



Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005

Phone: (541) 388-6575 Fax: (541) 385-1764

<http://www.deschutes.org/cd>

MEMORANDUM

TO: Board of County Commissioners

FROM: Cynthia Smidt, Associate Planner *CMS*

DATE: November 19, 2015

RE: Work Session for an Outdoor Mass Gathering, File No. 247-15-000579-OMG

PURPOSE

The Deschutes Board of County Commissioners ("Board") will hold a public hearing on December 2, 2015 to consider a proposal by 4 Peaks Presents, LLC for an Outdoor Mass Gathering (OMG) permit to hold a music festival on a 19.37-acre parcel owned by Garret A. and Lisa J. Armstrong. The music festival would include RV and tent camping, parking, and food and drink for an estimated 1,500 people.

PROPOSAL

The applicant, 4 Peaks Presents, LLC, is proposing to hold a music festival at the subject property, which is located at 19449 Tumalo Reservoir Road in June 2016. The property is approximately 19.37 acres and is developed with a single-family dwelling and accessory structures. The surrounding area consists of farm and residential use.

The applicant has held a music festival at this site for eight of the last nine years. There are three changes – attendance, schedule, and camping – proposed for the 2016 festival compared to the previous two years. For the 2014 and 2015 festival year, the County approved an outdoor mass gathering permit allowing no more than 1,000 people. The current proposal is a request for an outdoor mass gathering permit that would allow up to 1,500 people, including staff and vendors, in attendance at the festival.

The festival dates have changed slightly from the past two years the County approved the permit. The event dates are June 11-20, 2016. Specific event dates and hours are listed below. Changes to the schedule are shown in italics.

Saturday, June 11 – Preparation of site will begin no earlier than 9:00 a.m.
Thursday, June 16 – Camping will be provided on-site *beginning at 1:00 p.m.*
Thursday, June 16 – *Small music venue from 7:00 p.m. to 9:00 p.m.*
Friday, June 17 – Music festival will be from 12:00 noon to 10:00 p.m.

Saturday, June 18 – Music festival will be from 10:00 a.m. to 10:00 p.m.
Sunday, June 19 – *Small music venue from 9:30 p.m. to 2:00 p.m.*
Sunday, June 19 – Camping patrons will depart and clean-up begins of the premises.
Monday, June 20 – Break down of equipment and site clean-up will conclude by 4:00 p.m.

As with previous years, the subject property has been divided into six specific areas for the music festival. The main activity area is referred to as the "Music Pasture" and contains the stages, vendors, restrooms, water, first aid, ticket will call, trash collection, and basic operational aspects of the festival. One area will be for authorized personnel only. Three specific areas are designated as day-use parking and car and RV camping. The applicant is proposing a change to the camping layout. In an area of the property that was previously noted as "off-limits," the applicant is proposing a walk-in camping area. 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.

OUTDOOR MASS GATHERING REQUIREMENTS/CRITERIA

Deschutes County Code (DCC) Chapter 8.16 provides approval criteria for an Outdoor Mass Gathering permit. The applicant has satisfied the requirements addressed in Section 8.16.160 with the exception of obtaining landowner authorization (signature on application) to use the neighboring property located at 64343 High Mowing Lane for overflow parking. According to DCC 8.16.160(B), an Outdoor Mass Gathering permit shall not be issued unless the landowner of the property signs the application. The applicant has stated that if authorization is not achieved, the applicant will not use the area for overflow parking. If this is the case, staff recommends it become a condition of approval.

As required, the applicant obtained signatures on the application form from the following agencies: Bend Fire Department, County Health Department, County Environmental Health Division (EH), and County Sheriff. Staff believes the proposed outdoor mass gathering permit request can comply with the applicable standards and criteria outlined in Chapter 8.16 below if conditions of approval are met.

As with the previous two years, the applicant is requesting a waiver from the requirements to maintain an ambulance on-site during the festival. However, no waiver is sought for the first aid station and the applicant indicates it will comply with County Code. The applicant has provided a Medical Service Plan, which includes five members from the medical profession. In addition, the proposed plan includes an AED Device at the first aid station. The Board may waive permit requirements, in this case ambulance service, upon showing good cause by the event organizer (see DCC 8.16.150(B)). Furthermore, if the Board determines no County law enforcement or other services are necessary and no significant public health, safety, or welfare issues are involved, the Board may waive a requirement. The Board waived the permit requirement for on-site ambulance service for the 2014 and 2015 outdoor mass gathering permit for this festival. For reference the closest fire station, Tumalo Fire Station #302, located at 19850 4th Street, is less than 1.5 miles from the event site. The travel time to the subject property, according to the applicant, is about four minutes. Based on previous discussions the applicant had with Steve O'Malley, Deputy Chief of EMS, it was determined that positioning an ambulance at the Tumalo Fire Station is the preferred option.

PUBLIC NOTICE

The Planning Division mailed notice to several agencies. Comments received will be noted in the Staff Report. Public notice was also published in the Bend Bulletin on November 8, 2015. In addition, the Planning Division sent notice of the proposal to all property owners within 750 feet of the subject property.

Attachments

1. 247-15-000579-OMG Application Materials and Supplemental Information



Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005
(541)388-6575 FAX (541)385-1764
<http://www.co.deschutes.or.us/cdd/>

OUTDOOR MASS GATHERING APPLICATION

FEE: 2760 -

PLEASE PRINT

Applicant/Organizer: 4 Peaks Presents, LLC Phone: (541) 382-8064
Mailing Address: 1411 NW West Hills City/State/Zip: Bend OR 97703

Property Description: Township _____ Range _____ Section _____ Tax Lot 1711010000200
Address: 19449 Tumalo Reservoir Rd City/State/Zip: Bend OR 97701

Estimated Attendance: 1500 Date and Time of Gathering: June 17-19, 2016 9am-10pm
with set up starting on June 11th, cleanup June 20th.

Description of Type of Gathering/Purpose (i.e., music, art, etc.) _____
A multiday, outdoor family oriented bluegrass/folk/americana music festival

Contact person who will be available onsite during gathering:

Name: Stacy Totland Phone: (541) 350 6474 Email: stacy@4peaksmusic.com

AGENCY APPROVALS: Please have the following agencies/departments review your proposal before submitting this application.

Signatures: _____
ENVIRONMENTAL HEALTH DIVISION (indicates approval of sanitary facilities in accordance with 8.16.220)

FIRE PROTECTION DISTRICT OR STATE FIRE MARSHAL (indicates approval of fire protection devices on-site, in accordance with 8.16.230)

COUNTY HEALTH DEPARTMENT (indicates approval of medical service, in accordance with 8.16.240)

DESCHUTES COUNTY SHERIFF (indicates approval of a public safety plan and parking plan in accordance with 8.16.250 and 8.16.260, respectively)

On a separate sheet, please provide a plot plan showing the types, numbers and locations of the following items. If color exhibits are submitted, black and white copies with captions or shading delineating the color areas shall also be provided:

- | | |
|-----------------------|---|
| a. Toilets | d. Food preparation and/or food service |
| b. Washing facilities | e. Solid waste collection |
| c. Water supply | |

Applicant's Signature: Stacy Totland Date: 10/23/15

Property Owner's Signature (if different)*: _____ Date: 10-27-15

Agent's Name (if applicable): _____ Phone: () _____

Mailing Address: 1411 NW West Hills Ave City/State/Zip: Bend OR 97701

*If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached. By signing this application, the applicant understands and agrees that Deschutes County may require a deposit for hearings officers' fees prior to the application being deemed complete; and if the application is heard by a hearings officer, the applicant will be responsible for the actual costs of the hearings officer. (Rev. 6/14)

SCANNED
OCT 30 2015

Signature page
received 11/13/15



Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005
(541)388-6575 FAX (541)385-1764
<http://www.co.deschutes.or.us/cdd/>

OUTDOOR MASS GATHERING APPLICATION

FEE: 2760 -

PLEASE PRINT

Applicant/Organizer: 4 Peaks Presents, LLC Phone: (541) 382-8064
Mailing Address: 1411 NW West Hills City/State/Zip: Bend OR 97703
Property Description: Township _____ Range _____ Section _____ Tax Lot 1711010000200
Address: 19449 Tomato Reservoir Rd City/State/Zip: Bend OR 97701
Estimated Attendance: 1500 Date and Time of Gathering: June 17-19, 2016 9am-10pm
with set up starting on June 11th, clean up June 20th.
Description of Type of Gathering/Purpose (i.e., music, art, etc.) A multiday, outdoor family oriented bluegrass/folk/americana music fest
Contact person who will be available onsite during gathering:
Name: Stacy Totland Phone: (541) 350-6474 Email: stacy@4peaksmusic.co

AGENCY APPROVALS: Please have the following agencies/departments review your proposal before submitting this application.

Signatures: Eric Howe

ENVIRONMENTAL HEALTH DIVISION (indicates approval of sanitary facilities in accordance with 8.16.220)

FIRE PROTECTION DISTRICT OR STATE FIRE MARSHAL (indicates approval of fire protection devices on-site, in accordance with 8.16.230)

Tom Kuban, Ambulance Service Area Administrator
COUNTY HEALTH DEPARTMENT (indicates approval of medical service, in accordance with 8.16.240)

DESCHUTES COUNTY SHERIFF (indicates approval of a public safety plan and parking plan in accordance with 8.16.250 and 8.16.260, respectively)

On a separate sheet, please provide a plot plan showing the types, numbers and locations of the following items. If color exhibits are submitted, black and white copies with captions or shading delineating the color areas shall also be provided:

- a. Toilets
- b. Washing facilities
- c. Water supply
- d. Food preparation and/or food service
- e. Solid waste collection

Applicant's Signature: Stacy Totland

Date: 10/23/15

Property Owner's Signature (if different)*: [Signature]

Date: 10-27-15

Agent's Name (if applicable): _____

Phone: () _____

Mailing Address: 1411 NW West Hills Ave

City/State/Zip: Bend OR 97701

*If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached. By signing this application, the applicant understands and agrees that Deschutes County may require a deposit for hearings officers' fees prior to the application being deemed complete; and if the application is heard by a hearings officer, the applicant will be responsible for the actual costs of the hearings officer. (Rev. 6/14)

Signature Page
received 11/13/15



Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005
(541)388-6575 FAX (541)385-1764
<http://www.co.deschutes.or.us/cdd/>

OUTDOOR MASS GATHERING APPLICATION

FEE: 2760 -

PLEASE PRINT

Applicant/Organizer: 4 Peaks Presents, LLC Phone: (541) 382-8064
Mailing Address: 1411 NW West Hills City/State/Zip: Bend OR 97703
Property Description: Township _____ Range _____ Section _____ Tax Lot 1711010000200
Address: 19449 Tomato Reservoir Rd City/State/Zip: Bend OR 97701
Estimated Attendance: 1500 Date and Time of Gathering: June 17-19, 2016 9am-10pm
with set up starting on June 11th, clean up June 20th.
Description of Type of Gathering/Purpose (i.e., music, art, etc.) A multiday, outdoor family oriented bluegrass/folk/americana music fest
Contact person who will be available onsite during gathering:
Name: Stacy Totland Phone: (541) 350 6474 Email: stacy@4peaksmusic.co

AGENCY APPROVALS: Please have the following agencies/departments review your proposal before submitting this application.

Signatures:

ENVIRONMENTAL HEALTH DIVISION (indicates approval of sanitary facilities in accordance with 8.16.220)

[Signature]
FIRE PROTECTION DISTRICT OR STATE FIRE MARSHAL (indicates approval of fire protection devices on-site, in accordance with 8.16.230)

COUNTY HEALTH DEPARTMENT (indicates approval of medical service, in accordance with 8.16.240)

DESCHUTES COUNTY SHERIFF (indicates approval of a public safety plan and parking plan in accordance with 8.16.250 and 8.16.260, respectively)

On a separate sheet, please provide a plot plan showing the types, numbers and locations of the following items. If color exhibits are submitted, black and white copies with captions or shading delineating the color areas shall also be provided:

- a. Toilets
- b. Washing facilities
- c. Water supply

- d. Food preparation and/or food service
- e. Solid waste collection

Applicant's Signature: Stacy Totland

Date: 10/23/15

Property Owner's Signature (if different)*: [Signature]

Date: 10-27-15

Agent's Name (if applicable): _____

Phone: () _____

Mailing Address: 1411 NW West Hills Ave

City/State/Zip: Bend OR 97701

*If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached. By signing this application, the applicant understands and agrees that Deschutes County may require a deposit for hearings officers' fees prior to the application being deemed complete; and if the application is heard by a hearings officer, the applicant will be responsible for the actual costs of the hearings officer. (Rev. 6/14)

Signature Page
received 11/13/15



Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005
(541)388-6575 FAX (541)385-1764
<http://www.co.deschutes.or.us/cdd/>

OUTDOOR MASS GATHERING APPLICATION

FEE: 2760 -

PLEASE PRINT

Applicant/Organizer: 4 Peaks Presents, LLC Phone: (541) 382-8064
Mailing Address: 1411 NW West Hills City/State/Zip: Bend OR 97703
Property Description: Township _____ Range _____ Section _____ Tax Lot 1711010000200
Address: 19449 Tumalo Reservoir Rd City/State/Zip: Bend OR 97701
Estimated Attendance: 1500 Date and Time of Gathering: June 17-19, 2016 9am-10pm
with set up starting on June 11th, clean up June 20th.
Description of Type of Gathering/Purpose (i.e., music, art, etc.)
A multiday, outdoor family oriented bluegrass/folk/americana music fest
Contact person who will be available onsite during gathering:
Name: Stacy Totland Phone: (541) 350 6474 Email: stacy@4peaksmusic.co

AGENCY APPROVALS: Please have the following agencies/departments review your proposal before submitting this application.

Signatures: _____
ENVIRONMENTAL HEALTH DIVISION (indicates approval of sanitary facilities in accordance with 8.16.220)

FIRE PROTECTION DISTRICT OR STATE FIRE MARSHAL (indicates approval of fire protection devices on-site, in accordance with 8.16.230)

COUNTY HEALTH DEPARTMENT (indicates approval of medical service, in accordance with 8.16.240)
Paul B. Garrison

DESCHUTES COUNTY SHERIFF (indicates approval of a public safety plan and parking plan in accordance with 8.16.250 and 8.16.260, respectively)

On a separate sheet, please provide a plot plan showing the types, numbers and locations of the following items. If color exhibits are submitted, black and white copies with captions or shading delineating the color areas shall also be provided:

- a. Toilets
- b. Washing facilities
- c. Water supply
- d. Food preparation and/or food service
- e. Solid waste collection

Applicant's Signature: Stacy Totland Date: 10/23/15
Property Owner's Signature (if different)*: _____ Date: 10-27-15
Agent's Name (if applicable): _____ Phone: () _____
Mailing Address: 1411 NW West Hills Ave City/State/Zip: Bend OR 97701

*If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached. By signing this application, the applicant understands and agrees that Deschutes County may require a deposit for hearings officers' fees prior to the application being deemed complete; and if the application is heard by a hearings officer, the applicant will be responsible for the actual costs of the hearings officer. (Rev. 6/14)

4 Peaks 2016 OMG Application Narrative

4 Peaks LLC shall to comply with all applicable ordinances and provisions pertaining to this Outdoor Mass Gathering permit. This year's event is scheduled to take place on June 17th, 18th, and 19th of 2016 and will be located at 19449 Tumalo Reservoir Road, Bend, OR. 97701.

Setting up for this event is to begin on June 11th 2016. Clean up and removal of all signs, temporary structures will be concluded by day's end on June 20th 2016 Debris and rubbish will be hauled away no later than June 20th 2016.

Site shall be restored to pre-event conditions when 4 Peaks LCC relinquishes premises back to owner.

Chapter 8.16. EVENTS, PARADES, FUNERAL PROCESSIONS AND OUTDOOR MASS GATHERINGS

8.16.150. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Exclusions.

- A. The requirements in this chapter for Outdoor Mass Gatherings and Extended Outdoor Mass Gatherings shall not apply to any regularly scheduled religious service, regularly organized and supervised school district activity or program that takes place on school property, any activities at the Deschutes County Fairgrounds, or to any activity of a municipal corporation or government agency.

Response: 4 Peaks LLC is aware that the provisions of this section apply to the permit request.

- B. The Board may waive the permit requirements for certain limited Outdoor Mass Gatherings and Extended Outdoor Mass Gatherings upon a showing by the Organizer of good cause, when no significant public health, safety or welfare issues are involved and when the Board determines that no County law enforcement or other County services are necessary.

Response: As discussed in greater detail below, 4 Peaks LLC is requesting that the Board modify the requirement to provide an on-site ambulance.

- C. The Board may waive part or all of the permit fee for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering upon a showing by the Organizer of good cause to reduce or waive the fee

Response: 4 Peaks LLC is requesting a waiver of a portion of the permit fee.

Due to the fact that;

1. This is a renewal application for an outdoor mass gathering permit.
2. The County has previously reviewed and approved our operational practices.
3. 4 Peaks LLC provides its own security, crowd, and traffic control therefor no County law enforcement or other County services are necessary to maintain a presence on site.
4. 4 Peaks LLC has a history for 8 years of cooperation and compliance with County officials.
5. 4 Peaks LLC feels that a fee equal to that of an appeal should cover the cost of renewal.

4 Peaks LLC is not requesting a waiver of the permit fee.

8.16.160. Outdoor Mass Gathering or Extended Outdoor Mass Gathering Permit Required.

The following responds to the general permit application requirements.

- A. No Organizer shall hold, conduct, advertise or otherwise promote an Outdoor Mass Gathering or Extended Outdoor Mass Gathering or allow an Outdoor Mass Gathering or Extended Outdoor

Mass Gathering to be held on real property the Organizer owns, leases or possesses outside the limits of any city unless the Organizer obtains a permit to hold such an Outdoor Mass Gathering or Extended Mass Gathering.

Response: By submitting this application, the applicant has demonstrated that it will not proceed with the Outdoor Mass Gathering until a permit is issued by the County.

B. No permit for an Outdoor Mass Gathering or Extended Mass Gathering shall be issued unless the landowner of the property that is the site of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering also signs the application.

Response: As shown on the application form, the property owner has signed the application.

C. All Outdoor Mass Gatherings as defined in this Chapter are exempt from the requirements of Deschutes County Code Titles 17 through 23, except where noted.

Response: The applicant is aware that the cited provisions will not apply to this application.

D. One permit shall be required for each Outdoor Mass Gathering or Extended Mass Gathering.

Response: Only one mass gathering permit is requested because only one event will be held.

E. A permit issued under this section does not entitle the Outdoor Mass Gathering or Extended Mass Gathering Organizer to construct any permanent physical alterations to or on the real property which is the site of the Outdoor Mass Gathering or Extended Mass Gathering.

Response: No permanent physical alterations will be made to the property. All improvements are temporary and will be removed at the end of the event.

F. The Organizer of a proposed Outdoor Mass Gathering or Extended Outdoor Mass Gathering shall file an application with the Department more than 90 days prior to the Outdoor Mass Gathering or Extended Mass Gathering.

Response: The event is planned for June 17-19, consequently, the applicant has met the 90-day filing deadline.

G. The application shall include the following:

1. Name and address of the Organizer.

Response: The application form includes the name and address of the applicant, 4 Peaks Presents, LLC.

2. Legal description of the location of the proposed Outdoor Mass Gathering or Extended Mass Gathering.

Response: A copy of the legal description of the subject property, as disclosed by the most recent property tax statement, is attached as Exhibit A.

3. A map of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering desired route, including assembling and disbanding points.

Response: A copy of the map of the event, including the desired route to the property and the relevant operational locations is attached as Exhibit B.

4. The date or dates of the proposed Outdoor Mass Gathering or Extended Mass Gathering.

Response: As discussed above, the proposed dates of the event are June 17-19, with set up and take down of the event expected to begin on June 11th, 2016 and end on June 20th 2016

5. The proposed starting and ending time(s) of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering.

Response: Set up will begin no earlier than 7:00 am on June 11, 2016, with take down being completed no later than 4:00 pm on June 20th 2016. The event will begin at 11:00 Am on June 17th, and end at 10:00pm. The event will begin at 10:00 am on June 18th, and end at 10:00 pm. The patrons will be leaving and crews will begin take down and clean up on June 19, 2016. Camp ground will open at 1:00 pm on June 16th for early bird camping arrivals, to help ease traffic and parking congestion during evening rush hour

6. The estimated number of persons, vehicles and animals that will be attending, participating in or viewing the Outdoor Mass Gathering or Extended Mass Gathering.

Response: No more than 1500 tickets will be sold for the event. With staff, volunteers and musicians coming and going, total attendance will not exceed 1800 at anytime during the weekend.

1650
7. Nature of the proposed Outdoor Mass Gathering or Extended Mass Gathering.

Response: The event will be a family friendly music festival, with local and national touring acts scheduled to play.

8. A sketch, and other detailed information showing the type, number and location of all toilets, washing facilities, water supply, food preparation, food service facilities and solid waste collection locations.

Response: Exhibits C, D and D.1 are maps of the festival site showing all components of the event.

9. The name and phone number of the contact person who shall be easily identified and who shall remain at the Outdoor Mass Gathering or Extended Outdoor Mass Gathering site at all times.

Response: The names and contact information of the primary contact person is:

Stacy Totland, Event Promoter – (541) 350-6474
Jef Hinkle, Site Manager – (541) 977-3266

10. A sketch, and other detailed information showing the type, number and location of all toilets, washing facilities, water supply, food preparation, food service facilities and solid waste collection locations.

Response: Exhibits C and D are maps of the festival site showing all components of the event. In total there will be 22 toilets (2 of which are ADA compliant) and 7 hand washing facilities for event patrons. Water supply is provided by Private well and will be available in the locations shown on the map attached as Exhibit D. Food service will be provided by a variety of food cart providers and will be concentrated in the area shown on Exhibit D. Solid waste collection sites will be in areas shown on Exhibit C.

11. Approval by the appropriate Fire District Officer or State Fire Marshall in accordance with DCC 8.16.230.

Response: Approval has not been obtained at the time of filing of this application. However, the applicant fully anticipates that such approval will be in place by the time the event is approved

12. A medical services plan demonstrating compliance with DCC 8.16.240.

Response: Attached as Exhibit E. is the medical services plan **which was approved last year that demonstrates compliance with DCC 8.16.240.** As discussed above, the applicant is requesting a waiver from DCC 8.16.240(B), which requires the event to have one ambulance on site. No waiver is sought for the first aid station, and the proposed aid station is in full compliance with DCC 8.16.240. We also will have an AED Device on site at the medical tent in the unlikely event that it will be needed

Under DCC 8.16.150(B), the Board may waive any standards upon a showing of good cause, and when the request does not involve any significant public health, safety or welfare issues involved, and when the Board determines that no law enforcement or other County services are involved. The primary reason that a waiver is being requested is that the North fire station is less than 1.5 miles away from the property. Total travel time to the property is less than 4 minutes. The expense associated with having an ambulance on site is significant, and there is no meaningful delay between having an ambulance on site and having one stationed less than 1.5 miles away. In fact, an ambulance arriving from off-site will be better able to arrive at the required location on the property than would an ambulance having to traverse from one side of the property to the other. The applicant has discussed this issue with Steve O'Malley, the County's EMS Coordinator for Deschutes County, and 4 Peaks LLC. has concluded that stationing the ambulance at the Tumalo Fire Station #302 located at 19850 4th Street is preferable. The applicant will supply written confirmation of this determination prior to the public hearing.

13. A public safety plan in accordance with DCC 8.16.120.

Response: Attached as Exhibit F, is the public safety plan which demonstrates compliance with DCC 8.16.120.

14. A parking plan demonstrating compliance with DCC 8.16.250.

Response: Attached as Exhibit C is the parking plan which demonstrates compliance with DCC 8.16.120.

15. A copy of the proposed participant entry form for the Outdoor Mass Gathering or Extended Mass Gathering, including a release agreement releasing Deschutes County, its officers, agents, employees or volunteers from liability for any or all injuries.

Response: No entry form is proposed; however, the applicant will sign the waiver and release agreement when provided by the County.

16. A signed indemnity agreement on a form provided by the County.

Response: the applicant will sign the waiver and release agreement when provided by the County.

17. Such other appropriate information as the Director or Board may require in order to insure compliance with the provisions of this chapter, as well as rules of the Oregon Department of Human Services

Response: No additional information has been requested.

H. Any application for an Outdoor Mass Gathering or Extended Mass Gathering lacking any requirement of DCC 8.16.160(G) shall, unless waived by the Board, be deemed incomplete and the permit shall be denied except that, if additional information requested pursuant to DCC 8.16.030(G)(17) is not supplied within two weeks of the Board's request, the application shall be deemed incomplete and the permit shall be denied.

Response: The applicant believes that all required information has been provided and will, at the request of the County, supply any missing information.

I. The application for an Outdoor Mass Gathering and Extended Outdoor Mass Gathering shall be accompanied by the appropriate fee pursuant to the County fee schedule.

Response: Included with this application is the fee required by the County.

J. Incomplete applications shall be denied and the application fee, less County costs, shall be returned to the permit applicant.

Response: The applicant believes that all required information has been provided and will, at the request of the County, supply any missing information.

K. The Director shall furnish a copy of the Outdoor Mass Gathering or Extended Mass Gathering permit to the Sheriff and to any other jurisdiction in which the Outdoor Mass Gathering or Extended Mass Gathering takes place.

Response: The applicant believes that this is an obligation of the County.

L. If the application is submitted fewer than 90 days prior to the event and the Board accepts the application, the processing fee shall be double.

Response: The applicant has filed this application outside the 90-day period.

8.16.170. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Hearing Required.

Response: 4 Peaks LLC is aware that a public hearing will be held for this request. Because the event is not an Extended Mass Gathering, no hearing before the Planning Commission is required.

8.16.180. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Departmental and Agency Notice.

Response: The applicant believes that the requirements of this section are an obligation of the County.

8.16.190. Outdoor Mass Gathering and Extended Outdoor Mass Gathering General Approval Criteria.

A. An Outdoor Mass Gathering or Extended Mass Gathering permit shall be approved upon demonstration by the Organizer of compliance with or the ability to comply the provisions of this chapter, as well as all health and safety rules governing all Outdoor Mass Gatherings, Extended or otherwise, adopted by the Oregon Department of Human Services.

Response: As shown in this application as well as the supporting documentation, the applicant has demonstrated that it meets or exceeds all applicable standards for the event and requests approval from the County.

B. Each public official receiving notice of the application for an Outdoor Mass Gathering or Extended Mass Gathering permit who wishes to comment on the application shall submit such comment in writing to the Hearings Body no later than the date and time for the hearing.

Response: The applicant believes that the requirements of this section are an obligation of the County or those wishing to comment on the application.

C. The comment from any public official regarding an Outdoor Mass Gathering or Extended Mass Gathering permit may include recommendations related to the official functions of the officer as to granting the permit and any recommended conditions that should be imposed.

Response: The applicant believes that the requirements of this section are an obligation of the County or those wishing to comment on the application.

D. The Hearings Body shall consider the imposition of any suggested conditions submitted by public officials who received notice of the proposed Outdoor Mass Gathering or Extended Mass Gathering.

Response: The applicant believes that the requirements of this section are an obligation of the County.

E. The Hearings Body may consider and impose any reasonable condition on a permit for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering recommended that is submitted at or prior to the public hearing by a member of the public or public official.

Response: The applicant believes that the requirements of this section are an obligation of the County.

8.16.210. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Insurance.

Response: 4 Peaks intends to obtain a special event insurance policy that will:

- Provide general liability of \$1,000,000
- Cover against liability for injury or disability of any human, or for damage of property arising out of this outdoor mass gathering event

4 Peaks LLC shall provide the Director with an insurance certificate and copy of the insurance policy naming the county as an additional insured. This will be provided prior to 14 days before the event and will comply with all requirements of this section.

8.16.220. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Sanitary Facilities.

Response: Exhibit G includes the applicant's sanitary plan for the event. The plan shows the location of all water facilities, food service area, toilets, water sources and solid waste disposal.

8.16.230. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Fire Protection Standards.

Response: Exhibits C and D show the locations of all fire protection devices for the event. The event is within the Rural Fire District #2 Bend fire protection district, consequently, approval from the State Fire Marshall is not required.

8.16.240. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Medical Services.

Response: Exhibit E is the Medical Service Plan for the event. It demonstrates that the applicant will have a first aid station staffed by at least two adult individuals who are trained in first aid techniques. As discussed above, the applicant has requested a waiver from the on-site ambulance requirement due to the fact that the Tumalo Fire Station #302 fire station is within 1.5 miles of the event site.

8.16.250. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Public Safety.

Response: Exhibit F is the event Public Safety Plan. The plan demonstrates compliance with all requirements of this section. Both traffic control and crowd control staff will meet the numeric requirements of this section. All necessary background information regarding the crowd control and traffic control personnel has been or will be submitted to the County.

8.16.260. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Parking Facilities.

Response: Exhibit C is a site map that illustrates the designated areas for day parking and overnight camping with this application. The event site can accommodate more than twice as many vehicles as required for an event of this size. As the exhibit demonstrates, there are adequate areas for ingress and egress to into the site and throughout the parking and camping areas.

8.16.270. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Permit Posting.

Response: 4 Peaks LLC is aware of, understands, and intends to comply with this provision.

8.16.280. Inspection of Outdoor Mass Gathering and Extended Outdoor Mass Gathering Premises.

Response: 4 Peaks grants permission and gives consent for any law enforcement, public health or fire control officers to come upon the premises for which this permit has been granted for the purposes of inspecting and enforcement of the terms and conditions of this permit and DCC 8.16. and any other applicable laws or ordinance.

8.16.290. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Restricted Hours of Operation.

Response: 4 Peaks LLC is aware of, understands, and intends to comply with this provision. No event performances will occur during the prohibited hours, nor will amplification be used in a manner which would violate the sound standards of this section.

8.16.300. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Enforcement.

Response: The applicant has designate Stacy Totland as the primary contact person for the event and provided the contact number. (541)350-6474 will stay on the event premises during the entire event.

8.16.310. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Intoxicating Liquor Prohibition.

Response: As with past events on the premises, the applicant will apply for the required permits for the sale of beer and wine with OLCC and intends to comply with all regulations and requirements that pertain. Event patrons will not be permitted to bring any intoxicating liquors onto the premises, in compliance with this section.

8.16.320. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Narcotic and Dangerous Drugs Prohibition.

Response: Event patrons will not be permitted to bring upon the premises or use any narcotic or dangerous drugs at the event. Illegal drugs are prohibited at all 4 Peaks LLC Events.

Conclusion

For the reasons stated above, the applicant, 4 Peaks LLC, requests that the County approve the Mass Gathering Permit.

Exhibit A

**Location and legal description of the subject property where 4 Peaks Music Festival
is to be held in June of 2014**

Mailing Name: ARMSTRONG,GARRET ALAN & LISA JEAN

Map and Taxlot: 1711010000200

Account: 133658

Situs Address: 19449 TUMALO RESERVOIR RD, BEND, OR 97701

Tax Status: Assessable

Mailing Name: ARMSTRONG,GARRET ALAN & LISA JEAN

Map and Taxlot: 1711010000200

Account: 249146

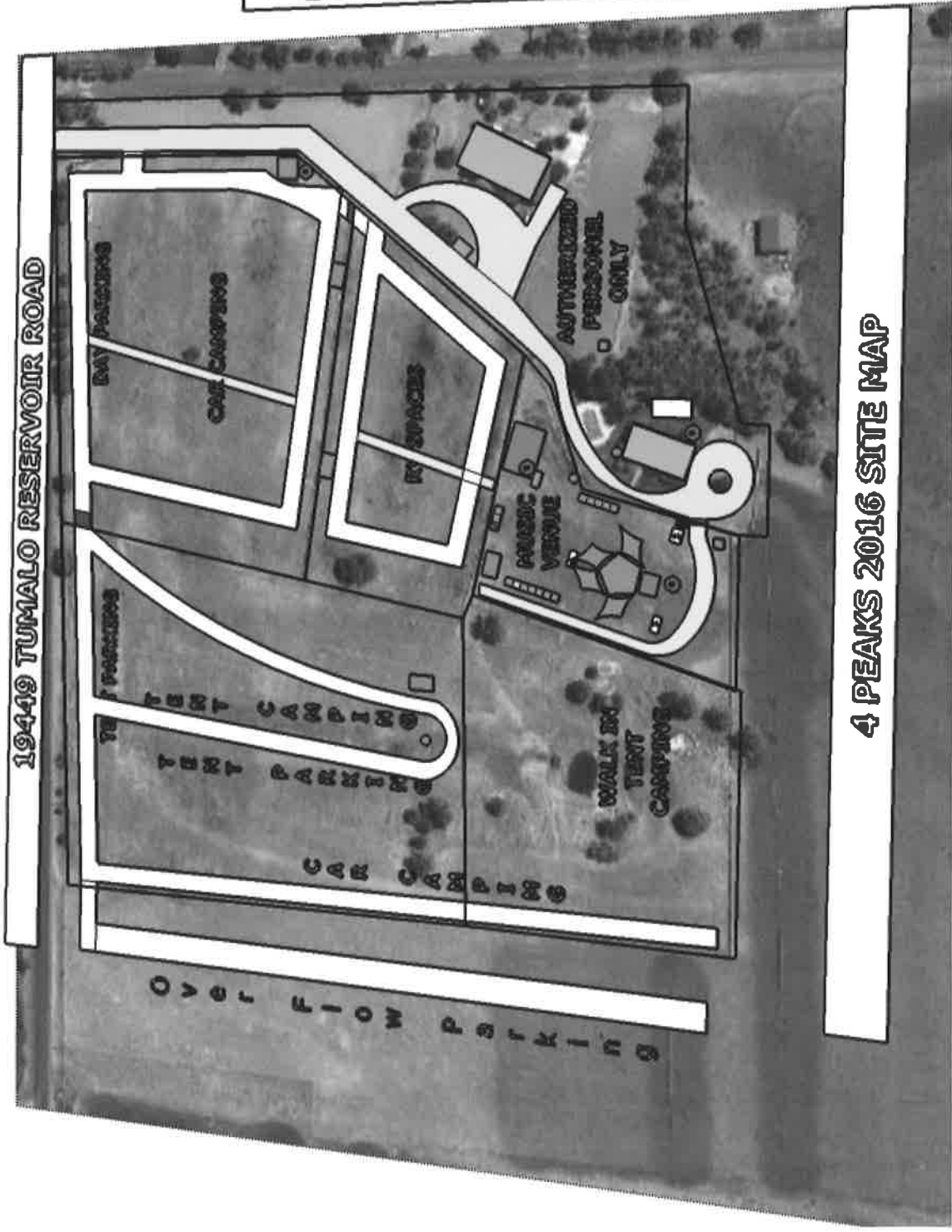
Situs Address: **NO SITUS ADDRESS**

Tax Status: Assessable

19449 Tumalo Reservoir Road Bend Or 97701



Exhibit C



4 PEAKS 2016 SITE MAP

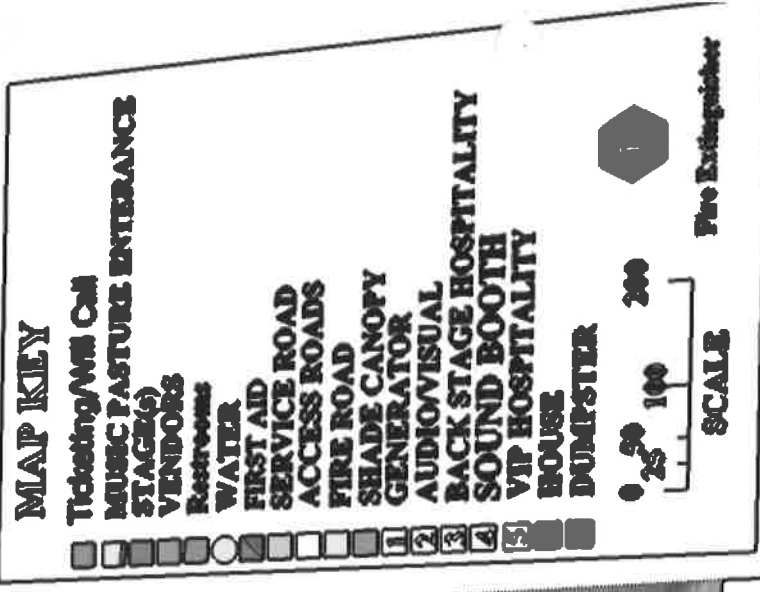
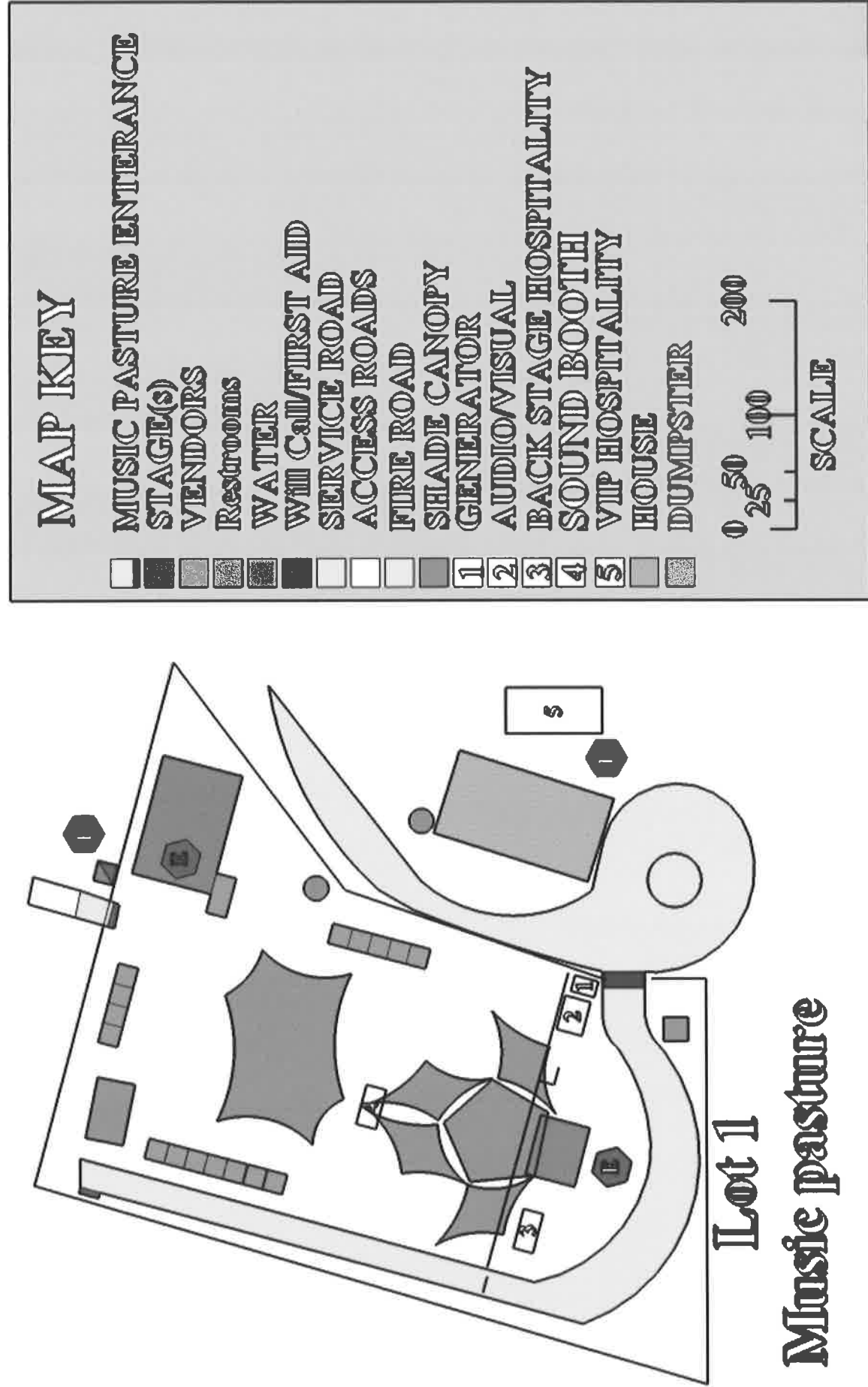


Exhibit D



4 Peaks Tweeners Stage Tent

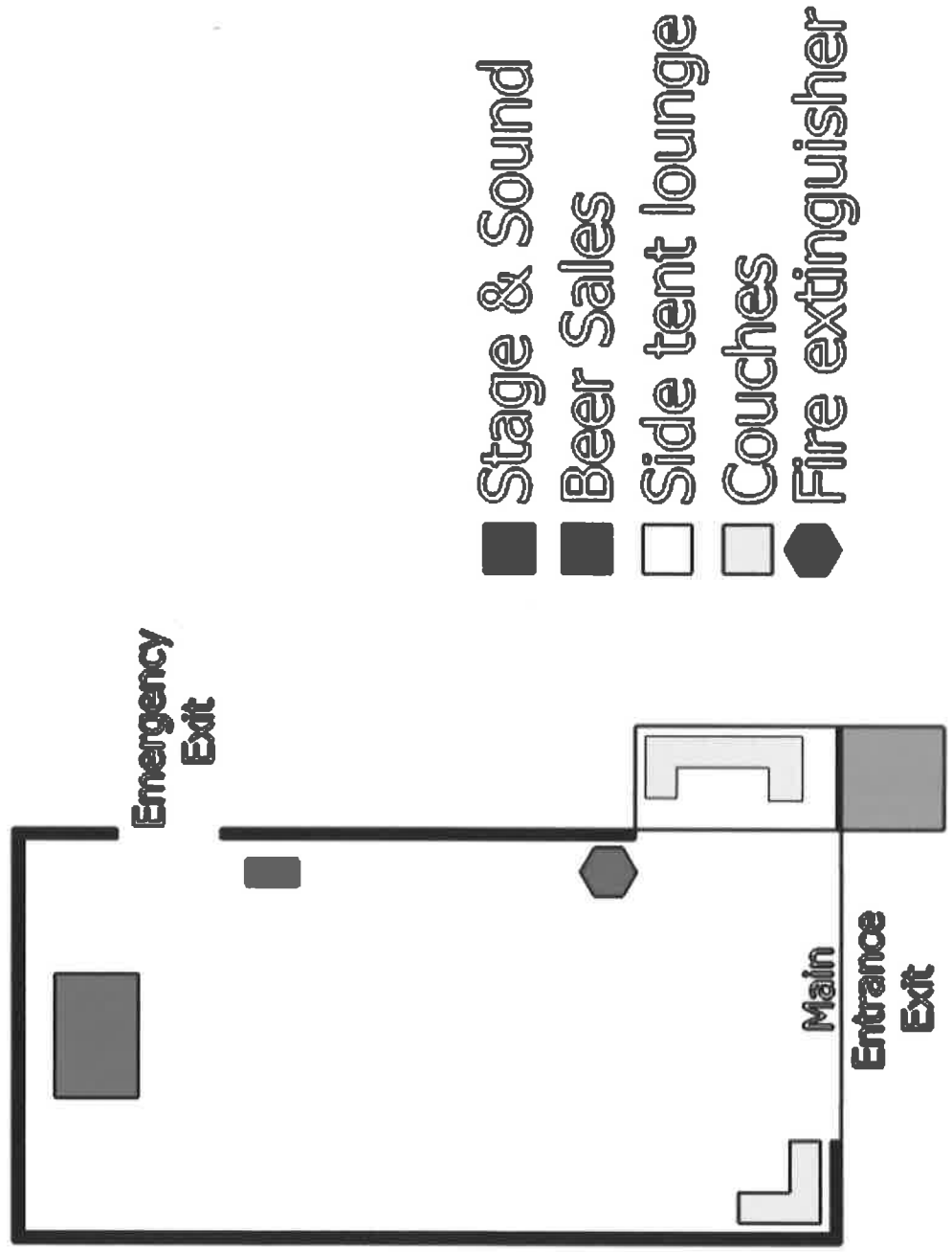


Exhibit E

10/30/2015

Community Development Department
117 NW Lafayette Ave.
Bend, OR 97701-1925
(541)388-6575
ATTN: Health Department

Re: 4 Peaks Outdoor Mass Gathering Application
Medical Service Plan

4 Peaks festival 2016 will take place at 19449 Tumalo Reservoir Road Bend, OR 97701 on June 17th thru 19th. with set up starting on June 11th. and clean up to be completed on June 20th Expected attendance is 1500 persons on site in the event the festival is sold out.

In order to comply with **Deschutes County Health Ordinance 8.16.240, Outdoor Mass Gathering Medical Service Plan**, 4 Peaks LLC shall make available the following;

A first aid station located at the main entrance to the Music Pasture (Refer to map exhibit D)

Names and qualifications of medical staff:

Dr. Linda Nordus CPR/EMT/DC
Dr. Alice Long - Registered Nurse/CPR/EMT
Dr. Kari Tyne – MD/CPR/EMT
Edward Han – CPR/MD/EMT
Mr. Gregg Morris - CPR/EMT – Search and Rescue

4 Peaks LLC. Is again requesting a waiver As approved last year from DCC 8.16 .240(b) which requires the event to have one ambulance on site. No waiver is sought for the first aid station and proposed aid station is in full compliance with DCC 8.16.240. We also will have an AED Device on site at the medical tent in the unlikely event that it will be needed

Under DCC 8.16.150(B), the Board may waive any standards upon a showing of good cause, and when the request does not involve any significant public health, safety or welfare issues involved, and when the Board determines that no law enforcement or other County services are involved. The primary reason that a waiver is being requested is that the North fire station is less than 1.5 miles away from the property. Total travel time to the property is less than 4 minutes. The expense associated with having an ambulance on site is significant, and there is no meaningful delay between having an ambulance on site and having one stationed less than 1.5 miles away. In fact, an ambulance arriving from off-site will be better able to arrive at the required location on the property than would an ambulance having to traverse from one side of the property to the other. The applicant has discussed this issue with Steve O'Malley, the County's EMS Coordinator for Deschutes County, and 4 Peaks LLC. has concluded that stationing the ambulance at the Tumalo Fire Station #302 located at 19850 4th Street is preferable. The applicant will supply written confirmation of this determination prior to the public hearing.

October 28th, 2015

To the Deschutes County Commissioners:

4 Peaks Presents, LLC requests that the County Commissioners waive the requirements for the following sections of the Outdoor Mass Gathering code:

8.16.240 Medical Service

4 Peaks Presents asks that the Commissioners waive the requirement for having an ambulance on the festival site.

Based on previous recommendations by Steve O'Malley, EMS Coordinator for Deschutes County, he stated that it is safer and easier for an ambulance to get to where it is needed if it comes from Tumalo Fire Station, located 1.5 miles away. We also will have an AED Device on site at the medical tent in the unlikely event that it will be needed.

We hope that the County of Deschutes and 4 Peaks Presents will have a long relationship that will be beneficial to all involved: the music loving community, local business owners, and the county tax rolls.

Thanks you for your consideration on these matters.

Sincerely,

Stacy Totland
Director/Owner, 4 Peaks Presents, LLC

Exhibit F

10/27/2015

Deschutes County Sheriff
63333 W. Hwy 20
Bend, OR 97701
541-388-6655

ATTN: Deputy in charge of community events

Re; 4 Peaks Outdoor Mass Gathering Application
Event Public Safety and Crowded Control plan

Deschutes County Ordinance 8.16.060

Traffic Control plan - Details and descriptions

4 Peaks festival 2016 will take place at 19449 Tumalo Reservoir Road Bend, OR 97701 on June 11th thru 20th. Set up is scheduled to begin on June 11th and clean up to be completed on June 20th. Expected attendance is 1500 persons on site in the event the festival is sold out.

Traffic Control Plan

Entry and access to 4 Peaks Festival will be from Tumalo Reservoir Road. Signs will be posted along the roadway to alert drivers as they approach. The existing driveway provides more than one hundred (100) foot of space for vehicles to line up, after pulling off roadway, Temporary parking will be provided for ticketing and parking instructions.. The event site can accommodate more than twice as many vehicles as required for an event of this size. As the exhibit demonstrates, there are adequate areas for ingress and egress to into the site and throughout the parking and camping areas.

A minimum of six (6) traffic control and parking monitors will be on duty during each shift. Two (2) will be stationed at entrance, with the remaining four (4) assigned to parking and camping areas. Safety vests will be worn by all traffic and parking staff while on duty and equipped with flags for signaling drivers.

Traffic is expected to be very light, with attendee's arrivals spread out over time, starting Thursday after 12 noon and late arrivals trickling in until Saturday midday. Departures will occur throughout the day on Sunday, after the festival is over. We feel this extended time frame for arrivals and departures will prevent any traffic congestion or hazards on what is normally a low traffic rural roadway.

Contact person; Kevin Ganey, Parking and Volunteer Coordinator (603) 498-7954

Crowd Control/Security Plan - Details and descriptions

4 Peaks festival 2016 will take place at 19449 Tumalo Reservoir Road Bend, OR 97701 on June 17th thru 19th with set up starting on June 11th and clean up to be completed on June 20th. Expected attendance is 1500 persons on site in the event the festival is sold out.

To ensure for the comfort and safety of our patrons 4 Peaks LLC is committed to meet or exceed Deschutes County requirements.

4 Peaks LLC has contracted with Andrew Walters of Northwest Investigative Service to provide security for the event. Six (6) uniformed DPSST licensed personnel will be on duty during the festival. One (1) stationed at each of three (3) gates and three (3) patrolling the festival grounds. In addition 4 Peaks will have certified alcohol monitors and paid security roaming the crowds at all times beer and wine are to be sold.

Contact info:

Security will be provided by;
Andrew Walters
Northwest Investigative Service
P.O. Box 8371
Bend, OR 97708
ph: 541-280-0965
fax: 1-888-806-9877
info@northwestinvestigativeservice.com

Exhibit G
10/27/2015

Community Development Department
117 NW Lafayette Ave.
Bend, OR 97701-1925
(541)388-6575
ATTN: Environmental Health Division

Re; 4 Peaks Outdoor Mass Gathering Application
Environmental Health Checklist

4 Peaks festival 2016 will take place at 19449 Tumalo Reservoir Road Bend, OR. 97701 on June 17th thru 19th with set up starting on June 11th and clean up to be completed on June 20th. Expected attendance is 1500 persons on site in the event the festival is sold out.

To ensure for the comfort and safety of our patrons 4 Peaks LLC is committed to meet or exceed Deschutes County standards.

In order to comply with **Deschutes County Health Ordinance 8.16.220, Outdoor Mass Gathering Sanitary Facilities**, 4 Peaks LLC shall provide the following;

1. Contact persons

Jef Hinkle, Site Manager (541) 977-3266
Kevin Ganey Volunteer coordinator (603) 498-7954

2. Toilets

Twenty (26) standard toilets, 2 ADA toilets (locations shown on map Exhibit C)

Toilets and hand washing facilities Provided by;
Shanna, at Ranch Country Outhouses - Bathrooms
541-480-9058 - georges@bendbradband.com

3. Hand Washing Facilities

Six (8) hand washing stations (locations shown on map Exhibit C)

Toilets and hand washing facilities Provided by;
Shanna, at Ranch Country Outhouses - Bathrooms
541-480-9058 - georges@bendbradband.com

4. Water supply

One (1) Private water supply (locations shown on map)
Test results pending. First test results (for coliform and nitrates) will be submitted in December 2015, with second test results (for Coliform only) submitted in May 2016

5. Waste Collections and Removal

One (1) – 10yd dumpster, fifteen (15) rolling bins, five (5) commingle recycle bins, 5 glass bins

Bins to be emptied twice daily by Volunteer staff

10 yd dumpster to be hauled away End of day Monday, June 20th

Containers and removal services provided by;
Bend Garbage and Recycling (541) 382-2263

6. Food Service Facilities

(locations shown on maps C and D)

Vendors will be licensed and permitted no later than seven 7 days prior to event.

7. Refer to attached site maps Exhibits C and D for facilities locations

Cynthia Smidt

From: Stacy <stacy4peaks@gmail.com>
Sent: Friday, November 13, 2015 3:26 PM
To: Cynthia Smidt
Subject: Addendum.
Attachments: Addendum to Exhibit F.docx; ATT00001.txt

Hi there I didn't get to print this out before I drop things off to you today. Must be my sick and foggy head. Will this do or do you need a original hard copy? Thank you so much and I'll talk to you soon

Addendum to Exhibit F

In order to clarify our security plan the third paragraph of Exhibit F should read:

4 Peaks LLC has contracted with Andrew Walters of Northwest Investigative Service to provide security for the event. A minimum Six (6) uniformed DPSST licensed personnel will be on duty during the festival with additional personnel on call, Additional personnel will be added as needed to maintain a ratio of 1 security person to 100 persons attending on site. One (1) stationed at each of three (3) gates and three (3) patrolling the festival grounds. In addition 4 Peaks will have certified alcohol monitors and paid security roaming the crowds at all times beer and wine are to be sold.

Cynthia Smidt

From: Totland Stacy <stacy4peaks@gmail.com>
Sent: Monday, November 16, 2015 1:09 PM
To: Cynthia Smidt
Subject: Re: OMG schedule clarification

O, Ok, do you want me to send you the '15 schedule? Thats the only thing I took down..... You can look at previous years line ups etc...

Thursday music is TBD but yes, 7-9pm and Sunday 8am Yoga, music 9:30am - 2pm to be safe!

Thanks and sorry for any confusion.

-Stacy

Stacy Totland
Owner, 4 Peaks Presents
Manager, Sagewood Properties
stacy4peaks@gmail.com
c. 541.350.6474
h. 541.382.8064

On Nov 16, 2015, at 1:05 PM, Cynthia Smidt <Cynthia.Smidt@deschutes.org> wrote:

Stacy,

Will Thursday eve be the same at 2015 from 7-9pm?

When does the festival (yoga and kids music/events) end on Sunday? 1pm?

Thanks

Cyn

From: Totland Stacy [<mailto:stacy4peaks@gmail.com>]
Sent: Monday, November 16, 2015 12:52 PM
To: Cynthia Smidt
Subject: Re: OMG schedule clarification
Importance: High

Ok will do. We have acoustic local music in the tent on Thursday eve and then again Sunday morning - Kids are playing in the tent Sunday and yoga happens in the am.

Nothing on the main stage until 11am on Friday and ends at 10pm both nights. Nothing on the main stage on Sunday. Sorry!

Thanks

Stacy

Stacy Totland
Owner, 4 Peaks Presents
Manager, Sagewood Properties
stacy4peaks@gmail.com
c. 541.350.6474
h. 541.382.8064

On Nov 16, 2015, at 12:48 PM, Cynthia Smidt <Cynthia.Smidt@deschutes.org> wrote:

Stacy,

I was looking at your website at your 2015 schedule. It shows music on Thursday evening 7-10 and Sunday morning/afternoon in the side tent. This is not what was advertised with the previous OMG permits or this 2016 permit. Could you please clarify when the event actually starts. Your burden of proof states the event starts on Friday at 11 am not Thursday eve and it ends on Saturday evening not on Sunday. Please clarify and list all events regardless if in the side tent or main stage. Thanks.

Cynthia Smidt

Deschutes County Community Development
Post Office Box 6005
117 NW Lafayette Avenue
Bend, Oregon 97708-6005
Phone: (541) 317-3150
Fax: (541) 385-1764
Email: Cynthia.Smidt@deschutes.org
Website: <http://www.deschutes.org/cdd/>

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient or believe that you may have received this communication in error, please reply to sender indicating that fact and delete the copy you received. In addition, you should not print, copy, retransmit, disseminate, or otherwise use the information without first receiving authorization from the sender. Thank you.

Cynthia Smidt

From: Totland Stacy <stacy4peaks@gmail.com>
Sent: Monday, November 16, 2015 4:49 PM
To: Cynthia Smidt
Subject: Re: OMG dates and times

Importance: High

Sorry - We start at 9am, not sure why we have that on there, maybe because we are allowed to start construction at 7am? Not the event, I know. Is the building code different than the OMG code? Sorry about that.... the site manager (Jef) and myself show up early and plan the day and have coffee with homeowner... workers dont show up until 9am.

thanks

Stacy

Stacy Totland
Owner, 4 Peaks Presents
Manager, Sagewood Properties
www.4peaksmusic.com
stacy4peaks@gmail.com
c. 541.350.6474
o. 541.382.8064

On Nov 16, 2015, at 4:42 PM, Cynthia Smidt <Cynthia.Smidt@deschutes.org> wrote:

Hi Stacy,

This one we clarified last year. Your narrative statement, however, does not show the change we made last year. So, I need to clarify this again.

Your set-up starts on Saturday, June 11... at 7 a.m.

The time does not meet the code. Start time cannot occur earlier than 9 a.m.

Cynthia Smidt

Deschutes County Community Development
Post Office Box 6005
117 NW Lafayette Avenue
Bend, Oregon 97708-6005
Phone: (541) 317-3150
Fax: (541) 385-1764
Email: Cynthia.Smidt@deschutes.org
Website: <http://www.deschutes.org/cdd/>

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient or believe that you may have received this communication in error, please reply to sender indicating that fact and delete the copy you received. In addition, you should not print, copy, retransmit, disseminate, or otherwise use the information without first receiving authorization from the sender. Thank you.