

RE: Agritourism Advisory Group Homework

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To: Olivia Story <olivia.story@co.yakima.wa.us>

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Ok I have a few questions....

You have some examples of Signature events... Sip and Stroll is in that list. I am the Chair of that event and have been for the last 3 years. It is held downtown Yakima with no jurisdiction by Yakima County. Not even YHD has anything to do with that event. Only the city of Yakima and LCB has jurisdiction. The question is, why is that on the list in the first place?

Second of all, why is there even a list of signature events? Those are out of our control. If the Yakima Valley Tourism creates Red Wine and Chocolate how are we supposed to opt out? What is the purpose of even having that list? If there is a national beer day(as in today is actually national beer day) and people come here for it that does it count as one of our signature events?

My first reaction is that "signature events" need to be completely removed from any code. If we can't control them, and we can't control the attendees of them, it is unreasonable to expect us to comply with any type of code associated with them.

My next question is regarding something said on the call. You said that nothing in this new code will affect any existing permits. We have an ATO-Resort, which means we can have as many concerts as we want as long as they do not meet the definition of an outdoor festival:

Outdoor Festival : means an outdoor assembly of persons where the predicted total number of persons on the site is five hundred (500) persons or more, and where the duration of the program is five hours or longer except:

This means that as long as our concert is not over 500 people AND not longer than 5 hours, there is no permit required.

The new suggested code says otherwise. I want to make sure that what I heard you say on the call is the case, that I didn't misunderstand what you said, and that these new event definitions will not affect us. Can you verify that?

This may not be a question for planning, but if we want to make a change to our conditional use permit or ATO-Resort what is the re-review process? If we want to stay open an extra hour on Thursdays by changing our hours of

operation do we have to pay \$865 for the conditional use permit and another \$13,000 to reapply for the ATO-Resort? Do we need to do this before the new code is adopted to be "grandfathered" in?

Feedback on Tiered Events

History:

When we went to our first Early Assistance Meeting for our conditional use permit we were told details such as sign height and size requirements, lights pointing towards the roads, and Jan even went into detail to describe our soil type and depth to hardpan. But one key piece of information was never even mentioned and that was that we could not have live music without a special occasion permit. Fast forward to our grand opening, we had a band play for a couple hours in the back of the brewery. I got an email from Chris Pederson the next week explaining that we broke a number of codes, including but not limited to live music, an unapproved stage, going over our occupancy, the list goes on. I had video proof that we never exceeded occupancy but the "no live music" was a complete shock to me. At what point does a business come to you guys and tell you that they want to build a brewery and you fail to mention certain activities such as an Art Gallery are not allowed without an ATO or a guy playing a guitar in the corner of the tap room requires a special occasion permit? That was obviously a customer education issue with that first conditional use permit meeting. Those things should be the first thing mentioned, not brought up after the fact after the event is held.

We had 5 or six more concerts that year, obtaining a special occasion permit for each one. When we got to Music and Monarchs, we were told by the Director of the Cowiche Canyon Conservancy that based on previous year's attendance we could expect 200-250 attendees. So we planned for 400 just to be safe. We had people directing traffic, 250 marked parking spaces, event security, you name it. The day of the event comes and 500 Adults and 300 children show up. People started parking down our driveway and before we could get control of it they started parking along Thompson Rd. creating a traffic hazard. We were overwhelmed by attendees and were doing the best we could with the information we had been given. I got another email from Chris Pederson after that explaining the codes we broke.

The next year, we made sure we had parking for 1200 attendees, had more parking attendees, placed no parking signs along our drive way and both directions on Thompson Rd and fixed all of our issues. Since then we have hosted a handful of events including Northwest Burger Jam. We have learned how to deal with the surge load and make sure we do not create any safety or environmental issues for Yakima County.

Special Occasion Permits as they exist today:

We have issued I don't know how many special occasion permits. Dozens. They

are \$216 each. Plus two hours of time to go do the intake at public services. Sometimes longer. Every time we go in, we wait sometimes 90 minutes to even get to the intake desk. Then the intake person has to make about 4 trips back to the offices to ask questions to figure out how to enter them into the system. It is EXTREMELY PAINFUL. The process should be a simple web form with electronic payment. It was so expensive, cumbersome, time consuming, and frustrating that we eventually stopped doing concerts because it was not profitable or worth the time and effort. After you get the permit, the fire marshall comes out and checks for extension cords that could be a trip hazard, looks at the "platform" (because it cannot be called a stage) and signs off on the permit. It takes them about 4 minutes to do the inspection. All that for \$216 and 2-3 hours of our time. Now just step out of your Planning Department shoes for a minute and reread this as if you are me. Now tell me that the first thing that doesn't come to mind is, wow that sounds like a broken process. Oh and the lead time for these permits are 7 days.

Proposed Tiered Events:

Without knowing the complaints you are getting and what risk you are trying to avoid I am not sure that I can offer a solution. I can tell you that if these permits resemble anything even close to the current Special Occasion Permit, they are a failure. This is our opportunity to fix all of the issues mentioned above.

While classifying events based on attendance and duration is the easiest thing to do, it is also a failure. The type of event means different types of exposure. Some events like concerts create surge loads of traffic, noise issues, parking issues, etc. while others like corn toss tournaments, yoga on the lawn, paint nights bring much less. If I have a chili cook off and we have 400 people here to eat chili on a Sunday afternoon, that is way different than holding a three band concert for 400 people on a Friday night. We have to get better at classifying the events. Our two biggest events, Music and Monarchs and NW Burger Jam are great examples of events that both saw 1000 attendees, but one was all within 2 hours on Sunday afternoon and one was spread over 10 hours on a Saturday. We had 1000 people here at the same time for monarchs and no more than 400 at a time for burger jam.

Maybe the tiers are based on risk, and tier one includes events with no additional noise or environmental impacts with less than 100 attendees and no permit is required. That would suck up yoga on the lawn, paint night, etc. Then Tier two could be events with added risk like concerts, festivals, etc and they are under 500 people and under 5 hours. Then tier three could be any event over 500 attendees and 5 hours.

I understand the lead time on the outdoor festival/tier three event due to the exposure, but 30 days on tier one and 90 on tier 2 is ridiculous. Even the current 7 day lead time on special occasion permits are ridiculous. You are telling me that you need 7 days' notice for one of the fire Marshalls to come out and do a 5 minute inspection of some electrical cords when I can call the inspection hotline and have them out here the very next day to

inspect our Type one grease hood? You can streamline the process and get things done quicker.

Whatever the permit may be, it needs to be online and easily applied for. Doing the intake in person is not feasible. Why would we wait for 2 hours while you do an intake for the construction of a new home just to turn a permit for a guy playing guitar in the corner of our tap room? Your office also closes too early. You don't even say on the website that you have to make it there by 3:15 to do an intake. It says you close at 4 but nothing about if you show up at 3:16 expecting to do an intake you will be sent out the door. Once again here we go with customer education. You guys do this day in and day out but we do it a couple times a year. Online forms would fix the hours of operation issue. Help us through the process and make it simple and painless.

However you price the event tiers, I can tell you that the current prices are ridiculous. We spent I don't know how many thousands of dollars in special occasion permits. We did it because we had to, but we lost a lot of money on those permits. Do you know who the number one beneficiary of revenue was for Northwest Burger Jam, a non profit event where all proceeds were donated to Urban Kitchen, and 501c3 NPO? Yakima County Public Services. Between the Special Occasion and Itinerant Food Vendor Permits we spent 63% of the profit that was supposed to go to the kids with Public Services. To the kids. That was a pretty crappy thing to do to Urban Kitchen.

Proposed ATO Levels:

I had to drop off the meeting for a few minutes (to unload Barley seed that we actually grow to meet the 5 acre minimum to qualify for our ATO) so I did not hear the narrative for the ATO Levels. Collapsing the tiers really means nothing to us because what it comes down to is, can you have events, can you have overnight stays, and can you serve food? However you tier it out doesn't really matter. It's the hoops you have to go through and the money you have to spend, and the argument you have to have to be able to do each one of those activities.

I can tell you the 8 months, \$13,000 in permit fees, hearing examiner fees, meetings, public hearings, countless hours of work on our application, was overwhelming. The fact that our ATO permit had to go all the way to the commissioners in the first place was perplexing. The fact that we had to spend that money knowing good and well that the permit could be denied and we would lose all of our investment meant 8 months of sleepless nights. The pure stress involved with that permit was crippling. We were told that we had to have a good argument if we want it approved. And we had a great argument. But that still doesn't guarantee it will be approved. There are other issues with the ATO permit than just what is listed on the slide.

When we made the decision to apply for that permit, my wife and I had to spend a year saving every penny we had, forgoing any trips out of town, no eating out, not buying new clothes... The fees aren't published so you have no idea how much it is going to cost. After our early assistance meeting I was told what the actual price was and we had to save for another 6 months.

Then after it was all said and done, and the permit was approved we got a bill from the hearing examiner that we had no idea was coming. There went our vacation for the second year in a row. Why wasn't it mentioned in the assistance meeting that there would be a bill from this attorney? Back to customer education we go.

Also, if you haven't already, I would suggest reading the narrative on our ATO permit. CUP2019-00033 It explains the issues we had before our ATO-Resort permit and before we were able to do food service. I can say that food service has almost completely solved our alcohol consumption problem. We just don't have those weekly issues with overservice/overconsumption any more. It may happen one every couple months but we have so much better control of people now that we get food in their stomach.

Once again I really appreciate you involving my wife and I in this process. We both understand that in this world, if you give an inch, people will take a mile. We need clear and concise code that outlines what is allowed and what isn't as well as what is required to be allowed to do something. We are unique in that our brewery is in our front yard. What happens here affects us just like one of our neighbors. We get first hand experience of the impact the business has to our home.

Thank you again for your time Olivia!!!

Derrick

-----Original Message-----

From: Olivia Story <olivia.story@co.yakima.wa.us>