

PLANNING COMMISSION

Agenda

February 1, 2022

6:00 p.m.

MAYOR
JAY MCGOWAN

CITY ADMINISTRATOR
ROBERT OMANS

DESIGNATED CITY PLANNER
GREGG DOHRN with assistance
from MEAGAN HAYES

CITY CLERK
KATHI SWANSON



119 W FIRST STREET
CLE ELUM, WA 98922

PLANNING COMMISSION
GARY BERNDT
VACANT
MATT FLUEGGE
LIZ KURTZ
ELIZABETH TORREY

CITIZEN ALTERNATE
VACANT

To ensure public safety, Planning Commission meetings are currently held exclusively via Zoom. Connection information is available on the second page.

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1. **Call to Order & Roll Call**
 2. **Set Agenda**
 3. **Adoption of Minutes**
 - a. January 18, 2022
 4. **Staff Report**
 - a. Mr. Larry Stauffer code amendment request – update from Designated City Planner and Mayor
 5. **Citizen Comments on Non-Agenda Items (limited to 5 minutes)**
 6. **Business Requiring Open Hearings**
 7. **Unfinished Business**
 - a. Critical Areas Ordinance
 - i. *Pending final staff revisions*
 8. **New Business**
 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 5, 2022

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

Topic: Regular Meeting of the Cle Elum Planning Commission

Time: Feb 1, 2022 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/85616546162?pwd=RXR4ay92dU53bVBUalVqUU1hditnZz09>

Meeting ID: 856 1654 6162

Passcode: 99328

One tap mobile

+14086380968,,85616546162#,,, *99328# US (San Jose)

+16699006833,,85616546162#,,, *99328# US (San Jose)

Dial by your location

+1 408 638 0968 US (San Jose)

1 CITY OF CLE ELUM
2 PLANNING COMMISSION MEETING
3 DRAFT - Meeting Minutes
4 January 18, 2022 6:00pm Zoom Meeting
5

6 **1. Call to Order & Roll Call**

7 Chair Berndt called the meeting to order at 6:04pm.

8 Commission members present: Chair Berndt, Commissioner Torrey,
9 Commissioner Kurtz, and Commission Fluegge

10 Commission members absent: Commissioner Peterson

11 Staff present: Meagan Hayes

12 **2. Set Agenda**

13 A motion was made by Commissioner Torrey and seconded by Commissioner Fluegge to
14 accept the agenda as presented; none opposed. The motion carries and the agenda is set.

15 **3. Adoption of Minutes**

16 A motion was made by Commissioner Fluegge and seconded by Commissioner Peterson
17 to approve the December 7, 2021 meeting minutes as presented; none opposed. Minutes
18 approved.

19 **4. Citizen Comments on Non-Agenda Items (limited to 5 minutes)**

20 Larry Stauffer, 2661 Lower Peoh Pt. Rd., Cle Elum, WA

21 Mr. Stauffer presented both verbal and written testimony, citing an email submitted on
22 December 12, 2021 and an email submitted on January 18, 2022. Generally, Mr. Stauffer
23 shared varied concerns regarding allowing mobile home parks within the city limits. Mr.
24 Stauffer shared with the Commission that public interest in this matter has increased
25 significantly since the December 7, 2021, Planning Commission meeting. Mr. Stauffer
26 urged the Commission to consider this request given the timeliness and opportunity to
27 enact changes that could prohibit future mobile home parks within the community.
28 Concerns verbalized are expressed within the attached email submittals and are hereby
29 incorporated for the record.

30 *Commissioner Kurtz responded to the comments with an inquiry regarding*
31 *sources for stated facts. Mr. Stauffer informed the Commission that he would*
32 *submit those sources to staff to distribute to the Commission for review.*

33 Rick Spence, 800 Watson Cutoff, Cle Elum, WA

34 Mr. Spence, an active community member and member of the Eagles, presented similar
35 concerns regarding the placement of mobile home parks within the city limits. Mr.
36 Spence frankly shared with the Commission members that he is not support of the 47
37 Degrees North Project and believes that mobile home parks should be located only within
38 the rural areas of a community. Mr. Spence shared his appreciation for the opportunity
39 and housing resources manufactured home parks may provide; however, his presentation
40 indicated that his concerns outweigh the potential benefits.

41 Ingrid Vimont, 291 Nelson Creek Road, Cle Elum, WA

42 Ms. Vimont presented additional testimony regarding permitted mobile home parks
43 within the community. As a newer community member, Ms. Vimont was recently
44 appointed to the local hospital board and brings years of experience within the field. Ms.
45 Vimont echoed previously cited concerns, as well as adding personal experiences with
46 staff shortages and fiscal burdens, stating that any increase in the population brought on

1 by a mobile home park will only make these conditions worse. Additionally, Ms. Vimont
2 shared testimony that she believes due to taxation rates mobile home parks will not pay
3 their equal portion of property taxes, thus the fiscal burden of the new parks will not be
4 shouldered by the property owners of the community. Ms. Vimont
5 submitted testimony via email as well which is attached hereto and incorporated into the
6 record by reference.

7 Brian Brunner, 631 Palouse Road, Cle Elum

8 Mr. Brunner provided similar statements of concern as previously provided within public
9 testimony. Mr. Brunner has been a resident of Cle Elum since 1986 and has spent years in
10 public law enforcement. Mr. Brunner shared personal experiences with mobile home
11 parks in his official form as a law enforcement officer and encouraged the Commission
12 and the public at large to tour the existing mobile home parks and decide if that's
13 something we want to continue to allow within the community.

14 Phil Hess, 4650 Airport Rd.

15 Mr. Hess provided testimony regarding his concerns related to the ongoing growth and
16 the pace of growth occurring within the community. Mr. Hess stressed the importance of
17 regional planning efforts and urged Commission members and the City as a whole to
18 engage with the County to create a more regional planning effort. Mr. Hess provided
19 written testimony via email following the meeting which are attached hereto and
20 incorporated by reference.

21 David Gusdorf, 841 Kokanee Loop

22 Testimony provided via email. The email received is attached hereto and incorporated by
23 reference.

24 **5. Staff Report**

25 None provided.

26 **6. Unfinished Business**

27 a. Table of Permitted Uses

28 i. Staff presented the existing Table of Permitted Uses as previously requested
29 by the Commission. (Note – this table does not currently exist within the code
30 but was compiled for illustrative purposes only). During the last meeting the
31 Commission was presented with new inquiries and concerns regarding
32 permitting mobile home parks within the city limits. Due to the unanticipated
33 interest in this administrative code amendment, and in recognizing that there
34 are mandated updates requiring completion, staff recommended that the
35 Commission table this project until the Critical Areas Ordinance can be
36 completed as mandated.

37 ii. The Commission supported tabling the Table of Permitted Uses; however, the
38 specific code language submitted by Mr. Larry Stauffer is to remain on the
39 agenda until the review and decision can be completed.

40 iii. Staff will administratively include the Table of Permitted Uses code revisions
41 and comment record on the agenda under “Unfinished Business” to enable
42 review if the opportunity allows based on schedule.

43 **7. New Business**

44 a. Elections of 2022 Chair and Vice Chair

- 1 i. Commissioner Torrey nominated herself to serve as Vice Chair for the 2022
2 calendar year; Commissioner Fluegge seconded that nomination. None
3 opposed; nomination carries.
4 ii. Commissioner Fluegge nominated Chair Berndt to serve as Chair for the 2022
5 calendar year; Commissioner Torrey seconded that nomination. None
6 opposed; nomination carries.
7 b. Critical Areas Ordinance
8 i. Staff brought the Critical Areas Ordinance back to the table for the
9 Commission to review. In previous efforts, the Commission and staff
10 compiled revisions and suggested adoption to the City Council. The City
11 Council did not adopt and due to time constraints on various other projects the
12 Critical Areas Ordinance was tabled.
13 ii. Due to ongoing time constraints and mandated requirements, it is necessary
14 that the Planning Commission reengage in the review and discussion
15 surrounding the Critical Areas Ordinance.
16 iii. Staff presented an opportunity for the City of Cle Elum to review and adopt
17 the Kittitas County Critical Areas Ordinance that was adopted by the Board of
18 County Commissioners in December, 2021. Commissioner Torrey and Chair
19 Berndt shared support of this suggestion.
20 iv. Staff will review the Kittitas County ordinance and bring suggestions to the
21 next regular meeting.

22 **8. Next Meeting Agenda Development**

23 The February 1, 2022, meeting agenda will include, at a minimum:

- 24 Ongoing review of code amendment request as submitted by Larry Stauffer
25 Critical Areas Ordinance review
26 Table of Permitted Uses

27 *Note – as a low priority item, this will be included as Unfinished Business*
28 *and will be addressed only if time allows during the meeting.*

29 **9. Commissioner Comments and Discussion**

- 30 a. Chair Berndt – WUI Updates
31 i. Chair Berndt shared a brief update of a new planning project with a focal
32 point of making the community more fire resilient. More updates on the
33 efforts will be provided as the stakeholder advisory committee continues to
34 engage and progress within the planning process.
35 b. Chair Berndt – Hanson Pond
36 i. Chair Berndt provided an update on the Hanson Pond project. Generally,
37 FEMA has looked at multiple options for improvements to enhance the
38 critical habitat while improving flood protection efforts. No final design has
39 been selected at this time.

40 **10. Adjournment**

41 Chair Berndt called for a motion to adjourn. A motion was made by Fluegge and
42 seconded by Torrey to adjourn the regular meeting of the Cle Elum Planning
43 Commission at 7:30 pm; none opposed. Meeting adjourned.

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 Municipality 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. See 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 [59.20](#) RCW on the basis of the community's status as a nonconforming use.

Meagan Hayes

From: Larry Stauffer <stauffer@Lynden.com>
Sent: Tuesday, January 18, 2022 5:15 PM
To: Gary Berndt
Cc: Gary Berndt; Meagan Hayes
Subject: Talking Points

Gary,

I intended on handing out some documents at the Commission meeting tonight, but that is no longer possible. I will try to get them assembled electronically and forward them to the City for disbursement to the rest of the Planning Commission within the next week. To follow is a summary of my planned talking points for the zoom meeting. I would appreciate it if somehow you or Meagan could forward this on to the other Planning Commissioner's in advance of the meeting.

Thx
LKS

January 18, 2022

To: Cle Elum, Planning Commission

From Larry Stauffer, 2661 Lower Peoh Pt Rd. Cle Elum WA

Re: Comments relative to the proposal to prohibit Mobile Home Parks

The proposed prohibition of Mobile Home Parks within the City is just that, a prohibition of "Parks". It will have no effect on the current code relative to the placement of manufactured housing on single lots or as ADU's.

Approving this proposal will better clarify the fact that Parks at present don't fit within the City of Cle Elum's current ordinances or its Comprehensive Plan. Such clarification will save the City of Cle Elum money otherwise expended on attorneys and consultants, staff time, and citizen frustration in the event a developer proposes to build a Park in the future.

Parks are not a good fit in a small-town environment. They are better suited to more rural "large County" settings where the cost to the community can be more easily distributed over a larger population and land base.

New Manufacture Home communities rarely qualify as low-income housing due to the cost of development and expected returns on investment that must be captured in the land rentals that are charged.

Some of the most obvious problems with Mobile Home Parks in small town setting include:

- 1) A reduction in the use of local labor, contractors and suppliers typically involved in the process of constructing housing within the community.
- 2) A loss of tax revenue to the City, County, and State. Infrastructure is not supported at the level that conventional housing would contribute. Housing in a "Park" is personal property and as such typical real estate taxes do not apply. Roads, schools, law enforcement, fire, hospitals and EMT service will all suffer under the burden of increased residents without the offsetting revenue.

- 3) In real estate it is typically the land that grows in value. In a land lease community, the home owner owns no land, and as such it is harder for a home to appreciate in value.
 - a. The Manufactured house is personal property, Not real estate.
 - b. The house loses value “depreciates” much like a car as it ages.
 - c. Difficult to finance, high rates & short terms.
 - d. Difficult to sell, as a result of the restrictions placed by landlord.
 - e. Difficult to move and place elsewhere.
 - f. No controls over landlord price increases.
 - g. In general, creates housing insecurity.
- 4) Pride of ownership and sense of community are typically stunted.
- 5) In a city such as Cle Elum, with its proximity to larger urban areas, the potential residents for a “Park” of significant size would likely be drawn from outside of the area, rather than supplement the housing of local residents.
- 6) The only benefactor to a Mobile Home Park in a small-town setting is to the investors of the privately held business. A business whose negative impacts are supplemented by the rest of the community.

The Cle Elum Community has clearly evidenced by their recent written comments, that they are not in favor of Mobile Home Parks with the city limits.

January 18, 2022

To: Cle Elum, Planning Commission

From Ingrid Vimont 291 Nelson Creek Road, Cle Elum, WA 98922

Re: Comments relative to the proposal to **prohibit** Mobile Home Parks

The proposed prohibition of Mobile Home Parks within the City is just that, a **prohibition of "Parks"**. It will have no effect on the current code relative to the placement of manufactured housing on single lots or as ADU's.

The Cle Elum Community has clearly evidenced by their recent written comments, that they are not in favor of Mobile Home Parks with the city limits.

Approving this proposal will better clarify the fact that Parks at present don't fit within the City of Cle Elum's current ordinances or its Comprehensive Plan. Such clarification will save the City of Cle Elum money otherwise expended on attorneys and consultants, staff time, and citizen frustration in the event a developer proposes to build a Park in the future.

Parks are not a good fit in a small-town environment. They are better suited to more rural "large County" settings where the cost to the community can be more easily distributed over a larger population and land base.

New Manufacture Home communities rarely qualify as low-income housing due to the cost of development and expected returns on investment that must be captured in the land rentals that are charged.

Some of the most obvious problems with Mobile Home Parks in small town setting include:

1) A loss of tax revenue to the City, County, and State. Infrastructure is not supported at the level that conventional housing would contribute. Housing in a 'Park' is personal property and as such typical real estate taxes do not apply. Roads, schools, law enforcement, fire, hospitals and EMT service will all suffer under the burden of increased residents without the offsetting revenue.

I am in full support of the proposal to prohibit mobile home parks in the City of Cle Elum specific to 47* North but also in the greater upper Kittitas County.

As a Registered Nurse and newly elected KCH District #2 Commissioner, I will speak specifically to the following infrastructure risks that would be caused by allowing mobile home parks in Cle Elum:

- Hospitals/EMS/Ambulance

- Upper Kittitas County Healthcare, EMS & Ambulance services are already at a level of great concern. We are at maximum performance to serve the current population of Upper Kittitas County. Kittitas County is the fastest growing county in the state of WA. With the large-scale developments already in the works for the Cle Elum Planning Commission, we will be putting our residents at great risk.
- Covid impact has been draining our EMS/Hospital staff for past 24 months.
- Current EMS staff is already at risk due to
 - Covid
 - Staff burn-out
 - Increase work related staff stress
 - Higher rates of staff sick-calls
 - Mandatory sick leave due to Covid 19 exposure
 - Law enforcement changes (HB 1310) negatively impacting Healthcare, EMS & Ambulance services for Upper Kittitas County
 - <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bill%20Reports/House/1310-S2.E%20HBR%20FBR%202021.pdf?q=20210723145208>
 - Local law enforcement is no longer allowed to respond or participate in mental health 911 calls which is now falling on the EMS/Ambulance staff of Kittitas County Hospital District #2 (Medic One)
 - Medica One is now running “non-revenue” mental health transports that law enforcement previously conducted. This will have a negative financial impact on Medic One.
 - New KCFD7 has enacted a new policy that their EMS/Ambulance still will no longer respond to mental health calls—Medic One from Cle Elum is offering support to Ellensburg due to this new policy.

The potential loss of tax revenue to the city, county and state will have disastrous effects on our Healthcare, EMS & Ambulance community if Mobile Home Parks are allowed in Cle Elum—specifically the Sun Communities development of 47* North.

I would like to go on record as supporting the proposal by Larry Stauffer to prohibit Mobile Home Parks in the City of Cle Elum.

Respectfully,

Ingrid Vimont, RN

206-484-3812

My Name is Phil Hess and I reside at 4650 Airport Road.

My comments are centered around the developments on Cle Elum ridge, outside of City Planning Jurisdiction -- in other words in the County

I reference County CDS Jeremy Johnston presentation to you, on 12/7/2021 with regard to the 171 lot Forest Ridge Performance Based Cluster Plat on Cle Elum ridge north of town up Columbia Ave. This will have, in my opinion, a significant impact on City Services.

The preliminary plat was approved in Dec, 2010 (there have been 2-3 extensions) and as it stands now the final plat must be approved by Dec 28, 2022.

Not counting City Heights there are now existing about 57 buildable parcels on the Creek Side and Forest Ridge roads up from Columbia Ave –

So, at full build out there will be about 230 residences tributary to Columbia Ave - *[which is the only route for ingress and egress]*. Again this is all outside the City within County Planning Jurisdiction.

----- *This does not include that portion of City Heights tributary to Columbia Ave !!*

Then westerly from Forest Ridge on Cle Elum Ridge there are large lot subdivision developments tributary to Montgomery and Stafford streets in addition to City Heights. These include approximately 40 parcels tributary to Montgomery (Big Tail) and about 25 Trib to Stafford (Summit View). And some of these can be split up into smaller parcel

And

This does not include any City Heights. Trib to Montgomery or Stafford.

[I can only imagine 20 years from now what first fire responders will think of us for creating this situation with only one route for ingress and egress for 230 + residences].

We are all aware we live in a fire prone area and we have been very fortunate that we have not yet experienced catastrophic fires --- such as in Paradise, CA. It can happen !

There as been significant forest vegetation growth since this area was divided into smaller parcels and there should be some kinda plan for creating and maintaining a fire resilient forest vegetation now and in the future.

The Alternative is like what has happened in CA and the forest in our future will look nothing like what we have been enjoying for the last 60-80 yrs.

By fire resiliency we mean – Managing forest vegetation so that the wildfire stays on the ground and not the crowns of trees.

This is not to say there Forest vegetation projects for fire resiliency – there is a lot currently going on through DNR and Conservation District cost share programs, but this is short term –because it all grows back in 5-10 years. And we cannot always count on DNR & KCCD to have.

“ We can’t keep the forest from burning. It is going to burn – the only decision space we have is how it will burn” – on the ground or in the crowns

Landscape Level Fire Resiliency Planning is **closely interconnected with growth management planning in all upper County UGA’s** and adjacent rural areas. So this is why we should have an area wide planning authority.

Again KFACC can help with this but upper county local planners should request KFACC assistance. That’s a roll KFACC was established for.

Meagan Hayes

From: David G <dgus99@gmail.com>
Sent: Tuesday, January 18, 2022 7:00 PM
To: Meagan Hayes
Subject: Interest in Planning Commission

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Meagan,

My wife Kathy and I attended the Zoom meeting this evening and would like to be notified of future meetings, please advise the best means to receive notifications. At some point, I would also like to contribute to Commission planning such as strategic planning for the necessary infrastructure for growth.

We are in full support of the comments provided by Larry Stauffer, Ingrid Vimont, and Rick Spence and are equally concerned about the infrastructure necessary for growth. We are additionally in support for the development of economical housing, not mobile home parks.

A little background, we are currently constructing a home on River Ridge in Suncadia and plan to make this our primary home and are interested in contributing to the Cle Elum community.

Best regards,

David and Kathy Gusdorf

Future home: 841 Kokanee Loop, Cle Elum

M: 206.714.8929