

Friends of French Prairie

Friends of French Prairie
is an Oregon non-profit corporation

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July 29, 2022

RE: Legislative Amendment (LA) 22-003 - Request For Denial

To Marion County Planning Division:

Friends of French Prairie is a land use advocacy organization focused on preserving agriculture and ag lands in north Willamette Valley.

We oppose of Legislative Amendment (LA) 22-003 to amend the Marion County Rural Zone Code to permit an event business as a home occupation in the EFU, SA and FT zones and request that the proposed amendment be denied.

LEGISLATIVE AMENDMENT (LA) 22-003

Marion County proposes to expand the uses allowed in the Exclusive Farm (EFU) zone, the Special Agricultural (SA) zone and the Farm Timber (FT) zone to include an event business as a home occupation. [In Chap. 17.137 (SA zone) the applicable changes take effect on pgs. 11,12,13,14,15,16. In Chap. 17.139 (FT zone) the applicable changes take effect on pgs. 20,21,22,23,24,25].

A. Chap 17.136 (EFU zone) Sec. 2

Notwithstanding MCC 17.110.270 and 17.120.075, an event business hosting weddings, family reunions, class reunions, company picnics, memorials, and similar gatherings, may be established as a home occupation subject to the following criteria

Response: These types of events, as well as those not specifically described, are commercial in nature and should occur at established locations, not on personally or randomly selected EFU, SA or FT locations.

B. Sec 2, subsections D,E,F,G:

D. Number of events: A maximum of 18 events per calendar year may be held on the property.

E. Frequency: No more than three events a week shall occur from May 1 to September 30 and one event a week from October 1 to April 30.

F. Duration: No event shall exceed three consecutive days including setup and take down.

G. Hours of operation: No event shall take place before the hour of 7:00 a.m. or after the hour of 10:00 p.m. Setup and takedown shall occur as well between the hours of 7:00 a.m. and 10:00 p.m.

Response: As stated above, what is described are commercial events, the majority of which will occur in the six months of May through October, and should not be allowed on randomly selected DRU, SA or FT locations.

C. Sec 2, subsection H:

H. Number of guests: A maximum of 750 guests shall be permitted on the property at any one time. All events shall be conducted in such a way as to comply with conditions of approval placed on the event business operation. The property owner shall ensure that the maximum occupancy approved by the Marion County Building Official and local fire district is not exceeded in structures on the property at any time.

Response: the scale of events being contemplated reinforces the commercial nature of these events, and the requirement for Building Official and Fire District approvals confirms that fact. Again, these types of events should be held at established commercial locations, and should not be allowed on randomly selected DRU, SA or FT locations.

D. Sec 2, subsection S:

S. On-Site Wastewater: The property owner shall obtain all necessary permits for on-site wastewater disposal. In the event that portable restroom facilities, including hand-sanitizing or hand-washing stations, are used, these shall be screened from adjacent lots and rights-of-way by sight-obscuring fences or plantings and be located a minimum of 50 feet from the property lines of all adjoining properties.

Response: The best case scenario for likely sites on EFU, SA and FT lands is a residential septic system which is not designed to handle wastewater from events of this size and scale, reinforcing the need to hold events of this type on established commercial sites.

E. Sec 2, subsection V:

V. Other uses: The event business shall not unreasonably interfere with other uses permitted in the zone in which the property is located. The property owner shall provide evidence that all contracts include the requirement that the customer has signed and agreed to the following statement:


Response: The potential for interfering with established farming practices on EFU and SA land is very high during the months when most events will be held, and again confirms the need to hold events of this typed on established commercial sites.

Conclusion

Marion County already permits a wide variety of activities in EFU zones, including Agritourism, Education, Agritainment, Food Service, Accommodations, Mass Gatherings, Farm Stands and etc. Excepting Mass Gatherings, they are all small in scale and designed to both supplement agriculture on EFU, SA and FT lands as well as to limit impacts. Legislative Amendment (LA) 22-003 seeks to create a new category of Home Occupation that is unrelated to farm operations and fosters the creation of commercial operations disconnected from local farming operations. Events of a size and duration that are almost certain to be in conflict with local agricultural operations and will generate substantial impacts.

Friends of French Prairie opposes Legislative Amendment 22-003 and urges the County to reject it.

Sincerely

A handwritten signature in blue ink that reads "Benjamin D Williams". The signature is written in a cursive style and is positioned above a light blue rectangular stamp.

Benjamin D Williams

Friends of French Prairie