

Attachment C

STAFF RESPONSE TO MARK GREENFIELD’S December 5, 2016 RECOMMENDED CHANGES TO DRAFT CODE AMENDMENTS RELATED TO AGRI-TOURISM, FARM STANDS AND WINERIES.

	REQUESTED CHANGE	STAFF POSITION
1	Agri-tourism 35.0005 Definitions. Revise the “Agri-tourism event” definition to include additional words and particularly examples of events that do not qualify as agri-tourism.	Agrees. Changes made except that “sporting events” is substituted for “motocross events and similar non-motorized activities”
2	Agri-tourism 35.6805(A) Minimum Tract Size. Delete the second sentence that allows events to be held on a farm tract less than ten acres if written permission is given by surrounding property owners.	Disagrees. This provision only applies to a single, one-day event involving 20 or fewer attendees. It doesn’t make sense to restrict such a small assembly of people to a ten acre minimum yet allow larger, multiple events under .6810(A) on lots as small as five acres.
3	Agri-tourism 35.6805(E) Hours of Operation. Change the allowed event start time from 7:00 AM to 9:00 AM and the vehicle arrival and departure times to 8:30 AM and 9:30 PM.	Agrees. Changes made.
4	Agri-tourism 35.6805(F) Noise. Change the allowed morning start time for amplified sound from 8:00 AM to 9:00 AM	Agrees. This is a logical change for consistency with the revised event start time.
5	Agri-tourism 35.6810(A) Minimum Tract Size. Do not permit agri-tourism events on parcels as small as five acres and up to six events on this size of parcel is too many.	Disagrees. The parcel size and number of events is what the East County CAC members recommended and the provisions only apply in East County.
6	Agri-tourism 35.6810(E) Hours of Operation. The same changes as #3 above.	Agrees. Changes made.
7	Agri-tourism 35.6810(F) Noise. The same change as #4 above.	Agrees. Change made.
8	Agri-tourism 35.6810(H) Sanitation Facilities. A single restroom or porta-potty for up to 50 people at an event is not enough. Require a minimum of two.	Disagrees. Neither the state nor County Health Dept. has a standard for this few people. The OAR for mass gatherings requires seven privies or toilets for each 800 people. County Health said one toilet per 50 people is sufficient.

9	Agri-tourism 35.6810(K). Include two additional findings that must be met in order to approve the permit application.	Agrees. Additions made.
10	Farm Stands 35.2830, .3130 and .3330. Farm Stands as Allowed Conditional Uses in East of Sandy MUA-20, RR and SRC zones.	
A	Only Type I farm stands (occupies one acre or less and has no promotional events) should be allowed in these zones.	Disagrees. In these zones farm stands are allowed by conditional use only, thus are subject to a public hearing and discretionary conditions of approval.
B	The size of structures and parking areas in these zones should be more limited – no more than 500 sf structure and only a few parking spaces.	Disagrees for the same reason above.
11	Farm Stands .6755 Definitions. Revise the definition of “Farm crops and livestock” so that processed farm crops and livestock does not include ‘beer or wine sold for other than immediate consumption’.	Disagrees. There is no compelling reason to exclude bottled beer and wine as a processed farm crop.
12	Farm Stands .6755 Definitions. Revise the definition of “Promotional events” to include ‘moto-cross events’ as a prohibited activity.	Agrees, except that “sporting events” is substituted for “motocross events and similar non-motorized activities”
13	Farm Stands .6765 (B) Standards. This subsection is confusing as written and should be broken into more sentences.	This entire subsection is unnecessary and is being deleted as part of the rewritten standards.
14	Farm Stands .6765 (E) Standards. Delete the first sentence and revise the remainder as suggested.	Agrees. The standard has been rewritten.
15	Farm Stands .6765 (F) Standards. The annual financial report to determine compliance with the 25% rule needs to be submitted by a date certain. Add language to that effect.	Agrees. Change made along with other revisions to this subsection.
16	Farm Stands .6765 (H) Standards. Similar comment as 10 B above.	Disagrees since these are conditional uses in East of Sandy non-resource zones and will be evaluated through a public hearing process.