

Planning Commission

Agenda

November 19, 2024

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 - CHAIR
CASSIDY BUECHLE-CURTIS
JONATHAN CORNELIUS
MARC KIRKPATRICK
COLIN BRISSEY
PAUL KANTWILL
IAN STEELE

CITIZEN ALTERNATE
VACANT

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

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1. **Call to Order & Roll Call**
 2. **Public Comment – Limited to 5 Minutes**
 3. **Adoption of Minutes**
 - a. November 5, 2024
 4. **Business Requiring Public Hearings**
 5. **Planning Update**
 - a. Chair Gary Berndt
 - b. Commissioner Cornelious - Climate Task Force Update
 - c. Commissioner Brissey - Sub Committee: Table of Permitted Uses Update
 - d. Commissioner Kirkpatrick: Cle Elum Downtown Association Strategic Plan - 2023 Presentation
 - e. Planning Consultant Colleda Monick - Staff Announcements
 6. **New Business**
 - a. 17.90 - Sidewalk Sales and Service of Food and Beverage.
Proposed Text Amendments: Consideration of a Title Change - Addition of Mobile Vendor, Planter, Snow Removal and Discussion Regarding Expanding Outdoor Use to Year - Round.
 7. **Next Meeting Agenda Development**
 - a. 17.24 - OTC Old Town Commercial District - Proposed Text Amendments to Encompass

Planning Commission Agenda November 19, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

Changes That Were Made to the Zoning Map.

b. Table of Permitted Uses - Update

8. **Commissioner Comments and Discussion**
9. **Adjournment**

Upcoming Meetings:

Regular Council Meeting: November 26, 2024 @ 6:00 p.m.

General Government Committee Meeting: November 27, 2024 @ 8:30 a.m.

Coal Mines Trail Commission Meeting: December 2, 2024 @ 6:00 p.m.

Planning Commission Meeting: December 3, 2024 @ 6:00 p.m.

Public Works & Community Development Committee Meeting: December 5, 2024 @ 12:00 p.m.

Lodging Tax & Event Committee Meeting: December 9, 2024 @ 8:30 a.m.

Public Safety & Health Committee Meeting: December 17, 2024 @ 1:00 p.m.

Historical Preservation Commission Meeting: December 17, 2024 @ 3:00 p.m.

City of Cle Elum
Planning Commission (CEPC) Meeting Minutes
City Council Chambers
November 5, 2024 | 6:00 PM

Call to Order

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

Roll Call

CEPC Members Present: Chair Gary Berndt, Vice Chair Paul Kantwill, Colin Brissey, Ian Steele, Marc Kirkpatrick, and Cassidy Buechele-Curtis

CEPC Members Absent: Jon Corneilus. Commissioner Kantwill made a motion to excuse Commissioner Corneilus. Commissioner Kirkpatrick seconded. Motion carries.

Staff Present: Colleda Monick

Introduction of new Commissioner Cassidy Buechele-Curtis.

Chair Berndt proposed a looser protocol on accepting Public Comments this evening to allow for questions from the public.

Citizen Comments

Susan Walker – The property owner of 101 W First Street shared a heartfelt personal story, including reflections on her professional background and contributions to the community, such as founding Pioneer Coffee and her past involvement with the Fall City Business Association. She also expressed her perspective on some city decisions and shared news about her personal life, noting that she is currently navigating the recent loss of her parents. She apologized for her emotional state during the comments.

Russ Weaver – Mr. Weaver, owner of Señor Bones and Mike's Tavern, attended to discuss Cle Elum Municipal Code 17.90. He expressed feeling insulted by comments from the Planning Commission during their last meeting regarding his previous requests. He provided a timeline of his outdoor beer garden's operation, beginning with a ribbon cutting on November 30, 2018, and noted that he used the outdoor space through winter before and after the code changes. He mentioned that the city and state encouraged outdoor use during COVID-19. Mr. Weaver attempted to attend the September meeting, which was canceled due to lack of quorum, and voiced frustration over some Commissioners' comments during previous discussions. He requested the Planning Commission postpone enforcing the code and consider amending it.

Commissioner Brissey made a point to address Mr. Weaver's concerns about his previous comments and personally apologized.

Nathan Dwinell - A new resident to the area who lives near the lake, expressed support for revisiting the code related to outdoor patios. They highlighted their positive experiences using outdoor patios, especially their connection to Mike's Tavern and its owners, Russ and Shannon Weaver. As a friend of the Weavers, the Mr. Dwinell advocated for a "second look" at the current regulations, implying that the code could benefit from reconsideration to better accommodate outdoor seating options.

David Bridgerman – A retired chiropractor and property owner on First Street, voiced strong objections to the city's request for him to remove his arborvitae display. He also raised concerns about issues with a garbage removal variance request and emphasized the need for a collaborative approach between the city and businesses to improve downtown aesthetics, particularly regarding weed control. Bridgerman expressed multiple concerns, including the city's responsibility for snow removal, the need for better communication with business owners, and his concerns over the extent of code enforcement's authority.

Shannon Weaver - Business owner of Mike's Tavern and Señor Bones. She echoed her husband's sentiments regarding outdoor seating and the need to allow for extended time, highlighting a recent Saint Patrick's Day in which the weather was in the mid-70's.

Gayle Picken - Local resident, came to support Mike's Tavern. Thinks the outdoor patio is awesome.

Adoption of Minutes

Commissioner Kirkpatrick motioned to accept the October 15, 2024 minutes. Commissioner Brissey seconded. Motion passed.

Public Hearing- City Planning

None Scheduled

Staff Report

Commissioner Brissey

- **Sub-Committee Report – Update on Table of Permitted Uses:** Members of the sub-committee, Commissioner Brissey, along with community member and local property owner John Hein, held a kick-off meeting last week with staff to begin work on updating the Table of Permitted Uses. The group discussed a process for developing the table, noting that many communities have adopted this format to organize permitted uses. The committee reviewed various review processes and is now working to create a comprehensive list of uses. Once complete, they will determine which uses should be permitted by right and which should require additional review. A draft table will be presented to the full commission for further consideration and discussion. The next meeting has not yet been scheduled.

Commissioner Kirkpatrick

- Commissioner Kirkpatrick presented the Cle Elum Downtown Association's 2023 Strategic Plan. He clarified that the document is informational and not regulatory. He highlighted key areas the Downtown Association focused on and provided considerations related to design standards. A copy of the strategic plan document will be distributed to staff for further review.

Colleda Monick

- No updates

New Business

1. **17.90, Sidewalk Sales and Service of Food and Beverage,** Staff presented potential code changes including, consideration of a title change to Streets, Sidewalks, and Public Places,

addition of “Mobile Vendor” to be more encompassing of the various types of mobile vendors, inclusion of planters, Snow Removal and discussion regarding expanding outdoor use to year-round.

Discussion concluded with bringing back the proposed changes for further consideration at the next meeting.

Citizen Comments on Agenda Items

None

Next Meeting Agenda Development

1. 17.90 – Finalize changes
2. 17.24 – Old Town Commercial
3. Table of Permitted Uses – Sub-committee update

Commissioner Comments and Discussion

None.

Adjournment

Chair Berndt called for a motion to adjourn. Commissioner Brissey motioned and Commissioner Kantwill seconded to adjourn the meeting at 7:45 p.m. and to reconvene on November 19th, 2024 at 6:00 p.m.

Chair Berndt

Date

Strategic Plan

2023–2026



Front Cover

Top left: A girl takes a break at the Dog Cart Rides, part of our annual Christmas in Cle Elum event.

Top right: Seated in front of Glondo's for the 2023 Pioneer Days parade.

Center left: The Safeway VolunTEAM picks up trash during the annual Downtown Clean-up.

Bottom left: A view of 1st Street from the east end of the downtown district.

Bottom right: Family fun at our complimentary face painting station in the Kids Zone at Pioneer Days 2023.

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Boo-Elum is an annual family-friendly event CEDA hosts on Halloween. From Trunk-or-Treating and Build-a-Scarecrow to a “spooky” Pumpkin Path and a costume parade led by the high school band, there is a little something for everyone!



Welcome

Located in the heart of the Cascades, the city of Cle Elum feeds the curiosity and intrigue of anyone who spends time here. Whether you're passing through, your friends and family has lived here for generations, or you're somewhere in between, there is always something new to discover.

Since 2019, the Cle Elum Downtown Association (CEDA) has worked to cultivate a vibrant downtown that offers new experiences, supports our community and surrounding neighborhoods, and honors our local heritage. Along the way, we've discovered that our impact reaches far beyond the bounds of our downtown by bringing our community together. That's why this Strategic Plan focuses our efforts on this central function: cultivating a community-focused Downtown core for families to gather, shop, and play.

Enclosed in this Strategic Plan are key actions that will support our focus over the next three years. We cannot do this work alone – and we're fortunate to have the ongoing privilege of collaborating with a community with absolute heart, endless grit, authentic pride, and inspiring resiliency.

CEDA is here to nurture the heart of Cle Elum: the place where you share time with friends and family and the place where we support one another's dreams. This is the destination, whether it be for an hour, a day, for the weekend, or a lifetime.

Jordan Peterson
Executive Director

About Us



A family at Christmas in Cle Elum

Our Foundation

MISSION

Preserve, promote, and enhance Cle Elum's Historic Downtown and create partnerships that stimulate economic activity and action for a renewed sense of pride and community.

VALUES

- 1 Remain Connected to this Place.** Ensure that community members are connected to downtown as the heart of the community, connected to each other, and connected to the unique history and landscape of this community.
- 2 A Family-Friendly Small Town.** Highlight existing culture and improve opportunities for family and youth.
- 3 Our History.** Continue to celebrate our downtown's past by connecting building owners and the community with historic preservation resources.
- 4 Homegrown Businesses.** Support the culture of entrepreneurship and small businesses to keep jobs here.
- 5 Engaged Business and Building Owners.** Show the value of investing in downtown and CEDA. Seek creative opportunities for businesses and property owners to engage with CEDA.



TRANSFORMATION STRATEGY

A Transformation Strategy is central to the Main Street Approach® and describes how we will focus our work in the coming years to revitalize downtown Cle Elum. Our short-term Transformation Strategy supports our long-term Mission of broadly preserving, promoting, and enhancing Cle Elum's historic downtown.

We cultivate a community-focused Downtown core for families to gather, shop, and play.

The Main Street Approach

The Main Street Approach® is a unique preservation-based economic development tool that enables communities to revitalize downtown and neighborhood business districts by leveraging local assets, from historic, cultural, and architectural resources to local enterprises and community pride.

OUR DOWNTOWN DISTRICT

As a Main Street Organization, our district includes Cle Elum's historic downtown, shown in the map below. While most of our direct work centers in this area, we aim to impact and serve the entire Cle Elum community, both within our district boundaries and beyond.





Strategic Plan

Sassy Trash Market, Pioneer Days 2023.

Strategic Plan

This strategic plan is organized into four sections that reflect the Four Points of Main Street: Design, Promotion, Outreach, and Economic Vitality. Our four overarching goals are:



Many of the strategies listed in each section overlap and will require collaboration with our stakeholders and partners who share a commitment to downtown Cle Elum, including:

Our Board of Directors
Our staff
Our four Committees, also organized around the Four Points of Main Street
Our volunteers

Our community members
The City of Cle Elum
Kittitas County Chamber of Commerce

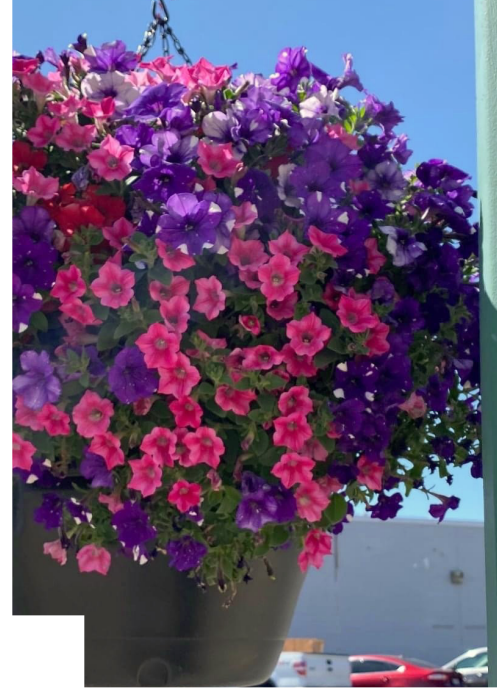


Cle Elum In Bloom planters decorate 1st Street in the Downtown corridor every spring. Planters are adopted by local individuals and businesses to help add color and vibrancy.

Design

OUR GOAL

Cultivate beautiful and engaging family-centered spaces in downtown Cle Elum.



WHERE WE LEAD

- Offer support and incentives to property owners and business owners to activate existing and new indoor and outdoor gathering spaces, including community spaces like pocket parks or private spaces like restaurants.
- Create a beautiful, colorful, and fun atmosphere in the district through seasonal décor, including holiday lighting and flower baskets.
- Connect businesses with resources and grants to improve building facades and preserve historic character.
- Enhance the visual appeal of the district by connecting property owners to muralists.
- Support a clean district by organizing regular volunteer clean-up efforts.

WHERE WE SUPPORT OUR PARTNERS

- Advocate for downtown-focused efforts at the City, including:
 - Identifying and acquiring child- and family-focused infrastructure for public spaces and parks.
 - Adding wayfinding signage to facilitate exploration of the downtown district.
 - Developing and implementing a snow and ice removal plan to support businesses and promote walkability year-round.
- Support continued City and County infrastructure improvements, including for walking, biking, and accessibility for people with mobility devices or strollers.



The Cle Elum-Roslyn School District
Band leads children in a costume
parade at our annual Boo-Elum event.

Promotion

OUR GOAL

Promote downtown Cle Elum as the central place for community families to gather and play.



WHERE WE LEAD

- Bring residents downtown by hosting and coordinating family-friendly events in collaboration with businesses and partners, especially during the shoulder season.
- Build awareness of and excitement about what the downtown district offers, including its businesses, gathering spaces, and events, through regular public communications.
- Develop and distribute informational materials to encourage community members to extend their visits in downtown Cle Elum.
- Promote a family-friendly identity for the downtown district to develop a sense of cohesion among businesses and community pride.

WHERE WE SUPPORT OUR PARTNERS

- Support businesses and community organizations that host innovative, family-friendly events and promotions that reflect current community happenings.
- Support the Kittitas County Chamber of Commerce and other partners in updating a calendar of community events and activities for businesses to coordinate around.



A volunteer at CEDA's annual
Downtown Clean-up that takes
place the last Saturday of April.

Outreach

OUR GOAL

Foster a strong organization that collaborates with partners and the community to bring opportunity to downtown Cle Elum.



WHERE WE LEAD

- Communicate about CEDA's impact and unique role in downtown Cle Elum to the public, business owners, property owners, and our partners both inside the district and beyond.
- Build a culture of family and youth engagement, volunteerism, and volunteer recognition in downtown Cle Elum, including through collaboration with other organizations seeking volunteer opportunities.
- Involve youth in the implementation of this strategic plan.
- Strengthen our committees by creating increased opportunities for inter-committee collaboration and information-sharing.
- Build capacity through meeting our funding goals, including by identifying new grants centered on family-friendly improvements to the district.
- Consider additional staffing or support to expand our capacity for partnerships.

WHERE WE SUPPORT OUR PARTNERS

- Offer guidance and support to community leaders who express interest in financially investing in improvements to the downtown district.



A family enjoys coffee and drinks at the outdoor seating at Pioneer Coffee.

Economic Vitality

OUR GOAL

Support a thriving business network in downtown Cle Elum that serves resident families.



WHERE WE LEAD

- Work with existing and new businesses to help them become more family-friendly, including creating engaging storefronts and leveraging existing opportunities to establish more gathering spaces.
- Strengthen information-sharing and relationships within the business community through regular communications, networking events, and collaborative promotions.
- Identify the types of businesses that resident families want in downtown Cle Elum, including businesses that offer year-round activities or gathering places for families.

WHERE WE SUPPORT OUR PARTNERS

- Strengthen the expertise of prospective entrepreneurs, new businesses, and existing businesses by connecting business owners to training opportunities provided through the Kittitas County Chamber of Commerce.
- Work with property owners to prioritize first floor spaces for retail and service businesses.
- Advocate to the City for downtown-focused efforts, including:
 - Carrying out City plans for downtown Cle Elum and Railroad Ave, including creating a dense downtown district along 1st Street.
 - Making ongoing code updates and improvements to traffic and parking in the downtown district and surrounding areas.
 - Adopting policies that prioritize affordability of housing, goods, and services for community members.

This strategic plan is the result of months of engagement by many groups and individuals. Thank you to our community members and leaders who participated in our survey, focus groups, and interviews! We'd also like to acknowledge the following groups and individuals whose contributions were essential to the development of this plan.

BOARD OF DIRECTORS

Eliza Stephenson
President

Katy Webb
Vice President

De Anna Haverfield
Secretary

Patricia Jerke
Treasurer

Marc Kirkpatrick
Former President

Adam Crawford

Keith Watts

Liz McAuliffe

Tessa Henrichsen

WASHINGTON TRUST FOR HISTORIC PRESERVATION

Breanne Durham
Washington Main Street
Director

Lydia Felty
Resources Coordinator

Luke Hallowell
Economic Vitality Specialist

STRATEGIC PLANNING STEERING COMMITTEE

Eliza Stephenson
Board President

Marc Kirkpatrick
Former President

Jordan Peterson
Executive Director

Audrey Malek
Owner of Basecamp Outfitters

Danielle Bricker
Owner of Black Sheep
Home Goods

De Anna Haverfield
Board Secretary; Owner of
Pioneer Coffee

Gary Berndt
Kittitas County Commissioner

Matthew Lundh
City of Cle Elum Councilmember

CONSULTING SUPPORT

Allegra Calder, Strategic Advisor

Julia Tesch, Project Manager

Maddie Immel, Lead Analyst

Back Cover

Top left: Bikers visiting CEDA's summer Cle Elum Public Market.

Top right: Customers posing for Plaid Friday, CEDA's alternative to Black Friday that celebrates and supports small, independent businesses.

Center right: Three-on-three basketball at Pioneer Days 2023.

Bottom right: The Orchard restaurant prepares for Boo-Elum.

Bottom left: Owens Meats decked out for Christmas in Cle Elum.



CLE ELUM DOWNTOWN ASSOCIATION
cleelumdowntown.com



Chapter 17.90**SIDEWALK SALES AND SERVICE OF FOOD AND BEVERAGE MOBILE VENDORS, AND STREET BEAUTIFICATION**

Commented [CM1]: Should this be removed for zoning code and incorporated into Title 12, Street, Sidewalks and Public Places

Commented [CM2R1]: If Title 12, possibly 12.18

Sections:

- 17.90.010 Purpose.**
- 17.90.020 Sidewalk use regulations.**
- 17.90.025 Mobile Vendor Regulations**
- 17.90.030 Permit approvals.**
- 17.90.040 Validity.**
- 17.90.045 Snow Removal Compliance**
- 17.90.050 Enforcement.**

17.90.010 Purpose.

The City of Cle Elum is committed to fostering local economic growth and community vitality by encouraging the safe and intentional use of public sidewalks and adjacent parking strips within commercial zones for outdoor merchandise sales and food and beverage service. To ensure these activities align with city standards and maintain public safety, any use of sidewalks or the erection of structures, plants/planters, or other items within public rights-of-way in commercial or industrial zones requires a sidewalk use permit, issued in addition to any applicable business license. The city of Cle Elum supports local economic development and vitality and promotes the safe and reasonable use of sidewalks and abutting parking strip areas in commercial zones for the sales of merchandise and the service of food and beverages pursuant to obtaining a sidewalk use permit.

(Ord. 1558 § 1, 2019)

17.90.020 Sidewalk use regulations.

The display of any objects, including but not limited to plants, planters, merchandise, or other decorative items, and sSales of merchandise and service of food and beverages on sidewalks or parking strips, by current abutting business owners or by an approved ~~food-cart~~mobile vendor (with signed approval from the abutting property owner), both with valid city business licenses shall be reviewed pursuant to the criteria below. Abutting business owners and ~~mobile vendor~~food-cart operators are hereafter collectively referred to as “merchants.”

A. Sidewalk sales authorized under a sidewalk use permit shall only be permitted to display merchandise for sale during the business hours of operation for the owner of the adjacent business. The city shall authorize business hours within the permit;

B. There is left a free, unobstructed and adequate area for passage of the public that is a minimum of ~~five~~ linear feet;

C. The city may limit the size and number of tables and chairs used for sidewalk sales and services;

D. Service of alcohol shall require the following or as authorized by the Washington State Liquor and Cannabis Control Board regulations (“LCCB”):

1. An approved and current license issued by the LCCB;

2. If alcohol is served, a barrier no less than forty-two inches in height is required. The barrier must be a physical structure that bars movement between two areas. ~~and must be movable. The barrier cannot be affixed to the sidewalk surface;~~ The barrier may be either permanent or movable;

a. Permanent Barrier Option: If a permanent barrier is installed, it must comply with applicable accessibility standards and be securely affixed to the sidewalk surface without creating tripping hazards or obstructing sidewalk drainage.

b. Movable Barrier Option: If a movable barrier is used, it cannot be affixed to the sidewalk surface and must be sturdy enough to withstand incidental contact while being easily removable for emergency access or seasonal changes."

Commented [CM3]: WSDOT standards require a minimum of 4 ft.

Commented [CM4]: For discussion. Is there a benefit to requiring or allowing permanent barriers?

3. All tables, chairs, and barriers must be visible directly from the interior of the business;

E. All objects placed on the sidewalk must be windfirm and approved by the city planner, fire chief, city engineer or their designee;

F. Merchants may not allow fire pits, open flames, electrical cords or other obstructions to be placed across the sidewalk;

G. All permanent and temporary or moveable sidewalk objects and barriers must be off of the sidewalk during the winter months defined as November 1st through April 1st;

H. The merchant/business owner shall be responsible for removing all trash, garbage, refuse, debris, or any other objects upon the public sidewalk. Any person, firm, or corporation who violates this section may be subject to enforcement pursuant to CEMC Chapter 8.60, Code Enforcement;

I. The merchant makes adequate provision for safeguarding the public against injury to person and damage to property;

J. The merchant agrees in writing on a form provided by the city, to indemnify and holdsave the city harmless from all claims, suits and liabilities arising in any way out of such use of the sidewalks and/or parking strips;

K. The merchant shall provide proof of insurance with limits and requirements as set forth in the current sidewalk use permit application;

~~L. A food truck (as defined in CEMC Chapter 17.08) shall be permitted to park in a safe location adjacent to a public sidewalk or entirely within private or public property and serve customers from the food truck directly onto a public sidewalk, as permitted by the city with an approved sidewalk use permit. Food trucks may request a sidewalk use permit to cover multiple locations, at the discretion of the city planner. Food trucks shall not serve customers directly into a street or road, unless granted specific permission to do so within the sidewalk use permit, such as for special events or neighborhood festivals.~~

~~1. Awnings extending from food trucks shall be easily retractable or removable to adjust for high winds and prevent injury or damage to property.~~

Commented [CM5]: For discussion. Would the commission like to remove this provision or amend the allowable timeframe?

(Ord. 1558 § 1, 2019)

17.90.025 Mobile Vendor Regulations

- A. No mobile vendor license shall grant the privilege to operate a mobile vending business unless the vehicle or conveyance is parked and operated in full compliance with city traffic and sidewalk ordinances, as now in effect or as may be amended. It is a violation of this chapter for any person selling or offering for sale any item to obstruct or cause to be obstructed the passage of any sidewalk, street, avenue, alley, or any other public space by causing people to congregate at or near the location where items are being sold or offered for sale.
- B. No merchandise may be displayed, offered, or sold, nor customers served, in any vehicle travel lane.
- C. Mobile vendors shall not ~~sell or vend wares~~ operate from their vehicle or conveyance:
1. Within three hundred feet of any public or private school grounds during regular school hours, classes, or school-related events, unless authorized by the school;
 2. ~~at the same time~~ Within one hundred feet of any restaurant, café, or eating establishment that is open if the mobile vendor is selling food items unless the applicant has obtained a signed agreement from the establishment permitting this proximity;
 3. In that portion of the public right-of-way abutting private property without the property owner's permission;
 4. Within any public park or public space unless a special event permit has been obtained;
 5. The number of mobile vendors, not on private property, shall be limited to two per one linear block frontage, provided that one-hundred-foot distance restrictions are met, unless a city-approved special event permit site plan authorizes an exception.
- E. A mobile vendor may park in a safe location adjacent to a public sidewalk or entirely within private or public property and serve customers directly onto a public sidewalk if granted an approved sidewalk use permit by the city. Mobile vendors may request a sidewalk use permit covering multiple locations at the discretion of the city planner. Mobile vendors are prohibited from serving customers directly into a street or road, except when specifically permitted within the sidewalk use permit, such as for special events or neighborhood festivals.
- F. Awnings extending from mobile vendors must be easily retractable or removable to adjust for high winds and prevent injury or property damage.
- G. Mobile vendors are limited to operating in commercial zoning districts identified in CEMC 17.XX, Table XXX, and Mobile vendors on private property shall be required to obtain Site Design Review or provide evidence that the site has been previously approved for mobile vendor use.

Commented [CM6]: Make sure this is incorporated into the application process w/ a business owner signature.

Commented [CM7]: Place holder for future table of permitted uses.

17.90.030 Permit approvals.

A. The city planner or their designee is authorized to issue sidewalk use permits for the purpose of allowing the use of city sidewalk areas for the display of objects, including but not limited to plants, planters, merchandise, or other decorative items, and sales of merchandise and the service of food and beverage, including alcoholic beverages when authorized by applicable state liquor laws, as an extension of a permittee's adjacent business fronting directly upon the sidewalk.

B. A permit application (and associated fee pursuant to the city fee schedule) shall be submitted and approved under such terms for the public safety and convenience as the city shall prescribe, including:

1. Description of the objects, types of goods and/or services proposed;
2. Operating days and hours of the sidewalk use;
3. A site plan of the sidewalk area between the building and curb, describing the following:
 - a. Doorway and window locations of the building;
 - b. All permanent and temporary or movable sidewalk objects (e.g., city or private flower planters, street tree wells, umbrellas or awnings, street signs, bike racks, trash receptacles, street-lights, A-frame signs, etc.);
 - c. Description of method by which all objects will be made windfirm;
 - d. Proposed seating area – number and location of all proposed tables and chairs;
 - e. Width of sidewalk in feet (from building to curb);
 - f. Distance in feet between sidewalk objects and barrier or seating area, including depiction of five-foot minimum unobstructed passage;
 - g. Distance in feet between each table, chair, barrier and the adjacent building and curb;

Commented [CM8]: Discussion for amending to WSDOT standards, 4'?

- h. Locations of adjacent driveways, alleys, and/or curb ramps;
 - i. If required for alcohol service, the location of the required barrier;
 - 4. Signed indemnification statement on the form provided for by the city; and
 - 5. Certificate of liability insurance with limits and requirements as set forth in the sidewalk use permit [application](#).
- C. The city planner, [Fire Chief](#), or their designee have the authority to inspect the sidewalk use at any time and may immediately revoke a sidewalk use permit upon finding a violation of this chapter.
- D. Sidewalk use permittees shall be authorized to use the sidewalk under the terms of a valid permit between [six a.m. and ten p.m. seven days a week](#).

(Ord. 1558 § 1, 2019)

Commented [CM9]: For discussion.

Commented [CM10R9]: Keep.

17.90.040 Validity.

Permit approvals shall generally be valid for a period of one calendar year beginning in January each year. Where information upon the original application remains the same, or updates or amendments to the application do not substantially change the permitted use, the permit will remain valid. However, the permit shall require a formal review should the permitted use change, as directed by the city planner. [Permits are tied to the business license and are not transferable.](#)

(Ord. 1558 § 1, 2019)

17.90.045 Snow Removal Compliance

All permit holders are responsible for ensuring that sidewalks adjacent to their permitted outdoor areas are kept clear of snow and ice in compliance with Chapter 12.14 of the Cle Elum Municipal Code. Snow removal efforts must not interfere with pedestrian access and shall be maintained to prevent hazards during the winter season. Noncompliance may result in revocation of the permit tied to the business license, as permits are non-transferable and subject to annual renewal requirements.

17.90.050 Enforcement.

Permit requirements shall be enforced by the code enforcement officer, per CEMC Chapter [8.60](#).

(Ord. 1558 § 1, 2019)

The Cle Elum Municipal Code is current through Ordinance 1680, passed September 10, 2024.

Disclaimer: The city clerk's office has the official version of the Cle Elum Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited here.

[City Website: cityofcleelum.com](http://cityofcleelum.com)

[City Telephone: \(509\) 674-2262](tel:(509)674-2262)

[Hosted by General Code.](#)

The Cle Elum Municipal Code is current through Ordinance 1680, passed September 10, 2024.