



City of Medical Lake Planning Department
124 S. Lefevre St.
Medical Lake, WA 99022
509-565-5000
www.medical-lake.org

STAFF REPORT TO THE HEARINGS OFFICER

File: LU 2024-032 VA (Variance)

Date of Staff Report: May 9, 2025

Date of Hearing: May 14, 2025

Staff Planner: Elisa Rodriguez 509-565-5019 or erodriguez@medical-lake.org

SEPA: Proposal is exempt from SEPA per WAC 197-11-800 (2) – Other Minor New Construction

Procedure: This request requires a quasi-judicial review, therefore, the Hearings Examiner will hold a public hearing and make the final decision. The complete process can be found in the Medical Lake Municipal Code (MLMC), Chapter 16.04 – Permit Process.

Applicant: Fox Ridge Homeowners Association,

Owner: Site is located in public right-of-way

Proposal Location: In the right-of-way of N Fox Ridge Road at the intersection of N Graham Road and N Fox Ridge Road

Spokane County Parcels: Public right-of-way

Zoning Designation: The public right-of-way does not have a zone, but the private property on either side is the Single-Family Residential Zone (R-1).

Proposal Summary: The applicant requests a variance to construct a monument sign in the center median of the N Fox Ridge Road right-of-way.

PROPOSAL

The applicant proposes to construct a freestanding monument sign in the median of North Fox Ridge Road, the entry street for the Fox Ridge South subdivision. The proposed sign is approximately 8½ feet wide, 3½ feet deep, and 5¾ feet tall. It is proposed to be constructed of Cement Masonry Unit (CMU) blocks with a veneer of brick and a concrete cap. **The two pillars on either side of the roadway, depicted in Exhibit A.3, are not signs and are not part of this review.**

VARIANCE BEING REQUESTED

The proposed decorative subdivision sign will need a variance to section 17.39.050(3)(C) to be located in the public right-of-way.

PROCEDURAL HISTORY

Application Submitted – December 20, 2024

Application Deemed Complete – January 17, 2025

Applicant Placed Review on Hold – January 17, 2025

Applicant Took Off Hold – March 13, 2025

Notice of Application Mailed – April 14, 2025

Notice Posted at the Site – April 17, 2025

Notice of a Public Hearing Published in Cheney Free Press – April 17, 2025

Public Comment Period Closed – May 7, 2025

ANALYSIS

Site and Vicinity: The proposal is located at the entry street of the Fox Ridge South subdivision, directly south of the Fox Ridge subdivision. The two subdivisions are indistinguishable on the ground. The site of the proposed monument sign is located in the public right-of-way of N Fox Ridge Road. The right-of-way is 80 feet in width, with a 40-foot roadway. In the center of the roadway there is a 10-foot by 80-foot grass median. The street (N Fox Ridge Rd) has a diagonal orientation, running from where it intersects with N Graham Road to the southwest heading to northeast before it curves north. To the northwest of the right-of-way, there is a single-family residence with the side of the structure facing N Fox Ridge Road. To the southeast, at the intersection of N Graham Road, there is a vacant property owned by the City of Medical Lake. Continuing north there are single-family residences, all facing N Fox Ridge Road.

There are two entry streets accessing the Fox Ridge subdivision farther north on N Graham Road.

To the west of the site, across North Graham, there is a commercially zoned, vacant property.

There are no existing subdivision entrance signs in the City of Medical Lake. However, there are two subdivisions that have boulders with the subdivision name, both boulders are located on private property. In addition, there are four entrance signs to the City, maintained by the City and located in the public right-of-way.

Zoning: Public right-of-way in the City of Medical Lake is not zoned. However, the adjacent properties are zoned Single-Family Residential (R-1).

Sign regulations, although sometimes based on the zone, in this instance are based on the sign type. MLMC Section 17.39.050(3) – Permanent Subdivision or Area Name Signs:

Decorative subdivision or area name signs of a permanent character at the street entrance or entrances to the subdivision or area which identifies the name of the subdivision or area only, shall be permitted subject to the following conditions:

- A. The signs shall consist of decorative permanent type material, with illuminated, indirectly lighted or nonilluminated name plates or letters, and shall be located in a maintained landscaped area;
- B. Each wall and/or sign shall not exceed six feet in height; and
- C. Each wall and/or sign shall be located on the property, out of the right-of-way, and conform to the sight distance triangle requirements in [Chapter 17.41](#) of the M.L.M.C.
- D. Exception to Height Requirement. Subject to planning commission approval, height limitation (subsection (3) (b) of this section) may be increased to fifteen feet, only in conjunction with a planned unit development or major subdivision, provided that the signage has been included as part of the design and is compatible with the planned development of subdivision (i.e. gated community sign incorporated into top of gate or gabled entrance or archway).

PUBLIC COMMENT

The City received three submittals from the public. To summarize:

Pops Smith stated that in snowy weather, cars slide towards the median and the sign is a waste of money.

Ted Adams questioned whether the homeowners association followed the bylaws in approving this sign and that the money could be used to repair sidewalk instead.

Ted Olson submitted a petition with signatures of area residents opposing the sign.

ZONING CODE APPROVAL CRITERIA

Variances are subject to the approval criteria of MLMC 17.48.070 – Variances.

1. That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity;

The applicant is proposing a monument sign marking the entrance to the Fox Ridge Subdivision. The proposed location is in the median of North Fox Ridge Road, a public right-of-way. MLMC Section 17.39.050(3)(C) requires subdivision signs to be located outside the public right-of-way. All properties adjacent to the right-of-way are private and not owned by the homeowners association. For this reason, the applicant is requesting a variance.

Subdivision sign regulations are the same for all zones. There are no existing subdivision signs in the City. However, there are two subdivisions that have boulders with the subdivision name, both boulders are located on private property.

The Fox Ridge South subdivision was platted with 50-foot rights-of-way, except the first 145 feet of N Fox Ridge Road where the right-of-way is 80-feet in width. Based on the fact that the right-of-way is larger than normal and there is an existing median, it is possible that the subdivision developer did intend to construct a subdivision entrance sign. However, the preliminary plan approval of Fox Ridge South does not address an entry sign. It does speak to entry landscaping.

Any subdivision in the City of Medical Lake has the right to construct an entrance sign as long as it is no taller than 6 feet, is indirectly illuminated or is not illuminated, and located out of the right-of-way and the clear view triangle. In the instance of the Fox Ridge South subdivision, instead of reserving commonly owned land adjacent to entrance right-of-way, the subdivision was platted with extra wide right-of-way to accommodate landscaping in a center median and adjacent to the sidewalks. Allowing a monument sign in the existing median does not grant a special privilege to this subdivision, therefore **this criterion is met.**

2. That because of special circumstances applicable to the subject property including size, shape, topography, location or surroundings, the strict application of the zoning code is found to deprive the property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classification;

The proposed subdivision monument sign is proposed to be located in the public right-of-way, which prompted this variance request. In this circumstance it is not the subject property that has the special circumstance, but rather a lack of private property that has

necessitated this variance request. As stated above, when the Fox Ridge South subdivision was platted, it included an extra wide right-of-way for the first 145 feet of N Fox Ridge Road, meant to accommodate entrance landscaping maintained by the homeowners association. The preliminary plat review and approval do not speak to an entry sign, therefore, it is unknown if one was intended to be constructed. Where a tract of land or an easement might more commonly be set aside for entrance landscaping and/or signage, it is reasonable to presume in this instance, there was negotiation between the developer and City that led to this larger right-of-way instead. For these reasons, not allowing a subdivision entrance sign in the right-of-way would deprive the subdivision of the rights and privileges enjoyed by other subdivisions. Therefore, **this criterion is met.**

3. That the granting of the variance will not be detrimental to the public welfare or injurious to property or improvements in the vicinity and zone in which the property is located.

The proposed subdivision entry sign is approximately 8½ feet wide, 3½ feet deep, and 5¾ feet tall. It is proposed to be located in the 10-foot wide median of the 40-foot roadway of N Fox Ridge Road. The median, where the entry monument is proposed, begins 32 feet back from the intersection of N Graham Road and does not cause any issues with visibility for traffic. The median exists and no changes to the roadway and/or flow of traffic will be required to accommodate the sign. For these reasons, granting the variance will not be detrimental to public welfare or injurious property or improvements, therefore, **this criterion is met.**

CONCLUSION

The applicant is proposing to construct a subdivision entry monument sign for Fox Ridge South. This sign is proposed to be located in the existing center median of N Fox Ridge Road. The right-of-way for this section of N Fox Ridge Road is wider than the rest of the subdivision and was likely done to allow for landscaping to highlight the entrance to the subdivision. All subdivisions are permitted to have entry signs, therefore, this request is not for a special privilege. Instead of providing property for entrance landscaping or signage, the right-of-way was increased, therefore, by not allowing the sign in public right-of-way, the subdivision would be deprived of the privileges allowed for other subdivisions. The proposed location is not detrimental to public welfare or the right-of-way in which it is proposed to be located. Therefore, all of the approval criteria are met to receive a variance and the proposal should be approved.

RECOMMENDATION

It is recommended that the variance to locate a subdivision entry sign as depicted in Exhibit A.3 be allowed in the existing median of N Fox Ridge Road.

NOTE

Prior to construction, a right-of-way permit must be obtained from the City of Medical Lake.

EXHIBITS

- A. Application Materials
 - 1. Variance Application – December 20, 2025
 - 2. Letter from Applicant – December 20, 2025
 - 3. Site Plan and Elevations – December 20, 2025
- B. Correspondence
 - 1. Letter of Completeness – January 17, 2025
 - 2. Email regarding Postponement of Hearing – January 17-20, 2025
 - 3. Email regarding Hearing Scheduling – March 13, 2025
 - 4. Letter regarding Revised Notices – April 2, 2025
- C. Public Notifications
 - 1. Notice of Application – April 14, 2025
 - 2. Legal Notice, Published in Cheney Free Press – April 17, 2025
 - 3. Site Notice posting instructions
 - 4. Affidavit of Public Notification – April 18, 2025
- D. SEPA (none)
- E. Public Comments
 - 1. Pops Smith – April 29, 2025
 - 2. Ted Adams – May 7, 2025
 - 3. Ted Olson – May 7, 2025
- F. Other
 - 1. Fox Ridge South Staff Report – December 21, 2005
 - 2. Planning Commission Transcript – December 21, 2005
 - 3. Fox Ridge South Recorded Plat – July 21, 2006