

**Planning Commission
CANCELED
September 30, 2025
6:00 PM**

MAYOR
MATTHEW LUNDH

CITY ADMINISTRATOR
ROBERT OMANS

CITY PLANNER
COLLEDA MONICK

CITY CLERK
DEBBIE LEE



119 W FIRST STREET
CLE ELUM, WA 98922

PLANNING COMMISSION
GARY BERNDT
AMANDA HAHNEMANN
JONATHAN CORNELIUS
MARC KIRKPATRICK
COLIN BRISSEY - VICE-CHAIR
PAUL KANTWILL - CHAIR
IAN STEELE

COUNCIL LIASON - CASSIDY
BUECHLE-CURTIS

Join Virtually with Zoom: <https://zoom.us/j/7573184018?pwd=dERndjBjVC9GdVQ1d2ISRExwZFhXZz09>
Meeting ID: 757 318 4018 Passcode: 98922

Join by Phone: 1-(253)215-8782, Meeting ID: 757 318 4018, Passcode:98922

TextMyGov

Receive city text alert notifications: text CLEELUM to 91896

DISCLAIMER: The City does not guarantee that virtual or telephonic access to the City Council meeting will be available and the City does not warrant audio quality. Attendees are encouraged to attend in-person.

1. **Call to Order & Roll Call**
2. **Public Comments - Limited to 5 minutes**
3. **Adoption of Minutes**
 - a. September 16, 2025 Meeting Minutes
4. **Business Requiring Public Hearings**
5. **Planning Update**
 - a. Colleda Monick, Planner
6. **New Business**
 - a. Follow up discussion on CEMC 17.04.040 Nonconforming Uses
7. **Next Meeting Agenda Development**
8. **Commissioner Comments and Discussion**
9. **Adjourn**

Upcoming Meetings:

Public Works & Community Development Committee Meeting October 1, 2025 at 8:30 a.m.

Committee of the Whole Budget Meeting October 1, 2025 5:00 p.m.

Coal Mines Trail Commission Meeting (Roslyn City Hall) October 6, 2025 at 4:00 p.m.

Planning Commission Meeting October 7, 2025 at 6:00 p.m.

Lodging Tax & Event Committee Meeting October 8, 2025 at 8:30 a.m.

Regular Council Meeting October 14, 2025 at 6:00 p.m.

Planning Commission Agenda September 30, 2025

119 W FIRST STREET
CLE ELUM, WA 98922

Public Safety & Health Committee Meeting October 15, 2025 at 2:00 p.m.
Historical Preservation Commission Meeting October 21, 2025 at 3:00 p.m.
General Government Committee Meeting October 22, 2025 at 8:30 a.m.

City of Cle Elum
Planning Commission (CEPC) Meeting Minutes
City Council Chambers
September 16, 2025 | 6:00 PM

Call to Order

Chair Kantwill called the meeting to order at 6:00 PM

Roll Call

CEPC Members Present: Paul Kantwill, Gary Berndt, Jon Cornelius, Marc Kirkpatrick, and Ian Steele

CEPC Members Absent: Colin Brissey and Amanda Hahnemann. **Commissioner Berndt made a motion to excuse Commissioner Brissey and Hahnemann. Commissioner Kirkpatrick seconded. Motion carried.**

Council Liaison: Cassidy Buechele-Curtis (absent)

Staff Present: Colleda Monick

Chair Kantwill noted that City Council has recently placed an emphasis on attendance for its members. While Planning Commissioners do not carry the same obligation, he emphasized the importance of the Commission's mission and requested that members notify staff if they are unable to attend a meeting or if ongoing circumstances make attendance difficult.

Public Comment

None.

Adoption of Minutes

Commissioner Berndt motioned to accept the August 19th, 2025 minutes as presented. Commissioner Steele seconded. Motion carried.

Public Hearing- City Planning

None.

Commission and Staff Reports

Colleda Monick, Staff Announcements:

- **Planning & Historic Preservation Commission Openings:** There is still a vacancy on the Historic Preservation Commission. Planning Commission will have a vacancy starting in 2026.
- **Fall Clean Up** – September 1-30 for city residents only
- **Pangrazi Award** – Nominations are open and close on September 25th, 2025. This award is established to recognize and thank other community-minded citizens, who aspire as Paul did, to make the Upper County a quality place to live. (Commissioner Berndt was a recent recipient of the award and spoke about his great respect of Mr. Pangrazi and some of the history of the award.)
- **Current Planning Updates:** Wildwood – MDNS issued. Habitat for Humanity – Pre-Application Meeting. Teanaway Court – Notice of Incomplete. 4240 Bullfrog Road Apartments – Construction Underway.

- **Climent Element** – City received revised contract approval 9/15, so that committee will be reconvening here soon.

New Business

1. CEMC 17.04.040 Nonconforming Uses

Staff presented proposed changes to provide greater flexibility for home and property owners to modify lawfully established nonconforming uses.

Discussion regarding greater clarification under 17.04.040(A) was requested by the Commissioners. More detailed specifications and, if possible, examples for items 1–2. Staff to bring back at the next commission meeting.

Citizen Comments on Agenda Items

None

Next Meeting Agenda Development

- a. CEMC 17.04.040 Nonconforming Uses
- b. Comp Plan Updates

Commissioner Comments and Discussion

Commissioner Cornelius – The pharmacy has completed the second step of the permitting process. It will take another four months before the state issues the final permit to establish operations in the former pharmacy building.

Chair Kantwill – Hansen Ponds meeting is scheduled for 9/17, discussion continues about rerouting the river. If anyone wishes to attend the meeting, a link can be provided.

Adjournment

Chair Kantwill adjourned the meeting at 6:44. The Commission will reconvene on September 30, 2025 at 6:00 p.m.

Chair Kantwill

Date

City of Cle Elum Planning Commission

September 30, 2025

Subject – Nonconforming Uses

Staff Narrative: These changes are being proposed to provide greater flexibility for home and property owners to modify lawfully established nonconforming uses.

17.04.040 Nonconforming uses.

The lawful use of any building, structure, land or sign in existence at the time of the passage of the ordinance codified in this title, although such use does not conform to the provisions of this title, may be continued subject to the limitations of this section.

A. Expansion – No existing building, structure or land ~~devoted containing~~ to a nonconforming use shall be expanded, enlarged, reconstructed, intensified or structurally altered unless the ~~use thereof is changed to a use permitted in the zoning district in which the building, structure, or land is located following standards are met:~~

1. ~~Degree of nonconformity is not increased. For the purposes of this chapter, the degree of nonconformity means the extent to which a building, structure, or use does not comply with current zoning standards. An expansion, alteration, or change shall not increase the degree of nonconformity.~~
2. ~~Building or use expansion shall not exceed 50% of the existing footprint, provided that it does not increase the degree of nonconformity.~~
3. ~~All other applicable standards of the underlying zone are met...~~

B. Change – When authorized by the planning director, a nonconforming use may be changed to a use of a like nature or use that is more in conformance with the existing regulations.

C. Extension – When authorized by the planning director, a nonconforming use may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the date when such use of the building became nonconforming, if no structural alterations except those required by law are made therein.

D. Discontinuance – When a nonconforming use of land or a nonconforming use of all or part of a structure is discontinued or abandoned for a period of one year, such use shall be considered abandoned and lose its nonconforming status. Normal seasonal cessation of use, or temporary discontinuance for purposes of maintenance or improvements, shall not be included in determination of the one-year period of discontinuance.

E. Reversion – If a nonconforming use is changed to a permitted use, the nonconforming use shall not be resumed.

Commented [CM1]: Example (allowed): A dwelling that encroaches two feet into a required side yard setback may be expanded on the opposite side of the structure, provided the addition meets current setback standards.

Example (not allowed): An addition within the encroaching side yard would increase the setback encroachment and is not permitted.

Example (use-based): A nonconforming auto repair shop in a residential district may replace its roof or remodel the interior, but expanding the shop floor area or adding more service bays would increase the degree of nonconformity and is not permitted.

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Commented [CM2]: Example: A single-family dwelling in the Commercial zoning district that can add a garage or expand the structure as long as it meets the underlying zoning standards.

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F. Residential exception – Legally established residential uses located in any ~~residential~~ zoning district shall not be deemed nonconforming for the purposes of residential alteration, residential enlargement or residential expansion provided:

1. The residential use was legally established.

~~2. The residential use was established at least fifty years prior to the adoption of this regulation.~~

~~3.~~ 2. The residential use has been continuous and has never lapsed for more than twelve consecutive months.

~~4.~~ 3. The residential use shall comply with the development standards of the underlying zone in which it is located.

~~5. A declaration of covenant between the property owner and the city of Cle Elum must be completed and executed prior to the issuance of a building permit, and shall be recorded with the Kittitas County Auditors Office, stating generally:~~

~~The current Residential use and proposed expansion, enlargement or alteration is not located within a residential zone and is therefore subject to noise, dust, vibration, smoke, activity, and the like associated with legally permitted uses in the zoning district. Legally permitted uses in compliance with Cle Elum Municipal Code in any zone have the right to continue without hindrance.~~

17.04.050 Nonconforming buildings and structures.

A building or structure in existence at the time of the passage of the ordinance codified in this title, although such use does not conform to the provisions of this title, may be maintained subject to the limitations of this section.

A. Expansion – A nonconforming structure may not be changed, altered, replaced, added to or expanded in any manner, except as provided in ~~subsection B of this section and unless such change or alteration does not increase the degree of nonconformity or would bring the structure into conformity with provisions of the zoning code:CEMC 17.04.040(A).~~

B. Repair – ~~Such Normal structural~~ repair and maintenance work as required to keep the structure in sound condition may be made, ~~including replacement of walls, fixtures and plumbing provided no~~

~~structural alterations shall be made except such as are required by law or ordinance or authorized by the planning director.~~

~~C. Reconstruction of a Nonconforming Structure - In case of damage or destruction by fire or other causes requiring expenditures for repair in excess of one-half of the assessed value as shown on the county assessor's records, the structure can be rebuilt as it was immediately prior to destruction, the structure or structures, other than residential dwellings, shall not be rebuilt unless they conform to all requirements of the zoning code: the damage or in a manner that is less nonconforming.~~ Permits to repair the damage must be applied for within one year and construction must be completed within two years of the damage occurring or the legal nonconforming status will be lost.

~~ED.~~ Any nonconforming structures shall be maintained in usable condition or the nonconforming status shall be lost.

~~E. In the case of expanding a nonconforming single-family dwelling or duplex, the proposed expansion is fifty percent or less of the existing building area. The provisions of CEMC 14.30.050 shall also be used for the reconstruction of a nonconforming single-family dwelling or duplex. In the case of expanding anything else, the application procedures shall be the same as those established in CEMC 14.30.070.~~

Commented [R03]: Refer to CEMC 17.04.040(A)?
Rebuilt?

Commented [R04R3]: Time period long enough?
Additional language to include for cases where active progress is being made?

Commented [CM5R3]: In this case, it's just a building permit, if they wanted to rebuild as stated. Under ...040(A) they would need to a Type 1 permit (see below).