

City Planning Commission Agenda
May 16, 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.

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1. **Call to Order and Roll Call.**
 2. **Citizen Comments on Non-Agenda Items (limited to 5 minutes).**
 3. **Adoption of Minutes:**
 - a. May 2, 2023
 4. **Public Hearing.**
 - a. Wildfire Safety/Firewise Decision, continuation of Public Hearing
 5. **Planning Updates.**
 - a. Update from Chair Gary Berndt
 - b. Update from Planning Consultant Colleda Monick; planning priorities; current planning; state legislature.
 6. **New Business.**
 7. **Next Meeting Agenda Development.**
 - a. Planning Consultant Gregg Dorhn; Planning priorities update and presentation
 8. **Commissioner Comments and Discussion.**
 9. **Adjournment.**

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

Topic: Planning Commission

Time: May 16, 2023 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/86407817838>

Meeting ID: 864 0781 7838

One tap mobile

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Dial by your location

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+1 408 638 0968 US (San Jose)

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

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City of Cle Elum
Planning Commission Meeting
Study Session with the Cle Elum City Council
May 2, 2023, 6:00 pm

Call to Order – Roll Call of Membership

The Special meeting of the Cle Elum Planning Commission, in conjunction with the Cle Elum City Council was called to order by Chair Gary Berndt at 6:00 p.m. Chairman Berndt reported all members of the Planning Commission were present, including Matt Fluegge, Elizabeth Torrey, Colin Brissey, Paul Kantwill and Ian Steele. Mayor McGowan reported 4 of 7 of the city council members were present, including Matthew Lundh, Siw Bay-Hansen, Beth Williams and Ken Ratliff. Sarah Lackey, Steven Harper and Beth Williams were absent. The Pledge of Allegiance was recited. Other members present were Contract Planner Colleda Monick, and City Clerk Kathi Swanson.

Public Comment – Limited to 5-Minutes

Larry Stauffer – 2661 Lower Peoh Point Road: 1) Provided a letter to the Commissioners and Council members from the Kittitas County Commissioners making reference to traffic impacts they want to identify and noting the lack of response from the City of Cle Elum. Mr. Stauffer commented it seems appropriate to be considered this year. **2) Commented** he does not believe the process was followed correctly with regard to the issuance of the Notice of Application and public notice requirement for 47 Degrees North.

Adoption of Minutes

A motion was made by Elizabeth Torrey and seconded by Colin Brissey to adopt the minutes from the 03/07/2023, 04/04/2023 and 04/18/2023 meetings. The motion carried unanimously.

Public Hearing

Wildfire Safety/Firewise:

This subject is still being assessed. The public comment period has ended. The Commission will review the comments from the Washington Department of Fish and Wildlife and will bring the document back to the Planning Commission for review prior to sending it to council. Chairman Berndt will contact WDFW to address the question of how the City plans to adopt the appendices. This subject will be deliberated at the 05/16/2023 Planning Commission meeting to the priority of the order in which to review and direct council.

Planning Priority Discussion – Joint review between Planning Commission and City

Council:

Chairman Berndt offered priorities that can be completed by the Planning Commission:

- 1) Complete Critical Areas Ordinance
- 2) Firewise in 2022 docketing must be completed He will follow up with WDFW to work with them on their request. Complete and send ordinance to council.
- 3) Initiate the 2023 docketing comp plan. Currently there are no requests.
- 4) Zero lot line construction

Planning Commissioners recommended identifying every project that is already in progress, discover the status and determine what should be take to completion and checked off the list. Commissioners agreed the majority of the Draft does not concern the Planning Commission, but does concern the Council and Planning Department. Planner Colleda Monick and Gary Berndt will work together to decide what the Planning Commission should be addressing.

The Planning Commission would like to see a revised list that clearly lays out line items of Planning Commission priorities with a clear description of the item. A committee consisting of Elizabeth Torrey, Colin Brissey and Colleda Monick was formed to discuss.

The Planning Commission will complete the review of the critical areas at the next meeting and send to council for finalization.

Councilmember Matthew Lundh noted there is some disconnection between the City Council and Planning Commission. He will ask the council if they would like to appoint a liaison from the council who would work with the Planning Commission.

Motion to Adjourn

A motion was made by Colin Brissey and seconded by Matt Fluegge. The motion carried unanimously and the meeting adjourned at 7:37

The next special meeting/study session is scheduled for Tuesday May 16, 2023, at 6:00 p.m.

Planning Chair – Gary Berndt

Cle Elum Mayor – Jay McGowan

Attest – City Clerk Kathi Swanson

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Recommendation Regarding Firewise Amendments

TO: City of Cle Elum Planning Commission
FROM: Colleda Monick, Planning Consultant
SUBJECT: Comprehensive Plan Amendments – FIREWISE
FOR MEETING OF: May 16, 2023

I. PURPOSE AND DESCRIPTION OF PROPOSED AMENDMENTS:

The Cle Elum Planning Division is proposing a non-project minor amendment to the City of Cle Elum's Comprehensive Plan.

The Planning Commission held at least 6 study sessions for these proposed amendments on March 15, 2022; August 11, 2022; October 4, 2022; January 3, 2023; February 15, 2023; and March 7, 2023.

These proposed amendments would be new Goals and Policies that are not currently in the city's Comprehensive Plan and include:

Potential New Goal: Actively protect the city from the risk of wildfires.

To achieve this Goal, the City of Cle Elum adopts and shall actively implement the following policies:

Potential New Policy 1: *The City will actively participate in and support the Kittitas County Community Wildfire Protection Plan (CWPP) that has been developed and updated through the Kittitas Fire Adapted Communities Coalition and regional partners.*

Potential New Policy 2: *The Cle Elum Fire Department, in partnership with all other local wildfire fire suppression entities, will continue to support mutual rapid responses to ensure that timely suppression actions are employed.*

Potential New Policy 3: *The City hereby adopts the "National Cohesive Wildland Fire Management Strategy" (<https://www.forestsandrangelands.gov/strategy/thestrategy.shtml>) to guide local efforts to address the challenges associated with:*

- a. The management of vegetation and fuels for wildfires.*
- b. The protection of lives and property.*
- c. Managing the potential for human-caused ignitions; and*
- d. Effectively and efficiently responding to fires.*

New Policy 4: *The City shall adopt the "2021 International Wildland-Urban Interface Code (IWUIC)" that is within the International Uniform Building Code and provide examples of fire-*



resistant construction (See <https://codes.iccsafe.org/content/IWUIC2021P1/arrangement-and-format-of-the-2021-iwuic>).

Potential New Policy 5: *The City, in partnership with the Kittitas County Fire Districts, Kittitas County Departments, the City of Roslyn, and the Town of South Cle Elum (aka “Regional Partners”), will prepare, adopt, and implement consistent development standards focused on minimizing the risk of wildfires. Areas of special emphasis should include, but is not limited to:*

- a. *Properties along the I-90 corridor.*
- b. *Large parcels under common ownership within the City limits, the Cle Elum UGA, and nearby properties.*
- c. *Forested properties.*
- d. *Properties that contain environmentally sensitive areas, parks, open space, and required buffer areas.*
- e. *Areas identified as high or extreme fire hazard including debris created as a part of land clearing or timber harvest.*

Potential New Policy 6 *The City will apply “firesafe” vegetation management principles to City-owned properties on an ongoing basis. This shall include such measures as:*

- a. *Fuels reduction.*
- b. *Fire resistive landscaping.*
- c. *Vegetation maintenance.*
- d. *Implement program to collect biomass from citizens to give a cost-effective way for citizens of the city to eliminate extra biomass.*

Potential New Policy 7: *The City will engage and encourage state and federal agencies, and non-profit organizations that own or manage tracts of forested land to recognize the increasing risk of wildfires and to prepare and implement land stewardship plans that include measures to reduce the risk of wildfires.*

Potential New Policy 8: *The City will require that the owners of forested property suitable for development prepare and implement a stewardship plan focusing on vegetation management that maintains fire resiliency to minimize wildland fire behavior. These plans should include primary and secondary egress, street standards that allow large emergency vehicle access, fire resistant vegetation, including landscaping, tree species selection and density, and greenbelt locations.*

Potential New Policy 9: *The City and its Regional Partners will establish uniform standards for ingress and egress, emergency vehicle access, and evacuation routes as well as shared protocols for timely evacuation notification, traffic control, responder access, and emergency shelter plans for current and future development. This shall include, but is not limited to:*



- a. *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. If 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.*

Potential New Policy 10: *The City, in consultation with its Regional Partners and the Washington State Department of Natural Resources, will develop and implement protocols to ensure that all development activities in and near forested areas are conducted in accordance with Industrial Fire Precaution Levels as determined by the Washington State Department of Natural Resources (DNR). This shall include, but is not limited to, compliance with the DNR Handbook on Forest Fire Protection published October 2018, and as may subsequently be amended.*

Potential New Policy 11: *The City in consultation with its Regional Partners, will continue to enforce fireworks bans and open burning rules and restrictions and seek a consistent approach to manage risks associated with those activities.*

Potential New Policy 12: *The City will adopt and implement standards for wildland fire suppression training and certification. First responders should have adequate training, personal protective equipment, and appropriate wildland firefighting equipment to safely engage in any suppression action.*

Potential New Policy 13: *Within one year of the adoption these wildfire policies, City Staff, in consultation with the Firewise Advisory Committee and the City Planning Commission, shall prepare and present for City Council approval:*

- a. *Defensible space standards for new developments utilizing the three vegetation management zones of 0-5 feet, 5-30 feet, and 30- 100 feet or the property boundary, with management prescriptions for each zone.*
- b. *A requirement that building permits and land use approvals include a condition of approval that property owners shall maintain vegetation in accordance with City standards and shall schedule an inspection by the City Fire Department at least once every five years.*
- c. *A plan for the City Fire Department to conduct periodic wildfire risk assessments and to provide property owners with recommendations to maintain their property to be fire resistant along with and fire resistive construction and retrofits to help make the community safer.*



II. CLE ELUM COMPREHENSIVE PLAN 2037

The proposed text amendments are consistent with the following goals and policies of the Comprehensive Plan 2037.

Goal LU-1: Management and Implementation

Policy LU-1.1 To influence the character of the City of Cle Elum by managing land use and developing facilities and services in a manner that directs and controls land use patterns and intensities.

LU-1.2 Land use changes should be guided by topography, soils conditions, adjacent land uses, and the ability of the City to provide facilities and services.

LU – 1.3 Ensure that new development does not outpace the City’s ability to provide and maintain adequate public facilities and services by allowing new development to occur only when and where adequate facilities exist or can be provided.

LU – 1.4 Upon adoption of and/or changes to the Comprehensive Plan, the City Development Regulations shall be reviewed for consistency with the Comprehensive Plan and County Wide Planning Policies.

LU – 1.6 The City will take a more active role in interagency planning and coordination among local jurisdictions, including: Kittitas County, South Cle Elum and Roslyn.

Goal LU-3: Preserve Cle Elum’s natural environment while allowing for growth and development.

Goal LU-4: Preserve and Protect Residential Neighborhoods

LU – 4.8 Require greenbelts, buffers and/or open space to buffer incompatible uses from residential uses.

Goal LU-6: Open Space

LU – 6.1 Discourage the disturbance of vegetation when not in conjunction with the actual development.

LU – 6.2 Open space areas should be encouraged to be used as buffers for different types of land uses.

LU – 6.3 Lands designated for open space should provide for multiple open space benefits whenever possible including active or passive recreation opportunities, scenic amenities, fish and wild life habitat, etc.

LU – 6.6 Develop strategies to protect existing open space areas.

Goal LU-17: Climate and Sustainability

LU – 17.1 Develop and implement climate change adaptation strategies that create a more resilient community by addressing the impacts of climate change to public health and safety, the economy, public and private infrastructure, water resources, and habitat.

LU – 17.3 Support federal, state, and regional policies and education programs intended to protect clean air in Ellensburg and the Kittitas Valley.

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LU – 17.14 Promote community responsibility and engagement through public education and involvement programs that raise awareness about environmental issues.

Goal LU-19: Emergency Management and Disaster Preparedness

LU – 19.1 Continue to collaborate with other Kittitas County communities and agencies to maintain, update, and improve emergency management and disaster preparedness plans, policies, and implementation.

LU – 19.2 Develop community outreach strategies to educate the public on disaster prevention and preparedness.

LU – 19.3 Maintain and update as applicable the 2018 Upper Kittitas County Emergency Preparedness Plan and continue to coordinate closely with the other Upper County communities of Suncadia, Roslyn, and South Cle Elum.

III. ENVIRONMENTAL REVIEW (SEPA)

This project was processed for review under the State Environmental Policy Act as a procedural action per WAC 197-11-800(19), and a Preliminary Determination of Nonsignificance was issued on March 16, 2023. The DNS was retained on xx.

IV. PUBLIC NOTICE

Notice of Public Hearing
Legal Ad Publication

March 16, 2023
March 16, 2023

Public comments were submitted prior to the drafting of this report, and are included herein as a separate appendix.

V. FINDINGS AND CONCLUSIONS

1. No adverse impacts have been identified by the approval of these amendments.
2. Proposed Comprehensive Plan amendments are consistent with and further enhance the City of Cle Elum Comprehensive Plan 2037, as required by RCW 36.70A.130(1)(d).

VI. RECOMMENDATION

The City of Cle Elum Planning Department recommends APPROVAL of these goals and policies.

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APPENDIX: Public Comments; submitted written comments, and spoken during the public hearing on April 4, 2023.

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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

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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 FWICAs 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,

A handwritten signature in cursive script that reads "Scott Downes".

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

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KITITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

Mark R. Cook, PE Director



April 13, 2023

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

RE: 2022 Comprehensive Plan Amendments

Dear Planning Official:

Kittitas County Department of Public Works is submitting written comments on the City of Cle Elum's proposed "2022 Annual Comprehensive Plan/Development Regulations Update, Notice of Extended Public Review and Comment Period/Likely SEPA Threshold Determination of Non-Significance March 30, 2023". Thank you for the notice of extension allowing public comment until April 21, 2023.

We note with interest that the proposed 2022 City Comprehensive Plan Amendments address a potential new goal: "Actively protect the city from risk of wildfires". While we concur with the city on the need to actively address wildland fires issues in Upper Kittitas County, we are disappointed to learn the city has declined to address the issue of weekend traffic mitigation. Last fall, we asked the city to consider amending the existing traffic element of the city's comprehensive plan allowing for traffic mitigations resulting from weekend impacts. Our request was driven by the lack of weekend traffic mitigation required by the city following Sun Communities 47 Degrees North proposal – subsequently withdrawn by the applicant. Learning that the applicant was likely to reapply in 2023, we asked the city to amend two existing policies in the city's traffic element: policy T-8 and policy T-23. Having received no response from city planning consultants or staff, I requested the Board of County Commissioners send a letter to the city with the same request (September 19, 2022, Board of County Commissioners to the Honorable Jay McGowan, Mayor). Additionally, the city council was copied on the September 19, 2022, letter.

As we are currently working with the city commenting on the recently submitted re-application by Sun Communities, we see significant impacts to the county's transportation network resulting from Sun's proposal on weekend traffic levels of service. We encourage the city to insist on developer mitigation resulting from proposed traffic generation adversely impacting the county's transportation system on weekends.

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Dept. of Public Works
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Sincerely,

A handwritten signature in blue ink that reads "Mark R. Cook".

Mark R. Cook, PE
Director

C: Board of County Commissioners

Attachment: September 19, 2022 Letter from the Board of County Commissioners

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City of Cle Elum Planning Com mission comments
My name is Phil Hess; I reside at 4650 Airport Rd.

PH 4-4-2023

In my opinion the City should take leadership and expand our role to include all land use and growth management planning issues in upper Kittitas County – of which there are many.

Too me, there is a huge disconnect between multiple planning authorities & jurisdictions driving how our community will look 20-30-40 years into the future.

In my view, we should pause consideration of future developments until such time as we have a professionally prepared Master Plan with a vision of what the upper county should look like in the future.

The current structure of the various planning commissions and approval processes is leading us into an assortment of projects disconnected with developing a fire adapted community and long range transportation and emergency services planning.

In my view, we should consider a consolidation of the multiple planning authorities/jurisdictions into a single Growth Management Authority to implement the professionally prepared Master Plan. This is not a new idea – it has been done successfully in other locations.

In the meantime, for projects already being proposed, I suggest the Planning Commission recommend Impact fees with provisions for escalation as build out occurs to cover future vegetation management for fire resiliency, transportation, school, and emergency services: fire, EMS, law enforcement, emergency evacuation planning.

The alternative is continuation of developer-driven land use changes with little regard to the future. The Growth Management Act, as applied here, is dysfunctional in my opinion.

The City of Cle Elum planning commission is uniquely positioned to help drive land use planning in away that our landscapes & communities we have been privileged to enjoy are attractive to those who follow us.

Sounds NIMBY-like, but at some point the inevitable growth has to be planned better than the processes now in place, in my opinion.

Thank-you,
Phil Hess

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Public Comments from April 4, 2023, Public Hearing

Phil Hess, noted his position on city fire advisory committee, but expressed that he was speaking as a citizen and would be providing his own comments. Mr. Hess strongly supports the amendments. He noted that, we are in a high fire risk community. This amendment should be kept as a living document and updated frequently. He expressed that this document was critically important to adopt.

Ingrid Vimont, Hospital District, reiterated Hess's earlier comments regarding coordinating our efforts with various agencies.
Rose Beaton, Doctoral Student studying wild fire and a DNR Resiliency Coordinator, commended the commission for taking an active approach. She noted support for better integration of language.

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SUGGESTED MOTIONS:

Approval:

Based on the testimony and evidence presented during this evening's continuation of the public hearing, I move that the Planning Commission draft findings of fact and forward a recommendation of **approval** the Cle Elum City Council.

Approval with modifications:

Based on the testimony and evidence presented during this evening's continuation of the public hearing, I move that the City of Cle Elum Planning staff modify the draft language to include the changes noted in the minutes of this evening's public hearing, and with these changes move that the Planning Commission draft findings of fact and forward a recommendation of **approval** to the Cle Elum City Council.

Denial:

Based on the testimony and evidence presented during this evening's continuation of the public hearing, I move that the Planning Commission reject the proposal to include findings of fact documenting those reasons for denial, and order the proposal be forwarded to the Cle Elum Council with a recommendation for **denial**.