

City of Cle Elum
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**CITY OF CLE ELUM
FINDINGS of FACT, CONCLUSIONS, &
NOTICE OF DECISION
for
REQUEST FOR BUILDING PERMIT AND ENVIRONMENTAL REVIEW**

File Numbers: BDG-2026-001, SEP-2026-003

APPLICANT:	Washington State Horse Park Authority
APPLICANT ADDRESS:	P.O. Box 27, Cle Elum, WA 98922
PROPERTY OWNER:	City of Cle Elum
PROPERTY OWNER ADDRESS:	119 West First Street, Cle Elum, WA 98922
PROJECT LOCATION:	1202 Douglas Munro Blvd., Cle Elum, WA
PARCEL NUMBER(S):	11851
DATE OF REQUEST:	January 12, 2026 and July 15, 2026
DATE OF DECISION:	September 17, 2026
STAFF CONTACT:	Colleda Monick, Planning Consultant

I. DESCRIPTION OF REQUEST:

The Washington State Horse Park Authority proposes approximately 2,500 linear feet of eight-foot-tall chain-link fencing with visual screening slats along the north property line of the Washington State Horse Park at 1202 Douglas Munro Boulevard. The fence is intended to control unauthorized access, reduce visual distractions to horses and riders, and improve safety during Horse Park operations and events.

The fence design incorporates recommendations from a wildlife and habitat assessment and coordination with the Washington Department of Fish & Wildlife, including gated and ground-level openings for wildlife movement. Construction will involve minor grading and approximately 25,000 square feet of vegetation clearing, with larger trees retained where feasible. Construction is anticipated to take approximately two to four weeks, with measures to minimize ground disturbance and erosion.

II. SUMMARY OF DECISION:

Approved, subject to conditions.

III. FACTS:

A. Processing

1. An application for a building permit and SEPA Checklist were received on January 12, 2026 and July 15, 2026 and determined complete for processing on August 19, 2026.

2. The applications are being processed under Cle Elum Municipal Code ("CEMC") 14.30.060 - Procedures for a Type 2 review, as part of a consolidated review process CEMC 14.30.020(B).
3. **Public Notice:** In accordance with CEMC 14.30.110, notice was provided for these applications as follows:
 - a. The subject property was posted with a land use action sign on August 20, 2026.
 - b. A Notice of Application and Environmental Review was sent to the applicant, agencies with jurisdiction, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Colville Reservation, and the Snoqualmie Tribe, and adjoining property owners within 300 feet of the subject property on August 20, 2026.
 - c. Notices were also provided at City Hall and posted on the city website under Public Notices.
4. **Environmental Review:** This application was required to undergo State Environmental Policy Act (SEPA) review. Combined Notice of Application & Environmental Review was mailed on August 20, 2026, and identified that the City expected to issue a Mitigated Determination of Nonsignificance (MDNS). The public comment period ended on September 3, 2026. Five (5) comments were received from agencies, tribes and service providers, which are included in the MDNS issued in conjunction with this Decision, September 17, 2026.

Current Zoning and Land Use:

1. The approximately 112-acre Washington State Horse Park is an established equestrian recreation and event facility. Developed portions of the site include outdoor and covered riding and competition arenas, permanent and portable horse stabling, cross-country and trail obstacle courses, recreational trails, administrative and support buildings, wash and lunging areas, spectator and hospitality facilities, gravel parking and trailer areas, and RV and camping facilities with associated utility hookups.
2. The surrounding properties contain uses and zoning as follows:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	Planned Mixed Use	Open Space/Residential Development
South	Rural 5 (Kittitas County)	I-90
East	Planned Mixed Use	Future Cemetery Expansion
West	Planned Mixed Use	Open Space

Comprehensive Plan Review:

1. Future Land Use Map identifies this parcel as Public Use.
2. The following goals and policies apply to this proposal:
 - o Policy LU – 12.1: Maintain healthy, functioning ecosystems through the protection of unique, fragile, and valuable elements of the environment, including ground and surface waters, wetlands, and fish and wildlife and their habitats, to conserve the biodiversity of plant and animal species.

- Policy LU-12.2: Prevent cumulative adverse environmental impacts to water quality, wetlands, and fish and wildlife habitat, and the overall net loss of wetlands, frequently flooded areas, and habitat conservation areas.
- Policy LU-12.5: Direct activities not dependent on critical areas resources to less ecologically sensitive sites and mitigate unavoidable impacts to critical areas by regulating alterations in and adjacent to critical areas.
- Policy LU-13.3: Where there is a high probability of erosion, grading should be kept to a minimum and disturbed vegetation should be restored as soon as is feasible. In all cases, appropriate measures to control erosion and sedimentation shall be required.
- Goal PRO-4: Preserve and provide access to significant environmental features and lands where such access does not harm the functions associated with the feature.
- Policy PRO-4.1: Identify and conserve critical wildlife habitat, foraging areas, and migration corridors within or adjacent to natural areas, open spaces, and developable urban lands.
- Policy PRO-4.2: Enhance habitat within parks, recreation, and open space lands by maintaining our healthy urban forest that provides food, shelter, and cover to wildlife.
- Policy PRO-4.3: Enhance habitat within environmentally sensitive areas by maintaining native vegetation.
- Policy PRO-4.4: Preserve and protect significant environmental features including wetlands, open spaces, woodlands, shorelines, water fronts, and other features that support Cle Elum's wildlife and natural heritage.

Determination of Consistency:

Pursuant to CEMC 14.30.130, staff reviewed the proposal for consistency with the Cle Elum Comprehensive Plan and applicable provisions of the Cle Elum Municipal Code. The property is designated Public Use and the Washington State Horse Park is an established recreational use consistent with that designation and the purpose of the Public Use zoning district.

The proposed fence is accessory to the existing Horse Park use and is intended to improve operational safety and control unauthorized access. Because the fence is located within mapped wildlife habitat and a biodiversity corridor, the City's consistency review also considered Comprehensive Plan policies addressing protection of wildlife habitat, migration corridors, native vegetation, environmental features, and erosion control.

As conditioned, the proposal retains mature vegetation and habitat features to the maximum extent feasible, provides openings and operational measures to maintain wildlife movement, minimizes construction disturbance, incorporates erosion and sediment control, and implements recommendations developed through project-specific biological review and consultation with WDFW. Staff therefore finds that the proposal is consistent with the applicable goals and policies of the Comprehensive Plan and with the applicable development and critical areas regulations of the CEMC.

Applicable Law:

1. Cle Elum Zoning Ordinances:

- a. Pursuant to CEMC 17.50.010, The purpose and intent of the public use district is to provide for and protect areas for government and civic functions. Such uses include parks, government buildings, hospitals, educational institutions, nongovernmental organizations, civic or service organizations, libraries and museums, recreational uses and schools.
- b. Pursuant to CEMC 14.30.040, SEPA Determination is classified as a Type 2 Review.

2. Critical Areas:

- a. CEMC Chapter 18.01 regulates critical areas within the City, including wetlands, riparian corridors, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.
- b. Pursuant to CEMC 18.001.060, activities require a critical areas permit if they are not already reviewed through a more general permit in which the applicant has reported a possible impact on a critical area.
- c. The subject property is located within areas identified by the Washington Department of Fish and Wildlife Priority Habitats and Species (PHS) mapping as priority wildlife habitat, including elk concentration habitat and a biodiversity area and corridor. Accordingly, the proposal was reviewed for consistency with the fish and wildlife habitat conservation area provisions of CEMC Chapter 18.01.
- d. Pursuant to CEMC 18.01.070(C)(1)(p)(v), wildlife habitat management and mitigation may include preservation of important vegetation and trees, special construction techniques, erosion and sediment control, limitations on access, seasonal construction restrictions, habitat enhancement, implementation of WDFW recommendations, monitoring, and other measures necessary to protect habitat functions and values.
- e. RCW 36.70A.172 requires cities to include best available science in developing policies and development regulations protecting the functions and values of critical areas. The City's review of this proposal includes consideration of the project-specific Critical Areas Wildlife and Habitat Assessment prepared by Raedeke Associates on July 10, 2026 and comments and recommendations provided by WDFW.

3. SEPA:

- a. Environmental review of the proposal is required pursuant to WAC 197-11, and CEMC Chapter 14.40.
- b. Pursuant to WAC 197-11-330, the SEPA Responsible Official must determine whether a proposal is likely to have a probable significant adverse environmental impact based upon the proposal, environmental checklist, supporting information, and mitigation measures that will be implemented as part of the proposal.
- c. WAC 197-11-350 authorizes the lead agency to consider mitigation measures incorporated into or imposed upon a proposal when making its threshold determination and to issue a mitigated determination of nonsignificance where the proposal, as clarified, changed, or conditioned, will not result in probable significant adverse environmental impacts.
- d. Pursuant to RCW 43.21C.060, SEPA mitigation conditions must address specific adverse environmental impacts identified through environmental review, must be stated in writing, and must be reasonable and capable of being accomplished.
- e. The City issued a Mitigated Determination of Nonsignificance (MDNS), SEP-2026-003, for the proposal. The MDNS and its mitigation measures are incorporated herein by reference and constitute conditions of this approval.

IV. FINDINGS:

A. General Site Conditions

1. The subject site is located at 1202 Douglas Munro Blvd., Cle Elum, WA and is zoned Public Use.

2. The subject property is currently developed as the Washington State Horse Park, an established equestrian recreation and event facility. Any future expansion, modification, intensification, or change of use, whether affecting all or a portion of the structure, shall require independent land use review and compliance with all applicable provisions of the Cle Elum Municipal Code in effect at the time of application.
3. The property's frontage is along Douglas Munro Blvd, which does not include paving, curb, gutter, and sidewalk.

B. Development Standards

1. The proposed development is an approximately one-half mile long, eight-foot tall fence. Any future changes to the exterior or the property will require Site and Design Review and meet all applicable Design Standards as outlined in CEMC 17.24.090.

C. Critical Areas and Environmental Review

1. A Critical Areas Wildlife and Habitat Assessment, prepared by Raedeke Associates and revised July 10, 2026, evaluated conditions within and surrounding the proposed fence alignment, including wetlands, streams, vegetation, wildlife habitat, and mapped WDFW Priority Habitats and Species.
2. The assessment included a March 25, 2026 field investigation of the area within approximately 300 feet of the proposed fence alignment. No wetlands or streams were observed within or in the vicinity of the proposed fence alignment.
3. The property is located within a WDFW-mapped biodiversity area and corridor and an area of regular elk concentration. Elk are therefore the principal priority species potentially affected by the proposed fence.
4. The fence has been designed to minimize interference with wildlife movement. The approximately eight-foot-high fence does not fully enclose the Horse Park and incorporates three paired gate openings, two additional single-gate openings, and multiple ground-level wildlife openings. The larger openings provide passage for elk and deer, while the smaller openings provide passage for small mammals and reptiles.
5. The eight-foot fence height was recommended by WDFW to discourage elk and deer from attempting to jump the fence.
6. Existing mature trees and snags will be retained to the maximum extent feasible; an estimated 8 significant trees, as defined in CEMC 17.64.040, will be removed. Construction will use low-impact techniques, minimize the equipment footprint, and employ erosion and sediment control BMPs until disturbed areas are stabilized.
7. The proposed gate-management strategy provides for the gates to remain open during periods when Horse Park activities do not require closure, including continuous opening during the November through March non-operating season, thereby maintaining seasonal wildlife movement through the property.
8. WDFW reviewed the proposal and mitigation incorporated into the revised project materials and emphasized continued maintenance of the ground-level wildlife openings. WDFW recommended inspection and clearing of these openings at least twice annually.
9. Based upon the Critical Areas Wildlife and Habitat Assessment, WDFW comments, project design, and required mitigation measures, the proposed fence will not result in an unacceptable loss of the functions and values of the affected fish and wildlife habitat conservation area.

10. The proposed fence alignment is also located within a mapped Critical Aquifer Recharge Area (CARA). Construction consists primarily of fence installation with limited clearing and minor grading and does not include uses involving storage or handling of hazardous materials or substantial new impervious surfaces. With implementation of applicable construction and erosion-control best management practices, the proposal is not anticipated to adversely affect groundwater quality or aquifer recharge.
11. Portions of the fence alignment are located within an area mapped as potentially susceptible to liquefaction. The proposed improvement consists of a fence and associated gates and does not include occupied structures or substantial structural improvements. Based on the nature and limited extent of the proposed construction, no significant impact associated with liquefaction or other geologic hazards is anticipated.
12. The City has completed environmental review pursuant to SEPA and issued MDNS SEP-2026-003. The mitigation measures contained in the MDNS are incorporated into this approval.

V. CONCLUSIONS:

- A. The proposed fence is accessory to the established Washington State Horse Park and is consistent with the purpose and intent of the Public Use zoning district.
- B. The proposal, as conditioned, is consistent with the applicable goals and policies of the Cle Elum Comprehensive Plan and applicable provisions of the CEMC.

The proposal has been reviewed pursuant to CEMC Chapter 18.01 for potential impacts to fish and wildlife habitat conservation areas, critical aquifer recharge areas, and geologically hazardous areas, including potential liquefaction susceptibility. Based upon the Critical Areas Wildlife and Habitat Assessment, available critical areas information, agency comments, project design, and required mitigation measures, the proposal complies with applicable critical areas requirements and adequately avoids and minimizes impacts to critical area functions and values.

- C. The City has completed environmental review pursuant to SEPA. With implementation of the mitigation measures contained in the MDNS for SEP-2026-003 the proposal will not result in probable significant adverse environmental impacts requiring preparation of an environmental impact statement.

VI. DECISION:

The Administrative Official hereby determines that the requested Building Permit application (BDG-2026-001) complies with the applicable zoning standards and authorizes the issuance of the building permit based upon the above findings and conclusions and subject to the Building Official's determination of compliance with all building codes, and subject to the following conditions:

1. Prior to issuance of a building permit, the Applicant shall provide the City with written authorization from the applicable easement holder(s) for construction of any portion of the fence located within or across an existing easement. City approval of this application does not authorize obstruction of or interference with rights granted under an existing easement.
2. If trees removed as part of the project will be harvested for commercial use, including timber that will be sold, traded, or otherwise commercially utilized, the Applicant shall obtain any

required Forest Practices Application/Notification or other authorization from the Washington State Department of Natural Resources prior to conducting the applicable forest practice. Evidence of any required approval shall be provided to the City prior to the associated tree removal.

3. Development shall be substantially consistent with the approved plans, SEPA Environmental Checklist and addenda, Critical Areas Wildlife and Habitat Assessment revised July 10, 2026, and MDNS issued on September 17, 2026 (SEP-2026-003).
4. All mitigation measures contained in MDNS (SEP-2026-003) are incorporated herein by reference and are conditions of this approval. Where a mitigation measure establishes an ongoing operational or maintenance obligation, that obligation shall continue for the life of the fence unless otherwise specified.
5. All ground-level wildlife openings incorporated into the approved fence design shall be maintained free of vegetation, debris, fencing materials, or other obstructions that would reduce their effectiveness or impede wildlife movement. The openings shall be inspected and cleared as necessary at least twice annually.
6. Wildlife passage gates shall be operated consistent with the gate-operation schedule described in the approved Critical Areas Wildlife and Habitat Assessment and associated project materials. Any permanent modification to the number, location, dimensions, or operational schedule of the wildlife passage openings shall be submitted to the City for review prior to implementation.
7. Mature trees and snags along the fence alignment shall be retained to the maximum extent feasible consistent with the approved plans. Trees and habitat features identified for retention shall be protected from construction disturbance. Significant trees shall be marked in the field prior to the commencement of construction.
8. Appropriate erosion and sediment control BMPs shall be installed as necessary before and during construction and maintained until disturbed areas are permanently stabilized. Construction disturbance shall be limited to the minimum area reasonably necessary to install the fence.
9. Fence gates located within or across existing access easements shall remain fully unobstructed and shall be designed and installed to permit the gate panels to swing a full 180 degrees so that the fence does not restrict use of the easement.
10. Any material change to the approved fence alignment, height, wildlife openings, gate locations, screening, clearing limits, or other features relied upon in the City's critical areas or SEPA review shall be submitted to the City for review prior to construction of the change. Additional critical areas or SEPA review may be required.

Entered this 17th Day of September 2026, pursuant to the authority granted under CEMC 14.30. This decision constitutes the final zoning review and is hereby granted and forwarded to the Building Official.

The zoning decision is valid for two years from this date unless appealed under CEMC 14.30.230. This zoning decision is not a construction permit and does not in and of itself authorize any use to be established, constructed, made or implemented without a construction permit issued by the Building

Official and the conditions pending have been completed. This zoning decision shall expire per the performance provisions of CEMC 14.30.260.

A handwritten signature in blue ink, appearing to read 'Colleda Monick', written over a horizontal line.

Colleda Monick, Planning Consultant for
Rob Omans, City Administrator for the City of Cle Elum

APPEAL

Pursuant to CEMC 14.30.230, any person aggrieved by this decision may request a review of this decision by the Hearing Examiner. Such requests must be submitted in writing within twenty-one days from the mailing date of this decision, to the City of Cle Elum, 119 W First St, Cle Elum, WA 98922, and must be accompanied by the application fee of \$550.