



**AGENDA
PLANNING COMMISSION
REGULAR MEETING and
PUBLIC WORKSHOP
January 26, 2023 5:00 PM**

**COMMISSION ATTENDANCE IN PERSON
PUBLIC MAY ATTEND IN PERSON OR
REMOTELY VIA ZOOM**

Join Zoom Meeting

<https://us06web.zoom.us/j/82417848671?pwd=cjZmbFR0N2Y1RXJDdGIPY1FhNVIDZz09>

Meeting ID: 824 1784 8671

Passcode: 441905

Find your local number: <https://us06web.zoom.us/j/82417848671>

WRITTEN PUBLIC COMMENTS

If you wish to provide written public comments for the Planning Commission meeting, please email your comments to erodriguez@medical-lake.org by 3:00 p.m. the day of the commission meeting and include all the following information with your comments:

1. The Meeting Date
2. Your First and Last Name
3. If you are a Medical Lake resident
4. The Agenda Item(s) which you are speaking about

*Note – If providing written comments, the comments received will be acknowledged during the public meeting, but not read. All written comments received by 3:00 p.m. will be provided to the Planning Commission in advance of the meeting.

Questions or Need Assistance? Please contact City Hall at 509-565-5000



1) CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

- a) Approval of or Additions to Agenda
- b) Excused Absences

2) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

3) APPROVAL OF MINUTES

- a) December 15, 2022, Meeting minutes

4) STAFF REPORTS

5) SCHEDULED ITEMS

- a) Planning Commission Rules of Procedure

6) PUBLIC WORKSHOP – Continued from December 15, 2022, meeting

- a) Application LU 2022-004 TA, Proposal to amend MLMC Section 7.42.020 to allow shipping containers under certain circumstances

7) COMMISSION MEMBERS' COMMENTS OR CONCERNS

8) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

9) CONCLUSION



CITY OF MEDICAL LAKE
COMMISSION MEMBER EXCUSED ABSENCE
REQUEST FORM

Commission member: Mark Hudson

Meeting type: Planning Commission Meeting Date: 1/26/23

Reason for absence:

- City Business
- Military Orders
- Ill or injured
- Employer Business
- Vacation

Other (Please describe) Helping aged parents move into
assisted living in Hillsboro, OR

Date Requested: 1/19/23

- By phone
- By e-mail
- In person

Approved by Commission motion on: _____

Denied by Commission motion on: _____

City of Medical Lake
124 S. Lefevre Street – City Council Chambers
Planning Commission Meeting and Public Workshop
December 15, 2022, Minutes

NOTE: This is not a verbatim transcript. Minutes contain only a summary of the discussion. A recording of the meeting is on file and available from City Hall.

1) CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

- a) Commissioner Hudson called the meeting to order at 5:02 pm, led the Pledge of Allegiance, and conducted roll call. All present.

2) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- a) Tammy Roberson 424 W Brooks – Ms. Roberson shared concerns about policies and procedures of the Planning Commission and Robert’s Rules of Order and concerns regarding CAO.
 - i) Requested additional time to speak. Motion to allow additional three to six minutes of speaking time made by commissioner Jorgenson, seconded by commissioner Mayulianos, motion carried 3-2 with commissioner Mark voting nay and commissioner Munson abstaining. Continued commentary.
 - ii) Motion for additional three minutes made by commissioner Mayulianos, seconded by commissioner Munson, motion carried 3-2, with commissioners Hudson and Mark voting nay. See attached detailed commentary provided by Ms. Roberson.
- b) Scott Holbrook 424 W Brooks – shared that today is Bill of Rights Day and gave commentary on setbacks, buffers, and wetland areas.

3) APPROVAL OF MINUTES

- a) **November 17, 2022, Regular Meeting and Public Hearing**
 - i) Commissioner Mayulianos suggested making a correction to Section 2 a) i) to state “motion carried 3-0-2 with commissioners Mark and Munson abstaining”. After further discussion, it was decided to change the wording to “motion carried 3-2 with commissioners Mark and Munson abstaining”. Per legal counsel, this will allow the format of minutes to be consistent to those from City Council meetings. Motion to make correction was made by commissioner Mark, seconded by commissioner Mayulianos, motion carried 5-0.
 - ii) Commissioner Mayulianos suggested changing the wording in section 8 c) to “neutral wetlands specialist”. Motion to change wording made by commissioner Mayulianos, seconded by commissioner Munson, carried 5-0.
 - iii) Motion to approve minutes as amended made by commissioner Mayulianos, seconded by commissioner Munson, motion carried 5-0.

4) STAFF REPORTS

- a) Elisa Rodriguez, City Planner
 - i) Mrs. Rodriguez thanked the commissioners for their work on meeting procedures. Shared that she will be out of the office until January 3, 2023. Introduced Sonny Weathers, new City Administrator.
 - ii) Mr. Weathers thanked the commission for their critical work and shared a little about himself.

5) SCHEDULED ITEMS

- a) Critical Areas Ordinance
 - i) Commissioner Munson suggested that they go through Ms. Roberson’s handout titled CAO Summary Handout. Commissioner Hudson suggested they go through the form using the CAO section numbers. Commissioner Munson asked Mrs. Rodriguez for her input. Mrs. Rodriguez shared that she has responded to these prior and it is up to the commission to determine whether to make the suggested changes. Mrs. Rodriguez shared that she reviewed the file on the Stanley St. Apartments project and that she understands that many of the citizen concerns are regarding the desire to prevent that from ever happening again.
 - ii) Proposed change #1 re: section 17.10.020 (H) – Commissioner Mayulianos made a motion to add language “the planning official must provide a single report that meets the requirements laid out in 17.10.020 H”. After additional discussion, commissioner Mayulianos withdrew her motion.

- iii) Proposed change #2 re: section 17.10.030 (B) – Mrs. Rodriguez addressed and after further discussion amongst the commission, no motions were made to make the change to the CAO draft.
- iv) Proposed change #4 re: section 17.10.040 (A) (15) – commissioner Munson shared his commentary and asked for Mrs. Rodriguez’s opinion. Mrs. Rodriguez shared input and after further discussion amongst the commission, no motions were made to make the change to the CAO draft.
- v) Proposed change #5 re: section 17.10.050(E) – motion to remove the words “or less” made by commissioner Mayulianos, seconded by commissioner Jorgenson. After further discussion, commissioner Mayulianos withdrew her motion.
- vi) Proposed change #6 re: section 17.10.050 (F) (1) – Commissioner Mayulianos asked Ms. Roberson for clarification. Mrs. Rodriguez also gave an explanation.
 - (1) Motion by commissioner Mark to modify section 17.10.050 to add a new subsection (f) which would state “surface and subsurface hydrological conditions unless hydrological conditions are irrelevant to the subject critical area”, seconded by commissioner Mayulianos, motion carried 5-0.
- vii) Proposed change #7 re: section 17.10.090 (F) (1) (a) – Mrs. Rodriguez made a statement regarding the commentary and offered clarification to Ms. Roberson’s concerns. Commissioner Mayulianos made a motion to remove the entire paragraph on the bottom of page 19 of the CAO draft, section 17.10.090 (F) (1) (a) (i), seconded by commissioner Jorgenson and additional discussion was had. Motion failed to carry (2-3) with commissioners Hudson, Munson, and Mark voting nay.
- viii) Proposed change #8 re: section 17.10.090 (f) (2) - proposed to add subsection (j) which would add language to include an additional 15-foot buffer. Commissioner Munson asked Mrs. Rodriguez to elaborate on setback vs buffer. Mrs. Rodriguez gave an explanation and her thoughts. Further discussion was held.
 - (1) Commissioner Mayulianos motioned to add to paragraph 17.10.090 (f) (2) subsection (j) which would state “Buffer Setback. A minimum building setback of fifteen (15) feet is required from the edge of a wetland buffer. The City Planner may allow intrusions into this setback on a case-by-case basis if it can be demonstrated by clear and convincing evidence that impacts will be satisfactorily mitigated. This building setback from the buffer shall be identified on the site plan.” Seconded by commissioner Jorgenson, and additional discussion held. Motion failed to carry (2-3) with commissioners Mark, Hudson, and Munson voting nay.
- ix) Proposed change #9 re: section 17.10.110 – Mrs. Rodriguez clarified request from Ms. Roberson. Commissioner Mayulianos motioned to add subsection (H) to section 17.10.020 – General Provisions which would read “*Exceptions*. Where the applicant seeks an exception to any requirement imposed by this code or believes said requirement denies all reasonable economic use of the subject property, justification in support of an exception must be clear and convincing. Grant of an exception, on the other hand, must not be unreasonably withheld.” Seconded by commissioner Munson, motion carried 5-0.
- x) Motion to approve and send the CAO draft, staff report, and all exhibits to City Council with the request for council to examine section 17.10.040 (A) (15) regarding ability to appeal made by commissioner Mark, seconded by commissioner Mayulianos, motion carried 5-0.
 - (1) Point of order by commissioner Hudson clarifying that the CAO draft will go to council with suggested amendments made tonight.

6) PUBLIC WORKSHOP

- a) Application LU 2022-004 TA, Proposal to amend MLMC Section 7.42.020 to allow shipping containers under certain circumstances
 - i) Mrs. Rodriguez started presentation on the requested amendment. Explained that she is not presenting the application but rather opening discussion and clarification. Commissioner Mark requested that Mrs. Rodriguez not go through the presentation due to the late hour. Mrs. Rodriguez agreed and asked petitioner Larry Stoker to say a few words.
 - ii) Mr. Stoker explained his situation and shared his reasons for proposal. Discussion was held.
 - iii) Discussion will continue at next meeting

7) COMMISSION MEMBERS’ COMMENTS OR CONCERNS

- a) Commissioner Mayulianos requested to add the changes of procedure to the next agenda

8) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- a) Tammy Roberson – shared her disappointment and frustration about the CAO decisions made tonight in particular commissioner Munson’s previous suggestions that she felt he later voted against.

9) **CONCLUSION**

- a) Commissioner Hudson motioned to conclude the meeting, seconded by commissioner Mark, carried 5-0 and meeting concluded at 7:39 pm.

Date: _____

Roxanne Wright, Administrative Assistant

DRAFT



CITY OF MEDICAL LAKE PLANNING COMMISSION

RULES OF PROCEDURE

Adopted by Resolution 499
November 17, 2015

Planning Commission Rules of Procedure

1. General Rules

- 1.1 Meetings to be Public:** All official meetings of the Commission shall be open to the public. The journal of proceedings shall be open to public inspection.
- 1.2 Quorum:** A majority of the appointed membership of the Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of those present when those present constitute a quorum, at any regular or special meeting of the Commission, shall be deemed and taken as the action of the Commission.
- 1.3 Attendance, Excused Absences:**
Members of the Commission may be so excused by complying with this section. The member shall contact the City Administrator, Planning Director or another serving Commissioner prior to the meeting and state the reason for his/her inability to attend the meeting. The contacted individual shall convey the message to the Chair. The Chair shall inform the Commission of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the members. For good cause, the Commission may excuse the absent member upon passage of such motion by a majority of Commission present, the absent member shall be considered excused and the Recorder will make an appropriate notation in the minutes. If the motion is not passed, the Recorder will note in the minutes that the absence is unexcused.
- 1.4 Journal of Proceedings:** A journal of all proceedings of the Commission shall be kept by the staff and shall be entered into an appropriate medium constituting the official record of the Commission.
- 1.5 Right of Floor:** Any member desiring to speak shall be recognized by the Chair and shall confine his/her remarks to one subject under consideration or to be considered.
- 1.6 Rules of Order:** Robert's Rules of Order Newly Revised shall be the guideline for the proceedings of the Commission. If there is a conflict, these rules shall apply.

2. Types of Meetings

- 2.1 Commission Meetings:** The Commission shall meet as needed on the final Thursday of each month at 5:00 p.m., additional meetings may also be scheduled when necessary. The Commission may reschedule meetings to a different date or time by motion. The location of the meetings shall be the Council Chambers at City Hall, unless specified otherwise by a majority vote of the Commission. All meetings shall be public.
- 2.2 Attendance of Media at Commission Meetings:** All official meetings of the Commission shall be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.
- 2.3 Meeting Cancellation:** The City may cancel a regularly scheduled Commission meeting provided that Commission meets at least once per month for not less than nine months in each year, as provided by RCW 35.63.040.

3. Chair and Duties

- 3.1 Chair:** A Chair shall be elected by a majority of Commissioners and shall preside as Chair at all meetings of the Commission. A Vice-Chair shall also be elected by a majority of Commissioners and shall preside in the absence of the Chair. In the absence of both the Chair and Vice-Chair, the Planning Director or designee shall preside.
- 3.2 Call to Order:** The meetings of the Commission shall be called to order by the Chair or, in his absence, by the Vice-Chair. In the absence of both the Chair and Vice-Chair, the meeting shall be called to order by the Planning Director or designee for the election of a temporary Chair.
- 3.3 Preservation of Order:** The Chair shall preserve order and decorum; prevent attacks on personalities or the impugning of members' motives, and confine members in debate to the question under discussion.
- 3.4 Points of Order:** The Chair shall determine all points of order, subject to the right of any member to appeal to the Commission. If any appeal is taken, the question shall be "Shall the decision of the Chair be sustained?"
- 3.5 Questions to be Stated:** The Chair shall state all questions submitted for a vote and announce the result.

4. Orders of Business and Agenda

- 4.1 Order of Business:** The order of business for all regular meetings shall be transacted as follows unless the Commission, by a majority vote of the members present, suspends the rules and changes the order:
1. Call to Order, Pledge of Allegiance and Roll Call
 - A. Additions to the Agenda
 - B. Excused Absences
 2. Interested Citizen Comments Approval of Minutes (7/28/22)
 3. Approval of Minutes Interested Citizen Comments (7/28/22)
 4. Scheduled Items
 5. Commission Members Comments or Concerns
 6. Interested Citizen Comments (5/26/22)
 7. Adjournment
- 4.2 Commission Agenda:** Staff shall prepare the agenda for Commission meetings. Subject to the Commission's right to amend the agenda, no legislative item shall be voted upon which is not on the Commission agenda.
- 4.3 Commission Members Comments and Concerns:** The agenda shall provide a time when any Commissioner ("Commissioner Comments") may bring before the Commission any business that he/she feels should be deliberated upon by the Commission. These matters need not be specifically listed on the agenda, but formal action on such matters may be deferred until a subsequent Commission meeting, except that immediate action may be taken upon a vote of a majority of all members of the Commission. There shall be no lectures, speeches, or grandstanding.

5. Consensus and Motions

- 5.1 Consensus Votes:** When a formal motion is not required on a Commission action or opinion, a consensus voice vote will be taken. The Chair will state the action or opinion and each Commissioner will vote by saying “aye” or “nay”
- 5.2 Motions:** No motion shall be entertained or debated until duly seconded and announced by the Chair. The motion shall be recorded and, if desired by any Commissioner, the Recorder shall read it before it is debated and, by the consent of the Commission, may be withdrawn at any time before action is taken on the motion.
- 5.3 Votes on Motions:** Unless abstaining, each member present shall vote on all questions put to the Commission except on matters in which he/she has been disqualified for a conflict of interest or under the appearance of fairness doctrine. Such member shall disqualify himself/herself prior to any discussion of the matter. When disqualification of a member or members results or would result in the inability of the Commission at a subsequent meeting to act on a matter on which it is required by law to take action, any member who was absent or who had been disqualified under the appearance of fairness doctrine may subsequently participate, provided such member first shall have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.
- 5.4 Motions to Reconsider:** ~~A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding meeting.~~ A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same meeting unless the Planning Commission is in session and then the motion can be made on the next succeeding day within the session on which a business meeting is held. (11/17/22)

6. Public Hearing Procedures

- 6.1 Speaker Sign-In:** Prior to the start of a public hearing, the Chair may request that all persons wishing to be heard sign in, giving their name and whether they wish to speak as a proponent, opponent, or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. The Chair, subject to the concurrence of a majority of the Commission, may establish time limits and otherwise control presentations. (Suggested time limit is three minutes per speaker or five minutes when presenting the official position of an organization or group.) The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, etc.).
- 6.2 Conflict of Interest/Appearance of Fairness:** Prior to the start of a public hearing, any Commission member who has a conflict of interest, or an Appearance of Fairness Doctrine concern, which could prohibit the Commission member from participating in the public hearing process shall step down. The Commission member who has stepped down shall not participate in the Commission decision nor vote on the matter. Nothing herein shall be interpreted to prohibit a Commission member from stepping down in order to participate in a hearing in which the Commission member has a direct financial or other personal interest.
- 6.3 The Public Hearing Process:** The Chair introduces the agenda item, opens the public hearing, and announces the following Rules of Order:
- (1) All comments by proponents, opponents, or other members of the public shall be made from the podium; any individuals making comments shall first give their name and address.

- (2) No comments shall be made from any other location. Anyone making “out of order” comments shall be subject to removal from the meeting.
- (3) There will be no demonstrations during or at the conclusion of anyone’s presentation.
- (4) These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right of free speech.
 - * The Chair calls upon city staff to describe the matter under consideration.
 - * The Chair calls upon proponents, opponents, and all other individuals who wish to speak regarding the matter under consideration.
 - * The Chair inquires as to whether any Commission member has questions to ask the proponents, opponents, speakers, or staff. If any Commission member has questions, the appropriate individual will be recalled to the podium.
 - * The Chair continues the public hearing to a time specific or closes the public hearing.

7. Duties and Privileges of Citizens

7.1 Meeting Participation: Citizens are welcome at all Commission meetings and are encouraged to attend and participate prior to the deliberations of the Commission. Recognition of a speaker by the Chair is a prerequisite and necessary for an orderly and effective meeting, be the speaker a citizen, Commission member, or staff member. Further, it will be expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the specific subject under consideration. Anyone making out-of-order comments or acting in an unruly manner shall be subject to removal from the meeting.

7.2 Under agenda item “Public Comments” citizens may address any City item they wish to discuss with the Commission. They shall first obtain recognition by the Chair, state their name, address, and subject of their comments. The Chair shall then allow the comments, subject to a three (3) minute limitation per speaker or other limitations as the Chair or Commission may deem necessary. Following such comments, if action is required or has been requested, the Chair may place the matter on the current agenda or a future agenda or refer the matter to staff or City Council for action or investigation and report at a future meeting.

Manner of Addressing the Commission – Time Limit: Each person addressing the Commission shall step up to the podium, give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the Commission, shall limit his/her remarks to three (3) minutes. Agenda item “Public Comments” shall be limited to a total of thirty (30) minutes unless additional time or less time is agreed upon by the Commission (dependent upon the length of the Commission agenda). All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Chair, members of the Commission, and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Commission. No questions shall be asked of the Commission members or staff except through the Chair. The Commission will then determine the disposition of the issue (information only, place on present agenda, workshop, a future agenda, assign to staff, assign to Council, or do not consider).

- 7.3 Personal and Slanderous Remarks:** Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Commission may be requested to leave the meeting and may be barred from further audience before the Commission during that Commission meeting by the Chair or Presiding Officer.
- 7.4 “Out of Order” Comments:** Any person whose comments have been ruled out of order by the Chair shall immediately cease and refrain from further improper comments. The refusal of an individual to desist from inappropriate, slanderous, or otherwise disruptive remarks after being ruled out of order by the Chair may subject the individual to removal from the meeting.
- 7.5 Written Communications:** Interested parties, or their authorized representatives, may address the Commission by written communication in regard to any matter concerning the city’s business or over which the Commission had control at any time. The written communication may be submitted by direct mail, electronic mail or by addressing the communication to the staff who will distribute copies to the Commission members. The communication will be entered into the record without the necessity for reading as long as sufficient copies are distributed to members of the Commission.

These rules are intended to promote an orderly system of holding a public meeting and to give every person an opportunity to be heard.

8. Suspension and Amendment of These Rules

- 8.1 Suspension of These Rules:** Any provision of these rules not governed by the city code may be temporarily suspended by a vote of a majority of the Commission.

Amendment of These Rules: These rules may be amended or new rules adopted by a majority vote of all members of the Commission, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Commission meeting.

**Public Participation:
Tips for Talking with the Commission**

Public Comments

The following guidelines are intended to promote an orderly system of holding a public meeting and to give every person an opportunity to be heard.

- The Planning Commission welcomes participation in all public meetings. Arrangements for a sign language interpreter, hearing assistance, and other assistance can be made by calling the City at (360) 835-8501.
- When you feel strongly about a public issue or local concern, the Commission encourages you to share your information and thoughts with them. If you are unable to attend a meeting or would rather not give testimony at the meeting, you are encouraged to send/fax a letter or e-mail that would be made a part of the official record. Mail your letter to the Planning Commission c/o Community Development Director at 1701 C Street Washougal, WA 98671. The fax number is (360) 835-8808. E-mails may be sent to mitch.kneipp@cityofwashougal.gov
- To speak during the Commission meeting under Public Comments you should sign up in advance. You will be asked to speak from the podium and to state your name, address, and topic for the record. You may speak on any City item and/or concern not scheduled for a public hearing.
- If you want to speak on the topic at a public hearing scheduled for that evening, you must comment during the public hearing portion of the meeting.
- When you speak with the Commission, step up to the podium and identify yourself by stating your name, address, and topic. Be sure to speak into the microphone clearly and address your comments to the Chair.
- During the Public Comment portion of the Commission meeting, your individual comments are limited to three minutes and the total time for all public comments is limited to 30 minutes. These are guidelines to help Commission members hear as many different viewpoints as possible in the limited time available. If you are speaking for a group, you must tell the Commission how the group developed the position you are presenting.
- If previous speakers have already made the comments you wish to make, feel free simply to identify yourself and indicate your agreement with what has already been said.

**Suggested Presentation Model for
Precise, Well Organized Proposals**

- Point.** What is the idea you wish to present? Begin with an “I statement” outlining your idea, such as, “I am here to (support/oppose)...”
- Reason.** Why you are making this point. This is an important step so the listener does not make assumptions about your motives.
- Example.** Brief and relevant example to clarify and make your point concrete.
- Summary.** What condition will be changed or improved if your point is adopted?
- Action.** (If appropriate, depending on the situation.) What needs to be done and who will do it.

Public Hearings

A public hearing offers you a formal opportunity to give your views to the Commission on the subject of the hearing.

- To give testimony, step up to the podium and identify yourself by stating your name and address for the record. When you talk to the Commission during a public hearing, Commission members, staff, and the audience will remain silent. After the last person has spoken, the hearing will be closed. The Commission will then discuss and will often make a decision on the issue.
- The audience may not comment during the Commission's deliberations unless a Commission member requests more information from a citizen.
- Again, you are also encouraged to submit your written communications on the subject to the Planning Commission care of the Community Development Director before the meeting so they can be included in the record and distributed to the Commission.

From Monark Self Storage

The modification to section 17.42.020 is patterned after the recent change made by Cheney City to their code which is included allowing use of shipping containers in Commercial zones.

We have sponsored this requested amendment to help Medical Lake businesses succeed and reflect today's changing economic conditions for our business and to benefit our customers. Since 2019 the costs on new buildings and materials has skyrocketed. Lumber up 300%, metal up 300%, Fuel & shipping up 250%. Allowing newer shipping containers for commercial storage purposes help us and small businesses in Medical Lake obtain strong, quality storage units at under half of the cost of new construction. We will be able to pass on lower rent costs to our customers.

The amendment will let Monark place new shipping containers in our 55 ft wide rear driveways which were originally designed for RV storage but are now used for enclosed storage only. The 8 ft wide shipping containers are narrow enough to fit in those rear driveways to provide lower cost, quality storage space, Thus helping us to provide more economical storage options for customers. All units are new and will be appropriated approved thru building permit and appropriately screen from view to SR 902 by tall buildings and commercial fence.

Sincerely,
Larry Stoker
Owner Monark Self Storage

New code for Cheney, Wa Chapter 21.48 – General Use Provisions

Section 13. Amendment. Section 21.48.070 entitled “Shipping containers as storage buildings prohibited” is hereby amended to read as follows:

A. It is the intent of the city council of the City of Cheney to limit, except in strictly regulated circumstances, the placement and use of any shipping container as an accessory building, storage building or living unit within the city limits, except in the C-2 and I-L zones. This action is taken to protect the public health and safety and the aesthetic quality of the City of Cheney.

1. Shipping containers are permitted to be placed within the C-2 or I-L zones, provided that the containers are no more than 40 feet in length, maintained and in good shape (i.e., painted, not rusted out), and are located in the rear/back of property and cannot be visually seen from the public ROW. Containers may be placed as authorized by the Planning Official.

B. No person shall place or cause to be placed or use or permit the use of any shipping container as an accessory building, storage building or living unit within the city limits of the City of Cheney; provided that licensed and bonded contractors may utilize shipping containers for temporary housing of equipment and/or materials during construction as authorized by a city building permit.

C. Portable Shipping "Pods" (portable moving containers for local or long-distance moves) for the temporary purpose of storing personal belongings, may be permitted in a driveway (outside the public right-of-way) of the residence relocating, for up to 21 days to facilitate a move. No other shipping containers are permitted in residential zones.

Brett Lucas Code being modified due to high cost of construction and need for business to have industrial storage. Cheney in the process for revising code already presented twice to city council. Final approval scheduled for October 11. Implementation November, 2022.

Senior Planner – Planning & Economic Development
City of Cheney
112 Anderson Rd, Cheney, WA 99004
Phone – 509-498-9221
Fax – 509-498-9249
Email – blucas@cityofcheney.org

Response to 17.56.100 - Criteria for evaluation of plan amendments.

The justification for the proposed amendment to Section 17.42.030 entitled Shipping Containers as storage buildings.

(1) The amendment is necessary to resolve inconsistencies between the comprehensive plan and implementing ordinances, or inconsistencies between the plan or ordinances and local, state or federal mandates.

The amendment is not intended to resolve any inconsistencies between local, state or federal ordinances.

(2) The amendment of the plan and/or the development regulations will further the implementation of the comprehensive plan and resolve inconsistency between the two in a manner that will not adversely impact the general public health, safety, and/or welfare.

This amendment allows Medical Lake to cooperate with local private business and support changing economic conditions ie: skyrocketing (building materials, fuel and transportation) affecting small businesses like Monark Self Storage. It allows use of new shipping containers properly shielded from view of SR-902 that provides lower cost storage in the C-2 Commercial zone adjacent to SR-902. While requiring appropriate visually shielding from SR-902 by buildings or fence to meet beautification enhancement goals along SR 902

This is an opportunity to cooperate with private development interests. By being responsive to the current business climate Medical Lake is encouraging existing and new business to succeed in the commercial corridor. Business that can provide affordable services to the community. The nearby city of Cheney is adopting a similar ordinance change about shipping containers. This amendment is patterned after the one recently adopted by the Cheney City Council.

(3) Conditions have changed so much since the adoption of the comprehensive plan on factors such as, but not limited to population, employment, housing, transportation, capital facilities, or economic conditions that the existing goals, policies, objectives and/or map classifications of the comprehensive plan or development regulations are inappropriate.

Since 2019 the costs on new buildings and materials has skyrocketed. Lumber up 400%, metal up 250% Fuel & shipping up 250%. Allowing newer shipping containers for commercial storage purposes help us and small businesses in Medical Lake obtain strong, quality storage units at under half of the cost of new construction.

(4) Substantial conditions exist where the available supply of forecasted lands for residential, commercial, industrial, recreation or agriculture have been absorbed and there is insufficient land available for a twenty-year supply.

This amendment does not change zoning acreage in city.

(5) If the comprehensive plan amendment proposal involves extension of water and/or sewer services outside of the urban growth boundary. the following additional criteria must be met:

- (A) The proposal must be in response to an immediate threat to public health or safety;
- (B) The proposal is necessary for the protection of the aquifer(s) designated pursuant to RCW 36.70.A170;
- (C) The proposal is necessary to maintain existing levels of service in existing developments.

Not Applicable to this amendment.

(6) The proposed amendment is consistent with the overall intent of the goals of the comprehensive plan.

Yes the amendment is consistent with plan goals. It addresses supporting local businesses in a changing economic environment while containing provisions to maintain quality and visual appearance along the SR 902 corridor. This amendment only affect C-2 commercial corridor adjacent to SR 902. It does not change the prohibited use of shipping containers in residential zoning

(7) The proposed amendment is consistent with RCW 36.70A, the Growth Management Act, the county-wide planning policies and applicable multicounty planning policies.

Yes This amendment does not change other county planning or city planning. All other policies remain intact.

(8) Where an amendment to the comprehensive plan map is proposed, the proposed designation is adjacent to property having a similar and compatible designation.

Not applicable to amendment

(9) Public facilities, infrastructure and transportation systems are present to serve the intended amendment or provisions have been made in accordance with the comprehensive plan to provide the necessary facilities.

The amendment will not increase load on city infrastructure.

(10) The proposed amendment is complimentary and compatible with adjacent land uses and the surrounding environment.-

Yes The amendment contains provisions to obscure visual site of containers behind fence and buildings from SR 902. All containers are in good repair and well painted.

(11) The proposed amendment does not adversely affect lands designated as agricultural and/or resource lands of long term commercial significance or critical areas.

No

Medical Lake code Amendment

Amendment. Section 17.42.030 entitled “Shipping containers as storage buildings prohibited” is hereby amended to read as follows:

- A. Unless otherwise permitted by this title, no person shall place or cause to be placed, or use or permit the use of any shipping container as an accessory building, storage building, or living units within the city limits of Medical Lake except in the C-2 zones.
 - 1. Shipping containers are permitted to be placed within the C-2 zones as accessory buildings or storage units, provided that the containers are no more than 40 feet in length, maintained and in good shape (i.e., painted, not rusted out), and are located in the rear/back of property or enclosed in a fence and visually obscured from public sight ROW on Hwy 902. Containers may be placed as authorized by a city building permit.

- B. Licensed and bonded contractors may utilize shipping containers for temporary housing of equipment and/or materials during construction as authorized by a city building permit. For purposes of this chapter “shipping container” is defined as any container or other device used or designed for use in the transportation industry

SEPA ENVIRONMENTAL CHECKLIST

A. Background

1. Name of proposed project, if applicable: Text Amendment to Medical Lake City Code Section 17.42.020 to allow Shipping containers in Medical Lake C-2 Commerical Zone
2. Name of applicant: Larry Stoker owner of Monark Self Storage
3. Address and phone number of applicant and contact person:
19317 E. Augusta Lane
Spokane Valley, WA 99016
208 964 5009
4. Date checklist prepared: 10/16/2022
5. Agency requesting checklist: City of Medical Lake
6. Proposed timing or schedule (including phasing, if applicable): Immediately after approval by city of amendment and appropriate building permit. Next 6 months.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Addition of Shipping containers
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
Yes request is being made to modify city code of Medical Lake to allow placement of shipping containers on C-2 Commercial property
10. List any government approvals or permits that will be needed for your proposal, if known.
building permit
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
Placement of new shipping containers in C-2 Zone in Medical Lake
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or

boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. See Attached city zoning Map. Amendment only applies to C-2 zoning adjacent to Wa-902 area.

C. Signature The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

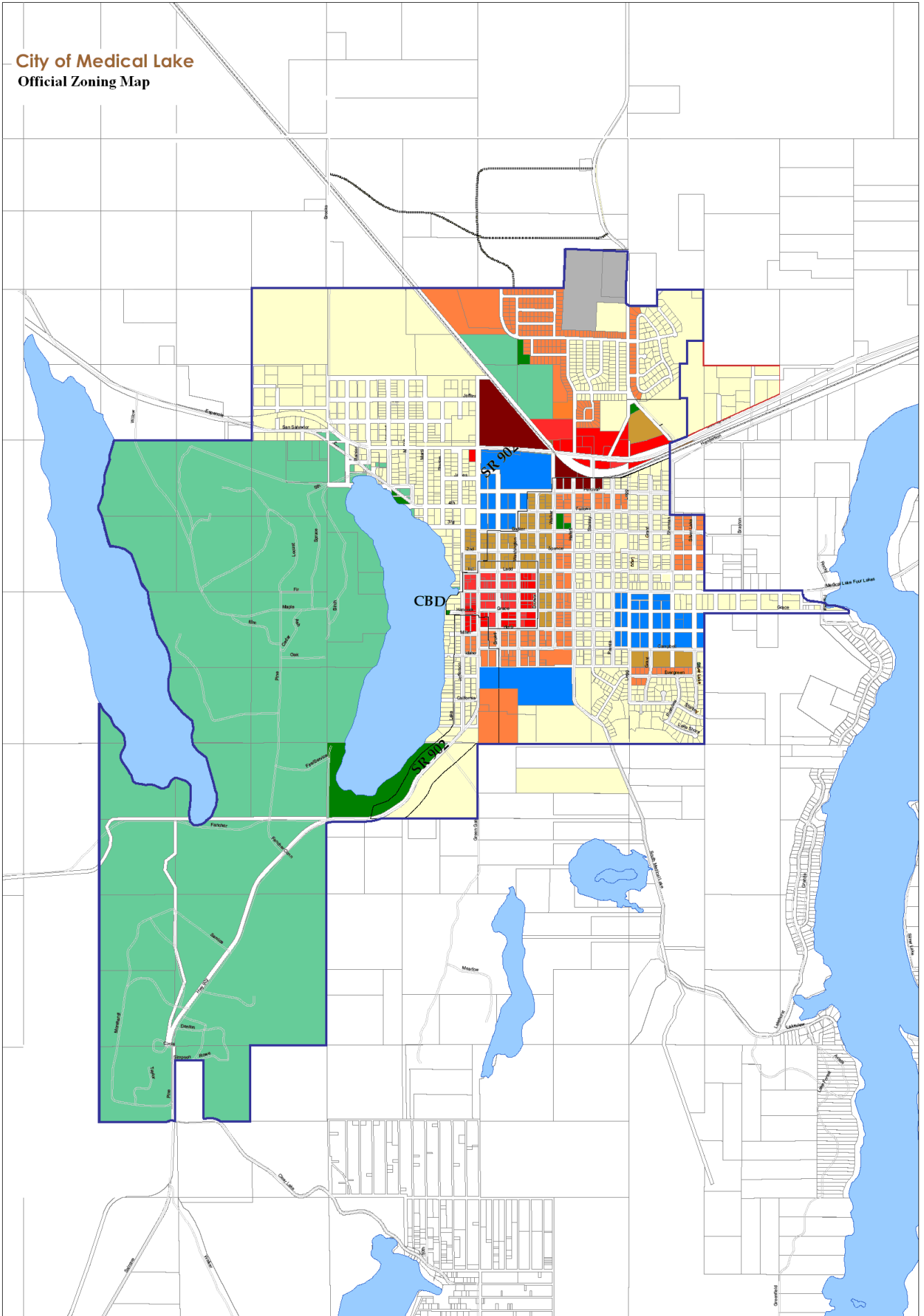
Name of signee Larry Stoker

Position Owner Monark Self Storage LLC Date Submitted: _____

D. Supplemental sheet for nonproject actions

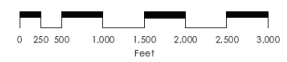
1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
Amendment wil not increase toxic discharge of any kind or produce sigmificant noice increase.
1. How would the proposal be likely to affect plants, animals, fish, or marine life?
None Site surface is already graveled surface
3. How would the proposal be likely to deplete energy or natural resources? It will reduce the amount of resources required to add commercial storage in C-2 Zones
4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? Not Applicatble
5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? Not Applicable
6. How would the proposal be likely to increase demands on transportation or public services and utilities? None
7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. No conflict

City of Medical Lake
Official Zoning Map



City of Medical Lake Official Zoning Map

- | | | |
|----------------------------|----------------------|---------------|
| Medical Lake City Boundary | Commercial | Multi-Family |
| Proposed UGA | Public/Institutional | Two-Family |
| Light Industrial | Mixed-Use | Single-Family |



Pam McBroom, Finance Director
City of Medical Lake

Date

subject to ongoing changes and is not warranted for accuracy. This document should serve as a starting point for your investigation or inquiry. Legal documents should be obtained from the appropriate agency before taking any action.

