

DIANA

May 6, 2014

Lane County Board of Commissioners

SUBMITTED AT BCC MEETING ON 5/6/14

Gentlemen:

The Lane County process towards a Gathering Ordinance is working its way to conclusion. The "advisory" committee had two meetings – and it was clear that between the two meetings the direction and proposed ordinance language clearly moved from that given by the Commissioners to language supporting the interests of promoters. Although no new draft has yet been presented, the discernible shape the ordinance is taking is disturbing. Given the rural commissioners' expressed concern, I know you would want to know about this situation.

There are four points I want to make to ensure you understand the "advisory" process and the results:

- Point one: Originally it was suggested that the ordinance and its guidelines include gatherings from 250 to 3000 people. In that first meeting, it was suggested (by some) that 250 was too low and an alternative of 500 was proposed. In the second meeting the recommendation was raised to 1000 people based on no substantial rationale. This change means that anywhere, in any neighborhood and in any location in rural Lane County, someone can have up to 1,000 people (with no way to validate that number) gather with no regulations, no fees, no oversight, and no accountability to the neighbors.
- Point two: Staff explained that gatherings of fewer than 1000 people would still be subject to State Rules and Statutes for non mass gathering regulations as to frequency (once in 90 days) and duration (not more than 120 hours). However, with neither Lane County nor the State playing any regulatory role, there is no reason to believe that these statutes would be obeyed. Indeed, many people who hold gatherings don't even know about them. Starting the oversight of Lane County at 100 people (as does Crook County Ordinance 235) would allow the County to inform event organizers of both Lane County regulations and applicable state law. It will also decrease friction between neighbors, and neighbors will not have to bear the time-consuming and costly burden of persuading Lane County to enforce State regulations.

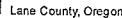
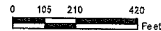
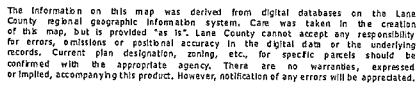
- Point three: If this proposed ordinance is enacted as described during our last meeting, Lane County will miss this key opportunity to take a position and create guidelines on the nature of gatherings, whether private or commercial, and whether such events are an allowed use in the underlying zone (most notably farm and forest). With lack of direction or vision on the nature and allowable use of gatherings, no new meaningful policy will be established.
- Point four: At the end of the committee's second (and last) meeting, it was suddenly announced that the new ordinance will not be included in the land use code but will be placed under Lane Code for licensing and fees. This is a mistake. This shift would be strictly for administrative ease and not because it is better policy. This shift will leave your constituents with little recourse through any appeals process, and leave constituents with only the courts to settle minor disputes. To protect underlying zones, this ordinance needs to remain in the land use domain. As policy makers, you are the only ones who can do that. Staff members don't make policy. You make policy.

Finally, Lane County has an opportunity with this decision to make a reasonable policy that clearly protects the rights of property owners and neighbors alike. Both groups deserve equal consideration. Please don't continue a situation where neighbors and rural neighborhoods have to resolve these issues outside the County's sphere of influence via litigation or by people taking matters into their own hands.

Regards,

Mona Linstromberg

A handwritten signature in black ink, appearing to be 'Mona Linstromberg', written over a horizontal line.



Saginaw Zoning