

City Planning Commission Agenda
April 4, 2023
6:00 p.m.

Mayor
Jay McGowan
City Administrator
Robert Omans
City Clerk
Kathi Swanson
City Planning
Colleda Monick/Virgil Amick



Planning Commissioners
Position #1-Gary Berndt, Chair
Position #2-Matt Fluegge
Position #3 - Vacant
Position #4-Elizabeth Torrey
Position #5-Colin Brissey
Position #6-Paul Kantwill
Position #7-Ian Steele

The Cle Elum Planning Commission meetings are conducted in a hybrid format, with in-person participation at City Hall and from remote locations via Zoom.

Cle Elum City Hall, 119 W. First Street, Cle Elum, WA 98922

Zoom connection information on next page; will change every meeting to ensure cybersecurity.

-
1. **Call to Order and Roll Call.**
 2. **Approval of the Meeting Agenda.**
 3. **Adoption of Minutes.**
 - a. March 7, 2023
 4. **Reports.**
 - a. Chairman Berndt.
 - b. Gregg Dohrn/Colleda Monick.
 5. **Citizen Comments on Non-Agenda Items (limited to 5 minutes).**
 6. **Public Hearing.**
 - a. Wildfire Safety/Firewise
 7. **Unfinished Business.**
 - a. Possible discussion of interim revisions to the regulations governing townhomes.
 8. **New Business.**
 9. **Next Meeting Agenda Development.**
 - a. April 18th, joint session with City Council and Commission to discuss Planning Priorities
 - b. New Commissioner Training.
 10. **Commissioner Comments and Discussion.**
 11. **Adjournment.**

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

Join Zoom Meeting

<https://us06web.zoom.us/j/87066113781?pwd=bE16RWxxMVNvVmlGSWJHR3QwZE85Zz09>

Meeting ID: 870 6611 3781

Passcode: 123

One tap mobile

+12532158782,,87066113781#,,,,*123# US (Tacoma)

+12532050468,,87066113781#,,,,*123# US

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 253 205 0468 US

+1 719 359 4580 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

Meeting ID: 870 6611 3781

Passcode: 123

Find your local number: <https://us06web.zoom.us/u/kiiQ8njlB>

CITY OF CLE ELUM
PLANNING COMMISSION MEETING
Meeting Minutes
March 7, 2023 | 6:00 p.m.

1. Call to Order & Roll Call

Commissioner Berndt called the meeting to order at 6:04 p.m. Commissioners present; Gary Berndt (chair), Colin Brissey (zoom), Colonel Paul Kantwill, and Ian Steele. Matt Fluegge and Elizabeth Torrey both absent and excused.*

**Brief introduction and welcome of new Planning Commissioner, Ian Steele. Steele provided a brief overview of his professional background, as well as his connection to and interest in participating on the commission.*

Set Agenda

Commissioner Kantwill motioned to update the set agenda to remove item 7c, Commissioner Steele seconded. Motion passed.

2. Adoption of Minutes

Commissioner Kantwill motioned to accept the minutes of February 15, 2023, as presented and with no corrections, Commissioner Brissey seconded. Motion passed.

3. Staff Report

a. Chairman Gregg Berndt, has drafted a letter to present to council regarding scheduling a meeting with council and the commissioners to discuss priorities.

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

Discussion of an email submitted to the Commissioners by M. Kirkpatrick regarding potential code amendments as they relate to side yard setbacks and zero lot lines.

5. Public Hearing

None scheduled.

6. Unfinished Business

a. Wildfire Safety/Firewise, Berndt provided context regarding the Firewise document. Commissioner Kantwill proposed new language for commissioners to consider regarding Policy 9(a). After discussion, *Commissioner Kantwill made a motion to update Policy 9 Item A to read, "A requirement that at least two means of effective ingress and egress for emergency vehicles in all seasons and weather conditions, as determined by local fire marshals, to include but not limited to load capacity, road grade and width, emergency vehicle turnaround, and street access shall be provided and maintained by project sponsors in areas where 30 or more residences exist or can be developed. I access road is blocked or is otherwise unusable for any reason, there shall be an alternate route for emergency vehicles to access and safely return to their stations, and for residents to escape. No new developments shall be approved that do not permit emergency vehicle access or the evacuation of residence under any circumstances."* The motion was seconded by Commissioner Steele. Motion passed.

- b. Sewer Hook up rates have been put on hold, until Dohrn and Council can provide further direction.
7. **New Business** – Questions from the Commissioners were asked, regarding where the review process for updates to Critical Areas is at.
8. **Next Meeting Agenda Development**: Follow up on Critical Areas, Joint meeting w/ Council, Affordable Housing, Critical Areas, Planning Priorities, and Townhomes/Zero-Lot Line updates from Legal.
9. **Commissioner Comments and Discussion**
A motion was made by Commissioner Steele to open the 2023 annual Comp Plan Amendment process. The motion was seconded by Commissioner Kantwill. Motion carries.
10. **Adjournment**
Commissioner Berndt called for a motion to adjourn. Commissioner Kantwill motioned and Commissioner Stelle seconded to adjourn the meeting at 6:59 pm. The next regular meeting is scheduled for Tuesday, April 4, 2023, at 6 p.m.
- A joint study session between Council and Commissioners is in the process of scheduling.*

City of Cle Elum, Washington
Discussion Draft 2023 Planning Priorities
October 26, 2022

At the request of Mayor McGowan and the Chair of the Planning Commission, the City Staff and consultants have reviewed and prepared a discussion draft of potential 2023 planning priorities for the City of Cle Elum. Activities that require a recommendation by the Planning Commission have been highlighted and upon approval by the City Council would be incorporated into the Planning Commission's 2023 workplan and meeting schedule. This priority list is subject to review and approval by the Mayor and City Council.

Long Range/Comprehensive Planning

1. Complete review and adoption of updated Critical Area Regulations (2019 GMA mandate).
 - a. Recirculate the reformatted regulations for state agency review and comment.
 - b. Circulate the corresponding Critical Area Manual for public review and comment.
 - c. Planning Commission Critical Area recommendation to the City Council.
2. Continuation of 2022 Annual Comprehensive Plan amendment docketing process.
 - a. Firewise Policies and Wildfire Prevention Regulations.
 - b. Review Housing Policies and Implementing Regulations with an emphasis on affordable housing strategies. (New state mandate.)
3. Initiate 2023 Annual Comprehensive Plan amendment docketing process.
 - a. Include request from Kittitas County Commissioners to revise traffic impact methodology.
4. Development Regulations/Unified Development Code amendments.
 - a. Complete reformatting to Title 14 and general review/update.
 - b. Complete review and update of Table of Permitted Land Uses (in progress).
 - c. Amendments to the sign code, Title 15.20
 - d. Zero-Lot Line Construction
 - e. Updates to permit fees
 - b.f. Wireless/Telecommunications Franchise Agreements and title 12.02 amendments

Other potential priorities include as time and resources permit:

- e.g. Density and dimension standards.
- d.h. In-fill development standards.
- e.i. Parking standards.

- ~~f.j.~~ Landscaping standards.
 - ~~g.k.~~ Concurrency and Transportation Demand Management regulations.
 - ~~h.l.~~ Regulations governing the Siting of Essential Public Facilities.
 - b. Review and update subdivision regulations.
 - c. Entry Commercial design standards.
 - d. Others (To be determined).
4. Joint City-County Interlocal Planning Agreement.
 - a. Potential UGA boundary adjustments.
 - b. Review and update County-wide Planning Policies.
 - c. Preparation and adoption of shared UGA development standards.
 - d. Preparation and implementation of Sub-area Plan(s).
 - e. Sub-regional transportation planning.
 - f. Siting and development of shared law enforcement facility.
 5. Review and update Airport Master Plan/Preparation of Sub-Area Plan (Airport Advisory Committee).
 6. Review and recommend Capital Facilities funding strategies.
 - a. Traffic impact mitigation fees.
 - b. Transportation improvement benefit district.
 - c. Other (To be determined).

Master Planned Developments

1. City Heights Implementation.
2. Bullfrog UGA Implementation.
 - a. 47 Degrees Major Modification application review.
 - b. Draft Development Agreement.
 - c. Ongoing consultation with the Yakama Nation.
 - d. Recruit Deputy Project Manager.
3. Cle Elum Pines West Closeout.
 - a. Phase 4 development review.
 - b. Dedication of parcels to the City.
 - c. Closeout Development Agreement.
4. Forest Ridge Final Plat approval (County).
5. Whispering Pines Annexation.

- a. Airport property exchange/Draft Annexation and Development Agreement (if applicable).
- 6. Weiss/Olson Annexation and Development Agreement (if applicable).

Current Planning/Development Review

- 1. Respond to daily planning inquiries.
- 2. Pre-application meeting facilitation and review.
- 3. SEPA reviews.
- 4. Administrative review of land use applications.
 - a. Administrative decision: Type 1 and Type 2 applications.
 - b. Staff review and recommendation: Type 3, 4, and 5 applications.
- 5. Planning review of other City Applications.
 - a. Building permit applications.
 - b. Business license.
 - c. Hauling permits.
- 6. City Land Use Hearings Examiner support.
- 7. City Council development review support.
- 8. Regional development project application review.
- 9. Continue to reorganize planning files.
- 10. Continue to review and update planning application forms and internal review procedures.
- 11. Review and update planning fees and charges.

Other Planning Activities

- 1. Continue to build City Planning Team.
- 2. Planning Commission support.
 - a. Continue to review and update annual work program.

- b. Preparation of meeting agendas and packets.
 - c. Review and update Planning Commission bylaws.
 - d. New Planning Commissioner training and support.
3. Historic Preservation Commission support.
 4. Community Recreation Center Task Force support.
 5. City Council Parks Committee support.
 6. CEDA Design Committee support.
 7. Upper County Traffic Task Force support.
 8. QUADCO quarterly meetings support.
 9. Special projects.
 - a. DOE Brownfields Project.
 - b. Ongoing DNR Firewising of City Property.
 - c. Downtown Revitalization Project.
 - d. Second Street Corridor Improvements.
 - e. Coal Mine Trail Improvements.
 - f. Crystal Creek supplemental flood study.
 - g. Hanson Ponds FEMA Grant support.
 - h. Otto's Auto Site Clean-up Grant.
 - i. Others (To be determined).
 10. Establish and implement stormwater management utility.
 11. Review and update municipal water service fees and charges.
 12. Review and update municipal wastewater service fees and charges.

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cityofcleelum.com

DRAFT
Administrative Code Interpretation 2023-001
Cle Elum Municipal Code (CEMC) Chapter 17.20
Pertaining to the Construction of Townhouses in the
RM Multiple Family Residential District
March 3, 2023

Formatted: Highlight

Townhouses are specifically identified as a permitted use in the RM Multiple Family Residential District (CEMC 17.20.010):

The following uses are permitted in the multiple family district:

- A. Single-family dwellings, multiple-unit dwellings and townhouses;*

Townhouses are not defined in the City Zoning Code, but they are defined in the International Building Code as adopted and implemented by the City as:

A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof with open space on at least two sides.

New development in the RM zoning district, including townhouses, are subject to the following development standards:

There shall be a front yard having a minimum depth of ten feet. (CEMC 17.20.030).

There shall be a rear yard having a minimum depth of twenty feet. When a lot is served by an alley the parking, carport or garage shall have a rear yard having a minimum depth of five feet. (CEMC 17.20.040).

There shall be a side yard of not less than ten feet in width on each side of a building, and not less than five feet in width between lot side and buildings in the rear yard. A side street side yard shall have a minimum width of fifteen feet. (CEMC 17.20.050).

Within the multiple family residential district, the minimum lot size for multiple unit dwellings shall be fifteen thousand square feet. The minimum lot size for single-family dwellings shall be determined by the minimum density and the ability of the

*DRAFT Administrative Code Interpretation 2023-001
Cle Elum Municipal Code (CEMC) Chapter 17.20
Pertaining to the Construction of Townhomes in the
RM Multiple Family Residential District
March 2, 2023*

proposed lots to support a dwelling and the required setbacks and parking. The minimum density shall be seven dwelling units per acre and the maximum density shall be sixteen dwelling units per acre. (17.20.060).

No building hereafter erected or structurally altered within or moved into the district shall exceed thirty-five feet. (CEMC 17.20.070).

The lot area covered by structures shall not exceed forty-five percent of the lot area. (CEMC 17.20.080).

Recently the City has received several inquiries regarding the potential development of townhouses in the RM zoning district, including questions as to whether townhouses may be built with each dwelling unit on a separate lot as a zero-lot line development. In accordance with the authority granted under CEMC 14.10.030(B):

The Mayor and the City Administrator, or their designee, is hereby authorized to make such administrative interpretations as may be necessary to implement this Title, to promote the streamlined implementation of the Comprehensive Plan and the Cle Elum Municipal Code, provide for efficient development reviews, remove inequities among property owners, resolve conflicting requirements, clarify provisions, correct cross references, provide for the efficient delivery of city services, to protect the public health, safety, and welfare, and/or to avoid unnecessary hardships.

Commented [AK1]: Confirming that the Mayor or Rob have designated Gregg to make this interpretation.

The following administrative interpretation of CEMC Chapter 17.20 shall apply to the construction of new townhouses in the RM zone:

1. A townhouse is a building with three or more attached single-family dwelling units with shared walls.
2. Townhouses are a permitted use in the RM zoning district.
3. A townhouse building may be built on a single lot in the RM zoning district but is not required to do so.
4. The CEMC does not prohibit the construction of townhouse buildings with each dwelling unit on a separate lot.
5. Regardless of the number of lots involved in a townhouse development, each lot must comply with the front and rear yard requirements, as well as the building height and lot coverage requirements.

~~5.~~

Formatted: Left, Indent: Left: 0.5", No bullets or numbering

Formatted: Indent: Left: 0.5", No bullets or numbering

*DRAFT Administrative Code Interpretation 2023-001
Cle Elum Municipal Code (CEMC) Chapter 17.20
Pertaining to the Construction of Townhomes in the
RM Multiple Family Residential District
March 2, 2023*

6. The CEMC does not require a side yard setback for each dwelling unit in a townhouse building, only for the exterior sides of each building:

*There shall be a side yard of not less than ten feet in width on each side of a **building**....(emphasis added)*

7. Townhouses are a form of a single-family dwelling and as such, are not subject to design review and design guidelines in the RM zoning district:

All buildings except single-family dwellings and duplexes and their accessory structures shall be subject to the city's site and design review process (Chapter [17.76](#)).

8. Townhouse developments must comply with the parking requirements in CEMC 17.56 applicable to attached single-family dwellings. This shall include, but is not limited to:

- a. The provision of at least 1.5 parking stalls/dwelling unit.
- b. The required parking may be provided on the same lot as each dwelling unit, within the townhouse development as a whole, in marked spaces on abutting streets, and/or off-site.

9. Townhouses as a form of a single-family residence are not subject to the landscaping requirements of CEMC 17.64:

All new development except for single-family residences shall be subject to the landscaping provisions required by the underlying zoning district (see specific zoning district regulations) as well as the provisions of this section. (CEMC 17.64.020 Applicability).

10. Variances may be granted at the sole discretion of the City in accordance with the provisions of CEMC 14.30.190.

11. Any sort of policy consideration that could be added? For example, can we cite to a section of the Comp Plan that encourages this sort of development?

Commented [AK2]: Gregg - This isn't necessary, but could be useful in the event of a challenge.

This administrative code interpretation shall be applicable upon signature and shall remain in effect until modified, rescinded, invalidated, or superseded by the adoption of new code provisions. If any provision of this administrative interpretation or its applicability is held to be invalid, the remainder of this interpretation or its applicability shall not be affected.

*DRAFT Administrative Code Interpretation 2023-001
Cle Elum Municipal Code (CEMC) Chapter 17.20
Pertaining to the Construction of Townhomes in the
RM Multiple Family Residential District
March 2, 2023*

Gregg R. Dohrn, Designated City Planner

Date



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740 • Fax: (509) 575-2474

March 27, 2023

Virgil Amick, Permit/Office Technician
City of Cle Elum
Via email: vamick@cleelum.gov

**SUBJECT: WDFW COMMENTS ON PROPOSED CITY OF CLE ELUM 2023
COMPREHENSIVE PLAN FIREWISE AMENDMENTS**

Dear Mr. Amick,

The Washington Department of Fish and Wildlife (WDFW) has reviewed the draft 2023 Comprehensive Plan “Firewise” amendments. We are supportive of the intent of the document; however, there are a few areas which we feel would benefit from further revision and clarification:

Proposed New Policy 4: WDFW would like to know if the City of Cle Elum plans on adopting the appendices listed in *2021 International Wildland-Urban Interface Code*. These appendices are listed as optional within that document, and so may be adopted in part, entirely, or not at all. WDFW requests clarification on how and if Cle Elum plans to incorporate the appendices. Specifically, WDFW requests the ability to review and provide input on specific proposed language if Appendices A, B, F, and G are fully or partially adopted, as these appendices have the potential to involve Fish and Wildlife Habitat Conservation Areas (FWHCA), the Critical Area of which WDFW has specialized expertise and authority.

Proposed New Policy 5: We request that the Washington Department of Fish and Wildlife be included in this partnership, as FWHCAs are the Critical Area which is most affected by fire-wising. To this point, WDFW is supportive of firewising around homes and structures, but frequently we observe that firewising extends into Critical Areas such as riparian and wetland habitat, because these landscape features are located within the firewise buffer. Development regulations should require that Critical Areas buffers must be additional to firewising buffers, to prevent the continued degradation of these natural resources during firewise activities.

Proposed New Policy 6: WDFW requests that natural resources including FWHCAs, wetlands, and riparian zones be given separate consideration prior to firewising on city-owned property. WDFW is willing to provide technical assistance to the City of Cle Elum to achieve this objective. The intent behind this request is to ensure that these habitat features

are not degraded or deleteriously impacted during firewising activities. We wish to clarify that this does not mean that firewising cannot ever occur in these locations, simply that special considerations must be given to the way in which they are firewised, to prevent their degradation. WDFW has specialized knowledge of how these Critical Areas can be firewised without damaging their functionality or the ecosystem services that they provide to wildlife and to people.

Proposed New Policy 7: WDFW supports the intent of this wording. However, we wish to make known that there are several local examples of developments which were authorized and built immediately adjacent to public lands, such that the firewising buffer extended onto those public lands. This resulted in pushing the responsibility of firewising for residential protection onto public agencies or non-profit conservation lands. For numerous reasons, this is not an ideal scenario for any party. WDFW requests that development regulations require that new structures and their firewise buffers be far enough away that those buffers do not encroach onto adjacent publicly managed lands.

Proposed New Policy 8 and 9: When developing “stewardship plans” and “uniform standards”, impacts to FWHCAs need to be taken into account. This could include riparian, aquatic, wetland, and upland habitats. WDFW can provide review and input to ensure that any proposed plans do not negatively impact these important resources.

Proposed New Policy 13: WDFW requests to participate in any Firewise Advisory Committee meetings that may include agenda items or discussion regarding vegetation management, habitat impacts, discussions on Critical Areas, or other similar topics.

Thank you again for the opportunity to comment and participate in this important update process. WDFW remains a committed partner as you amend and implement the “Firewise Amendments” to the Comprehensive Plan. Please contact me to discuss WDFW’s recommendations or any of the other comments presented within this letter.

Sincerely,



Scott Downes
Area Habitat Biologist
Scott.Downes@dfw.wa.gov