

CU-16-00001

I would like to thank you for the time to respond.

First we would like to make clear that the Webb CUP is clearly different from the McIntosh CUP in one major way; The Webb CUP is considered an administrative cup that specifically allows for a maximum of 8 events within a year per Kittitas County Code. The McIntosh CUP is a standard conditional use permit that can operate everyday throughout the year. The impact is much greater than the Webb's proposal. The Webb's administrative cup for a special event facility of 8 events only should not be burden with conditions from a project that was approved to operate full time 365 days out of the year as the intensity of the use is dramatically less and different.

Jeff Watson Response: Regardless of whether the facility is used once a year, or seven days a week, it is important to remember that from a "use" perspective as it relates to the structure, the applications are the same and there must be consistency. The A-2 classification of the building doesn't care how many times it is used; it simply is; and as such must meet the requirements of the building code in exactly the same fashion as the McIntosh structure.

It is also important to remember that these conditions are not just written from the county to the applicant. It is also to inform and educate other parties of interest as to what the parameters of this facility will be allowed to operate under.

Condition #9. This condition should be removed as this eliminates any possibility of the Webb's having an immediate family function not associated with this special event facility.

Jeff Watson Response: This condition relates to events in which an invitation has been extended to the general public. Private events are done with the expectation that attendees are invited formally or informally and as such share a common vision or frame of reference with respect to the event; events such as a concerts, festivals, community events, in which the community and/or the general public is invited unconditionally have the potential for personality dissention and conflict. If such events never occur then the condition is rendered moot; but it remains.

Condition #11 & 12 Water system and Septic and Waste Disposal system (Public restroom language).

The Webb administrative Cup states that these events will be catered therefore not having to provide water at the immediate time. The Webb's agreed to the condition to develop a Group A transient-non-community water system due to the occupancy of having 200 guests that required a public restroom that in turn requires the Group A water system. Again the Webb's are ok with a condition but when the use of the Barn changes then the Public Restrooms are required, which in turn requires the Group A Water System. With that said that is why we proposed to the building department that we use a tent facility/ lean to/outside covered area as the immediate area for occupants therefore allowing the use of portable toilets until the Webb's construct the public restroom, which again triggers the Group A water system approval and development and upgraded septic system, then the Webb's will be allowed to start using the Barn.

Jeff Watson Response: It was my understanding that the barn was an integral and essential part of the application and the facility. I think we can craft language that leaves it out if events that do not include its utilization are contemplated.

Mike Flory Response: Temporary membrane covered structures erected for less than 180 days are exempt from the Building Code. They must still comply with the Fire Code. These must be a fabric type material over a temporary frame. 3103.1 General. The provisions of this section shall apply to structures erected for a period of less than 180 days. Tents and other membrane structures erected for a period of less than 180 days shall comply with the International Fire Code. Those erected for a longer period of time shall comply with the applicable sections of this code. Under these conditions and with no use of the barn or other permanent structure, restrooms would not be required.

Condition #13, Associated Structures (garages). This is an inappropriate condition. The Webb's should be allowed to use any and all structures that are on site as they see fit.

Jeff Watson Response: Structures which are or may be occupied by the general public must be reclassified for that use. If the Webbs wish to utilize those structures as part of the event facilities they will need to be designated and appropriately configured; otherwise they will need to be secured during events.

Mike Flory Response: Not for public use. No public or event use is allowed without a change of occupancy. This condition should remain.

Condition #14, Barn classified as an A-2 structure. Per the 2015 IFC the barn would not meet two out of the three criteria to be classified as a Group A-2. The barn is less than 5,000 sq. ft. and the fire area is located on the same floor as the exit areas for occupants. The Webb proposal does meet the second criteria since it proposes a 200 occupancies. But it must be noted that the barn is pushing meeting the second criteria as is will be difficult to get 100 or for that matter 150 people inside of the barn. The Webb's proposal of 200 occupancies means the complete facility (inside and outside).

Mike Flory Response: Per the 2015 International Building Code and the Existing Building Code, the barn would undergo a change of occupancy to be considered for public or event use. The intended use is most closely related to an A-2 Occupancy primarily due to alcohol and food consumption: 303.3 Assembly Group A-2. Group A-2 occupancy includes assembly uses intended for food and/or drink consumption including, but not limited to:

- Banquet halls***
- Casinos (gaming areas)***
- Nightclubs***
- Restaurants, cafeterias and similar dining facilities***
- (including associated commercial kitchens)***
- Taverns and bars***

Conditions #15 & 16 Sprinkler requirements.
Per the 2015 IFC the barn would be considered a Group A-2 (IFC 903.2.1.2) though

it may not fully meet the three criteria. The barn is less than 5,000 sq. ft. The Webb proposal does meet the second criteria since it only proposes 200 occupancies. But it must be noted that the barn is pushing the limit meeting the second criteria as it will be difficult to get 100 or for that matter 150 people inside of the barn. The Webb's proposal of 200 occupancies means the complete facility (inside and outside), and the final criteria the fire area is located on the same floor as the exit areas for occupants. Furthermore, the building that is 36' wide by 64' long (2,304 sq. ft.) contains three doors all of which meet or exceed the opening dimensions and access requirements per the 2015 IFC (903.2.11.1.1 & 903.2.11.1.2). With the Barn being less than 5,000 sq. ft. and the fire area located on the same floor as the exit areas for occupants, along with 3 egress locations that are 8' by 25' (200 Sq. Ft.), 16' by 12' (192 sq. ft.), & 15' by 8' (120 sq. ft.), and proposed two sliding doors to remain open and locked open during events and two existing frost free hose bibs at both ends of the barn should provide sufficient reasoning to not require fire sprinklers in such a small barn facility. With the additional conditions requiring a annual fire and life safety inspection every year, and a requirement a security guard (non licensed etc.) directing parking, looking for fire hazards and crowd control, we feel that sprinklers should not be required.

Mike Flory Response: 2015 IBC requires sprinklers for an A-2 Occupant load of 100 or more:

[F] 903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for fire areas containing Group A-2 occupancies and intervening floors of the building where one of the following conditions exists:

- 1. The fire area exceeds 5,000 square feet (464.5 m2).***
- 2. The fire area has an occupant load of 100 or more.***
- 3. The fire area is located on a floor other than a level of exit discharge serving such occupancies. This only requires one (1) condition to be met.***

Condition #17. 300-attendee peak level;

The Webb 8-special event facility proposal is dramatically different than the McIntosh CUP. It must be noted that the Webb's proposal is specifically for an administrative conditional use permit for a 8-special event facility with 200 people attending. The Event permit under KCC 5.20 is different as it applies to a single event proposal under KCC 5.20. Under the Event Permit (KCC 5.20) the Webb's could apply for this type of application with the BOCC and not have to go through this administrative conditional use permit process. KCC 5.20 doesn't apply here and this condition should be removed.

Jeff Watson Response: As per the narrative the Webbs will be limited to a maximum attendance of 200 people. IBC requires that if alcohol is served the barn will be sprinkled for attendance of more than 100. If per chance an event were to propose itself which may exceed 200 attendees both the Webbs and their neighbors will understand what that process would look like; KCC 5.20. If it never occurs the conditions are is moot; but it remains.

15. Events will be limited to a maximum attendance of 100 persons **without** an approved and inspected fire sprinkler system for the structure.

16. Events will be limited to a maximum attendance of **200** persons **with** an approved and inspected fire sprinkler system for the structure.
17. Events which exceed **200** attendees **must** be permitted in accordance with the provisions of Kittitas County Code (KCC) Chapter 5.20.

Condition 18: Restroom. The agreed upon condition with Mike Flory was to allow the Webb's to use a tent facility /lean to/covered area (not the barn) with portable toilets until the Webb's construct the public restroom, as required by Mike Flory (KC Building Dept.) which triggers the group a water system and upgraded septic system. The way this condition is written requires it up front therefore needs to be removed or rewritten.

Mike Flory Response: Condition 18 is required for any permanent structure. It should remain as clear understanding of the CUP.

Condition 19. The doors located on the barn are two sliding doors and one-man door. As proposed earlier the two sliding doors will remain open and locked open during events providing continued ingress and most importantly egress at all times. It must be noted that not all doors swing outwards on the barn.

Mike Flory Response: A minimum of two (2) exit doors from the barn are required per IBC Table 1006.2.1 and shall be located per the IBC and Fire Code. The horizontal sliding doors must meet strict guidelines if they are to be used as part of the exit system: 1010.1.4.3 Special purpose horizontal sliding, accordion or folding doors. In other than Group H occupancies, special purpose horizontal sliding, accordion or folding door assemblies permitted to be a component of a means of egress in accordance with Exception 6 to Section 1010.1.2 shall comply with all of the following criteria:

- 1. The doors shall be power operated and shall be capable of being operated manually in the event of power failure.***
- 2. The doors shall be openable by a simple method from both sides without special knowledge or effort.***
- 3. The force required to operate the door shall not exceed 30 pounds (133 N) to set the door in motion and 15 pounds (67 N) to close the door or open it to the minimum required width.***
- 4. The door shall be openable with a force not to exceed 15 pounds (67 N) when a force of 250 pounds (1100 N) is applied perpendicular to the door adjacent to the operating device.***
- 5. The door assembly shall comply with the applicable fire protection rating and, where rated, shall be self-closing or automatic closing by smoke detection in accordance with Section 716.5.9.3, shall be installed in accordance with NFPA 80 and shall comply with Section 716.***
- 6. The door assembly shall have an integrated standby power supply.***
- 7. The door assembly power supply shall be electrically supervised.***
- 8. The door shall open to the minimum required width within 10 seconds after activation of the operating device.***

Condition 25. Storm water. We feel this condition isn't warranted. The site and structures currently exist on site. The Driveway is already paved and the surrounding area is graveled. Per the DOE storm water regulations a storm water permit is only required when there is a disturbance of 1 acre or more. Nothing is being disturbed and the future construction of the public restroom will not exceed 1 acre, therefore this condition is not justified and should be removed.

Jeff Watson Response: Again a situational condition; existing facilities are fine, additional facilities related to the home and farm are fine, additional facilities related to the small scale event use, as a commercial endeavor, must be done in conformance to the Stormwater manual; if nonesuch development is contemplated the condition is moot; but it remains.