

## MEYER, FLUEGGE & TENNEY, P.S.

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April 5, 2022

Honorable Jay McGowan, Mayor  
City of Cle Elum  
119 West First Street  
Cle Elum, WA 98922

Gary Berndt, Chairman  
Cle Elum Planning Commission  
City Hall – Attn: City Planner  
119 West First Street  
Cle Elum, WA 98922

Re: Manufactured/Mobile Home Community Zoning Study

Dear Mayor McGowan and Chairman Berndt:

We have previously corresponded with you on behalf of Kittitas County Unincorporated Area Council, a Washington nonprofit corporation (“KCUAC”) with respect to a request that the Cle Elum Planning Commission consider and review proposed zoning text amendments related to Mobile Home Parks, Manufactured Housing Communities and Manufactured/Mobile Home Communities. We appreciated Mayor McGowan’s response dated February 28, 2022 regarding submission of the proposal as part of the annual comprehensive plan amendment process.<sup>1</sup>

We wanted to advise you of our decision with respect to the proposed zoning text amendment. We chose not to file a comprehensive plan amendment application for two reasons: (1) The comprehensive plan application process applies only to Text Amendment, Area-Wide Amendment and Site-Specific Amendment “...of the comprehensive plan ....” (CEMC 17.122.030); and (2) that the current zoning ordinance is clear in its prohibition of Mobile Home Parks, Manufactured Housing Communities, and/or Manufactured/Mobile Home Communities (with the exception of pre-existing mobile home parks).

It continues to be our view that text amendments to the zoning ordinance are governed by CEMC Ch. 17.120 (“the City Council, may upon proper petition of the effected property owner(s) or upon its own

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<sup>1</sup> We were also provided with a copy of the Memorandum from Gregg Dhorn to Larry Stauffer dated March 16, 2022. Mr. Dhorn did not copy me on the correspondence but appears to have provided a response to my earlier correspondence. While the request was for a zoning text amendment, Mr. Dhorn indicated that the proposal should be submitted as a comprehensive plan amendment. This request is inconsistent with your zoning ordinance provisions regarding comprehensive plan amendments. CEMC Ch. 17.122.

motion or that of the planning commission, ... amend, supplement or change by chapter the regulations herein established.”).

We have previously provided our thoughts with respect to the current zoning status of manufactured/mobile home communities. City of Cle Elum zoning ordinance does not currently authorize “mobile home parks” or “manufactured home parks” in any zoning district. Mobile homes within the City of Cle Elum are considered nonconforming structures. CEMC 17.08.300. It is not my intent to debate this issue but simply reaffirm our interpretation of the zoning ordinance.

We appreciate your consideration of our request and wanted to provide you with our determinations related to processing any additional text amendments to the zoning ordinance under procedures applicable to comprehensive plans.

I would be happy to speak with either of you if you have any questions.

Very truly yours,  
MEYER, FLUEGGE & TENNEY, P.S.

  
James C. Carmody

cc: Client