



**AGENDA  
PLANNING COMMISSION  
MEETING and PUBLIC  
HEARING  
October 27, 2022, 5:00 PM**

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

Join Zoom Meeting

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Meeting ID: 867 3304 4272

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

- a) Additions to Agenda
- b) Excused Absences

**2) APPROVAL OF MINUTES**

- a) September 22, 2022, Regular Meeting and Public Hearing

**3) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS**

**4) STAFF REPORTS**

**5) SCHEDULED ITEMS**

- a) Presentation “Wetlands: Considerations for Management” by Dr. Erin Dascher
- b) Critical Areas Ordinance Decision
- c) Proposal to change meeting dates for November and December 2022 to November 17, 2022, and December 15, 2022.

**6) PUBLIC HEARING**

- a) Comprehensive Plan Amendment – Urban Growth Area Change

**7) COMMISSION MEMBERS’ COMMENTS OR CONCERNS**

**8) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS**

**9) CONCLUSION**

City of Medical Lake  
124 S. Lefevre Street – City Council Chambers  
**Planning Commission Meeting and Public Hearing**  
**September 22, 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 pm, led the Pledge of Allegiance, and conducted roll call. Commissioner Mark attended via Zoom, all other members were present in person.

**2) APPROVAL OF MINUTES**

- a) August 25, 2022, Regular Meeting minutes and September 8, 2022, Special Meeting minutes
  - i) Motion to accept minutes made by commissioner Mayulianos, seconded by commissioner Munson, motion carried 3-0.

**3) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS - None**

**4) STAFF REPORTS – None**

**5) PUBLIC HEARING – Critical Areas Ordinance Update**

- a) Commissioner Hudson called the Public Meeting to order at 5:03 pm and explained purpose of the meeting and discussed appearance of fairness and requested any conflicts of interest.
  - i) Commissioner Hudson shared that his church owns property with no plans to build, therefore no conflict of interest exists.
- b) City Planner, Elisa Rodriguez summarized the staff report for the findings of fact for the approval criteria set out in the municipal code.
- c) Public Testimony
  - i) Scott Holbrook 424 W Brooks – shared commentary about underground waters, wetlands, and boundary lines. Submitted written comment.
  - ii) Tammy Roberson 424 W Brooks – shared commentary on her requested comments and revisions given in previous meetings. Continued with recommendations on Critical Areas Ordinance. Submitted written comment.
  - iii) Barbara Bauman N. Stanley St – gave commentary on past handling of building in wetlands areas (specifically Stanley St. apartments) Shared what her hopes are for the future. Submitted written comment.
  - iv) Marybeth Benson 864 N. Jensen St. – spoke about displacement of wildlife when wetlands are interrupted.
- d) Public hearing closed at 5:57 pm

**6) COMMISSION MEMBERS' COMMENTS OR CONCERNS**

- a) Motion to table decision on critical areas ordinance update until next meeting on October 27, 2022, made by commissioner Mayulianos, seconded by commissioner Jorgenson, motion carried 3-0.
- b) Commissioner Hudson explained that public comments can be given to city hall by 4 pm on October 27<sup>th</sup> either by e-mail or in person.

**7) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS - None**

8) **CONCLUSION**

- a) Motion to conclude meeting made by commissioner Mayulianos, seconded by commissioner Jorgenson, motion carried 3-0 and meeting concluded at 6:01 pm.

Date: \_\_\_\_\_

\_\_\_\_\_  
Roxanne Wright, Administrative Assistant

# Erin D. Dascher's Bio

Dr Erin Dascher earned a Ph.D. in environmental geography from Texas State University before becoming an assistant professor at Eastern Washington University, in the Department of Geosciences.

She teaches classes relating to physical geography and environmental science, such as Wetland Science I, Fundamentals of Soil Science, and Geomorphology. \*\*

Her research investigates human environment interactions related to river systems and other aspects of water resource management.

Dr Dascher examines how human activities fragment watersheds in a variety of ways, and how we can build back aspects of river connectivity in these altered systems.

She uses a variety of techniques to highlight and examine how humans have altered and interact with the environment including geographic information systems (GIS), field work, and other techniques such as surveying and interviews, etc.

\*\* Geomorphology is the study of the Earth's landforms created by mostly physical processes, including physical or chemical changes and those changes influenced by biological processes, including land use. (taken from geographyrealm online)



City of Medical Lake Planning Department  
124 S. Lefevre St.  
Medical Lake, WA 99022  
509-565-5000  
[www.medical-lake.org](http://www.medical-lake.org)

October 20, 2022

Dear Commissioners,

At the public hearing on September 22<sup>nd</sup>, the public comment period was extended to October 27<sup>th</sup> at 4:00 p.m. At this point, I have received one email from Shirley Maike. The email conversation is below, but to summarize, she expressed concern over the Planning Commission making a final decision for a critical area permit. I posed the question to our legal counsel and he concluded that a Planning Commission does not have the authority to make decisions, but rather only recommendations. For this reason, I have included three options for amending the proposed code language to change who will make the final decision for a critical area permit. The three options are 1) The Planning Official, 2) The Hearings Examiner, or 3) The City Council. There is also a fourth option of having the decision maker different depending on the complexity of the application. For instance, if the application is for the construction of a single-family home, a quicker review by the Planning Official may be allowed as opposed to a larger development that would require a public hearing. No matter which body is chosen for making a final decision, all of the approval criteria and performance standards would remain the same. I am looking forward to discussing this with you further.

Thank you,

Elisa Rodriguez

City Planner

**From:** Shirley Maike <[smaike@centurytel.net](mailto:smaike@centurytel.net)>  
**Sent:** Sunday, September 25, 2022 10:20 AM  
**To:** [scottscuncan@medical-lake.org](mailto:scottscuncan@medical-lake.org); Elisa Rodriguez <[ERodriguez@medical-lake.org](mailto:ERodriguez@medical-lake.org)>  
**Subject:** Critical Areas Ordinance

I have reviewed the proposed ordinance that was presented to the Planning Commission last week. Page 7 # 13 and 14 state that the Planning Commission may adopt the planning official's report and recommendations...etc. and that within seven days of the decision, the planning official will mail notice of the review body's decision (pending appeal)....

I do not find any definition of the "review body" but in this context it appears that that the decision is made by the planning commission not the council or other body/individual. In reviewing RCW 35.63, I find numerous references to a Planning Commission making recommendations to the Council but found no reference that the Planning Commission has the authority in and of itself to be a decision making body. And in my 30 years as a City Council member and Mayor, at no time were we told that the Planning Commission could make decisions on its own right. They were recommendations to the Council only. That's one reason we had a hearings examiner.

I am asking that you provide me with legal authority that grants the Planning Commission the authority to make a decision about an application to impact a critical area rather than make a recommendation to the Council.

On page 6, # 7, it is stated that the applicant and public are notified of the application's completeness and that a public hearing will be held. Is this for every single application in a critical area? Single family homes, etc? I seems that this will delay development by days if not months and when homelessness is such an issue in every community how does requiring a public hearing for every single application in a critical area help to abate this issue?

I look forward to hearing from you on these issues.

**From:** Elisa Rodriguez <[ERodriguez@medical-lake.org](mailto:ERodriguez@medical-lake.org)>  
**Sent:** Wednesday, September 28, 2022 2:05 PM  
**To:** Shirley Maike <[smaike@centurytel.net](mailto:smaike@centurytel.net)>  
**Subject:** RE: Critical Areas Ordinance

Dear Shirley,

Thank you for expressing your concerns regarding the ability of the Planning Commission to make a decision rather than a recommendation. I am waiting for our legal counsel to examine the question and will get back to you as soon as I am able.

Elisa Rodriguez

**From:** Elisa Rodriguez <[ERodriguez@medical-lake.org](mailto:ERodriguez@medical-lake.org)>  
**Sent:** Thursday, September 29, 2022 2:27 PM  
**To:** Shirley Maike <[smaike@centurytel.net](mailto:smaike@centurytel.net)>  
**Cc:** Mayor Terri Cooper <[tcooper@medical-lake.org](mailto:tcooper@medical-lake.org)>  
**Subject:** RE: Critical Areas Ordinance

Dear Shirley,

First, I want to say that in my planning experience I have worked for jurisdictions where the Planning Commission was the decision-making body for some types of applications. When I wrote the critical areas ordinance update, I wanted to make sure that there was a public hearing, but didn't want to overburden an applicant with requiring a City Council decision. After reading through all the RCW's and WAC's and speaking to our legal counsel, there does not appear to be any law that allows a Planning Commission to make a final decision. I am truly surprised. In light of this, at the next Planning Commission meeting, I will initiate a discussion regarding who should be making the final decision. The three options are: 1) administrative (the planner); 2) a hearings examiner; or 3) the City Council (still with a recommendation from the Planning Commission).

Thank you for bringing this to my attention. I would have never investigated it otherwise.

Elisa

**From:** Shirley Maike <[smaike@centurytel.net](mailto:smaike@centurytel.net)>  
**Sent:** Thursday, September 29, 2022 7:12 PM  
**To:** Elisa Rodriguez <[ERodriguez@medical-lake.org](mailto:ERodriguez@medical-lake.org)>  
**Subject:** RE: Critical Areas Ordinance

Elisa, that's why the City has had a Hearings Examiner for so many years. And the City Administrator/Planner was able to make the minor decisions. If the expectation that every application in a critical area must have a public hearing, there is a heavy burden on one individual (hearing examiner/city administrator) or group (city council). It might be helpful to examine why every single application has to have a public hearing.

I appreciate your taking the time to investigate the legality of having a planning commission make final decisions. This effort will save the city from litigation down the road.



**Critical Areas Ordinance Update**  
**Option 1: Decision Made by Planning Official**

17.10.040 - Approval Process.

A. *Critical Areas Permit Process.*

1. Consolidated reviews. Applications for more than one project on a site may be consolidated into a single application. When more than one review is requested and the reviews have different procedures, the application is processed using the most comprehensive review process.
2. Timeline. A final decision should be made within 120 days from the date the application was deemed complete or a written notice given to the applicant specifying the reasons why the time limits will not be met and an estimated date of issuance.
3. Application. The applicant must submit an application on a city form, to include three paper copies and one electronic copy of the following: 1) a written description of the proposal; 2) a site plan; 3) all required reports and mitigation plans; and 4) a written response to all applicable approval criteria, and the correct fee.
4. Environmental checklist. A completed environmental checklist as specified in Chapter 16.10, may be required with a land use application.
5. Completeness check. Upon receipt of an application it shall be routed to other departments for a determination of completeness under RCW 36.70B.070. Within 28 days the city shall provide written notice that: (a) the application is complete or (b) additional information is required. Once the applicant supplies the additional information, the planning official has 14 days to determine if the application is complete or request further information. If the requested information is not received within 60 days of notice of an incomplete application, the application will be considered abandoned and the city will not refund the application fee.
6. Additional governmental authority. The planning official must notify the applicant of any other governmental authority that may have jurisdiction over some aspect of the proposed project within 28 days of submittal.
7. Notice of application. Following the determination of completeness, the city shall, within 14 days, provide the applicant and the public with a notice of application. Once the applicant receives the notice of application, the applicant shall within 14 days of receipt place a public notice in the local newspaper
8. Public comment period. The public may provide written comment for a period of no fewer than 14 days and no greater than 30 days as specified in the public notice.,
9. Department responses. City department directors notified of the application must provide a written response to the planning official within 14 days of the notice.
10. Concurrency determination. The public works director will issue a concurrency determination no more than 14 days after receiving the notice of application per Chapter 16.02

**Critical Areas Ordinance Update**  
**Option 1: Decision Made by Planning Official**

11. SEPA threshold determination. The planning official will issue a SEPA threshold determination no fewer than 15 days prior to a hearing.

12. Review. The planning official must provide a single report stating the approval criteria, findings and a decision.

13. Notice of decision. Within seven days of the decision the planning official will mail notice of the decision (pending appeal) to the applicant, the owner and all recognized organizations or persons who responded in writing to the public notice or requested a notice of decision.

14. Ability to appeal. A decision may be appealed within 14 calendar days of the signed written decision. Appeals must be submitted by 5:00 p.m. on the 14th day of the appeal period. If the 14th day is a legal holiday, the period ends the next business day. On appeal, the Hearings Examiner shall conduct a closed record hearing. At the appeal hearing, the appellant, applicant and the city may present written and oral argument limited to matters within the record. The hearings examiner may affirm, reverse, modify or remand the decision of the Planning Official. If the Hearings Examiner modifies the Planning Official's decision, it may add new or different conditions as supported by the record, city ordinance or adopted policies/standards.

15. Recording. All decisions of approval, including conditions, shall be recorded with Spokane County Auditor. The applicant is responsible for the recording the decision against the property and must provide a copy of the recorded decision to the planning department. The decision must be recorded before the approved use is permitted and/or permits are issued, but no later than 30 days from the final decision.

16. Effective date. The effective date is the day the decision is signed.

17. Expiration. The critical areas permit expires 5 years after the approval date.

**Critical Areas Ordinance Update**  
**Option 2: Decision Made by Hearings Examiner**

17.10.040 - Approval Process.

A. *Critical Areas Permit Process.*

1. Consolidated reviews. Applications for more than one project on a site may be consolidated into a single application. When more than one review is requested and the reviews have different procedures, the application is processed using the most comprehensive review process.
2. Timeline. A final decision should be made within 120 days from the date the application was deemed complete or a written notice given to the applicant specifying the reasons why the time limits will not be met and an estimated date of issuance.
3. Application. The applicant must submit an application on a city form, to include three paper copies and one electronic copy of the following: 1) a written description of the proposal; 2) a site plan; 3) all required reports and mitigation plans; and 4) a written response to all applicable approval criteria, and the correct fee.
4. Environmental checklist. A completed environmental checklist as specified in Chapter 16.10, may be required with a land use application.
5. Completeness check. Upon receipt of an application it shall be routed to other departments for a determination of completeness under RCW 36.70B.070. Within 28 days the city shall provide written notice that: (a) the application is complete or (b) additional information is required. Once the applicant supplies the additional information, the planning official has 14 days to determine if the application is complete or request further information. If the requested information is not received within 60 days of notice of an incomplete application, the application will be considered abandoned and the city will not refund the application fee.
6. Additional governmental authority. The planning official must notify the applicant of any other governmental authority that may have jurisdiction over some aspect of the proposed project within 28 days of submittal.
7. Notice of application. Following the determination of completeness, the city shall, within 14 days, provide the applicant and the public with a notice of application. Once the applicant receives the notice of application, the applicant shall within 14 days of receipt place a public notice in the local newspaper. The notice shall include the time, place, and purpose of the of the public hearing.
8. Public comment period. The public may provide written comment for a period of no fewer than 14 days and no greater than 30 days as specified in the public notice, provided public comment may be accepted prior to closing the record where there is an open record hearing or the decision.
9. Department responses. City department directors notified of the application must provide a written response to the planning official within 14 days of the notice.

**Critical Areas Ordinance Update**  
**Option 2: Decision Made by Hearings Examiner**

10. Concurrency determination. The public works director will issue a concurrency determination no more than 14 days after receiving the notice of application per Chapter 16.02

11. SEPA threshold determination. The planning official will issue a SEPA threshold determination no fewer than 15 days prior to a hearing.

12. Review. The planning official must provide a single report stating the approval criteria, findings and a recommendation to the Hearings Examiner prior to the hearing.

13. Hearing. An open record hearing will be conducted by the Hearings Examiner. The Hearings Examiner may adopt the planning official's report and recommendation, modify or reject it based on information presented at the hearing and in the record.

14. Notice of decision. Within seven days of the decision the planning official will mail notice of the Hearing Examiner's decision (pending appeal) to the applicant, the owner and all recognized organizations or persons who responded in writing to the public notice, testified at the hearing, or requested a notice of decision.

15. Ability to appeal. A decision may be appealed within 14 calendar days of the signed written decision. Appeals must be submitted by 5:00 p.m. on the 14th day of the appeal period. If the 14th day is a legal holiday, the period ends the next business day. On appeal, the City Council shall conduct a closed record hearing. At the appeal hearing, the appellant, applicant and the city may present written and oral argument limited to matters within the record. The city council may affirm, reverse, modify or remand the decision of the Hearings Examiner. If the City Council modifies the Hearing Examiner's decision, it may add new or different conditions as supported by the record, city ordinance or adopted policies/standards. The City Council action shall be passed by a majority vote and set forth in the resolution or ordinance that accompanies the recommendation.

16. Recording. All decisions of approval, including conditions, shall be recorded with Spokane County Auditor. The applicant is responsible for the recording the decision against the property and must provide a copy of the recorded decision to the planning department. The decision must be recorded before the approved use is permitted and/or permits are issued, but no later than 30 days from the final decision.

17. Effective date. The effective date is the day the decision is signed.

18. Expiration. The critical areas permit expires 5 years after the approval date.

**Critical Areas Ordinance Update**  
**Option 3: Decision Made by City Council**

17.10.040 - Approval Process.

A. *Critical Areas Permit Process.*

1. Consolidated reviews. Applications for more than one project on a site may be consolidated into a single application. When more than one review is requested and the reviews have different procedures, the application is processed using the most comprehensive review process.
2. Timeline. A final decision should be made within 120 days from the date the application was deemed complete or a written notice given to the applicant specifying the reasons why the time limits will not be met and an estimated date of issuance.
3. Application. The applicant must submit an application on a city form, to include three paper copies and one electronic copy of the following: 1) a written description of the proposal; 2) a site plan; 3) all required reports and mitigation plans; and 4) a written response to all applicable approval criteria, and the correct fee.
4. Environmental checklist. A completed environmental checklist as specified in Chapter 16.10, may be required with a land use application.
5. Completeness check. Upon receipt of an application it shall be routed to other departments for a determination of completeness under RCW 36.70B.070. Within 28 days the city shall provide written notice that: (a) the application is complete or (b) additional information is required. Once the applicant supplies the additional information, the planning official has 14 days to determine if the application is complete or request further information. If the requested information is not received within 60 days of notice of an incomplete application, the application will be considered abandoned and the city will not refund the application fee.
6. Additional governmental authority. The planning official must notify the applicant of any other governmental authority that may have jurisdiction over some aspect of the proposed project within 28 days of submittal.
7. Notice of application. Following the determination of completeness, the city shall, within 14 days, provide the applicant and the public with a notice of application. Once the applicant receives the notice of application, the applicant shall within 14 days of receipt place a public notice in the local newspaper. The notice shall include the time, place, and purpose of the of the public hearing.
8. Public comment period. The public may provide written comment for a period of no fewer than 14 days and no greater than 30 days as specified in the public notice, provided public comment may be accepted prior to closing the record where there is an open record hearing or the decision.
9. Department responses. City department directors notified of the application must provide a written response to the planning official within 14 days of the notice.

## **Critical Areas Ordinance Update**

### **Option 3: Decision Made by City Council**

10. Concurrency determination. The public works director will issue a concurrency determination no more than 14 days after receiving the notice of application per Chapter 16.02

11. SEPA threshold determination. The planning official will issue a SEPA threshold determination no fewer than 15 days prior to a hearing.

12. Review. The planning official must provide a single report stating the approval criteria, findings and a recommendation to the Planning Commission prior to the hearing.

13. Hearing. An open record hearing will be conducted by the Planning Commission. The Planning Commission must recommend approval, approval with conditions, or denial to the City Council based on information presented at the hearing and in the record.

14. Final Decision Authority. The City Council has final decision authority preceded by the recommendation of the Planning Commission.

15. Notice of decision. Within seven days of the decision the planning official will mail notice of the review body's decision (pending appeal) to the applicant, the owner and all recognized organizations or persons who responded in writing to the public notice, testified at the hearing, or requested a notice of decision.

16. Ability to appeal. A decision may be appealed to Superior Court pursuant of the review process of RCW 36.70C

17. Recording. All decisions of approval, including conditions, shall be recorded with Spokane County Auditor. The applicant is responsible for the recording the decision against the property and must provide a copy of the recorded decision to the planning department. The decision must be recorded before the approved use is permitted and/or permits are issued, but no later than 30 days from the final decision.

18. Effective date. The effective date is the day the decision is signed.

19. Expiration. The critical areas permit expires 5 years after the approval date.



City of Medical Lake Planning Department  
124 S. Lefevre St.  
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## **STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION**

Date of Hearing: October 27, 2022

Date of Staff Report: October 20, 2022

Staff Planner: Elisa Rodriguez 509-565-5019 or [erodriguez@medical-lake.org](mailto:erodriguez@medical-lake.org)

Proposal: Urban Growth Area Land Exchange

SEPA: A Determination of Non-Significance was made on October 13, 2022.

### **PROPOSAL**

The City of Medical Lake is proposing a change to its urban growth area (UGA). The current UGA was first adopted as part of the Comprehensive Plan in 1997. This was followed by a countywide Spokane County adoption process in 2002. The current unincorporated areas of the UGA have low development potential, therefore, the City is proposing to amend the UGA to include lands that are easy to serve by extending our current water, sewer, and transportation systems and are more likely to be developed in the next 20 years.

### **RELEVANT APPROVAL CRITERIA**

In order to be approved, this proposal must comply with the criteria of Chapter 17 of the Medical Lake Municipal Code (MLMC). Amendments to the comprehensive plan can be approved if the review body finds that the criteria of MLMC Chapter 17.56.100 have been met.

### **PROCEDURAL HISTORY**

- October 13, 2022 – SEPA Checklist Completed
- October 13, 2022 – SEPA Determination of Non-Significance issued
- October 13, 2022 – Public Notice published in the Cheney Free Press
- October 13, 2022 – Public Notice mailed to all property owners with land being removed or added to the UGA
- October 13, 2022 – Public Notice posted at Medical Lake City Hall, Library, and Post Office.

## ANALYSIS

The Washington State Growth Management Act tasks each county to plan for 20-year growth projections by creating an Urban Growth Area (UGA). In 1996, the City of Medical Lake presented an “Interim Urban Growth Area” IUGA to the Spokane County Commissioners which they approved in January 1997. This IUGA is documented in the Medical Lake 1997 Comprehensive Plan (Exhibit A). The IGUA included 52 acres at the southwest corner of the city, adjacent to Lakeland Village, a state operated facility for individuals with intellectual and developmental disabilities. This 52-acre site was included because Medical Lake was one of the three finalist sites to locate a Juvenile Rehabilitation Center. That center was never constructed. The IGUA also included 227 acres to the north of the city where a developer was proposing to construct a golf course. The golf course was never constructed. The total area in the IGUA was 279 acres.

In 2010 the City of Medical Lake updated the Comprehensive Plan. This included a change to the UGA on the north side of the city (Exhibit B). The reason for this change was to remove land that was located inside the 65 dBA Noise Contour relating to Fairchild Air Force Base and to provide better access to the site from Brooks and Graham Roads. The site was reduced by 110 acres on the north and increased by 50 acres on the west and 79 acres on the east. The 52 acres at the southwest corner of the city remained the same for a total of 298 acres. These changes were submitted to the Spokane Board of County Commissioners along with an 11.7 acre site at the southern edge of the city at the intersection of S Salnave Road and S Clear Lake Road. The new Medical Lake UGA approved by the County Commissioners in 2013 (Exhibit C).

Inexplicably, the 2019 Comprehensive Plan Update adopted by the City of Medical Lake uses the pre-2013 Urban Growth Area (Exhibit D). This 2019 update also depicts UGA expansion areas to the east of the city and in the already adopted UGA areas to the north of the city. These UGA expansion areas were never applied for at a county level.

At this time, the Washington State Department of Health that owns the parcel at the southwest corner of the city has no plans for additional development. (Note: This site was described as 52 acres in both the 1997 and 2010 comprehensive plans, however, current county assessor data shows the site as 112 acres.) The land is currently being leased for agricultural uses. Medical Lake’s sanitary sewer collection system is currently at capacity for the lines collecting from the southern section of the city. Any development to the south would require a major infrastructure upgrade.

The area to the north of the city that was originally added to the UGA for the purpose of a golf course is located in the Fairchild Air Force Base (FAFB) Overlay Zone described in the Spokane County Zoning Code. This overlay, which is based on noise contours resulting from the FAFB runway, restricts residential development to one unit per ten acres. This means that even if this area was annexed into the city, it could not be developed at the 7.3 units per acre that is typical of single-family subdivision in Medical Lake.

Since the existing areas within the unincorporated UGA have little potential for development to help meet the needs of a growing population, the City of Medical Lake is proposing a UGA land exchange wherein the existing 370 acres are swapped for another 370 acres on the east side of the city (Exhibit J). City utilities and streets are nearby or relatively easy to extend into the proposed UGA.

Note that the proposed UGA Land Exchange Map (Exhibit H) that was part of the SEPA Checklist and the public notice is an earlier version of the proposal. The SEPA will be reissued with an updated map.



## ZONING CODE APPROVAL CRITERIA

### 17.56.020 - Purpose.

This section shall apply to initial adoption of the comprehensive plan and subsequent adoption of amendments or additional elements to the comprehensive plan. The purpose of this chapter is to establish a procedure pursuant to the requirements of RCW 36.70A of the Growth Management Act for the amendment or revision of the city comprehensive plan and development regulations.

### 17.56.100 – Criteria for Regulation of Plan Amendments.

Recognizing that the comprehensive plan was developed and adopted after significant study and public participation, the principles, goals, objectives and policies contained therein shall be granted substantial weight when considering any proposed amendment. Therefore, the burden of proof for justifying a proposed amendment rests with the applicant. The approval, modification or denial of an amendment application by the planning commission shall be evaluated on the following criteria:

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.

**Findings:** The Washington State Legislature adopted the Growth Management Act (GMA) in 1990. Under the GMA, the Office of Financial Management develops population forecasts for each county. The counties are then mandated to accommodate the forecasts through their comprehensive planning process. This includes the creation of Urban Growth Areas. The UGAs are created to accommodate a 20-year population forecast with adequate land and cost-effective urban services. The current land in Medical Lake’s unincorporated UGA is unlikely to be developed due to state ownership and FAFB Overlay Zone restrictions, therefore, is not meeting the intent of the UGA. The proposed areas are privately owned, not subject to any FAFB Overlay Zone restrictions, and can be serviced by City utilities and transportation relatively easily.

For the above reasons, the proposed UGA land exchange provides more consistency with county and state regulations. Therefore, this criterion is met.

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.

**Findings:** The current Medical Lake Comprehensive Plan (MLCP), adopted in 2019, contains a section describing future UGA expansion. These expansion areas are to the east of the city, therefore, even though the proposal is an exchange rather than an expansion, it is still consistent with the goals of the Comprehensive Plan. Specifically, Goal #2 states, “Maintain an adequate supply of buildable land helping ensure new development can be accommodated in the manner envisioned by the city.” The existing unincorporated UGA areas have a low likelihood of development while the proposed areas have a higher likelihood of future development. The proposed areas, if annexed, will receive all the services provided to the current community, therefore the proposal will not adversely affect the general public’s health, safety, and/or welfare.

For these reasons, the proposed amendments further the implementation of the MLCP. Therefore, this criterion is met.

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.

**Findings:** The Urban Growth Area was last amended in 2013, following the 2010 Comprehensive Plan Update that initiated the changes. Another decade has passed and the unincorporated UGA areas continue to have restraints that diminish the potential for development. In order to properly plan for land and services to meet the 20-year population forecasts, the City of Medical Lake must consider other abutting land for the UGA. The proposed UGA land exchange for areas to the east of the city recognizes changing conditions, therefore, this criterion is met.

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.

**Findings:** The current unincorporated UGA lands that are similar to the original IUGA depicted in the 1997 Comprehensive Plan were chosen based on very specific development opportunities at the time. In the southwest, there was a possible juvenile rehabilitation center and, in the north, a possible golf course. However, these plans never came to fruition. Now development on these lands is restricted by ownership in the southwest and proximity to the Fairchild Air Force Base in the north. These sites do not actually supply the land needed to meet future population demands. The proposed UGA land exchange encompasses properties to the east of the city that have a higher potential for future development. The current unincorporated land in the UGA is 334 acres and the proposed land is of the same size, which is more than adequate to meet the additional population of 1,050 by 2037 forecasted by the Office of Financial Management. The proposal provides sufficient land for a twenty-year supply, therefore, this criterion is met.

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 urban or suburban developments.

**Findings:** The proposed critical areas ordinance update does not involve the extension of water and/or sewer services outside of the urban growth boundary, therefore, this criterion is not applicable.

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

**Findings:** The Medical Lake Comprehensive Plan 2019 Update has 30 goals. Goal #2 speaks directly to buildable lands. It states, “Maintain an adequate supply of buildable land helping to ensure new development can be accommodated in the manner envisioned by the city.” The proposed Urban Growth Area Land Exchange provides an adequate supply of land for forecasted growth. In addition, the Comprehensive Plan depicts future UGA expansion areas to the east of the city. For these reasons, the proposal is consistent with the overall intent and goals of the comprehensive plan, therefore, this criterion is met.

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

**Findings:** The Growth Management Act (GMA) requires all cities and counties in Washington to create Urban Growth Areas (UGA) to accommodate population forecasts for the next twenty years. The current UGA surrounding Medical Lake was approved by the Spokane Board of County Commissioners in 2013. This proposed land area exchange does not change the amount of land within the UGA and it is still meeting the needs of the 20-year forecast. The proposed land areas have fewer restrictions and therefore are more likely to be developed to meet the housing and commercial demands of the city.

For the above reasons the proposed update is consistent with state and county policies. Therefore, this criterion is met.

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

**Findings:** The proposed UGA land exchange is to change the location of unincorporated land in the UGA for future development. Because the land is outside the city limits, it will not have a land use designation. In the event that a property owner requests their land to be annexed into the city, a land use and zone will be proposed at that time. The proposal does not include amendments to the land use designations of the comprehensive plan map, therefore, this criterion is met.

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.

**Findings:** Public facilities, infrastructure, and transportation systems are present or easily extendable to serve the proposed UGA areas when they are annexed into the city (Exhibit E). The City has sufficient source, storage, and transmission water facilities to support the proposed areas up to 423 single family homes. The City has sufficient waste water treatment plant capacity to support the proposed areas. The existing street system is well looped and the proposed areas have good access to existing arterials. For these reasons, the criterion is met.

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

**Findings:** The proposed UGA land exchange areas are all to the east of the city where it is more likely that development will happen. This avoids the FAFB Overlay Zone that limits density. These properties

are all privately owned and do not function under the restrictions of state-owned land. Although not all critical areas can be avoided, their location was considered in the proposal. The proposed areas are adjacent to existing residential and commercial development and if and when the property owners request annexation, the appropriate zoning will be examined at that time. For these reasons, the proposal is complimentary and compatible with adjacent land uses and the environment, therefore, this criterion is met.

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

**Findings:** The current unincorporated areas of the UGA are all being used for agriculture. The proposed areas have a limited amount of agriculture. For all sites in the proposed areas, it will be at the request of the property owner to annex into the city. Therefore, as long as the property owner finds the agricultural use as viable, it will remain in the county and continue as is. Critical areas were examined while forming this proposal. Not all could be avoided, but their inclusion was limited as much as possible. For these reasons, this criterion is met.

## **CONCLUSION**

The proposed Urban Growth Area Land Exchange will change the official UGA map in the Comprehensive Plan. However, the UGA will not be recognized by the county until it is reviewed and approved by the Board of County Commissioners. This proposal attempts to include land that is more likely to be developed over the next twenty years. The current unincorporated UGA areas have restraints that make development unlikely. This proposal is swapping the existing 370 acres in the southwest corner and north side of the city for an alternative 370 acres on the east side of the city. The proposal is consistent with the Washington State Growth Management Act, the Spokane Countywide Planning Policies, and the Medical Lake Comprehensive Plan.

## **RECOMMENDATION**

The approval criteria set out in MLMC 17.56.100 have been met. Therefore, the planning official recommends that the Planning Commission approve the proposed Urban Growth Area Land Exchange.

The Planning Commission may choose to do one of the following:

Recommend approval of the proposed Urban Growth Area Land Exchange as presented in the staff report.

Recommend approval of the proposed Urban Growth Area Land Exchange with amendments or conditions.

Recommend denial of the proposed Urban Growth Area Land Exchange.

## **EXHIBITS**

Exhibit A - IUGA Map from the 1997 Comprehensive Plan

Exhibit B - UGA Before and After Maps from the 2010 Comprehensive Plan

Exhibit C – UGA Map from Spokane County Board of Commissioners 2013

Exhibit D - UGA Map from the 2019 Comprehensive Plan

Exhibit E - Letter from E&H Engineering

Exhibit F - SEPA Checklist, October 13, 2022

Exhibit G - SEPA DNS, October 13, 2022

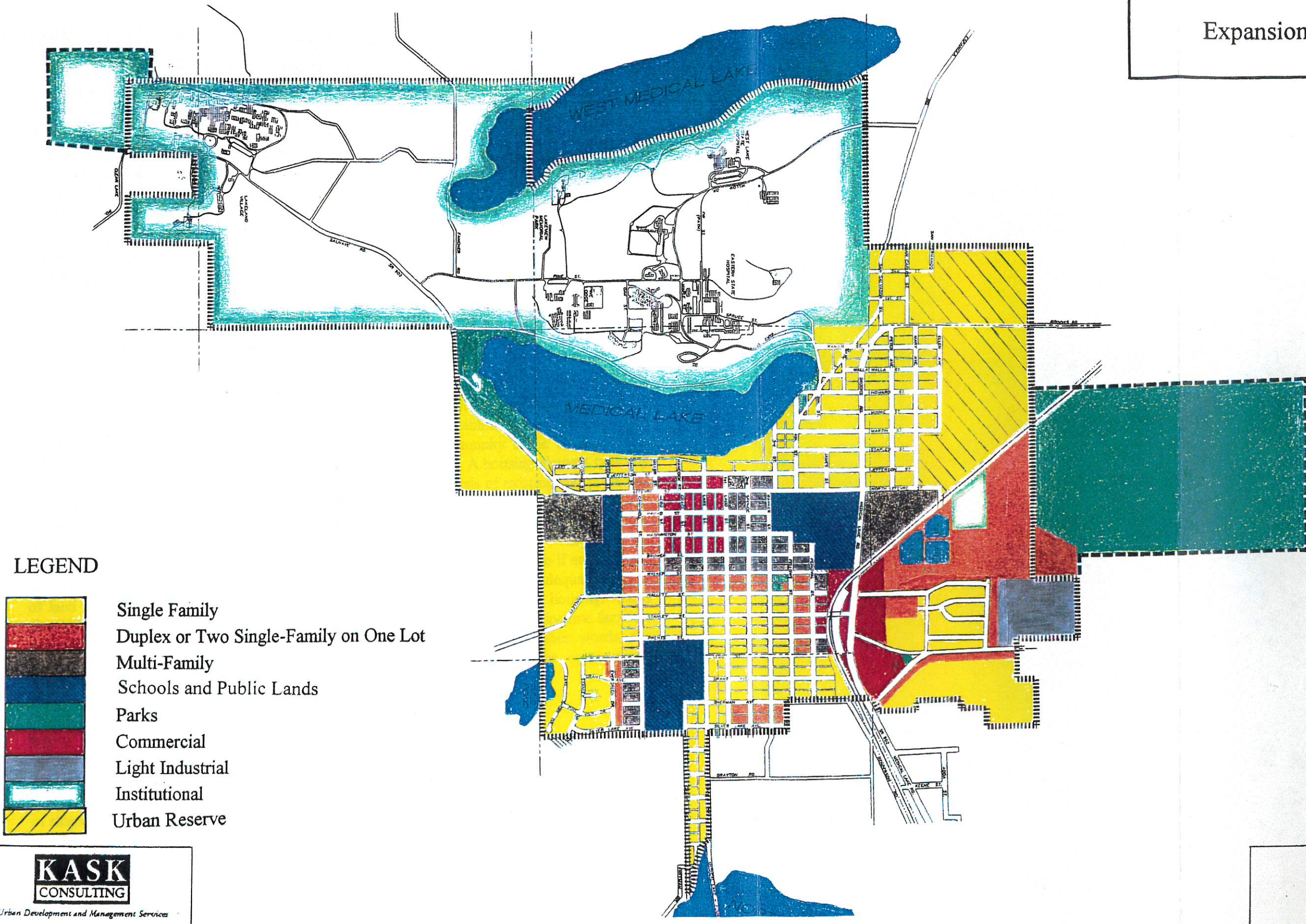
Exhibit H - Proposed UGA Map Dated October 13, 2022

Exhibit I - Notice of Publication, Legal Notice, Published in Cheney Free Press on October 13, 2022

Exhibit J - Proposed UGA Map Dated October 20, 2022



Expansion Alternative



LEGEND

-  Single Family
-  Duplex or Two Single-Family on One Lot
-  Multi-Family
-  Schools and Public Lands
-  Parks
-  Commercial
-  Light Industrial
-  Institutional
-  Urban Reserve

**KASK**  
CONSULTING

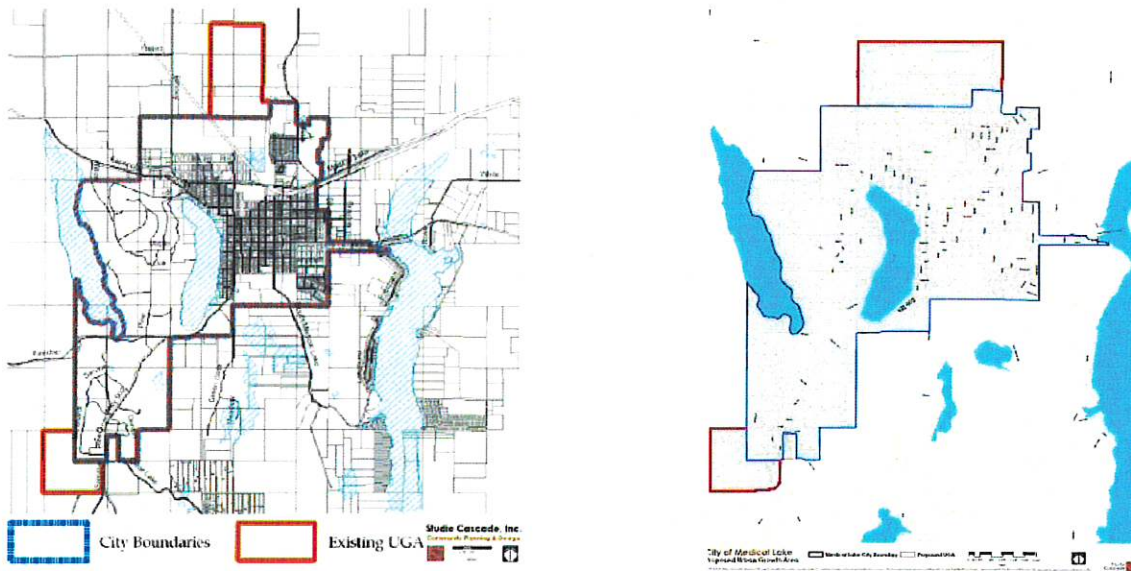
Urban Development and Management Services

Figure 8-8



After performing a new city land quantity analysis it was quite clear that amending the 1997 UGA to include more land was needed to provide for the projected growth. The proposed UGA includes land that modifies the eastern and northern boundaries to allow for a connection to Brooks Road beyond the railroad tracks and east to Graham Road. The growth areas to the east will accommodate the expected growth and will allow for the provision of public services to the east of the rapid developing neighborhoods in the Fox Ridge Subdivision. The expanded UGA (Figure 4.4) will allow the city to grow to areas confined to the north while conserving ecologically sensitive and other constrained land south of SR-902 and east of the city's current corporate boundary.

**Figure 4.4**  
**2010 Proposed Urban Growth Areas**



### **Urban Form Factors**

Several methods are used to figure out how communities should manage change. Some consider growth rates others expansion and land consumption. Medical Lake chose to consider “urban form factors,” examining elements that have shaped the community and attempting to maintain them as the community grows. Maintaining and building upon the urban form factors such as linkages, walkability and Institutions will ensure that the Medical Lake of the future is similar to the Medical Lake of today. The preferred land use plan incorporates these future growth patterns, establishing a system of land uses that reinforces linkages, institutions and pedestrian access.

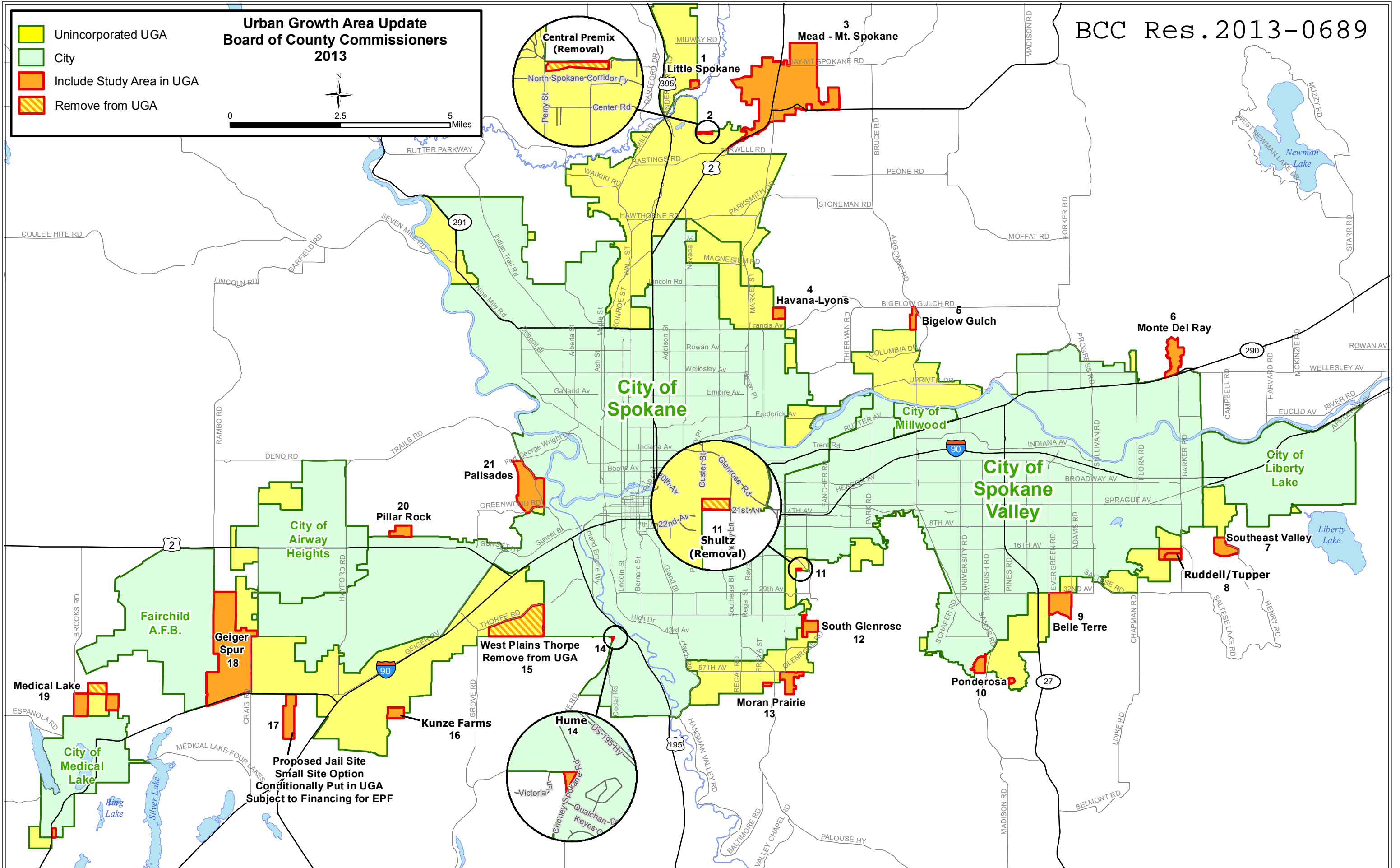
### **Current Land Use Patterns**

Current land use patterns reflect a common method of small town growth. The core evolved into a finely grained urban center featuring small-lot commercial development and a nearby mix of residential types and densities. Land nearer the community's edge developed into a more

**Urban Growth Area Update  
Board of County Commissioners  
2013**

- Unincorporated UGA
- City
- Include Study Area in UGA
- Remove from UGA

0 2.5 5 Miles



**Central Premix (Removal)**

North-Spokane Corridor Fy  
Perry St  
Center Rd

**11 Shultz (Removal)**

Cluster St  
Glenrose Rd  
21st Av  
22nd Av

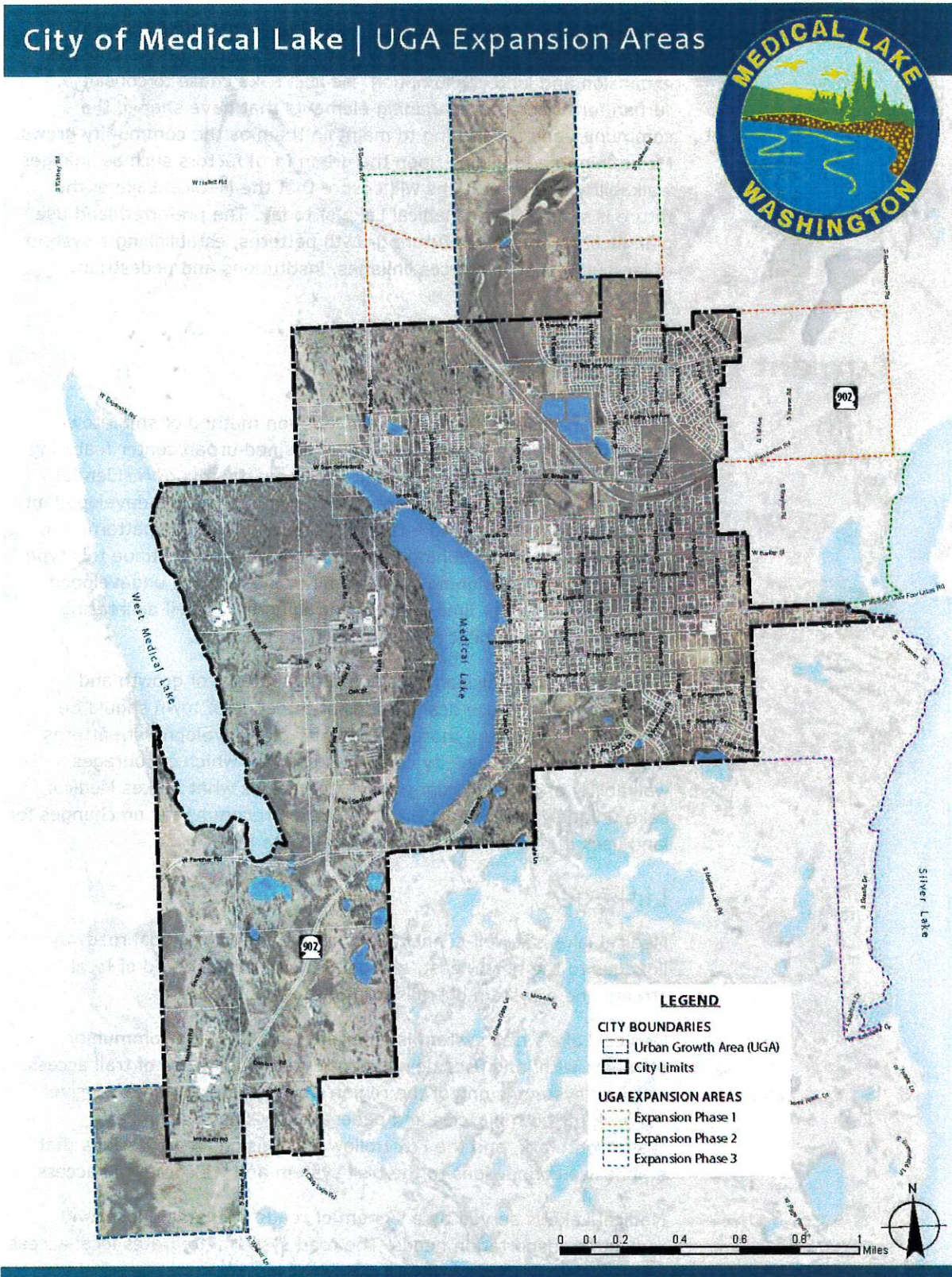
**Hume 14**

Cheney Spokane  
Victoria  
Qualchan  
Keyes

**Proposed Jail Site  
Small Site Option  
Conditionally Put in UGA  
Subject to Financing for EPF**



Figure 3.4 Proposed Urban Growth Area





October 12, 2022

Elisa Rodriguez, City Planner  
City of Medical Lake  
124 S Lefevre St. / PO Box 369  
Medical Lake, WA 99022

Re: Utility comments related to proposed UGA changes

Dear Elisa:

The areas that are marked on the “Relocated UGA Map” dated today are located within areas of the City where existing utilities are present or are relatively easy to extend to. In addition, we offer the following comments related to utilities/streets adjacent to the referenced areas:

1. Water: The City has sufficient Source, Storage, and Transmission facilities to support the areas noted up to approximately 423 single family residences. Extensions of adjacent water mains would require that proposed distribution facilities provide a minimum of 1,000 gpm fire flow to residential homes. Any commercial developments would be subject to IFC calculations for fire flow.
2. Sewer: The City has sufficient Wastewater Treatment Plant (WWTP) capacity to support the areas noted. A more exact figure would need to be calculated by the plant’s process engineer to determine total capacity, but it is well above the 423 single family residences noted above. The collection system would need to be sized for the specific development and may require lift stations and force mains to deliver the sewage to the City’s trunk lines that feed into the WWTP. The southeast area would need to be pumped to the crest of the hill to the North along Sherman Ave. to route it to a larger gravity collection main.
3. Streets: The City’s existing street system is well looped. The North area would be fed predominantly by Graham Rd. and if full development occurs solely in this area, it would be expected that some type of control at Graham and SR 902 would be required (roundabout or traffic light) to ease congestion during peak hours. The middle/East area has good access to SR 902 and under full development, with two access points to SR 902, we would not expect to see the need for intersection control unless a commercial traffic generator was constructed along the highway. The southeast area has good access to Lake St., Campbell St., and Evergreen Dr. and under full development we would expect access to all three roads depending upon density and use.

That is the extent of our comments, please contact us should questions or concerns arise.

Sincerely,

A handwritten signature in black ink that reads "Thomas P. Haggarty". The signature is written in a cursive style with a horizontal line extending from the end.

Thomas P. Haggarty, P.E.  
Principal



## **SEPA ENVIRONMENTAL CHECKLIST**

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

### ***A. Background*** [\[HELP\]](#)

1. Name of proposed project, if applicable: **Urban Growth Area Land Exchange**
2. Name of applicant: **City of Medical Lake**
3. Address and phone number of applicant and contact person: **Elisa Rodriguez, City Planner, 124 Levferve Street, Medical Lake, WA 99022, 509-565-5019**

4. Date checklist prepared: **13 October 2022**
5. Agency requesting checklist: **City of Medical Lake**
6. Proposed timing or schedule (including phasing, if applicable): **There will be a public hearing held by the Planning Commission on Thursday, October 27, 2022. The amendment is expected to be adopted by the end of the calendar year.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **Lands within the proposed UGA will be annexed at a time when the land owner is interested in developing the property.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **FEMA flood maps, Washington State Department of Ecology wetland maps, and Washington Department of Fish and Wildlife priority habitat maps were used in determining critical areas to avoid in designating land for the UGA. The Fairchild Airforce Base Overlay Zone in the Spokane County Zoning Code was also instrumental in the proposal.**
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. No.
10. List any government approvals or permits that will be needed for your proposal, if known. **Spokane County Planning must approve changes to Urban Growth Boundaries.**
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.) **The current UGA for the City of Medical Lake was established by the 1997 Comprehensive Plan and approved by Spokane County in 2002. There are 334 acres of unincorporated land within the UGA. Economic pressures have not been great enough to cause owners to sell or seek development on these sites. The city of Medical Lake proposes to exchange these current 334 acres for an alternative 334 acres that are more likely to be developed in a reasonable amount of time.**
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. **The proposed UGA amendment removes land to the southwest and north of the current city limits and replaces them with land to the east and northeast. See attached map.**

## ***B. Environmental Elements*** [\[HELP\]](#)

### **1. Earth** [\[help\]](#)

- a. General description of the site: The city has unique geological features and natural resources as the regional landscape, known as the West Plains, rises in elevation above the City of Spokane. The land

in and around Medical Lake, geologically known as the Channeled Scablands, is its own micro-region with geologic characteristics not found anywhere else in the world. This area is characterized by the hilly terrain, exposed basalt outcroppings, and a large number of small ponds and lakes and the ecosystems that support them. The City of Medical Lake shares its name with the lake that is central to the community. The city limits also abut West Medical Lake and Silver Lake. The foundation material of these lakes and the adjoining community is basalt bedrock. The soil consists of unconsolidated silty-clay alluvium to the north and south of the lakes. Ground water, rain and snow are the primary sources of recharge for the lakes, while evaporation, groundwater, and irrigation are primary discharges. A transition point from the scabland ecosystem and the forests to the east creates a blending of high desert plants and Ponderosa pines. The wildlife that is found in the area is also consistent with this edge ecology including whitetail deer, birds, and fish.

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

- b. What is the steepest slope on the site (approximate percent slope)?
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

## 2. *Air* [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

## 3. *Water* [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
- 2) Could waste materials enter ground or surface waters? If so, generally describe.
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

**4. Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- \_\_\_deciduous tree: alder, maple, aspen, other
- \_\_\_evergreen tree: fir, cedar, pine, other
- \_\_\_shrubs
- \_\_\_grass
- \_\_\_pasture
- \_\_\_crop or grain
- \_\_\_ Orchards, vineyards or other permanent crops.
- \_\_\_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- \_\_\_ water plants: water lily, eelgrass, milfoil, other
- \_\_\_ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?
- c. List threatened and endangered species known to be on or near the site.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
- e. List all noxious weeds and invasive species known to be on or near the site.

**5. *Animals*** [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

- b. List any threatened and endangered species known to be on or near the site.
- c. Is the site part of a migration route? If so, explain.
- d. Proposed measures to preserve or enhance wildlife, if any:
- e. List any invasive animal species known to be on or near the site.

**6. *Energy and Natural Resources*** [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

- c. What kinds of energy conservation features are included in the plans of this proposal?  
List other proposed measures to reduce or control energy impacts, if any:

## 7. *Environmental Health* [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?  
If so, describe.
- 1) Describe any known or possible contamination at the site from present or past uses.
  - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
  - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
  - 4) Describe special emergency services that might be required.
  - 5) Proposed measures to reduce or control environmental health hazards, if any:

### b. *Noise*

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
- 3) Proposed measures to reduce or control noise impacts, if any:

## 8. *Land and Shoreline Use* [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting?  
If so, how:



- c. Describe any structures on the site.
- d. Will any structures be demolished? If so, what?
- e. What is the current zoning classification of the site?
- f. What is the current comprehensive plan designation of the site?
- g. If applicable, what is the current shoreline master program designation of the site?
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
- i. Approximately how many people would reside or work in the completed project?
- j. Approximately how many people would the completed project displace?
- k. Proposed measures to avoid or reduce displacement impacts, if any:
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

**9. Housing** [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
- c. Proposed measures to reduce or control housing impacts, if any:

**10. Aesthetics** [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
- b. What views in the immediate vicinity would be altered or obstructed?
- b. Proposed measures to reduce or control aesthetic impacts, if any:

**11. Light and Glare** [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

- b. Could light or glare from the finished project be a safety hazard or interfere with views?
- c. What existing off-site sources of light or glare may affect your proposal?
- d. Proposed measures to reduce or control light and glare impacts, if any:

**12. Recreation** [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?
- b. Would the proposed project displace any existing recreational uses? If so, describe.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

**13. Historic and cultural preservation** [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

**14. Transportation** [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- h. Proposed measures to reduce or control transportation impacts, if any:

**15. Public Services** [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
- b. Proposed measures to reduce or control direct impacts on public services, if any.

**16. Utilities** [\[help\]](#)

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

**C. Signature** [\[HELP\]](#)

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 Elisa Rodriguez  
 Position and Agency/Organization City Planner, City of Medical Lake  
 Date Submitted: September 7, 2022

**D. Supplemental sheet for nonproject actions** [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

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?

Proposed measures to avoid or reduce such increases are: **The proposed change to the UGA requires a Spokane County zoning designation of Light Industrial to be changed to Rural Traditional. Therefore, the likelihood of future development that would produce toxins, hazardous substances, or noise is reduced.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are: **The proposed changes to the UGA do not change the current development regulations that protect plants, animals, fish, or marine life.**

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are: **The proposed changes to the UGA do not increase the area within the UGA, therefore, any future development will not be more or less likely to deplete energy or natural resources.**

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?

Proposed measures to protect such resources or to avoid or reduce impacts are: **The proposed UGA changes have taken into account critical areas and farmlands. Lands were chosen to avoid critical areas where possible. Where it was not possible, the Medical Lake Critical Areas Ordinance will protect those resources when the property is annexed into the city. The proposal reduces the acreage of farmland included within the UGA.**

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?

Proposed measures to avoid or reduce shoreline and land use impacts are: **The proposed UGA changes do not include any shorelines. The proposal is consistent with the Medical Lake Comprehensive Plan.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are: **The sewer system serving the southwest portion of the city is at maximum capacity. If any development is proposed, the infrastructure would have to be replaced. The proposal removes the UGA land from the southwest corner of the city. All other public services, utilities, and transportation will remain the same to service the proposed areas.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**The proposed UGA changes do not conflict with any local, state, or federal laws. The Washington State Growth Management Act allows local jurisdictions to amend their Comprehensive Plans once annually. Any changes to UGAs must receive approval from Spokane County. The City of Medical Lake has been in conversation with Spokane County Planners and intend to apply for the amendment in December for the 2023 Spokane County Comprehensive Plan amendment cycle.**

Notice of Public Hearing and  
Determination of Non-Significance (DNS)

Description of Proposal: Notice of Hearing is issued for the Urban Growth Area Land Exchange. The proposed non-project legislative action is to amend the Urban Growth Area of the City of Medical Lake. There are currently 334 acres of unincorporated land within the UGA. The proposal is to remove these lands and replace them with lands of an equal size.

Proponent: City of Medical Lake 124 S Lefevre Street, P.O. Box 369, Medical Lake, WA 99022

Location of Proposal: Urban Growth Area of the City of Medical Lake

Lead Agency: City of Medical Lake, Planning Department

Threshold Determination: The lead agency has determined that this non-project action proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This DNS is issued under WAC 197-11-340(2); the City of Medical Lake will not act on this proposal for 14 days from the date of this notice. **Written comments on this threshold determination must be submitted on or before 4:00 p.m., September 22, 2022** to the project contact listed below.

Appeals: Appeals of this environmental determination may be made per the procedures outlined in MLMC 16.10.420.

Public Hearing: A public hearing is scheduled before the Planning Commission on **Thursday, October 27, 2022 at 5 p.m.**

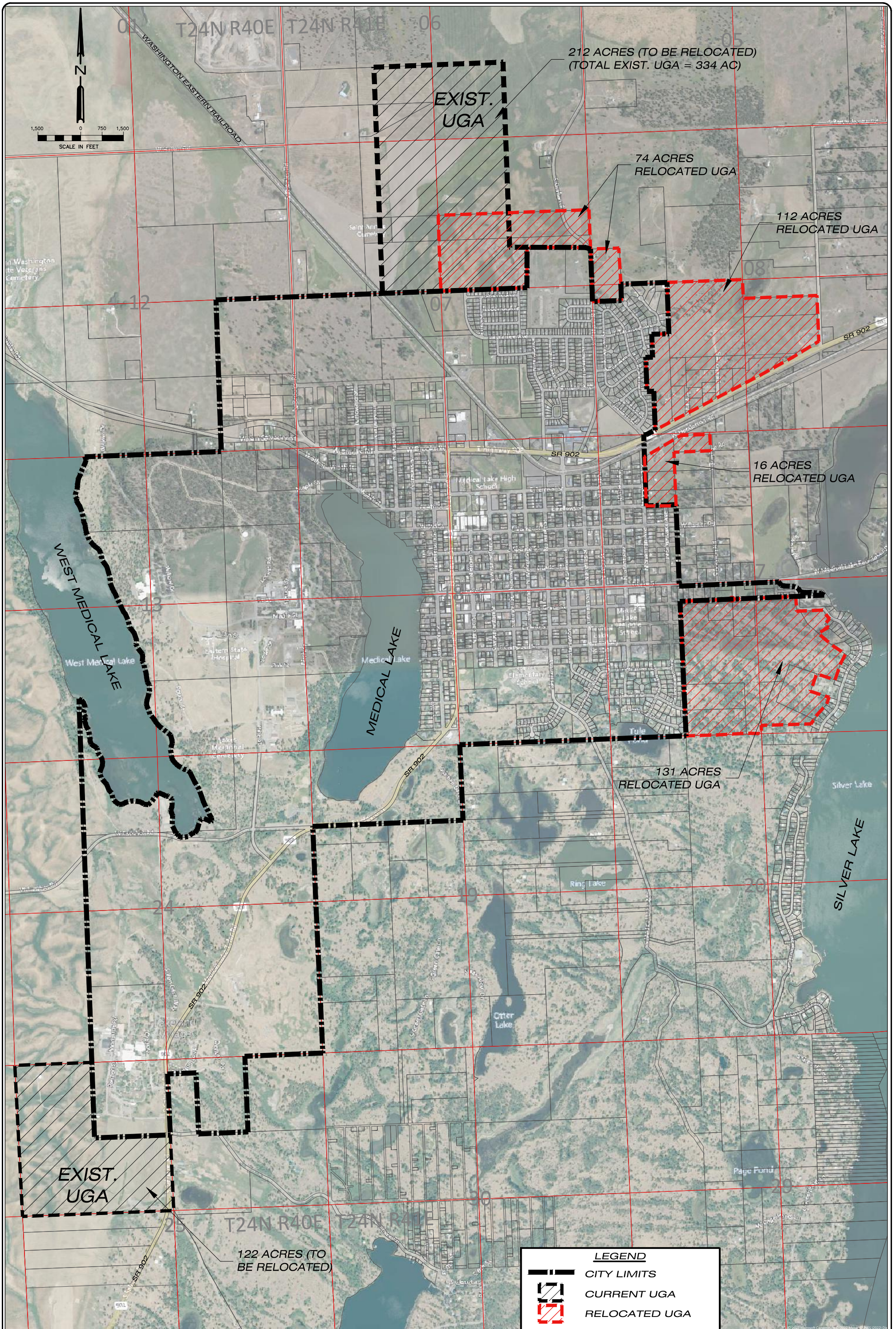
To View Documents: Documents associated with this proposal can be viewed on the City of Medical Lake website, at: [www.medical-lake.org](http://www.medical-lake.org), or may be reviewed at the City of Medical Planning Department.

Contact Person: Please direct any comments concerning this threshold determination to: Elisa Rodriguez, City Planner P.O. Box 369, Medical Lake, WA 990022; 509-565-5019; [erodriguez@medical-lake.org](mailto:erodriguez@medical-lake.org).

SEPA Responsible Official: Elisa Rodriguez

Date of Issuance: October 13, 2022





# CITY OF MEDICAL LAKE RELOCATED UGA

LEGEND	
	CITY LIMITS
	CURRENT UGA
	RELOCATED UGA

<b>E &amp; H ENGR.</b>	<b>E&amp;H ENGINEERING, INC.</b>
	12611 W. Sunset Hwy., Suite B
	Airway Heights, WA. 99001
	(509) 744-0245 FAX: (509) 744-0062





City of Medical Lake  
124 S. Lefevre St.  
P.O. Box 369  
Medical Lake, WA 99022-0369

City Hall: (509) 565-5000 Fax: (509) 565-5008

Parks & Recreation: (509) 565-5007

Police: (Crime Check) (509) 456-2233

## **PUBLIC HEARING NOTICE**

**NOTICE IS HEREBY GIVEN TO ALL INTERESTED PARTIES THAT:** The Planning Commission of Medical Lake will conduct a Public Hearing on the City of Medical Lake Comprehensive Plan Amendment – Urban Growth Area Change. A SEPA Determination of Non-Significance was made on October 13, 2022. Attendees will have the opportunity to publicly comment on the topic in person or by submitting written comments to the contact person below. The public hearing will be held Thursday, October 27, 2022, beginning at 5 p.m. during the regularly scheduled Planning Commission meeting. The meeting will be held in person at City Hall, 124 S. Lefevre Street, Medical Lake, Washington, and remotely via Zoom.

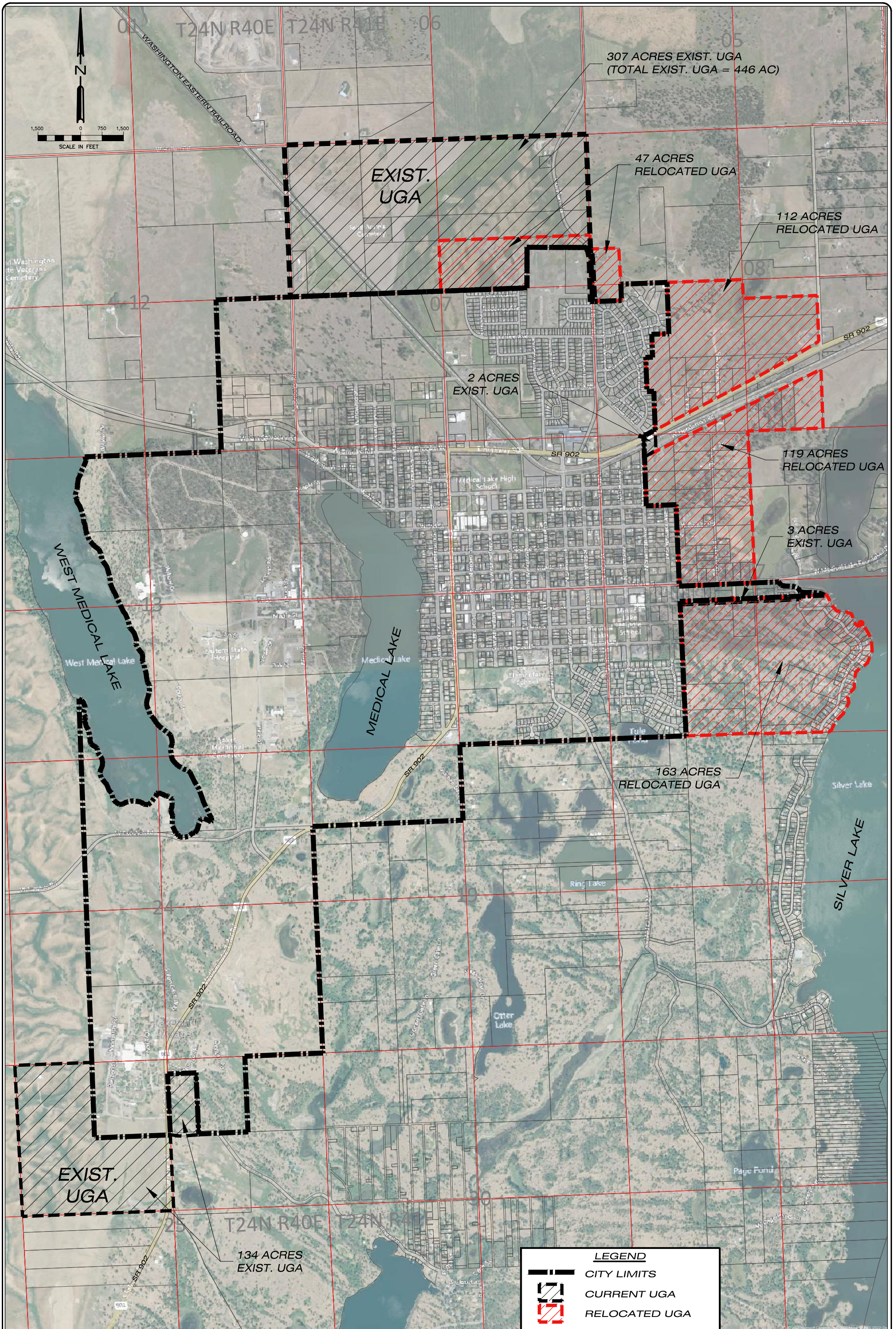
The Zoom link can be found per the published Planning Commission Agenda on the city's website: <https://medical-lake.org/>

Individuals planning to attend the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact City Hall at (509) 565-5000 as soon as possible so that arrangements may be made. Without advance notice, it may not be possible to provide the required accommodation(s).

Submit written comments to:  
Elisa Rodriguez, City Planner  
[erodriguez@medical-lake.org](mailto:erodriguez@medical-lake.org)

Posted: October 13, 2022





# CITY OF MEDICAL LAKE RELOCATED UGA