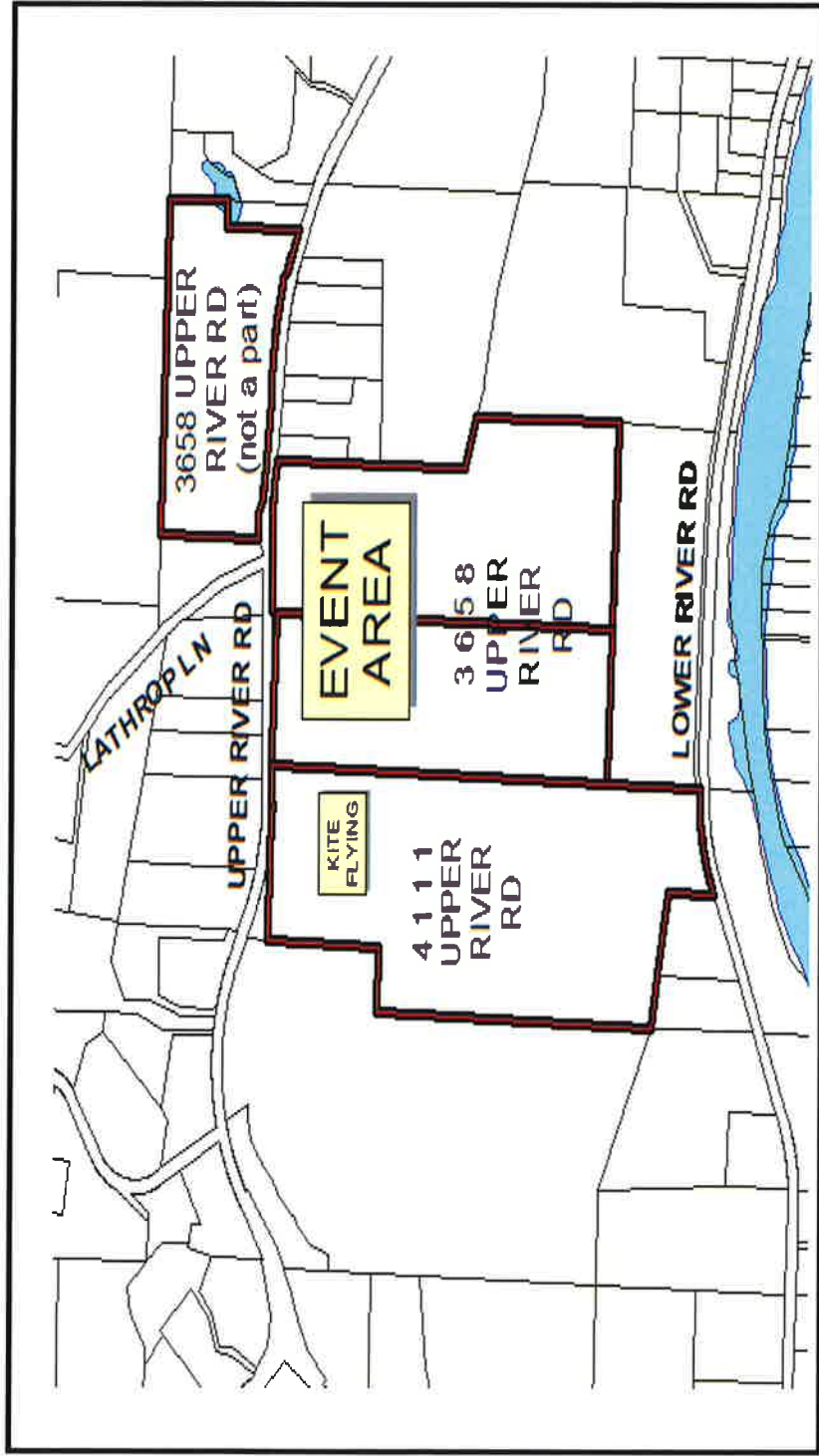
REVIEW PROCEDURE

- Per Josephine County *Rural Land Development Code (RLDC)*, Section 64.040.Q, the Planning Commission shall review “...mass gatherings that are outdoor and...involve more than 3,000 persons or are anticipated to last more than 120 hours in any 3-month period.”
- Per Oregon Revised Statutes (ORS) 2017 Section 433.763, “any gathering of more than 3,000 persons which continues or can reasonably be expected to continue for more than 120 hours...in open spaces shall be allowed by a county planning commission” if all criteria are met.
- Per RLDC Article 45, a comprehensive “conditional use” review is required to consider land uses which involve both significant benefits to the community and may result in significant adverse impacts on nearby properties and public facilities.

BACKGROUND INFORMATION

- The inaugural Balloon & Kite Festival was held June 2-4, 2017 at the River Road Reserve with events similar to those proposed in this application. It was approved by the Planning office as a temporary use as the event was smaller in scope than this year's proposal.
- In March 2018, a preliminary application was submitted for the second annual mass gathering; the application materials included:
 - Authorizing signatures from the Josephine County Sheriff's Department, Environmental Health and Public Works, as well as Oregon DEQ and Rural/Metro Fire Department
 - A detailed description of festivities and background information
 - An estimated attendance of 5,000 individuals
 - 175 hours related to the event

PROPERTY LOCATION



ZONING OF SURROUNDING AREA



ORDINANCE REVIEW

- Article 45 – CONDITIONAL USE PERMITS
- Section 64.040.Q – FARM ZONES: CONDITIONAL USE (MASS GATHERING)
- Section 64.060 - GENERAL REQUIREMENTS FOR CONDITIONAL USES AND NEW DWELLINGS
- ORS 433.763 – COMPLIANCE WITH LAND USE REGULATIONS

Section 45.010 – CONDITIONAL USE PERMITS

- Involve significant benefits to the community and individual property owners
- May result in adverse impacts on nearby properties and/or existing public facilities unless precautions taken in issuance of permits
- May be permitted when significant impacts can be adequately mitigated through conditions of approval
- Permit runs with the land

Section 45.020 – REVIEW PROCESSING

- Quasi-judicial review procedures
- To include a site plan review
- Review authority is the Planning Commission per ORS 433.763
- May be permitted when significant impacts can be adequately mitigated through conditions of approval
- Permit runs with the land

Section 45.030 – REVIEW STANDARDS & CRITERIA

Standards:

- Per RLDC and those standards as applicable of county/state/federal governments
- Conformance with the official street map
- Standards for construction of required infrastructure and public facilities
- Access standards

Criteria:

- As applicable: Article 69 (Overlays), Chapter 7 (Development Standards), Chapter 8 (Public Facilities) and Chapter 9 (Special Uses)
- No significant [adverse] impacts on the neighborhood
- Infrastructure and public facilities are adequate for the proposed land use
- Use will not exceed carrying capacity of the land
- Coordinates efficiently with surroundings and facilities
- Flooding, wildfire or erosion hazards will be mitigated

DEFINITION – SIGNIFICANT [ADVERSE] IMPACT

A criterion used to determine whether proposed land use activities will inappropriately affect the use or quality of other properties or public facilities. Impacts are significant when they cause serious adverse effects to, or conflict with, other properties in ways that cannot be reasonably mitigated through the imposition of conditions of development or operation. The review body shall judge the significance of impacts based on what a reasonable person would consider serious given the facts and circumstances of the application.

Section 64.040.Q
CONDITIONAL USE (MASS GATHERING)

Mass gatherings that are outdoor and subject to county planning commission review per ORS 433.763 because they involve more than 3,000 persons or are anticipated to last more than 120 hours in any three-month period.

Section 64.060

GENERAL REQUIREMENTS FOR CONDITIONAL USES

- The use or activities associated with the use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use.

ORS 433.763

COMPLIANCE WITH LAND USE REGULATIONS

- (1) Any gathering of more than 3,000 persons which continues or can reasonably be expected to continue for more than 120 hours within any three-month period and any part of which is held in open spaces shall be allowed by a county planning commission if all of the following occur:
 - (a) The organizer makes application for a permit to the county planning commission.
 - (b) The applicant demonstrates to the county planning commission that the applicant has complied or can comply with the requirements for an outdoor mass gathering permit set out in ORS 433.750 (permit application).

ORS 433.763

COMPLIANCE WITH LAND USE REGULATIONS
(continued)

- (1) (c) The county planning commission shall make findings that:
- (A) Any permits required by the applicable land use regulations have been granted; and
 - (B) The proposed gathering:
 - (i) Is compatible with existing land uses; and
 - (ii) Does not materially alter the stability of the overall land use pattern of the area.

ORS 433.763

COMPLIANCE WITH LAND USE REGULATIONS

(continued)

- (2) The provisions of ORS 433.755 (additional information required before permit issued) apply to any gatherings reviewed or approved under this section. (1-additional plans or specifications or reports as deemed necessary; 2-casualty insurance policy up to \$1 million with county named as an additional insured);
- (3) A decision granting or denying a permit under this section may be appealed to the county governing body as provided in ORS 215.402 to 215.438.
- (4) If a county has not created a planning commission...(not applicable)

PUBLIC / AGENCY COMMENTS

Staff received no written comments from neighbors during the public comment period. Comments provided by Josephine County Public Works and ODOT have been provided as **Exhibit C** to the Staff Report.

STAFF RECOMMENDATION

Planning staff recommends the
2018 Balloon & Kite Festival Mass Gathering be APPROVED
with the proposed conditions listed in **Exhibit D**.