**Public Commenter:** Friends of the Metolius

**Comment Period:** First Comment Period: May 2018

**General FOM Comments:**

Encourages county to not adopt any discretionary activities.

Recommends the county conduct a strategic update rather than a code replacement.

States that it doesn’t appear the Wild and Scenic provision or Area of Critical State Concern is considered.

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| PUBLIC COMMENT | PLANNING COMMISSION |
| X.01. The purpose specified in this section is inapplicable to our area. Please use the  purpose that is used in the current Code. | The PC does not intend to adopt any of the model code purpose statements. |
| X.02. Definition of Outdoor Mass Gathering - if Outdoor Mass Gatherings are included  in the code then the county should define a smaller gathering size and shorter duration. Jefferson  County is rural area and a gathering of more than 3000 persons for more than 120 hours would  adversely impact the forest lands, the local community/surrounding homes, but so would a  gathering of 500 people for 24 hours. Per the comments in the model code and in Oregon law, a  county may define outdoor mass gatherings to include smaller gatherings of shorter duration and  we suggest a significant reduction in number of persons and time period. There also need to be  sanitary standards. And in X.03 there should not be permitted without review an outdoor mass  gathering of more than 3000 persons for less than 120 hours. If Outdoor Mass Gatherings are to  be permitted they should be subject to Conditional Uses Review. | Outdoor Mass Gatherings are regulated by ORS433.735 and JCZO 422.6  Health and Safety Regulations are in OAR 33-039  The BOC is the decision-maker |
| X.03. Paragraph R. We suggest only the required 3 activities listed above be included in  the Code as permitted outright and the remaining items in italics not be included in this section.  All of the items in italics are not required per the Model Zone Users Guide, and if allowed  should be subject to Conditional Use Review. | The PC will consider these remarks when reviewing this section of code. |
| X.04. This section details Non-Residential Uses permitted “subject to standards” that  apply to a specific activity. To the extent a particular activity is not allowed, the related specific standards can be deleted. If any activities are included here, they should also be subject to the Conditional Use Review. | Yes, if there is no use, the related standards are not needed. |
| Paragraph A: Should permit Destination resorts only on lands identified in the Jefferson  County Comprehensive Plan – this creates a process for discussion and public input and is the  requirement in the current code. | Destination resorts do need to be identified by the comprehensive plan. |
| Paragraph B – see the comments above under X.02. And any changes to the code should  be consistent with the specific prohibitions from the ACSC plan that apply to the areas of the  Metolius Basin identified in the ACSC plan. | Jefferson County chose to not include the ACS language because it is in statute and extensive |
| X.05: This section details Residential Uses permitted “subject to standards” that apply to  a specific activity. To the extent a particular activity is not allowed, the related specific  standards can be deleted. If any activities are included here, they should also be subject to the  Conditional Use Review. | Yes, if there is no use, the related standards are not needed. |
| X.06: Paragraph D– parking 7 dump trucks and 7 trailers – it’s unclear whether the  statute requires this to be allowed. If not, we recommend that it be deleted. If it is required then it should be conditioned consistent with ORS 215.311(6): “Notwithstanding any other provision  of law except for health and safety provisions, parking up to seven dump trucks and up to seven  trailers is allowed on land zoned for forest use or mixed farm and forest use unless the local  government determines that dump truck parking on a lot or parcel will:  (a) Force a significant change in accepted farm or forest practices on surrounding  lands devoted to farm or forest use; or  (b) Significantly increase the cost of accepted farm or forest practices on  surrounding lands devoted to farm or forest use. [1995 c.799 §1; 1999 c.314 §60; 2001  c.672 §21; 2011 c.629 §4]” | The language in the code is straight from statute |
| X.06: delete paragraphs E, P, Y, Z, AA, BB, CC |  |
| X.07: Use standards a specific to activities that are permitted under the code. The  specific standards for any activity that is currently in the code and, after review is desired to  continue to be permitted in the Jefferson County Code, should be compared to the relevant  language in this section to confirm if there need to be any revisions. Much of this section may be  deleted. | Code comparison is the core of this model code update process. |
| X.08: This section does include different language (not in italics) for the approval  criteria which should be incorporated in the new code, including the language mentioned above where consideration is given to whether the use requiring activities to be reviewed under the Conditional Use Review Criteria, consideration will be given to whether the use significantly increases fire hazard or significantly increases fire suppression costs or significantly increase  risks to fire suppression personnel.” | Text not in italics is mandatory. |
| X.09: This section is only required if it is determined to permit dwellings in the forest  zone. If this activity is retained in the Code, the language in the current Code should be  reviewed for consistency with the Model Code. As stated in the Model Code, paragraph D is only necessary if there are no conditional use review criteria. Because the current Code has conditional use review criteria, paragraph D is not necessary. | The Planning commission will review this in light of the specific code section in the upcoming draft. |
| X. 10: This section is only required if it is determined to permit dwellings in the forest  zone. If this activity is retained in the Code, the language in the current Code should be  reviewed for consistency with the Model Code. | The Planning commission will review this in light of the specific code section in the upcoming draft. |
| X. 11: This section is only required if it is determined to permit youth camps in the forest  zone. If this activity is retained in the Code, the language in the current Code should be  reviewed for consistency with the Model Code | The Planning commission will review this in light of the specific code section in the upcoming draft. |
| X. 12: This section is only required if it is determined to permit land divisions in the  forest zone. If land divisions are continued to be permitted in the Code, the language in the  current Code should be reviewed for consistency with the Model Code provision. X. 13: Rather than change to the optional language provided in this section of the Model  Code, use the development standards provided in current code as they address the area. | The Planning commission will review this in light of the specific code section in the upcoming draft. |
| We may have missed it but we did not see any stream setbacks for locating structures in  the Model Code; these exist in the current Code and need to be retained to insure stream health. | The stream setbacks will be carried through and appear in the draft codes. |
| It would be very helpful if you prepared a list of these issues and a marked version of the Code that shows how the planning  commission proposes to deal with them. | There will be a side by side version. |