PLANNING COMMISSION

MAYOR JAY MCGOWAN

CITY ADMINISTRATOR ROBERT OMANS

DESIGNATED CITY PLANNER
GREGG DOHRN with assistance
from MEAGAN HAYES

CITY CLERK
KATHI SWANSON

Agenda January 18, 2022 6:00 p.m.



119 W FIRST STREET CLE ELUM, WA 98922 PLANNING COMMISSION
GARY BERNDT
VAN PETERSON
MATT FLUEGGE
LIZ KURTZ
ELIZABETH TORREY

CITIZEN ALTERNATE VACANT

Planning Commission meetings are currently conducted as hybrid meetings. You may attend at City Hall or virtually. To attend via Zoom, see the second page of this agenda.

- 1. Call to Order & Roll Call
- 2. Set Agenda
- 3. Adoption of Minutes
 - a. December 7, 2021
- 4. Staff Report
- 5. <u>Citizen Comments on Non-Agenda Items (limited to 5 minutes)</u>
 - a. Larry Stauffer public comment received Dec. 12, 2021 (see 7(a) below for continuation)
- 6. Business Requiring Open Hearings
- 7. <u>Unfinished Business</u>
 - a. Continued Review: Table of permitted uses
 - i. Presentation of EXISTING table of permitted uses
 - ii. Larry Stauffer code amendment request
 - iii. Manufactured homes and communities comprehensive review of applicable state law and court cases
 - 1. Recommended action: table review for further consideration to allow amble agenda space to accomplish upcoming time-restricted items

8. New Business

- a. Elections of 2022 Chair and Vice Chair
- b. Critical Areas Review Incoming
 - i. Draft Ordinance 1606 <u>Review previous revisions</u>
 - ii. Ordinance 1606, as adopted by the City Council, included the Shoreline Master Plan only – Critical Areas Ordinance Revisions were not completed/adopted by City Council
- 9. Next Meeting Agenda Development
- 10. Report of Committees
 - a. Chair Berndt WUI Updates
 - b. Any Hanson Pond Updates
 - c. Others committee reports not listed

11. Commissioner Comments and Discussion

12. Adjournment

Next Regular Commission Meeting: Tuesday, February 1, 2022

City of Cle Elum is inviting you to a scheduled Zoom meeting.

Topic: Regular Meeting of the Cle Elum Planning Commission Time: Jan 18, 2022 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

https://us06web.zoom.us/j/88504633905?pwd=dDU0Z042TlllUm1oSi9ucmlEL2VoUT09

Meeting ID: 885 0463 3905

Passcode: 99328
One tap mobile

+12532158782,,88504633905#,,,,*99328# US (Tacoma)

Dial by your location +1 253 215 8782 US (Tacoma)

1		CITY OF CLE ELUM
2		PLANNING COMMISSION MEETING
3		DRAFT - Meeting Minutes
4		December 7, 2021 6:00pm Hybrid Meeting
5		
6	1.	Call to Order & Roll Call
7		Chair Berndt called the meeting to order at 6:00pm.
8		Commission members present: Chair Berndt, Commissioner Torrey,
9		Commissioner Peterson, and Commission Fluegge
LO		Commission members absent: None
l1	_	Staff present: Meagan Hayes
L2	2.	Set Agenda
L3		A motion was made by Commissioner Torrey and seconded by Commissioner Fluegge to
L4	_	accept the agenda as presented; none opposed. The motion carries and the agenda is set.
L5	3.	Adoption of Minutes
L6		A motion was made by Commissioner Fluegge and seconded by Commissioner Peterson
L7		to approve the November 2, 2021 meeting minutes as presented; none opposed. Minutes
L8		approved.
L9	4.	Jeremy Johnston, Kittitas County Planning Presentation
20		Mr. Jeremy Johnston attended the regular meeting of the Cle Elum Planning Commission
21		to provide a status update on various County projects. The intent of the presentation was
22		to bring awareness of ongoing activities outside the City Limits that may impact City
23		efforts, projects, infrastructure, and/or lifestyle. Generally, the presentation proceeded for
24		approximately 15 minutes and ended with a general agreement between the Commission
25		and Mr. Johnston that increased regional planning efforts should be encouraged and
26	_	methods to engage should be explored.
27	5.	Citizen Comments on Non-Agenda Items (limited to 5 minutes)
28		Phil Hess, 4650 Airport Rd.
29		Mr. Hess shared his interest in the City and County creating a region-wide Growth
30		Management Plan, included a comprehensive review of buildable lands in the region to
31		offer a better understanding of the full build out potential of the region.
32 33		<u>Larry Stauffer, address not provided</u> Mr. Stauffer commended the efforts of Commission and Kittitas County to pursue
		· ·
34		regional relationships. Mr. Stauffer shared concerns regarding the proposed Table of Permitted Uses, stating that Manufactured Homes and Manufactured Home Parks should
35		
36		not be on the same line item. Additionally, Mr. Stauffer shared concerns regarding legal
37		ability to site more than one manufactured home on one legal lot. Mr. Stauffer
38 39	6.	additionally questioned the "zero lot line" land use item.
	υ.	Staff Report None provided.
10 11	7.	•
11 12	7.	<u>Unfinished Business</u> a. Table of Permitted Uses
+2 13		i. Hayes briefly presented the current draft of the Table of Permitted Uses. In
+5 14		following the public comment received, the Commission agreed that
+ 4 15		"Manufactured Home" and "Manufactured Home Park" should be senarated

1		as separate line items. Additionally, "Manufactured Home Park" should be
2		renamed to "Manufactured Home Community".
3		ii. Commission members will continue their review of the draft Table of
4		Permitted Uses at the next regular meeting. Additionally, Commission
5		members will further discuss manufactured home regulations and applicable
6		State Law.
7	8.	New Business
8		a. Shelter Resources Zoning Verification Letters
9		i. Staff presented a draft zoning verification letter that was requested by Shelter
10		Resources to enable their application for funding to build a multi-housing
11		residential facility in Cle Elum.
12		ii. Commissioner Peterson shared concern regarding setting precedence in
13		authorizing this letter. Hayes shared that it is the understanding of staff that
14		the only reason this specific verification letter was requested was due to the
15		funding source being applied for. In most cases, staff simply responds to these
16		requests via email or phone.
17		iii. A motion was made by Commissioner Torrey and seconded by Commissioner
18		Fluegge to authorize the zoning verification letter as presented and authorize
19		the Chair to sign the letter on behalf of the Commission; none opposed. Chair
20		Berndt will sign the letter and staff will distribute.
21	9.	Next Meeting Agenda Development
22		The January 4, 2022 agenda will include, at a minimum:
23		Table of permitted uses, ongoing review
24		Continued discussion on manufactured housing
25		Staff report
26		Election of 2022 Chair and Vice Chair
27		Formal introduction of new Planning Commission member Liz Kurtz
28	10.	Commissioner Comments and Discussion
29		No reports were provided
30	11.	<u>Adjournment</u>
31		Commissioner Berndt called for a motion to adjourn. A motion was made by Fluegge and
32		seconded by Torrey to adjourn the regular meeting of the Cle Elum Planning
33		Commission at 7:18 pm; none opposed. Meeting adjourned.

Existing Permitted of Uses

This table was put compiled through review of the Cle Elum Municipal Code. $P = Permitted Outright \quad A = Permitted as an Accessory Use \quad C = Conditional Use Permit S = Special Use Permit \quad SDR = Site and Design Review \quad Blank = Not permitted$

	Resid	lential	Co	mmerci	al		Othe	r	
	SFR	MFR	DTC	ETC	GC	Ι	PU	PMU	G
Use	Single Family Res.	Multi – Family Res.	Down-town Comm.	Entry-way Comm.	General Comm.	Industrial	Public Reserve	Planned Mixed Use	Special Conditions and Notes
Accessory Dwelling Unit (A – ADU And D- ADU)	P				С				
Accessory Buildings	P	P							
Adult Family Home and Group Home	P								
Apartments, single-occupancy*			Р		С			See Cle Elum Municipal Code 17.45.050	*shall be located in upper floor; only with necessary entrances and lobbies at street level
Dwelling, Multiple Residential Units (3+)		P			С			pal Co	
Dwelling, Single Residential Unit	P	P			С)de 17	
Dwelling, Two Residential Units (Duplex)	P*				C			.45.050	*Not more than one duplex per street frontage per block
Manufactured Home	P				C				
Townhouses		P							
Day Care, Child In- Home Facility	P								
Home Business	P								

	Resid	Residential		Commercial			Othe	er	
	SFR	MFR	DTC	ETC	GC	I	P	PMU	a
Use	Single Family Res.	Multi – Family Res.	Down-town Comm.	Entry-way Comm.	General Comm.	Industrial	Public Reserve	Planned Mixed Use	Special Conditions and Notes
Accessory Retail Store*						P		See Cle	*Where products are manufactured

	1		1		1			ما ما المام ما المام
								on site and sold
								to the general
Amusamant				С	С			public
Amusement Antique Store			P		C			
•			Г					
Asphalt Manufacturing,						C		
Mixing or Refining Service station, tire								
repair shop				P	P			
Automobile Sales, New								
and Used					P			
Automobile								
Dismantling, Wrecking						С		
or Junkyards								
Vehicle and machinery								
repair and storage						P		
Barbershop			P	P	P			
Bank/Financial					1			
Institution			P	P				
Beauty Parlor			P	P	P			
Boardinghouse and			1	1	1			
Lodging house		P						
Loughig house								*When
								associated with
Micro-Brewery*			P	P	P			on-site retail
								business
Chemical								0.000111000
Manufacturing, Storage						С		
and/or Packaging								
Cement, Lime, Gypsum								
or Plaster of Paris						C		
Manufacturing								
Contractor's Offices,								
Shops and Storage						P		
Yards								
Copy Shop			P	P				
Clothing			P	P				
Daycare	С	С			P			
Dancehalls				С	С			
Dressmaking			P					
								*when
								associated with
Drive-Thru*			P					a permitted use
								and accessed
								from an alley
Drop Forge Industries						C		
Food and dry goods								
processing, packaging						P		
and distribution						•		
operations								

General Merchandising			D				
Stores			P				
Grocery Store			P	P			
Galleries		P					
Laundromat, Hand							
Laundries, Clothes			P	P			
Cleaning and Pressing							
Locksmith		P	P	P			
Lumberyard, building materials, coal and fuel storage*				P			* providing that they are housed in buildings completely enclosed by walls and windows, and the yard regulations of this district shall be observed; and provided further that no such lumber yards, building material yards, coal and fuel stores shall be maintained closer than one hundred feet to the side lines of the R/RM or residential districts;
Machine Shop				С			
Manufacturing, Production, Treatment			C*	Р			*Allowed when incidental to the retail business conducted on the premise
Manufacturing, rebuilding and/or repairing nonmetal or mineral products					Р		
Manufacturing of Industrial or Household Glues, Cements, or Component parts					С		

though from we getable								
thereof, from vegetable,								
animal, or synthetic plastic materials								
1						D		CEMC 17.10
Marijuana, Processing						P P		CEMC 17.10
Marijuana, Production			D	D	D	Р		CEMC 17.10
Marijuana, Sales			P	P	P			CEMC 17.10
Meat Shop			P	P	P			
Mobile Food Vendor			P	P	P			
Nursery/Greenhouse	C*							Special use permit, not exceeding 10 years
Nursing Home	С	P						years
Office,	C	1						
Business/Professional			P	P	P			
Office Buildings*						Р		*Related to permitted uses on the same premises or within the industrial district
Open Air Market			P	P	P			
Parking Garages*			С					*When accessed from an alley
Parking Lot				P				
Personal Service Shop				P	P			
reisonal service shop				Г	Г			*except for
Private Clubs and Fraternities*	С		P					those selling or furnishing beer, wine or intoxicating liquors; also excepting those the chief activity of which is a service customarily carried on as business
Reduction or Disposal or Garbage, Offal, or Similar Refuse						С		
Restaurant			P	P	P			
Rubber Reclaiming						С		
Cafeterias			P	P	P			
Catering			P		P			
6		1					1	

Refuse, Recycling and					С	
Processing						
Retail Sales		Р	Р	Р	P*	*Involving equipment or vehicles normally stored or displayed outside and used for manufacturing, farming, or construction
Sales Room				P		
Scientific Research, Testing and Development					P	
Skating Rink			С	С		
Smelting, Reduction, or Refining of Metallic Ores					С	
Shoes and Clothing Repair Shop		P	P	P		
Specialty Grocery Stores		P	P			
Studio		P*		P		Art, music, photography, and other similar uses
Tanneries					С	
Tailoring		P				
Cocktail Lounges		P				
Taverns		P	P	P		
Theater		P	C	P		
Veterinary Clinic within Enclosed Structure					Р	
Warehouse					Ъ	
Establishment	 				P	
Warehouse, Mini				C		
Wholesale Establishment					P	
Welding and Metal Fabrication Shop					Р	
Wineries					С	
Wireless Communication Facilities		C*	С		Р	*When installed on existing building and screened from

					view of
					adjacent streets

	Resid	ential	Co	mmerci	al		Othe	r	
	SFR	MFR	DTC	ETC	GC	Ι	PU	PMU	
Use	Single Family Res.	Multi – Family Res.	Down-town Comm.	Entry-way Comm.	General Comm.	Industrial	Public Reserve	Planned Mixed Use	Special Conditions and Notes
									*When
Bed And Breakfast Inn	C*				P			See Cle Elum Muni	accessory to permanent residence; preference shall be given to facilities in historic structures
Hotel / Motel / Inns			p*	P	P			Elum Municipal Code 17.45.050	*shall be located in upper floor; only with necessary entrances and lobbies at street level
Vacation Rental, Short- Term	P	P	P	P	С				CEMC 17.160

	Resid	ential	Co	mmerci	al		Othe	er	
	SFR	MFR	DTC	ETC	GC	I	PU	PMU	
Use	Single Family Res.	Multi – Family Res.	Down-town Comm.	Entry-way Comm.	General Comm.	Industrial	Public Reserve	Planned Mixed Use	Special Conditions and Notes
Art Gallery							P	7.0	
Agriculture						P		See	
Community Center	C	С						Cle	
Government Buildings/Facilities	C	С	P	P	P	P	P		
Hospital/Medical Center and Sanitorium	C*						P*	Elum Municipal Code 17.45.050	Except for inebriates and persons suffering from mental disorders
Library	С	С					P	O	

Physician/Dental/or other Professional Person	C*							*when located in his/her dwelling or an existing residential structure located on an arterial street
Office, Government/ Non-Profit							P	
Park/Playground	SDR	P						
Printing Establishment and Newspaper Printing			С		P			
Public Facilities and Public Utility Use			P	P		P	P	
Post Office							P	
Recreation, Public Indoor							P	
Recreation, Public Sports Complex							P	
Religious Center	С	С						
Retirement Facility	С	P						
Senior Center	С	C						
School, Vocational/Trade							P	
Schools, Public/Private	C	C					P	
Telephone Exchange, Electric Substations*	С	С						*Including similar installations for public service
Undertaking Establishments and Crematoriums			С		С			

Meagan Hayes

From: Larry Stauffer <stauffer@Lynden.com>
Sent: Sunday, December 12, 2021 3:26 PM

To: Gary Berndt; Gary Berndt

Cc: Meagan Hayes

Subject: CEMC Code Additions

Follow Up Flag: Follow up Flag Status: Completed

Gary Berndt Megan Hayes City of Cle Elum, Planning Commission

Dear Gary, Megan, and Planning Commissioners

I am proposing additions to the Cle Elum Municiple Code.

In the best interest of the Cle Elum and the upper county Citizens, I ask that the Planning Commission, at its scheduled January 4, 2022 meeting, consider and recommend the additions contemplated herein.

Thank you for your consideration of this request.

Larry Stauffer

1) Add the following Mobile Home Park definition in CEMC 17.08.295 (Zoning Definitions)

"Mobile Home Park", "Manufactured Housing Community", or Manufactured/Mobile Home Community" means any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy (RCW59.20.030.14)

2) Add the following as CEMC 17.52

Mobile Home Parks shall be prohibited in the city.

Note; The references to the proposed code additions numeration is based upon Section 17 as it currently exists on the City of Cle Elum website. It is understood that Section 17 is currently under reconstruction and as such, the proposed additions should be located in in the appropriate section following the reconstruction.

The Revised Code of Washington specifically provides that a code city may designate a manufactured housing community as a nonconforming use. Se the reference below.

RCW 35A.63.146

Manufactured housing communities—Prohibitions of code city due to community status as a nonconforming use.

- (1) After June 10, 2004, a code city may designate a manufactured housing community as a nonconforming use, but may not order the removal or phased elimination of an existing manufactured housing community because of its status as a nonconforming use.
- (2) A code city may not prohibit the entry or require the removal of a manufactured/mobile home, park model, or recreational vehicle authorized in a manufactured housing community under chapter <u>59.20</u> RCW on the basis of the community's status as a nonconforming use.

SINGLE-FAMILY HOMES; MANUFACTURED HOMES

1.0 Intent

It is the intent of this chapter to set forth the terms and conditions under which single-family homes may be sited, and to ensure that manufactured homes as defined herein may be sited in any zone where single-family homes are permitted. These regulations apply to all zones where single-family homes are permitted. However, nothing in this chapter shall be construed as to permit housing designs or construction standards that do not meet the standards of a historic district.

2.0 Definitions

- **2.01 Manufactured home:** a single family home which:
 - a) is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
 - b) was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and
 - has exterior siding similar in appearance to siding materials commonly used on site-built single family homes built according to the International Building Code.
- **2.02 Mobile home:** a transportable, factory-built home designed and intended to be used as a year-round dwelling, and built prior to the enactment of the Federal Manufactured Housing and Safety Standards Act of 1974. Mobile homes are no longer built, and their placement in this community is prohibited.
- **2.03 Single-family home:** any dwelling designed and intended for use by one family. A single-family dwelling may be site built or manufactured.
- **2.04 Site-built home:** a dwelling that is constructed on the site where it will be used.

3.0 Minimum siting standards

The following standards apply to the siting of all single-family homes, whether site-built homes or manufactured homes. Where any conflict arises between these regulations and the adopted building code, the stricter standard shall apply.

- **3.01 Building orientation:** all dwellings shall be oriented on the lot so that the front door faces the street.
- **3.02 Foundation:** all dwellings shall be placed on permanent foundations.

- 3.03 Minimum width: a dwelling shall be not be less than fourteen (14') feet in width at the narrowest point of its first story. (NOTE: this is the minimum width to ensure that so-called "single-wide" homes are not placed in the community. For communities that wish to permit the placement of these "single-wide" homes, this restriction should be deleted.)
- **3.04** Age of dwelling (for manufactured homes only): No manufactured home more than three years old on the date of installation shall be permitted on any lot.
- **4.0 Minimum design standards** (optional suggestions for communities that require residential design review)
 - **4.01 Preferred siding materials:** dwellings shall be sided with wood, or with a material designed and intended to resemble a finished wood product. Brick and stone are also permitted. Metal or corrugated siding is prohibited.

4.02 Roofs:

- (a) Roofing materials for dwellings shall be wood shingle or shake, composition, clay, or metal. Corrugated metal or fiberglass roofing is prohibited.
- (b) The minimum pitch for a roof on a dwelling shall have a three-inch vertical rise for each twelve inches of horizontal run (3:12 pitch).
- **4.03 Porches:** The front door shall be protected by a covered porch.

NOTE: some communities also regulate landscaping and colors, although such regulations are most often associated with historic districts.

Example Manufactured Home Community Definitions

To incorporate into existing definitions

"Mobile home park," "manufactured housing community," or "manufactured mobile home community" means any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

"Manufactured home community (MHC)" means real property under single ownership that is used as the location for two or more manufactured homes that are, or are intended to be, occupied as dwellings, upon lots which are not conveyable.

Commissioner	1/5/21	1/19/21	2/2/21	2/16/21	3/2/21	3/16/21	4/6/21	4/20/21	5/4/21	5/18/21	6/1/21	6/15/21	7/6/21	7/20/21	8/3/21	8/17/21	9/7/2021	9/21/2021 1	.0/5/2021	10/19/2021	1 11/2/202	1 11/16/2021 1	2/7/202	1 12/21/2021
Gary Berndt	р	р		р		р	р	р	р	р	р	р	CANCELLED	р	р	р	Р		Р	Р	Р		Р	
Bobby Graham	Е	р		р	CANCELLED	р	Е	р	р	р	Е	р	due to p		X	Χ	X X	CANCELLED	Resigned			CANCELLED		CANCELLED
Matt Fluegge	р	р	CANCELLED due to lack	р	due to special	р	р	р	Е	р	Е	р	special	р	X	р	Р	due to to	Р	Р	Р	at request of	Р	at request of
Elizabeth Torrey	р	р	of agenda	р	study	р	р	р	р	р	р	р	study	р	р	р	Р	quorum	Р	Р	Р	commission	Р	commission
Van Peterson	р	р	., . ,	р	session	р	Χ	Χ	р	р	р	Χ	session	Χ	Χ	р	Р		Р	Р	Р		Р	
Pam Hawk	р	р		р		р	р	р	р	р	р	р	Resig	gned										

Notes:

Citizen alternates do not need to be excused if absent.
Pam Hawk resigned on 6/16/21
Van Peterson became a commissioner on 8/17/21
Bobby Graham resigned on 10/5/21

P= Present

E = Excused absence X = Unexcused Absence

CITY OF CLE ELUM WASHINGTON

ORDINANCE NO. 1606

AN ORDINANCE OF THE CITY OF CLE ELUM, WASHINGTON, AMENDING THE SHORELINE MASTER PROGRAM, 18.02 CEMC; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Shoreline Master Program (SMP) is developed under guidelines established by the Department of Ecology, and is an important document that plans for and protects the City of Cle Elum's shorelines and waterways; and

WHEREAS, the Shoreline Management Act (SMA) identifies the lands that fall within the SMA's jurisdiction; and

WHEREAS, shoreline jurisdiction within the City generally includes all adjacent lands within 200 feet of the ordinary high-water mark of the Yakima River and the Cle Elum River and associated floodway, contiguous floodplain within 200 feet of the floodway, and associated wetlands; and

WHEREAS, under the SMA, the City is required to review, and, if necessary, revise its SMP according to the schedule set forth in RCW 90.58.080, which is a periodic review every eight years.

WHEREAS, the purpose of the periodic review is to stay current with any changes in laws and rules, respond to changed circumstances, and incorporate any new information and improved data; and

WHEREAS, WAC 173-26-090 defines the legislative action that is required to be completed; and

WHEREAS, the Department of Ecology prepares a checklist of changes to state law, rules, and guidance that have occurred since the City last adopted its SMP; and

WHEREAS, communities who do not comply with the periodic updates set forth in the GMA may be ineligible to receive funds from the Public Works Trust Fund or the Centennial Clean Water account or receive preference for other state grants or loans; and

WHEREAS, a community that misses an update may also be vulnerable to a "failure to act" petition for review to a Growth Management Hearings Board; and

WHEREAS, the City identified items to consider amending or updating using the Department of Ecology checklist in the summer of 2020; and

WHEREAS, the City accepted public comments during duly noticed comment periods during the process via the City's website, writing, and email, and interested parties were kept up to date via social media and news media; and

WHEREAS, an open house was held in November 2020 which provided an opportunity for visioning and identification of high priority issues and sought specific input on several issues; and

WHEREAS, a Joint Public Hearing was held with the Department of Ecology before the Cle Elum Planning Commission on March 16, 2021; and

WHEREAS, the City received determination of initial concurrence from the Department of Ecology on April 27, 2021, announcing the next step in the approval process to be City Council formal adoption of the ordinance amendments, per WAC 173-26-110; and

WHEREAS, it is in the interest of the health, safety, and welfare of the City to adopt the regulations as described below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLE ELUM, WASHINGTON, DO ORDAIN AS FOLLOWS:

<u>Section 1. Chapter 18.02 CEMC ("Shoreline Master Program"), Amended.</u> Cle Elum Municipal Code Section 18.02 is hereby amended to read as set forth in the attached Exhibit A and incorporated herein by this reference.

<u>Section 2. Severability</u>. Should any portion of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

<u>Section 3. Effective Date.</u> This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force 14 days after the Department of Ecology final action as provided by RCW 90.58.090(7).

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 24th DAY OF May 2021.

CITY OF CLE ELUM

Jay McGowan, Mayor

ATTEST/AUTHENTICATED:

Kathi Swanson, City Clerk

Approved as to form:

Alexandra L. Kenyon, City Attorney

Filed with the City Clerk:

05/17/2021

Passed by the City Council: Date of Publication:

05/24/2021 06/03/2021

Effective Date:

The amendments to the Shoreline Master Program adopted

05/24/2021 shall be effective 14 days after the Department of

Ecology final action as provided by RCW 90.58.090(7)