

**WHITMAN COUNTY
BOARD OF ADJUSTMENT
08/08/2019
PUBLIC HEARING
MINUTES**

MEMBERS:

Jim Lemon – Chair
Larry Cochran – Member
Rick Finch – Member

STAFF:

Alan Thomson – County Planner
Ginny Rumiser – Clerk

7:16 p.m. – Jim Lemon opened the public hearing for **CU 19-05**.

Applicant: Dee and Steven Tomson

Requests: A conditional use permit for a seasonal recreational vehicle (RV) park in the Agricultural District.

Jim Lemon – Is there any member of the Board who sees a conflict of interest in hearing the matter or wish to make a disclosure concerning the matter in hand? Seeing none, is there any member of the audience who sees any member of the Board as having a conflict of interest in hearing the matter in hand? Seeing none, I will continue on.

FINDINGS OF FACT:

Any additions or corrections to the Findings of Fact are represented in ***bold italic*** or ~~strikethrough~~.

1. On July 8, 2019, Dee and Steven Tomson applied for a conditional use permit for the operation of a seasonal RV park. (See **Exhibit 1**, Conditional use application).

Jim Lemon – You are the owner of the property?

Steven Tomson – 101 Bursch Rd., Pullman, WA. Yes, sir.

2. The 39-acre parcel is located approximately 5.5 miles southeast of Pullman, in the southwest corner of the Sand Road/Bursch Road intersection, in Section 19, Township 14 N, Range 46 E, W.M., Whitman County, Washington. (See **Exhibit 2**, Vicinity map).

3. The project area is approximately 12 acres in size and located in the Agricultural District. RV parks are authorized in the Agricultural District as a conditional use. (See Whitman County Code Chapter 19.10.090(A)(4).
4. The proposed park will operate on days coinciding with football games scheduled at Washington State University and the University of Idaho, primarily Fridays through Sundays, August to November. Most years have 6 to 8 game weekends. Anticipated are 15 to 30 RV's at each event weekend. (See **Exhibit 3**, Site plan).

Rick Finch – So, do you anticipate it will only be for football weekends or would you have interest in operating on weekends like graduation, Mom's weekend and other busy weekends, which would kind of extend it through a larger time of the year?

Steven Tomson – We have talked about that, but the reason we aren't inclined to do that now is, that we will continue to take hay off of that field. And in the spring, it's really not conducive to do it. We need to get the hay off and it doesn't usually go off until early July. So, at this point in time we really don't have any thoughts about trying to do, like Mom's Weekend in May, and I just don't think that would work really well.

Rick Finch – Okay.

Jim Lemon – Are there any other questions?

Rick Finch – I'm not sure that there is anything in the recommended conditions that would limit it if you decided to.

Alan Thomson – You might want to make a reference to that, if that is the avenue that you are going down, to make sure that it's just not that someone could interpret it to be strictly for this purpose that is written here. So, if you're going to potentially in the future have it open for more events, I think we should reference that.

Rick Finch – And if the applicant isn't interested then...

Jim Lemon – It stands as written. Would that be okay?

Alan Thomson – Yes, it would be up to the applicant.

Steven Tomson – I am fine with it. What I would suggest is that if we decided to do that, I would just come back, I guess ask for another permit.

5. The proposed area is a hay field, typically harvested in July. This field will remain in seasonal hay production. The land surrounding the site is farmland and pastures. The applicants' residence and several farm related outbuildings are located to the southeast of the project site and accessed off Bursch Road.

The west end of the park area is immediately bordered by the old Clinton Cemetery, which is no longer active. (See **Exhibit 4**, Aerial).

6. The site is accessed off Sand Road. There are two existing farm field access points and no new access points are proposed. As the RV Park is a change of use, the applicants need to apply for access permits for both locations. The access point to the west end of the parcel will serve as an emergency access only and the main park entry will be the access point further to the east. Additionally, there is an entrance/exit on the south side of the field into the applicant's residential driveway and Bursch Road. (See **Exhibit 3**, Site plan, and **Exhibit 5**, Comment from Whitman County Road Department, and **Exhibit 6**, Pictures).

Jim Lemon – I do have one question for clarification. On the picture here, the two exits that come out of the field, are they flat exits or are they ditches and dips?

Steven Tomson – Both of them are kind of a ramped approach. They were redone when Sand Road was rebuilt by the Road Department and oiled, a year ago.

Rick Finch – So, there are culverts there?

Steven Tomson – Well, there's no culvert there and one of the conditions that the Road Department has asked that I comply with, is that I put an 18" culvert in that, the main entrance/exit there. So, if that is what I need to do, I'll do it.

Jim Lemon – I guess that was leading to my main question. Pick-up's, campers might be a little different than a vehicle pulling a trailer, hitch high center or something like that.

Steven Tomson – Well I can tell you that we've been going in and out of there pulling a horse trailer and haven't had any problems. They did actually build quite a nice field approach there when they redid the road there and I really appreciate that.

Larry Cochran – It looks better than some of mine.

7. This will be a dry camping RV park with no electrical, water or sewer hookups provided. The applicants plan to set up portable restrooms or temporary residents provide their own wastewater disposal via RV holding tanks. Should portable toilets be provided Whitman County Environmental Health Department recommends a minimum of 1 portable toilet per 100 people. Should future activity involve providing toilets, RV hookups or on-site wastewater disposal systems, and on-site septic system must be established through Whitman County Environmental Health. Regarding water supply, the applicants plan to offer bottled water when needed. Should future proposals involve providing potable water to the public, a public drinking water system must be established

through Washington State Department of Health. (See **Exhibit 7**, Comment from Whitman County Environmental Health Department).

8. The site is within a flood hazard area according to the current FIRM. According to Chapter 19.100.080 (C)(5), RV parks can be allowed within flood hazard areas as long as the following requirements apply: The RV can be on-site for fewer than 180 consecutive days; and the RV must be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions. (See **Exhibit 8**, FIRM panel # 695).

Jim Lemon – What does FIRM stand for?

Alan Thomson – Flood Insurance Rating Map.

Jim Lemon – Okay. Is a permanently attached addition like a sunshade on the side of the trailer?

Alan Thomson – That wouldn't be permanent, so I think what that is referring to, is its set up like a trailer, basically on a foundation.

Rick Finch – Or a carport?

Alan Thomson – Yes.

Jim Lemon – Or the slide-ins?

Alan Thomson – The slide-ins are...

Jim Lemon – Still part of the trailer.

Alan Thomson – Yes and you can mobilize it quickly.

Jim Lemon – I got that part, I was just kind of curious about the permanent attached additions.

9. The site is not within 200 feet of a potential wetland according to the National Wetlands Inventory Map.
10. All adjacent landowners within 300 feet of the project were informed of this request and hearing by U.S. mail. At the time of this hearing no comments ~~has~~ **have** been received by Whitman County Planning concerning this notification. (See **Exhibit 9**, Assessor's map).

Jim Lemon – Is that still true?

Alan Thomson – Yes.

11. A public notice of the conditional use hearing was published in the Whitman County Gazette on July 18, 2019.

12. Whitman County is lead agency for the State Environmental Policy Act (SEPA) and issued a Determination of Nonsignificance (DNS) for the proposed project on July 18, 2019. The comment period ~~ends~~ **ended** on August 1, 2019 and no comments ~~was~~ **were** received so far.

Jim Lemon – Is that still correct?

Alan Thomson – That is still correct and we should amend that sentence to say “ended” and “were”, in the appropriate places.

Jim Lemon – Are there any other comments or questions on the Findings of Fact? I guess I do and it goes back to several of these other RV parks and stuff. What provisions have been made for fire protection, water and firefighting, outrigger location, how far are you from the closest responding fire department, incase you did have a fire and we know how quickly sometimes they can get out of hand? Can you address that?

Steven Tomson – Our immediate plan for site mitigation, we’re going to keep the grass mowed short and basically create a fire break around our edge of the property. We actually have a partial break that we maintain between my primary residence and the farm fields, now. And the responding fire department would be Pullman, Fire District 11, I think, 12 I’m sorry, Fire District 12. And that is the closest station probably, which is approximately 8-9 miles. I have a 500 gallon tank on a flatbed truck with a pump that I keep filled this time of year and I maintain for fire suppression, if we were to get a fire now and that would continue for the RV Park, as well.

Jim Lemon – I would like to make that a Finding of Fact.

Alan Thomson – You could make that a condition.

Jim Lemon – Also as a Finding of Fact, his statement that he currently has a fire barrier around there and that he plans to mow the grass short and keep it short. And then the next one would be the closest Fire District 12, about 8-12 miles.

Steven Tomson – Well, it within that range. It’s on the left side of Pullman.

Jim Lemon – I would like to put both of those as Findings of Fact and then we can address them as conditions later.

Alan Thomson – Okay, do we have sufficient verbiage to put that together?

Jim Lemon – Yes, the applicant stated that he intends to keep the grass mowed short on the flat area and that he has a fire break that he maintains...

Steven Tomson – I currently have a fire break around part of the area now, but as we finish the final preparations for this, my plan is to extend that.

Jim Lemon – Okay.

13. The applicant stated that he intends to keep the grass mowed short and maintain a fire break around the RV Park parameters.

14. The closest district to the site is Fire District 12, out of Pullman, roughly 8-12 miles distance. The applicant does have a 500 gallon water tank on site and will maintain it for use in case of a fire at the RV Park.

Jim Lemon – The other question I had was, what about first aid. How would you address if somebody fell and broke their leg, hurt themselves, you would rely on, ambulance?

Steven Tomson – So, our response area for that, we would call 911 and the response for that would come out of Pullman as well, the ambulance. Part of the planning that we have currently, is I intend to take the information regarding the location of the park and the details about that into Whitcom, the dispatch center in Pullman, so that I can make sure that they have that information to be relayed to dispatch and are aware of exactly where it sits and the approaches and how to get in and out of that field. If you made a call out there now, if it was a land line call, it would come back as our residence, but that wouldn't be the most expedient way to get on site. The most expedient way would be to come off of Sand Road. So, we've discussed that and it is part of the package, in terms of preparations. If we needed a response from the Sheriff's Office or Fire or EMS out there, the dispatch center would be aware that this is going on, since I don't think they are in the Planning loop as part of the process.

Rick Finch – Do you have the blue first responder locator signs, I know Fire District 12 is trying to get them out to all rural locations.

Steven Tomson – On the mail boxes.

Rick Finch – So, would you think it might be advisable to have a separate responder location for the RV Park, so that then you can mark the entrance?

Steven Tomson – It certainly would not hurt.

Rick Finch – It was pretty easy to accomplish that, I think.

Steven Tomson – That is part of the reason I thought I would go ahead and take the information in and give Whitcom whatever they needed. Those are good points.

Otherwise in response, Mr. Lemon, to your question, in terms of an accident or first aid, we would rely on 911, we don't have an on-site medic, per se.

Jim Lemon – Okay, then I would like to make Finding #15, that any medical emergencies involving campers that rent from Mr. Tomson, help would come from 911 call to Whitcom for the closest ambulance service and then we'll also address that in the conditions, I think. The only thing I would say here, right now, between Rick and myself is, I think a visitation by anybody that you might call for emergency services and health is a good idea, for identifying that specific piece of ground. Are there any other comments or questions?

15. *Any medical emergencies involving campers, help would come from calling 911 to Whitcom for the closest ambulance service.*

Motion by Rick Finch and seconded by Larry Cochran to accept the Findings of Fact as written and amended.

7:37 p.m. Motion carried.

CONCLUSIONS:

1. The Board of Adjustment has been granted authority to render this decision.
2. Based on the evidence set forth in the Findings of Fact and the environmental review the proposed use as conditioned is consistent and in harmony with the goals and policies of the Whitman County Comprehensive Plan.
3. As conditioned the proposed use is consistent with the general purposes of the zoning code.

CONDITIONS:

Any additions or corrections to the Conditions are represented in ***bold italic***.

Planning staff recommends this conditional use be approved contingent upon the following conditions:

1. The applicant shall obtain any necessary permits from Whitman County (Building Permit) and other permitting agencies. This conditional use permit is not to be construed as approval for these other agencies. The applicant must contact and obtain these necessary permits or approvals. Failure to obtain these permits is basis for revoking this conditional use permit.

Jim Lemon – Do you understand this?

Steven Tomson – Yes, sir.

2. This conditional use permit shall be continuous with the ownership of the property. Should the ownership change, Whitman County must be notified. The conditions apply to the land regardless of transfer of owners.
3. With the upgrade in type of use for the Sand Road main driveway for the RV Park the Whitman County Road Department will require the installation of a culvert pipe to ensure proper ditch drainage. They also require that the emergency exit driveway will have signs installed restricting the use for emergencies only and that those signs would need to be enforced. Whitman County reserves the right to revoke any access if it is being used for purposes other than those it was approved.
4. Portable restrooms will be set up and bottled water will be offered when needed. At this point in time the applicants do not propose to use well water for public consumption or the use of public restrooms. If those plans change in the future the applicants need to contact the Whitman County Environmental Health Department to discuss specific plans and the permitting process for a new septic system and a new water access.
5. Any outdoor lighting will be full cut-off.

Jim Lemon – Do you understand this condition?

Steven Tomson – Yes, sir the Planning Department explained that one to me.

Jim Lemon – Under the conditions, I would like to add that a condition would be that you invite the local or the closest responding fire department to come out, take a complete overview of the property and your plan and separating it from your residence, which I'm sure they have down pat. And work with you so that in case there was a fire, and you know how fast they can develop, that you develop a fire escape plan for people and vehicles and I would hope that would include...How many vehicles do you figure you can hold and be within limits, full?

Steven Tomson – Well, that is a good questions. You're talking about the RV's?

Jim Lemon – Yes.

Steven Tomson – There is a lot more room then we intend to take. We're kind of moving slowly on this and right now I don't envision going beyond 40. If we could start out slow and have 15-20, I'll be happy, 20 would be great. I don't want the scale of it getting too big.

Jim Lemon – All right. Well the purpose of my question is this, in working with the fire department and when they come out, regardless of the number, that you and the fire department agree upon some kind of a plan to get whatever number off of the property

as quick as possible without creating a bottle neck and having somebody getting hurt and not being able to leave the property. That is that condition. Is there any feedback on that one? I bring that up, because in fire seasons it seems like everybody has a great idea and a great plan, but emotion and hysteria enter into it and it's like throwing a rock into the transmission, it just ceases to operate. I think you understand my concern.

Steven Tomson – Yes, sir. Those are good suggestions and in our primary plan, part of the reason we identify three potential emergency exits, was talking and addressing some of the issues that you are talking about here tonight. I appreciate the comments and I would be happy to comply with that.

Ginny Rumiser – So, Condition #6 would read, the applicant will develop a fire evacuation plan for the RV Park with the local fire district.

Jim Lemon – Yes.

Ginny Rumiser – You want it that simple?

Jim Lemon – Yes.

6. *The applicant will develop a fire evacuation plan for the RV Park, with the local fire district.*

Jim Lemon – The next condition that I would like to also address would be that you do the same thing with the local EMS responders so that they can know how to get there as quick as possible and if it's full, how they can enter and move around on the property and then get out as quick as possible. Also, alternative routes in case there was a fire, they could get in one way and get out another. In other words, what you are doing is making an escape plan contingent upon fire, basically at this time. Are there any comments on that one?

Rick Finch – No.

Larry Cochran – No.

Ginny Rumiser – Condition # 7 – The applicant will develop an emergency access plan with alternative routes for entrance and exit with the local emergency responders.

Jim Lemon – In case of fire.

Larry Cochran – Fire or medical.

Rick Finch – So it would be emergency access for EMS

Ginny Rumiser – So, emergency access plan.

Larry Cochran – It could be either fire or medical, it doesn't matter.

7. *The applicant will develop an emergency access plan with alternative routes with the local emergency responders.*

Jim Lemon – So, we've added conditions # 6 and # 7, are there any other conditions?

Rick Finch – Well, then in one of those we could include the separate identification signage for first responders.

Jim Lemon – I think that is really a good idea, because it goes hand-in-hand with the request for the conditional use that you are asking for. And it's telling whoever hears that address we're talking about a bunch of people parked at this location, look for this sign and I don't think that is a bad idea.

Rick Finch – Right, those signs have specific meaning and I believe they have a GPS locations and they are specific to each entry to a residence.

Alan Thomson – Describe that again, Rick, a separate location device?

Rick Finch – Location signage. They've got a name for it, it's the rural emergency locations signage, I believe.

Larry Cochran – So, basically just the address, isn't it?

Rick Finch – No, there is a number on them. Maybe it is, I think you're right, it is the address of that particular road, it's the number, but what it does is it marks the access location. We have one on our entry drive at my residence.

Alan Thomson – Alright, so that would be the main entrance, maybe, which would be the main entrance to the house, right?

Rick Finch – No, what we're saying is, that we identify this site separately from the house, so that Mr. Tomson will not use his current address for that location, so as to avoid confusion for first responders. So, they would give him another sign. In our subdivision we have 8-10 of those and most of them are on the mailboxes and two of them are on other access roads.

Alan Thomson – So, does that require or not require a new address?

Rick Finch – It may.

Alan Thomson – Because the Planning Department issues addresses now, we are the entity responsible for that. We've already got an address for the house, so what I hear you saying is, there needs to be a separate address for this access point.

Rick Finch – I don't understand exactly, if that would require a separate placard, I think there should be something in...

Alan Thomson – Well, how addresses work is, the emergency responders would have a point where they start counting, so that point, they reach there, and then the address is say, 1500, it would be 1500 feet to and then it's 1500 or 1501, left side or right side, odd/even, so that is how they find things, so it sounds like there is going to have to be a new number generated, which essentially is a new address.

Rick Finch – Does that require a plat?

Alan Thomson – No, that is what we do, we assign addresses.

Rick Finch – And that is easy?

Alan Thomson – When Katrin does it, yes.

Rick Finch – Because I think it's a good idea, but I don't want to necessarily put on an onerous condition.

Alan Thomson – No, it's no onerous, it's just that it's not a house and usually we give addresses out for houses.

Rick Finch – But it is an RV Park.

Alan Thomson – Right, okay.

Jim Lemon – Is the RV Park going to have a name?

Steven Tomson – We're just going to call it Flying B RV. It's our Flying B farm. It's only going to be there, just as a reminder, it's seasonal, so there are only going to be RV's out there in late August until November. If I might, so I think what Mr. Finch is suggesting is, what would be identified is that primary driveway off of Sand Road. I don't know the current process of addressing, but they are hinged to the mile markers.

Rick Finch – I would suggest that you talk to Lester Erwin, he was the one that was taking the lead on getting those signs, and they placed them.

Alan Thomson – I think what needs to happen here is, when we assign an address, for whatever it is, we contact Whitcom. We tell the emergency contactors what the new address is and what the name of this place is. So, that is how we get the information to Whitcom. The Planning Department does it now, so that would take care of contacting the emergency services people, such as 911 and Whitcom, it gets on their database and then they know how to get to the RV Park.

Rick Finch – I think that would be a good idea.

Larry Cochran – But, if it's too much of a burden, I think that as long as he has the blue sign on his residence, it would be close enough to the RV Park to know where to go.

Steven Tomson – If I might, Mr. Cochran, that is where I was suggesting earlier that I was planning on taking the information in to Whitcom, which is right in line with the conditions that you guys are talking about here, we're on the same sheet of music here, I want to make sure that if a call goes out, because it could be off of somebody's cell phone or 911, that they know where the quickest way to get out there is, which will be to come straight out Sand Road and then in that main entrance. It's not far, only about .2 mile...

Rick Finch – But it's still confusing, especially at night.

Steven Tomson – Yeah, instead of routing from Sand Road down to Bursch Road and then looping back into the field, it would be shorter to right into the field from Sand Road.

Jim Lemon – How about this, we leave it as a condition with the idea that you talk to the powers that be and if they think that they can do it with one, we leave it with one. If it has an address or a name and a title. I think it comes down to, and I hate this word, but liability and if liability can best be covered by having another sign there, because he is going to charge money in the name of the RV Park. And I go with Rick, daylight it's easy to find things, but at night sometimes it can be as rough as cob and sometimes a few minutes make a difference. So whatever you guys feel works best, we'll leave it on the books right now.

Alan Thomson – I'm thinking it needs a number. It needs an address that is how the emergency people find it.

Jim Lemon – Okay, all in favor of an address, say aye.

Rick Finch – Aye.

Larry Cochran – Aye.

Jim Lemon – Okay, took care of that one, didn't it.

8. A separate address and location signage will be assigned to the RV Park entrance off of Sand Road.

Jim Lemon – Are there any other conditions at this time? Seeing none, I would ask for a motion.

Motion by Larry Cochran and seconded by Rick Finch to accept the conditions as written and amended.

7:51 p.m. – Motion carried.

Motion by Rick Finch and seconded by Larry Cochran to grant **CU 19-05**.

7:52 p.m. – Motion carried.

Steven Tomson – I would like to say thank you to you guys for being here and I want to thank the Planning Department, because they have been really helpfully through this whole process and it's really been quite smooth. All my emails and calls were responded to really quickly and I really appreciate it. Thank you.

Jim Lemon – Thank you very much.

Alan Thomson – We'll be in touch to tell you what the next steps are.

Steven Tomson – Thank you.

7:52 p.m. – Adjourned

These minutes have been approved by Planning Staff:

<u>Kath Kunz</u>	<u>Assistant Planner</u>	<u>8/15/2019</u>
Name	Title	Date