

City of Medical Lake
124 S. Lefevre Street – City Council Chambers
Planning Commission Meeting
August 25, 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

- i) Commissioner Hudson called the meeting to order at 5:00 pm, led the pledge of allegiance, and did roll call. All commissioners were present apart from Commissioner Munson who participated via Zoom. He joined the meeting at 5:05 pm.

2) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- a) Tammy Roberson – commented on the first draft of CAO and expressed her concerns. Handed out written commentary. See attachment A.
- b) Commissioner Hudson asked Elisa Rodriguez for clarification on comments from Ms. Roberson. Ms. Rodriguez will review documents and address any discrepancies at the next meeting.

3) APPROVAL OF MINUTES

- a) Added review of the August 11, 2022, minutes to the agenda
 - i) August 11, 2022, Minutes
 - (1) Corrections:
 - (a) Add that the motion to conclude the meeting was made by Commissioner Munson, seconded by Commissioner Mayulianos, and carried 5-0.
 - (b) Since the commissioners could not recall who had made the motion to add a staff report to the agenda, they agreed to simply state that the motion was made, seconded, and carried.
 - (c) Motion to approve the August 11, 2022, minutes as amended made by Commissioner Mayulianos, seconded by Commissioner Mark, motion carried 4-0 with Commissioner Munson’s vote not being noted via Zoom.
 - ii) July 28, 2022, Minutes
 - (a) Motion to approve minutes made by Commissioner Jorgenson, seconded by Commissioner Mayulianos, motion carried 4-0 with Commissioner Munson’s vote not being noted via Zoom.

4) SCHEDULED ITEMS

- a) Critical Areas Ordinance Work Session Section 7-13 – City Planner, Elisa Rodriguez
 - i) Commissioner Mayulianos brought concerns about changes of definitions and using west side criteria rather than the east side of the state. Suggested using the Wetland Guidance CAO for Eastern WA from the Department of Ecology. Ms. Rodriguez will review.
 - ii) Reviewed sections 7-13 noting necessary corrections.
 - iii) Discussed how to proceed now that there is another document to review as well as additional meetings.
 - (1) Commissioner Hudson motioned to hold a special meeting for an additional work session on September 8, 2022, at 5 pm. Seconded by Commissioner Mayulianos, carried 4-0 with Commissioner Munson’s vote not being noted via Zoom.

5) STAFF REPORTS – Elisa Rodriguez, City Planner

- a) Update on Ring Lake Subdivision proposal. Sent letter of incompleteness to the developer.

6) ADDITIONAL COMMUNITY MEMBER COMMENTS

- a) Tammy Roberson – commented on items discussed by the commission and provided additional information.

7) CONCLUSION

- a) Motion to conclude meeting made by Commissioner Mayulianos, seconded by Commissioner Mark, motion carried 4-0 with Commissioner Munson’s vote not being noted via Zoom. Meeting concluded at 6:31pm.

PLANNING COMMISSION
AUGUST 25, 2022, MINUTES

ATTACHMENT A

COMMENTARY FROM TAMMY ROBERSON

Talking Paper for Planning Commission Meeting on 25 Aug 2022

Mayor, City Planner, Chair, Commissioners, Interim City Administrator, City Officials, and City Residents:

This is a decent first draft, but there are some significant issues that the Commission needs to address. My foremost concern is that significant portions of this draft rely on guidance that is either old, directed to the western half of the state, or both. The draft ordinance is in desperate need of a review that captures more up to date and geographically appropriate guidance from the State.

The four major problems of this proposed wetland section draft includes:

- 1) The definition of "wetlands" is not in accordance with WA State law (RCW 37.70A030 (31)). The Growth Management Act does not allow flexibility in adopting a modified definition of wetlands.
- 2) Wetland categories (I, II, III, and IV) definitions are wrong. Definitions were used from Western Washington Guidance versus using the definitions in Eastern Washington Guidance.
- 3) Proposed buffer guidelines rely on out-of-date guidance. As it is written, it wrongly limits buffer analysis to only habitat scores and also fails to protect wetlands based on other things (i.e., "water quality", "hydrologic", etc).
- 4) Recommended requirements are grossly out of step with the recommended requirements for exemptions and allowed uses in wetlands (pg 24 of the Eastern WA guidance). All wetlands (especially Category I) are directly regulated by DOE and Medical Lake does NOT have the power to allow roads, sewer lines, etc to be built through wetlands. This is totally unacceptable.

Thank you for your patience, time, and assistance in helping to preserve our City wetlands.

Tammy M. Roberson
Concerned ML City Resident
424 W Brooks Rd, Medical Lake
SMSgt USAF Retired/Disabled Veteran

Roxanne Wright

From: Tammy Roberson <tmroberson61@gmail.com>
Sent: Friday, August 26, 2022 3:27 AM
To: Roxanne Wright
Cc: Elisa Rodriguez
Subject: UPDATE Re: Remarks for the 2nd portion of the Interested Citizens Comments - 25 Aug 2022 Planning Commission Meeting

Good morning Roxanne,

Oops, I just remembered another important remark I had made (please also include this one with the below list) or better yet, if possible please attach this email to the Minutes.

10) I have a statement, "Pay me now or pay me later. If its later, it will always cost more in time, money, etc". Therefore, Commissioners please do your required homework.

Thank you once again,
Tammy

----- Original Message -----

From "Tammy Roberson" <tmroberson61@gmail.com>

To "Roxanne Wright" <rwright@medical-lake.org>

Cc "Elisa Rodriguez" <ERodriguez@medical-lake.org>

Date 8/25/2022 8:19:37 PM

Subject Remarks for the 2nd portion of the Interested Citizens Comments - 25 Aug 2022 Planning Commission Meeting

Roxanne,

These are the remarks I had stated during the 2nd Interested Citizens Comments portion (to assist you with the 25 Aug Minutes):

1) The Chair had incorrectly stated that "designation" and "definition" did not mean the same (located on page 7 of the draft) regarding the wetland definition - should not be used in the same sentence. Per Wetland Guidance for CAO Updates (Eastern WA version), page 5, "In designating wetlands for regulatory purposes, counties, and cities are required to use the definition of wetlands in RCW 36.70A.030 (31)."

2) Per page 2 of the draft, "sound science" should be "best available science".

3) Question was asked if ML has riparian areas and buffers? The answer was yes.

4) Page 5 of draft, stated, "A road, railroad, trail, water, sewer, stormwater conveyance, gas, power, cable, fiber optic or telephone facility that cannot feasibly be located outside of the wetland..." may be allowed. This presents significant cross regulation problems for the City by purporting to allow activities that state law would forbid. Medical Lake does not have the power to allow roads to be built through wetlands.

5) Definition of "hydroperiod" is "the number of days per year that an area of land is wet or length of time that there is standing water."

6) Page 11 of the Wetland Guidance for CAO Updates (Eastern WA version), states "The scientific literature is unequivocal that buffers are necessary to protect wetland functions and values. The literature consistently reports that the primary factors to evaluate in determining appropriate buffer widths are:

a) The wetland type and functions needing protection (buffers filter sediment, nutrients, or toxics; screen noise and light; provide forage, nesting, or resting habitat for wetland-dependent species; etc)

b) The types of adjacent land use and their expected impacts.

c) The characteristics of the buffer area (slope, soils, vegetation).

7) The Wetland Guidance for CAO Updates (Eastern WA version) provides an easy, understandable Sample Wetland Chapter. Start with this and then "tweak" it to Medical Lake.

8) The wetland located on N Martin and Brooks has not been inventoried by the City, not on the map. It is a Category III when the Wetland Report was done.

9) Commissioners please do your required homework and save our City's wetlands.

Thank you very much and take care,
Tammy