



**AGENDA
PLANNING COMMISSION
REGULAR MEETING and
PUBLIC WORKSHOP
February 23, 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/85019708938?pwd=M3hFR0RXUldXNmExa1RyR0ZZQkNqdz09>

Meeting ID: 850 1970 8938

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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) January 26, 2023, Meeting minutes

4) STAFF REPORTS

5) SCHEDULED ITEMS

- a) Planning Commission Rules of Procedure

6) PUBLIC WORKSHOP – Continued from December 15, 2022, and January 26, 2023, meetings

- 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
124 S. Lefevre Street – City Council Chambers
Planning Commission Meeting and Public Workshop
January 26, 2023, 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) Approval of agenda. Motion to approve agenda made by commissioner Mark, seconded by commissioner Munson, motion carried 4-0.
- b) Commissioner Mayulianos is acting as Chair in the absence of commissioner Hudson. Commissioner Mayulianos called the meeting to order at 5 pm, led the Pledge of Allegiance, and conducted roll call.
- c) Commissioner Hudson submitted a request for an excused absence from tonight’s meeting. All other commissioners were present.
 - i) Motion to approve commissioner Hudson’s absence made by commissioner Munson, seconded by commissioner Jorgenson, carried 4-0.

2) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- a) Tammy Roberson 424 W Brooks Rd – Requested correction to the December 15, 2022, minutes; paragraph 8a delete the words “that she felt”.

3) APPROVAL OF MINUTES

- a) **December 15, 2022**, Regular Meeting and Public Workshop minutes
 - i) Section 2. a.i, correct vote count to 3-1-1. Motion to correct made by commissioner Mayulianos, seconded by commissioner Munson, carried 4-0.
 - ii) Section 6.a. correct to 17.42.030, not 7.42.020. Motion to correct made by commissioner Mark, seconded by commissioner Munson, carried 4-0.
 - iii) Motion to include Ms. Roberson’s attachments that were inadvertently not included in the packet made by commissioner Mayulianos, no second. Motion failed.
 - iv) Commissioner Mayulianos motioned to change Section 3.a.i from 3-0 to 3-0-2, seconded by Commissioner Munson, carried 4-0. Note: Section 3.a.i is a discussion of the November minutes, and the language correctly reflects the conversation at the December meeting. Therefore, this change will not be made to the minutes.
 - v) Section 8.a. strike the words “that she felt”. Motion to correct made by commissioner Mark, seconded by commissioner Mayulianos, carried 4-0.
 - vi) Motion to approve minutes as amended made by commissioner Munson, seconded by commissioner Mark, carried 4-0.

4) STAFF REPORTS

- a) Elisa Rodriguez, City Planner
 - i) Shared update on the CAO presentation to City Council at the January 3, 2023, council meeting.
 - ii) Provided clarification on what gets attached to Planning Commission minutes.

5) SCHEDULED ITEMS

- a) Planning Commission Rules of Procedure
 - i) Commissioner Mayulianos opened discussion on the current Rules of Procedure (Rules). She brought to the commission’s attention that several changes had been made to the Rules, however, these were invalid due to the procedure used. She suggested that the commission review the newest version from 2015, write down any changes and come back at the next meeting.
 - ii) Legal Counsel, Sean Boutz, offered guidance on the procedure for initiating changes to the Rules of Procedure. Specifically, that before any final changes can be made, they must first be introduced and voted on at a previous meeting.
 - iii) Discussed proposed changes in sections 4.1.2, 4.1.3, 4.1.6 under Order of Business.

iv) Commissioner Mayulianos motioned to introduce proposed changes to Section 4.1, Order of Business, as follows:

1. Call to Order, Pledge of Allegiance and Roll Call
 - A. Additions to the Agenda
 - B. Excused Absences
2. Interested Citizens: Audience Requests and Comments
3. Approval of Minutes
4. Staff Reports
5. Scheduled Items
6. Public Workshops
7. Commission Members' Comments or Concerns
8. Interested Citizens: Audience Requests and Comments
9. Conclusion

Seconded by commissioner Munson, carried 4-0.

- v) Commissioner Mark motioned to introduce a potential change to section 1.3, Attendance, Excused Absences, to add the words "or designee" after Planning Director, seconded by commissioner Mayulianos, carried 4-0.
- vi) Commissioner Mayulianos suggested leaving Section 5.4, Motions to Reconsider, as is, even though the commission had previously passed a motion to change it. Commissioner Mark motioned let Section 5.4 to remain as is, seconded by commissioner Munson, carried 4-0.
- vii) Commissioner Mayulianos motioned to introduce a potential change to Section 2.1, Commission Meetings, to change the commission meeting days to the 4th Thursday of the month, seconded by commissioner Mark, carried 4-0.
- viii) Commissioner Munson motioned to introduce potential changes to pages 7 and 8 to appropriate Medical Lake city contact info, seconded by commissioner Mark, carried 4-0.

6) **PUBLIC WORKSHOP** – Continued from December 15, 2022, Meeting

- a) Application LU 2022-004 TA, Proposal to amend MLMC Section 17.42.030 to allow shipping containers under certain circumstances.
 - i) City Planner, Elisa Rodriguez, explained the application received from Mr. Stoker of Monark Storage. Due to receiving a citation for the illegal placement of shipping containers within the city limits, Mr. Stoker, has opted to request a change to the municipal code to allow shipping containers in commercial zones. Mrs. Rodriguez followed the explanation with a presentation of all the aspects the Planning Commission should think about regulating when considering new code language.
 - ii) Commissioners discussed the proposed change of code. Expressed concerns regarding the aesthetics of shipping containers and their degradation of appearance over time.
 - iii) City Administrator, Sonny Weathers, offered clarification on the process thus far; Mr. Stoker illegally brought in the shipping containers, code enforcement issued citation, Mr. Stoker submitted the application to amend our code thus pausing the code enforcement action.
 - iv) Motion to table discussion to next meeting made by commissioner Mayulianos, seconded by commissioner Mark, carried 3-1 with commissioner Jorgenson voting nay.

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

- a) Commissioner Mayo asked about the city's website. Mr. Weathers addressed and explained that the new website is in progress and will hopefully be up and running soon.

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

- a) Tammy Roberson 424 W Brooks Rd – asked for clarification on the failed motion to include her attachments from paragraph 2 of the December 15, 2022, minutes. Mrs. Rodriguez explained that anything handed out at a meeting will become part of the official minutes. Ms. Roberson also asked about unexcused absences for the agenda. Commissioner Munson referred to agenda section 1.3 and clarified that it will be documented in minutes whether the absence is excused or unexcused.

9) **CONCLUSION**

- a) Commissioner Munson motioned to conclude the meeting, seconded by commissioner Mark. Motion carried 4-0 and the meeting concluded at 7:02 pm.

Date: _____

Roxanne Wright, Administrative Assistant

DRAFT

Comments Made During PC Meeting 26 Jan 2023

(As of: 26 Jan 2023)

Corrections needed for 15 Dec 2022 Draft PC Minutes:

Paragraph 2) a) ii): States “See attached detailed commentary provided by Ms. Roberson.” – Attachment not included in Agenda packet.

Paragraph 5) a) i): this para is referring to Ms. Roberson’s handout title CAO Summary Handout. If one references something, then this Handout should also be included as part of the Agenda packet which it was not.

Paragraph 8) a): Stated that “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.” Delete the words “that she felt.” The word “felt” means “sensed.” There was no sensing involved here. He actually voted against his own proposals or he just did not vote period (except for two of them).

Comments made later on during PC Meeting:

Paragraph 3) a) i): Needed to fix the 17 Nov 2022 Minutes, the “motion carried 3-2 with commissioners Mark and Munson abstaining” to “... 3-0-2 with commissioners Mark and Munson abstaining. This was not done initially with the other changes during the Approval of the Minutes.

Informed the Planning Commissioners the following from Robert’s Rules for dummies (page 274”: Calling up the motion to *Reconsider* (that is, debating and voting on whether to reconsider in the first place) has to take place in the current session or the next session, unless the next session isn’t going to occur within a quarterly time interval. In that case, it has to be completed by the end of the current session.”

Asked for clarification regarding the motion that failed to have only one motion versus two about not including the attached detailed commentary provided by Ms Roberson. Given response accepted.

Asked if “Unexcused Absences” should also be a written part of the Agenda (along with “Excused” Absences in 1) b)? Given response accepted.



CITY OF MEDICAL LAKE PLANNING COMMISSION

RULES OF PROCEDURE

Adopted by Resolution 499
November 17, 2015

| [Proposed amendments introduced into record at 1/26/23 Planning Commission meeting](#)

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 designee, 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 ~~fourth~~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 Citizens: Audience Requests and Comments~~Approval of Minutes~~
 3. Approval of Minutes~~Interested Citizen Comments~~
 4. Staff Reports~~Scheduled Items~~
 5. Scheduled Items~~Commission Members Comments or Concerns~~
 6. Public Workshops~~Adjournment~~
 7. Commission Members' Comments or Concerns
 8. Interested Citizens: Audience Requests and Comments
 9. Conclusion
 6. —
- 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.

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 [509-565-5000](tel:5095655000) ~~(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 [Planning Department](mailto:Planning@cityofwashougal.gov) ~~Community Development Director~~ at [124 S Lefevre Street](mailto:124SLefevreStreet@cityofwashougal.gov) ~~1701 C Street Washougal, WA 99022-98671~~. The fax number is [509-565-5008](tel:5095655008) ~~(360) 835-8808~~. E-mails may be sent to city@medical-lake.org ~~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 [Planning Department](#)~~Community Development Director~~ before the meeting so they can be included in the record and distributed to the Commission.