

**City of Lake Forest Park  
Planning Commission Meeting  
17425 Ballinger Way NE  
Tuesday, September 25, 2018  
PROPOSED MEETING AGENDA**

**1. Call Meeting to Order—7:00 p.m.**

**2. Approval of Agenda**

**3. Approval of Meeting Notes**

**4. Meeting Dates**

- Next meeting is scheduled for October 9, 2018.

**5. Old Business**

- Implementation of Town Center Vision
  - Purpose, Uses Table, Affordable Housing & Height Incentives (7:10-7:50pm)
  - Density/Form Based Approach - Setbacks/Edge Conditions (7:50-8:20pm)
  - Approval Process/Site Plan Review/General Comments (7:20-8:40pm)
  - Looking Ahead to October 9 Meeting (8:40-8:45pm)

**6. New Business**

- Proposed 2019 Work Plan

**7. Reports and Announcements**

**8. Public comments**

**9. Agenda for Next Meeting**

**10. Adjournment**

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**2018 Work Plan Summary**

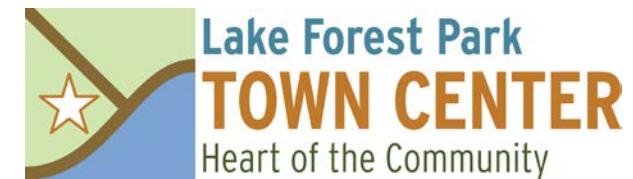
- Town Center Vision (policy framework) and land use code updates
- Parks, Recreation, Open Space and Trails Plan
- Title 18 Planning and Land Use Regulation General Update
- Subdivision Design Standards

**LFP Planning Commission**

- The Lake Forest Park Planning Commission provides recommendations to the Mayor and City Council for changes and updates to the Comprehensive Plan, zoning code, and land use policies.
- As citizen representatives, commissioners recommend programs and policies according to the needs and values of the community.
- The Planning Commission is required by law, and governed by state statute and city ordinance.

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018

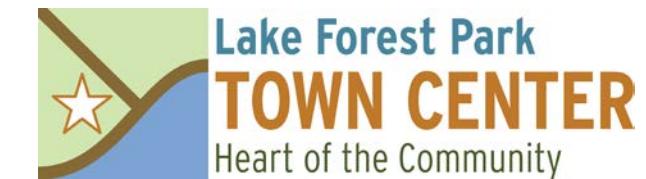


### Background and Summary of Lake Forest Park Town Center Code Provisions

	2004	2005 Baseline	2005 Bonus	Considerations for 2018-2019 Code Amendments and Lake Forest Park Town Center Design Standards and Guidelines Document
	Zoning Standards	Framework Design Guidelines	Framework Design Guidelines	
<b>PLACEMAKING</b>				
Site Scale	No standards	Various provisions (pedestrian grid; ____)	Same as 2005 baseline	Anticipating provisions in Design Standards and Guidelines document consistent with the VISION and market conditions.
Uses	General Commercial and Low Density Residential Use	Mixed Use (horizontal or vertical). Redevelopment must include residential as a component of the overall site. Allowable uses include but are not limited to residential, senior housing, live/work, retail, professional office, public realm and event space, performing areas.	Same as 2005 baseline	Use in Code; not Standards/Guidelines document. Similar focus as in 2005 Framework Design Guidelines, but combining and updating description of uses (considering potential use table). Intending to include broader list of uses (brew pubs, food trucks, farmers market, health clubs, pet supplies sales, veterinary clinic); continued focus on shopping/retail, restaurants, cafes, entertainment, medical office and clinic, government buildings/public uses. See next page and draft content attached for more information.
Affordable Housing	No standards/provisions	No standards/provisions	No standards/provisions	Consider adding requirements to Code; some potential language is shown in attached; baseline could be 10% of units at 80% AMI (area median income). Consider incentivizing through a combination of potential bonuses (height/density) and/or tax exemption programs.
Height	Commercial only at 30' height Mixed use at 40' height	Three over one – four stories above grade; with bonus opportunity (see left); prescriptive floor to floor heights of	Baseline standards plus one additional level = four over one or approximately 60 to 70 feet in height depending on roof line and roof top treatments (first level @ 14-20 feet, levels two through five @10 feet, roof line variation/appurtenances above)	<p>Consider regulating by built form (height, open space requirements, etc. in Code and Design Standards and Guidelines).</p> <ul style="list-style-type: none"> <li>• Per market and constructability – the optimum maximum height for mixed use vertical is 75 feet to highest occupied level (85 feet to roofline; allow flexibility for roofline variations and rooftop appurtenances above 85 feet—(10 additional? Currently researching with architects.)</li> <li>• Could consider base height limitation of 65 feet to highest occupied level (75 feet to roofline and with roofline variations/rooftop appurtenances above 75 feet) and then provision of additional height to 75 feet floor/85 feet roofline with provision of affordable housing, open space, and potentially other amenities.</li> <li>• Also consider tax exemption/credit program as additional incentive for affordable housing.</li> <li>• Do not need to prescribe floor to floor heights; allow flexibility within maximum height envelope.</li> <li>• That said, consider limiting configuration concrete podium levels so second level steps back and is offset from the building face of the first level (avoiding two level concrete podiums next to sidewalk; human scale issues – see downtown Redmond). The offset area can be used for residential terraces, rooftop spaces, etc.</li> <li>• Consider if building step backs are necessary next to SF residential along west border. Or instead. Transition could be handled through combination of setback and landscaping requirements. Consider removing third floor setback requirement of 12 to 16 feet, regardless of use, and consider second floor podium level offset potential.</li> </ul>

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018

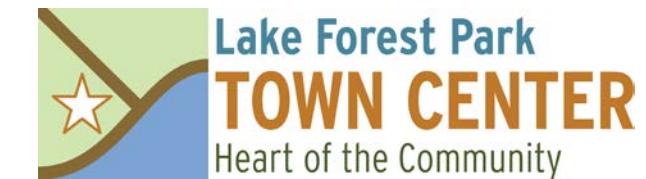


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<b>PLACEMAKING, CONTINUED</b>				
Density—Residential	Maximum of 7 dwelling units per acre	Density	Baseline standards plus one additional level (four over one)	Continue to regulate density by built form (height, edge conditions, open space requirements, etc.) rather than prescription.
Density—Commercial	Individual uses of less than 60,000 sf allowed outright; non residential uses between 60,000 to 100,000 sf allowed with conditional use permit	No single store footprint should exceed 60,000 sf	Same as 2005 baseline	Continue to regulate density by built form (height, edge conditions, open space requirements, etc.) rather than prescription.  Consider removing allowance through CUP of 60,000 to 100,000 sf uses.
Edge Conditions	20-foot front, side, and rear setbacks with adequate landscaping and screening	Buildings adjacent to areas of public realm/public and private ownership should incorporate 12 to 16-foot setback of the third floor regardless of use.	Same as 2005 baseline	VISION influence: Consider 20-foot setbacks along SR 104 and SR 522 rights-of-way as a tool for preserving existing trees and landscaping around the perimeter of Town Center.  VISION influence and traffic considerations: Consider 60-foot (approx.) minimum setback along west property line (adjacent to Lyon Creek and single family residential); this space could include a combination of circulation, landscaping, pedestrian space, etc.; encourage another through street along this edge?  Front/rear/side yard setbacks are difficult to interpret given site configuration so suggest interior phases of development provide appropriate open space requirements rather than yard setbacks.  Could potentially discuss building offset tiers (wedding cake) style beyond first level podium offset discussed above. Needs further discussion/research as to dimensions if appropriate.
<b>ENVIRONMENT</b>				
Residential	Building and Energy Code only	LEED R for Residential certification or Green Globe 2 level or BuiltGreen 3 star level	LEED R Silver or BuiltGreen 4 Star or Green Globe 3 level	Recent Building and Energy Code revisions have encompassed energy efficient designs; other codes in region do not widely require LEED/green building provisions; so consider keeping this to compliance with existing applicable building codes.
Mixed use and Commercial	Building and Energy Code only	LEED R or BuiltGreen 3 star for Residential component; LEED ND or Green Globe 2 level, LEED EB for existing buildings	LEED NC or EB Silver, BuiltGreen 4 Star or Green Globe 3 level	Recent Building and Energy Code revisions have encompassed energy efficient designs; other codes in region do not widely require LEED/green building provisions; so consider keeping this to compliance with existing applicable building codes.  However; potentially consider LEED/green building targets for public/civic buildings and development (including parking structures).
Site		Various provisions in framework design guidelines.		Anticipating reference to DOE and adopted local stormwater and LID requirements; inclusion of LID principles/best practices in the Design Standards and Guidelines document to support VISION goals and policies: Lyon Creek corridor; trees; sense of green; permeable surfaces; etc.

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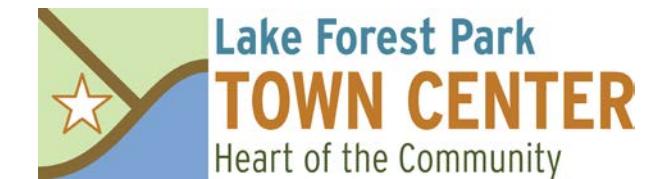


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<b>MOBILITY AND WALKABILITY</b>				
Pedestrian	No standards	“Pedestrian first” design, pedestrian grid (see placemaking), east/west connection adjacent to Lyon Creek, enhanced pedestrian walkway along Ballinger Way (separated from street where reasonably achievable).	Same as 2005 baseline	VISION priority to create a more pedestrian-oriented place. Anticipating more specifics and examples in Design Standards and Guidelines related to pedestrian friendly/pedestrian oriented design and design treatments on the site, consistent with the VISION. Same areas of emphasis as in 2005 framework, but additional detail/examples will be provided for treatments throughout entire site. Consider potential for loop trail around perimeter of Town Center.
Transit	No standards	Connect shelters to pedestrian walkways. Provide information kiosks on-site. Provide additional lighting to shelters and weather protection for bicycle racks. Provide bicycle storage facility.	Baseline standards plus integrated transit facility within the site	More emphasis than in 2005 framework anticipated due to proposed Bus Rapid Transit (BRT) park and ride center and station pair (stop platforms) in SR 522. Per VISION, more transit-oriented development provisions will be integrated into Design Standards and Guidelines document.
Bicycle	No standards	Provide clear bicycle route of travel between the crosswalk to Burke Gilman Trail and the rest of the site. Provide weather protection over bicycle racks and/or storage within multi-family areas.	Same as 2005 baseline	VISION priority to strengthen bicycling connections to/from and through site. Anticipate encouraging bicycle connections to transit through programs/facilities. Similar provisions as 2005 framework but with additional emphasis given transit center at site and BRT station in SR 522. Consider potential for loop trail around perimeter of Town Center.
Vehicular	Other sections of City Code/basic engineering standards	Lengthen distance between access points and internal drive aisles (per Heffron Report); internal access to pedestrian authority, use traffic calming, design to prevent short cutting of intersection		Circulation recommendations/pedestrian scale streets per VISION – include provisions in Design Standards and Guidelines; considering if any additional Code language would be needed (likely not if in Design Standards and Guidelines document). Need to encourage multiple through options for vehicle circulation with redevelopment; options to address Fire Station access issues also need to be provided.
Parking	Commercial uses require 5 parking spaces per 1,000 sf of building area; residential uses require 1.5 spaces per unit	Alternative off-street parking ratios as well as demonstrated feasibility of shared parking will be considered.	Baseline standards with increased underground parking anticipated	Researching commercial/mixed use examples; anticipating more flexibility in required parking quantity given TOD/shared parking potential; researching reference provisions on this. Site specific parking studies could be required of major redevelopment/improvement applications to determine parking quantities to be provided and then confirm through Development Agreement vesting process with each applicant. Other parking design provisions to be included in Design Standards and Guidelines.
ADA	ADA compliance	ADA compliance as well as efforts to the make the site inclusive for people of all abilities	Same as 2005 baseline	Universal design/best practices to be encouraged in Design Standards and Guidelines; do not need to regulate ADA/ABAAS compliance as this is already integrated into Building Code requirements.

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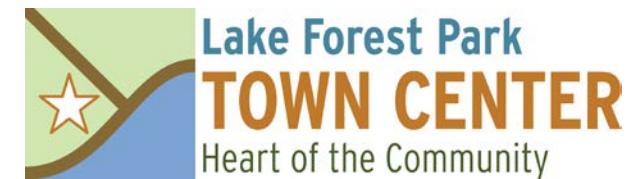


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<b>PUBLIC REALM</b>				
Site Edges	See yard setbacks above	Create visual connection between all public realm spaces and buildings. Enhance landscape within adjacent rights of way to replace invasive plants with drought tolerant and native species. Enhance Lyon Creek on west edge with appropriate habitat vegetation.	Same as 2005 baseline	See setback recommendations described above. Continue to encourage visual connection in the Design Standards and Guidelines document. Continue to encourage enhanced landscaping at edges and interior of site. Continue to encourage enhancement of Lyon Creek corridor.
Site Interior	No standards	<ul style="list-style-type: none"> <li>(1) Enhance Lyon Creek adjacent to Bothell Way as a character contributing element for the center</li> <li>(2) Provide approximately 15,000 sf of contiguous flexible open space; approximately 7,500 sf of which is flexible interior space (a Third Place concept)</li> <li>(3) Provide numerous seating opportunities along pedestrian grid</li> <li>(4) Provide “eyes on” design of surrounding structures to public realm</li> </ul>	Baseline standards with increase in size of indoor and outdoor open space areas and added public amenities (water features, public art, etc.)	<p>Include these provisions in Design Standards and Guidelines and continue to encourage and incentivize indoor and outdoor space amenities. Consider including Screening and Landscaping requirements only in Design Standards and Guidelines and not Code.</p> <p>Include language in Code referencing Design Standards and Guidelines and clarifying with provisions are required and mandatory (use of “shall”) versus discretionary/optional (use of “should”).</p>
<b>INCENTIVES TO REDEVELOP</b>				
	10' height increase for mixed use buildings	<ul style="list-style-type: none"> <li>(1) 3 over 1 residential capacity limited by Edge Condition requirements</li> <li>(2) Proactive permitting process</li> <li>(3) Design flexibility</li> <li>(4) Market-based redevelopment standards</li> </ul>	<ul style="list-style-type: none"> <li>(1) 4 over 1 residential capacity limited by Edge Condition requirements</li> </ul>	<p>Continue to provide incentives for redevelopment as well as to obtain elements that are important priorities in the VISION, such as affordable housing, open space, social gathering spaces, etc. See notes about potential height and bonus densities above; also consider:</p> <ul style="list-style-type: none"> <li>• Multi-Family Tax Exemption (MFTE) program, confirming LFP eligibility</li> <li>• Proactive permitting process (improved over current process/requirements/procedures)</li> </ul> <p>Open space/site amenities eligible for bonus identified in Code and/or Design Standards and Guidelines.</p> <p>Consider ability to depart from Code through Development Agreement vesting process.</p>

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



### Lake Forest Park Municipal Code, Town Center Chapter 18.XX

#### SUMMARY OF RECOMMENDED CHANGES TO CODE BY SECTION:

18.42.010	Purpose	Replacing with new draft purpose (more detailed with inclusion of transit-oriented development reference and other expanded language—see next page).
18.42.020	Permitted uses – Commercial and nonresidential.	Restructuring “uses” provisions – see proposed table for consideration.
18.42.030	Permitted uses – Primary and accessory residential.	More detail provided for consideration; will discuss further on 9/25/18.
18.42.040	Limitations on use.	
18.42.050	Conditional uses.	Discuss if conditional uses should be allowed or not; discuss if the square footage allowance of 18.42.050 is still appropriate for Town Center; may not need it.
18.42.060	Building height.	More detailed provisions suggested.
18.42.070	Setbacks.	Revised to encourage “green ring” of preserved landscaping/trees around Town Center site; for discussion.
18.42.080	Land coverage.	IN PROCESS: Replacing with alternate language focused on provision of open space with built form.
18.42.090	Screening and landscaping.	IN PROCESS: Replacing language; reference Design Standards and Guidelines
18.42.100	Signs.	IN PROCESS: Replacing language; reference Design Standards and Guidelines
18.42.110	Parking.	Suggest considering relaxation given transit-oriented development and shared parking potential at site; further discussions with property owners on this will be important in directing final language in code.
18.42.120	Site plan review required – Exceptions.	Suggest combining with “administrative procedures” section.
18.42.130	Site plan review – Criteria.	Discuss potential revisions to review process with the intent of making the process less cumbersome. Discuss steps in process under existing code.
18.42.140	Town center framework design guidelines – Adopted – Rules of interpretation.	This will reference the new document “Town Center Design Standards and Guidelines” – some provisions will be mandatory (shall/required), some will be flexible (should/encouraged). This work is in process – see outline in this draft. Keep procedures in procedures section.
18.42.150	Town center framework design guidelines – Application – Effect.	
18.42.160	Administration.	Combining into a new procedures section.
18.42.170	Development agreement.	Combining into new procedures section. Consider ability to confirm development program/incentives/amenities, etc. through Development Agreement vesting process.
18.42.180	Design departure.	Combining into new procedures section.
18.42.190	Bonds or other financial security.	Retained; discuss if changes are needed.

#### ADDITIONAL NOTES AND CONSIDERATIONS

##### CHAPTER 18.42 ORGANIZATIONAL STRUCTURE:

- Chapter will be renumbered and reorganized to include new sections and subsections as needed in final draft version.
- Anticipating repeal of Chapter 18.42 and replacing with a new chapter (a “track changes” approach would be too confusing). Chapter 18.49?

18.08.105: Covers any small-scale production, including alcohol industries, art, candles, woodworking, whatever.

18.08.351: Opportunity to consider Airbnb and other non-hotel/motel types of lodging.

18.08.565: May need to refine this definition to tailor it to LFP’s market (and preferences for how market should be composed/operated).

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



### Potential Amendments to LFPMC 18.08 Definitions.

#### 18.08.105 Artisanal/craft production and retail.

“Artisanal/craft production and retail” means small-scale on-site production and/or assembly of arts, crafts, foods, beverages, or other type of product involving the use of small-scale equipment and/or hand tools and not involving outdoor storage of materials, equipment, or products.

#### 18.08.255 Convalescent or nursing home.

“Convalescent or nursing home” means a building or group of buildings designed for the occupancy of three or more families and providing short- or long-term personal, nursing, or health care.

#### 18.05.265 Cultural institution.

“Cultural institution” means a building, room, or site intended for the preservation and exhibition of artistic, cultural, historical, or scientific objects.

#### 18.08.285 Dwelling, multifamily – senior housing.

“Dwelling, multifamily – senior housing” means independent senior living communities designed to provide housing for seniors aged 55 and older.

#### 18.08.351 Hotels and temporary lodging.

“Hotels and temporary lodging” means ...

#### 18.08.565 Public market.

“Public market” means an indoor or outdoor market consisting of two or more independent vendors, with each vendor operating independently from other vendors, for the purpose of selling farm-grown or home-grown produce, food, flowers, plants, or other similar perishable goods and/or new wares, used goods, or merchandise.

TO ADD:

**Automobile-oriented retail sales of food and commodities** means businesses that are oriented to automobiles (drive throughs, drive ins) as well as businesses that are primarily for the purposes of sales or repair of automobiles (parts shops, auto body, oil change, garages, gas/fuel stations,....)

**Active ground floor uses** means <consider providing a broad, flexible description of use types, which could include residential with certain design features (stoops, etc. and other non-retail types of uses>

### 18.XX.010 Purpose.

The Lake Forest Park Town Center is envisioned as the heart of the community. As this VISION is realized, the Town Center will become a place where people live, work, shop, access transit, socialize and gather as a community on a daily basis. The purpose of the Town Center development regulations is to:

- A. Guide development consistent with the vision and policies for the Town Center set forth in *The VISION* and the Lake Forest Park Comprehensive Plan;
- B. Encourage a mix of multifamily residential, commercial, civic, recreation, and amenities to achieve a transit-oriented development pattern that prioritizes the pedestrian experience;
- C. Establish a multi-modal hub integrated into the fabric of the city and to regional transportation networks including SR-522, SR-104, and the Burke-Gilman Trail;

### ADDITIONAL NOTES AND CONSIDERATIONS

18.08.105: Covers any small-scale production, including alcohol industries, art, candles, woodworking, whatever.

18.08.351: Opportunity to consider Airbnb and other non-hotel/motel types of lodging.

18.08.565: May need to refine this definition to tailor it to LFP's market (and preferences for how market should be composed/operated).

PURPOSE: Crafted based on the VISION

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



- D. Proactively address the needs of the community when developing new opportunities to live and work near high-capacity transit;
- E. Enable imaginative site and building design that will encourage pedestrian access to employment opportunities, goods, and services;
- F. Provide for adequate public facilities and services in conjunction with development; and
- G. Allow additional building height and/or density where appropriate through an incentive program to facilitate provision of public and private infrastructure, affordable housing, tree retention, and open space while achieving sustainable and transit-supportive densities.

### 18.XX.020 Use table.

- A. Uses listed in Table 18.XX.020 are subject to the following:
  - a. Uses listed with a “P” are permitted outright, subject to applicable development regulations;
  - b. Uses listed with a “C” are conditional uses and are permitted subject to a conditional use permit and applicable development regulations;
  - c. Uses listed with an “L” are limited uses and are permitted subject to applicable regulations in LFPMC 18.XX.040 and other applicable development regulations;
  - d. Uses listed with an “X” are prohibited;
  - e. Uses not listed in the table are prohibited, except as may be allowed by LFPMC 18.XX.030 or 18.XX.040.
- B. Table 18.XX.020 establishes those uses which are permitted, those uses subject to specific development standards, those uses requiring special approval, and those uses which are prohibited within each zoning district.

### ADDITIONAL NOTES AND CONSIDERATIONS

- E. From existing Purpose in Chapter 18.42

#### Use Table Considerations

- Taking the approach of showing uses in a “Use Table” helps to clarify uses and related requirements.
- Use Table is a space-saving technique to list more uses and clarify what uses are permitted outright, subject to conditional use permit, limited and subject to other procedures, or prohibited.

#### Could consider restricting certain types of uses to a VMU (or HMU!) typology:

Uses listed with “M” are permitted only when provided within a building featuring a vertical mix of uses where the subject use is the ground floor and office and/or residential uses are provided on the upper floor or floors. The director may waive or modify this requirement provided the site development plan meets the goals and policies of *The VISION* and the Lake Forest Park Comprehensive Plan and the intent of this code.

- A request for a waiver or modification shall be submitted to the city in writing. The waiver or modification shall be processed as a Ministerial Administrative Decision pursuant to the review procedures set forth in LFPMC 16.26.030(E)(3), 16.26.035, and 16.26.040.
- The director shall consider the scale, visual impacts, traffic generation, relationship to surrounding uses, and other factors which influence and/or define the nature of the use in deciding the waiver or modification.

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## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



Table 18.XX.030: Land Use Table <FIRST DRAFT>

Uses	TC Zone
<b>Residential Uses</b>	
Accessory dwelling units	X
Accessory use or accessory buildings – on-site	P
Accessory use or accessory buildings – off-site	X
Dwellings, single-family	X
Dwellings, multifamily	P
Convalescent, nursing, and retirement homes	P
Hotels and temporary lodging	C
<b>Commercial and Nonresidential Uses</b>	
Artisanal/craft production and retail	L
Automobile, boat, and trailer sales	X
Automobile rental	X
Automobile service station	X
Cultural institutions	
Day care facilities	P
Health clubs	P
Instructional institution	L
Medical-dental clinics/offices	P
Retail sales of food and commodities	L
Automobile-oriented retail sales of food and commodities	X
Professional offices	P
Public markets/farmers markets	L
Veterinary clinics or small animal hospital	C
<b>Public and Institutional Uses</b>	
Essential public facilities	C
Government buildings and uses	P
Public utilities	P
Other public service uses that are compatible with the purpose and intent of the TC zone	C
Parking structures or parking lots for purposes of commuter park-and-ride use	C
Bike stations/bike sharing programs	P

### ADDITIONAL NOTES AND CONSIDERATIONS

- We considered if there should be minimum or maximum number of dwelling units. Decided not to take that approach because redevelopment will occur in phases and as long as it is consistent with the allowed built form regulations and within the threshold analyzed in the EIS/Subarea Plan, it should be permissible.
- Do not believe a separate description of senior housing is necessary (fits into multi-family use). “Senior housing apartments” term in current code does not capture “for sale” type of housing. Is it necessary to specifically allow senior housing as a use? (adults above a certain age) Or is it better to just let the market determine?
- Affordable housing to be regulated by a separate code section; does not need to be regulated as a type of use.
- “Convalescent, nursing home” Not defined in LPMC. Change to adult family home? Add definition? Delete and cover w/ 18.XX.020(C)?
- “Artisanal/craft production and retail” Allow only in Town Center, or allow in other zoning districts as well? This determines where additional requirements will be established.
- “Retail sales of food and commodities” Add definition to clarify incidental and limited fabrication and assembly?
  - Covers a broad spectrum of retail shops including grocers, pet supplies, hardware, etc. (all current retail uses at Town Center). Do we need to describe further as in current Code language?
- Denoting “Essential Public Facilities” as C (Conditional Use) would require Sound Transit to comply with Chapter 18.54. Also could add parking structures to use table as shown.

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## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



C. A proposed use not listed in Table 18.XX.020 may be allowed if the director determines the proposed use is similar to a use listed in Table 18.XX.020:

- A request for a determination of similar use shall be submitted to the city in writing. The determination of similar use shall be processed as a Ministerial Administrative Decision pursuant to the review procedures set forth in LFPMC 16.26.030(E)(3), 16.26.035, and 16.26.040.
- The director shall consider the scale, visual impacts, traffic generation, relationship to surrounding uses, and other factors which influence and/or define the nature of the use in making a determination.
- If the director determines the proposed use is similar to a use in Table 18.XX.020, the proposed use shall be allowed subject to the same requirements as the use in Table 18.42.020 it is found to be similar to.

D. Retail sales of food and commodities (not automobile-oriented) are permitted outright; however, such uses shall not be served by drive through windows unless grandfathered under existing conditions. <????>

### **18.XX.030 Accessory uses.**

- Accessory uses listed in Table 18.XX.020 and elsewhere in this chapter are allowed consistent with LFPMC 18.XX.020 and Table 18.XX.020.
- Accessory uses not listed in Table 18.XX.020 or elsewhere in this chapter may be allowed provided the director determines the accessory use is customary and incidental to the principal use.
- Except where expressly provided for otherwise in Table 18.XX.020, accessory uses shall be permitted the same as the principal use. The director may waive this for an accessory use established after the time the principal use is established involving a "C" from the table if:
  - The principal use complies with the permit requirement in Table 18.XX.020;
  - The accessory use is within the scope and intent of the original permit as determined by the director; and
  - The addition of the accessory use will not result in the use of the land as a whole to have a detrimental effect on neighboring properties and streets due to noise, lighting, off-site traffic generation, and similar negative impacts.
- There is not limit on the number of accessory uses that may be associated with a principal use, subject to other limitations in the Lake Forest Park Municipal Code.
- Accessory uses involving marijuana production, sale, or use as defined in LFPMC 18.08 are prohibited notwithstanding a state license or other recognition pursuant to RCW Title 69.

### **18.XX.040 Limited uses.**

- Artisanal/craft production and retail. Artisanal/craft production and retail establishments are allowed as limited uses subject to the following provisions:
  - Artisanal/craft production and retail establishments shall be open to the public and shall include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space.

### **ADDITIONAL NOTES AND CONSIDERATIONS**

- Easy to add Limited uses if/when necessary as Code provisions continue to develop.

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2. Artisanal/craft production and retail establishments shall provide street frontage at sidewalk level, a well-marked and visible entrance at sidewalk level, or similar prominent pedestrian access.
3. All production, processing, and distribution activities shall be conducted within an enclosed building.
4. Outdoor storage of materials, equipment, products, or similar items incidental to the production and sale of artisanal or craft goods is prohibited.
5. Applicable state licenses or permits are required for the operation of an artisanal/craft production and retail establishment.

B. Public markets. Public markets are allowed as limited uses subject to the following provisions:

1. Public markets and their vendors shall accept forms of payment by participants of federal, state, or local food assistance programs, including but not limited to the Food Stamps/Supplemental Nutrition Assistance Program; the Women, Infants, and Children (WIC) Farmers' Market Nutrition Program; and the Senior Farmers' Market Nutrition Program. Such forms of payment include but are not limited to coupons, vouchers, and Electronic Benefit Transfer (EBT) cards.

C. Other commercial and nonresidential uses.

1. Commercial and nonresidential uses shall occupy the floor(s) below the residential portion of a mixed use building in order to enhance the quiet and privacy for the residents above when both residential and nonresidential uses occupy the same structure;
2. Individual commercial and nonresidential uses shall contain a maximum of no more than 60,000 square feet per use. Uses greater than 60,000 square feet and not more than 100,000 are only permitted after obtaining a conditional use permit;
3. Business and residential portions of a building must be separated by soundproof walls, floors, equipment, utilities or other suitable architectural features or appurtenances;
4. All businesses, services, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
  - i. Off-street parking or loading;
  - ii. Storage and sale of goods in connection with an established use under the provisions of a temporary use permit or special event; and
  - iii. Merchandise displays which are located in the TC zone where proper provision has been made for screening and safe pedestrian and vehicular passage.

### LANGUAGE FROM EXISTING CODE:

A. Residential uses are not permitted as separate projects; they must be developed in combination with commercial or nonresidential uses as part of a single site development plan. Residential uses may not be developed at a density of greater than seven dwelling units per acre;

B. Commercial and nonresidential uses shall occupy the floor(s) below the residential portion of a mixed use building in order to enhance the quiet and privacy for the residents above when both residential and nonresidential uses occupy the same structure;

C. Individual commercial and nonresidential uses shall contain a maximum of no more than 60,000 square feet per use. Uses greater than 60,000 square feet and not more than 100,000 are only permitted after obtaining a conditional use permit ([LFPMC 18.42.050](#));

### ADDITIONAL NOTES AND CONSIDERATIONS

- Should there be an annual production limit for Artisanal/craft production?
  - 100,000 gallons per year for a distillery (production max for a craft distillery per American Distilling Institute)
  - 15,000 barrels per year for a brewery (production max for a microbrewery per Brewer's Association)
  - 5,000 cases per year for a craft winery (~production limit for a craft winery per Craft Wine Association)
- Should there be a minimum or maximum GFA requirement?
- Regarding B. 1 is there a need to regulate public markets (farmers market)? Likely not necessary, typically more applicable to larger public markets.
- C. is from LFPMC 18.40.040

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D. Business and residential portions of a building must be separated by soundproof walls, floors, equipment, utilities or other suitable architectural features or appurtenances;

E. All businesses, services, repair, processing, storage or merchandise displays shall be conducted wholly within an enclosed building except for the following:

1. Off-street parking or loading;
2. Storage and sale of goods in connection with an established use under the provisions of a temporary use permit or special event; and
3. Merchandise displays which are located in the TC zone where proper provision has been made for screening and safe pedestrian and vehicular passage. (Ord. 773 § 3, 1999)

### **18.XX.050 Conditional uses.**

Conditional uses and associated development standards, if any, for the TC zone are those identified in Chapter [18.54](#) LFPMC, including permitted uses exceeding 60,000 square feet, but not more than 100,000 square feet, and drive-through window services. (Ord. 773 § 3, 1999)

A. ~~Drive through window services.~~

A. Individual commercial and nonresidential uses shall contain a maximum of no more than 60,000 square feet in building footprint area (as measured on the ground) per use. Uses greater than 60,000 square feet in building footprint area (as measured on the ground) and not more than 100,000 are only permitted after obtaining a conditional use permit (Chapter [18.54](#) LFPMC).

B. Parking structures and parking lots for commuter park-and-ride purposes.

C. OTHERS???

### **18.XX.XXX Affordable housing.**

#### **PURPOSE**

The incentives and regulations offered in this chapter are used by the city as one means of meeting its commitment to encourage housing affordable to all economic groups, and to meet its regional share of affordable housing requirements. The purposes of this chapter are to:

- A. Help achieve comprehensive plan goals of affordable housing;
- B. Implement through regulations the responsibility of the city under state law to provide for housing opportunities for all economic segments of the community;
- C. Preserve opportunities for affordable housing as the city continues to grow;
- D. Create affordable housing opportunities as a result of increased development capacity in various zones of the city; and
- E. Encourage developments that include affordable housing and that combine local incentives provided by the city with resources available from other public and private sources.

### **ADDITIONAL NOTES AND CONSIDERATIONS**

#### **CONDITIONAL USE PROVISIONS IN PROCESS**

Questions for consideration:

- Do we need to retain the 60,000 to 100,000 square feet provision? Or just eliminate and include a maximum size for retail/commercial SF as part of permitted use provisions?

#### **AFFORDABLE HOUSING CONSIDERATIONS**

THESE REGULATIONS ARE PRIMARILY ADAPTED FROM THE BOTHELL MUNICIPAL CODE – nearby jurisdiction in the region; similar considerations related to AMI; consistency in the BRT corridor.

# CODE AMENDMENTS WORKSHEET

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### DEFINITIONS <ADD TO DEFINITIONS SECTION IN CODE>

The following definitions are listed in alphabetical order for the purpose of these affordable housing regulations, and shall apply to the administration of this chapter. In addition, except as otherwise provided in this section, those definitions as contained in Chapter \_\_\_\_\_ are adopted and incorporated into this section by reference.

- A. “Affordable housing” and “affordable unit” mean a dwelling unit(s) reserved for occupancy by eligible households and having monthly housing expenses to the occupant no greater than 30 percent of a given monthly household income, adjusted for household size, as follows:
  1. Moderate Income. For owner-occupied housing, 80 percent of the area median income, and for renter-occupied housing, 60 percent of the area median income.
  2. Pursuant to the authority of RCW [36.70A.540](#), the city finds that the higher income levels specified in the definition of affordable housing in this chapter, rather than those stated in the definition of “low-income households” in RCW [36.70A.540](#), are needed to address local housing market conditions in the city.
- B. “Area median income” means the median family income for the Seattle-Bellevue, WA Metro Fair Market Rent (FMR) Area as most recently determined by the Secretary of Housing and Urban Development (HUD) under Section 8(f)(3) of the United States Housing Act of 1937, as amended. In the event that HUD no longer publishes median family income figures for the Seattle-Bellevue, WA HUD Metro FMR Area, the city may estimate the median income in such manner as the city shall determine.
- C. “Eligible household” means one or more adults and their dependents who certify that their annual household income does not exceed the applicable percent of the area median income, adjusted for household size, and who certify that they meet all qualifications for eligibility, including any requirements for recertification on income eligibility.
- D. “Housing expense” means, in the case of renter-occupied housing, rent, tenant-paid utilities, one parking space, and other tenant expenses required for the dwelling unit; and in the case of owner-occupied housing, mortgage, mortgage insurance, property taxes, property insurance, and homeowner’s dues.

### GENERAL AFFORDABLE HOUSING REQUIREMENTS

The provisions of this chapter shall apply to all affordable housing units required by, or allowed through, any chapter of the Bothell Municipal Code, except as otherwise provided by this code.

- A. Threshold for Compliance. All developments creating five <ten?> or more new dwelling units shall provide for affordable dwelling units within the development or provide other methods of creating affordable housing as provided in <SECTIONS BELOW>. Adjacent developments by the same developer will be considered as a single development for the purpose of applying the threshold for compliance.
- B. Duration of Affordability. Affordable units that are provided under this section shall remain as affordable housing for a minimum of 50 years from the date of initial occupancy for owner-occupied affordable units and for the life of the project for renter-occupied affordable units. At the sole discretion of the director, the city may approve a shorter affordability time period for owner-occupied affordable housing, not to be less than 30 years, in order to meet federal financial underwriting guidelines.
- C. Designation of Affordable Units and Standards for Affordable Units. Prior to the issuance of any permit(s), the city shall review and approve the selection of affordable units, consistent with the following standards:

### ADDITIONAL NOTES AND CONSIDERATIONS

#### AFFORDABLE HOUSING, CONTINUED

THESE REGULATIONS ARE PRIMARILY ADAPTED FROM THE BOTHELL MUNICIPAL CODE – nearby jurisdiction in the region; similar considerations related to AMI; consistency in the BRT corridor.

NEED TO ADD LANGUAGE RELATED TO INCENTIVES, MULTI-FAMILY TAX EXEMPTION POTENTIAL with further research and coordination with City staff and property owners.

ADD ROUNDING (calculations) language.

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1. The affordable units shall generally be interspersed with all other dwelling units in the development.
2. The tenure (ownership or rental) of the affordable units shall be the same as the tenure of the rest of the dwelling units in the development.
3. The affordable units shall consist of a mix of number of bedrooms that is generally proportionate to the bedroom mix of units in the overall development.
4. The size (heated floor area) of the affordable housing units, if smaller than the other units in the development having the same number of bedrooms, must be approved by the director. In general, the affordable housing units may be as small as 500 square feet for a studio unit, 600 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit, 1,000 square feet for a three-bedroom unit, or 1,200 square feet for a four-bedroom unit, or 10 percent smaller than the market-rate units with the same number of bedrooms, whichever is less. However, the director has the discretion not to approve proposals for smaller units based on the criterion that rooms within the units provide adequate space for their intended use.
5. The exteriors of the affordable units shall be compatible with and comparable in quality and durability to the rest of the dwelling units in the development and shall comply with any design standards for the underlying zoning district. The interior finish, durability and quality of construction of the affordable units shall, at a minimum, be comparable to new entry level rental or ownership housing in the city.

D. Availability. The affordable units shall be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.

### AFFORDABLE HOUSING AGREEMENT

- A. An affordable housing agreement shall be recorded with the King or Snohomish County recorder's office, as applicable, prior to the issuance of a building permit for any development providing affordable housing pursuant to the requirements or incentives of the Lake Forest Park Municipal Code.
- B. The recorded agreement shall be a covenant running with the land and shall be binding on the assigns, heirs, and successors of the applicant.
- C. The agreement shall be in a form approved by the city and shall address price restrictions, homebuyer or tenant qualifications, affordability duration, phasing of construction, monitoring of affordability, and any other topics related to the provision of the affordable housing units.
- D. The agreement shall provide the city sole discretion to establish monitoring fees for the affordable units, which fees may be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the affordability agreement.
- E. The city may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for development of the property.

### ADDITIONAL NOTES AND CONSIDERATIONS

#### AFFORDABLE HOUSING, CONTINUED

THESE REGULATIONS ARE PRIMARILY ADAPTED FROM THE BOTHELL MUNICIPAL CODE – nearby jurisdiction in the region; similar considerations related to AMI; consistency in the BRT corridor.

NEED TO ADD LANGUAGE RELATED TO INCENTIVES, MULTI-FAMILY TAX EXEMPTION POTENTIAL with further research and coordination with City staff and property owners.

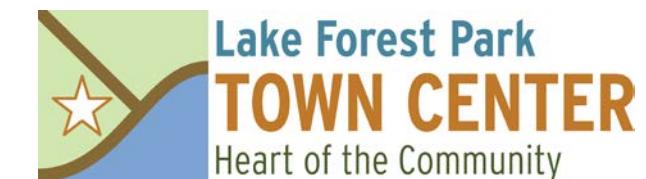
ADD ROUNDING (calculations) language.

ALSO INCLUDING CITY OF SHORELINE REGULATIONS FOR REFERENCE <NEXT PAGE> NOTE PERCENTAGES REQUIRED.

What is the appropriate percentage for Lake Forest Park Town Center? 10 percent? This will be further studied/analyzed as part of the EIS process.

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### CITY OF SHORELINE AFFORDABLE HOUSING IN LIGHT RAIL STATION AREAS

The City provides various incentives and other public resources to promote affordable housing. Specific regulations providing for affordable housing are described below:

	MUR-70'+	MUR-70'	MUR-45'	MUR-35'
Mandatory Participation	Yes	Yes	Yes	No
<b>Incentives (3) (4)</b>	Height may be increased above 70 ft.; no density limits; and may be eligible for 12-year property tax exemption (PTE) pursuant to Chapter <a href="#">3.27</a> SMC; permit fee reduction pursuant to SMC <a href="#">20.40.235</a> (F); and impact fee reduction pursuant to SMC Title <a href="#">3</a> .	Entitlement of 70 ft. height; no density limits; and may be eligible for 12-year property tax exemption (PTE) pursuant to Chapter <a href="#">3.27</a> SMC; permit fee reduction pursuant to SMC <a href="#">20.40.235</a> (F); and impact fee reduction pursuant to SMC Title <a href="#">3</a> .	Entitlement of 45 ft. height; no density limits; and may be eligible for 12-year property tax exemption (PTE) pursuant to Chapter <a href="#">3.27</a> SMC; permit fee reduction pursuant to SMC <a href="#">20.40.235</a> (F); and impact fee reduction pursuant to SMC Title <a href="#">3</a> .	No density limits; and may be eligible for 12-year property tax exemption (PTE) pursuant to Chapter <a href="#">3.27</a> SMC; permit fee reduction pursuant to SMC <a href="#">20.40.235</a> (F); and impact fee reduction pursuant to SMC Title <a href="#">3</a> .
<b>Studio, 1 bedroom (3) (4)</b>	20% of rental units shall be affordable to households making 60% or less of the median income for King County adjusted for household size; or 10% of rental units shall be affordable to households making 50% or less of the median income for King County adjusted for household size.		20% of rental units shall be affordable to households making 70% or less of the median income for King County adjusted for household size; or 10% of rental units shall be affordable to households making 60% or less of the median income for King County adjusted for household size.	
<b>2+ bedrooms (3) (4)</b>	20% of the rental units shall be affordable to households making 70% or less of the median income for King County adjusted for household size; or 10% of the rental units shall be affordable to households making 60% or less of the median income for King County adjusted for household size.		20% of the rental units shall be affordable to households making 80% or less of the median income for King County adjusted for household size; or 10% of the rental units shall be affordable to households making 70% or less of the median income for King County adjusted for household size.	

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## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



### CITY OF SHORELINE AFFORDABLE HOUSING IN LIGHT RAIL STATION AREAS, CONTINUED

- Payment in lieu of constructing any fractional portion of mandatory units is available upon City Council's establishment of a fee in lieu formula. See subsection (E)(1) of this section. Full units are not eligible for fee in lieu option and must be built on site.
- In order to be eligible for a property tax exemption pursuant to Chapter [3.27](#) SMC, 20 percent of units must be built to affordability standards.
- In order to be eligible for permit or impact fee reductions or waivers, units must be affordable to households making 60 percent or less of the King County area median income.

**Mixed-Use Residential Zone Affordable Housing Requirements.** The following provisions shall apply to all affordable housing units required by or created through any incentive established in the Shoreline Municipal Code unless otherwise specifically exempted or addressed by the applicable code section for specific affordable housing programs or by the provisions of an approved development agreement:

1. **Duration.** Affordable housing units shall remain affordable for a minimum of 99 years from the date of initial occupancy. At the discretion of the Director a shorter affordability time period, not to be less than 30 years, may be approved for ownership affordable housing units in order to meet federal financial underwriting guidelines at such time as the City creates an affordable ownership program.
2. **Designation of Affordable Housing Units.** The Director shall review and approve the location and unit mix of the affordable housing units, consistent with the following standards, prior to the issuance of any building permit:
  - a. **Location.** The location of the affordable housing units shall be approved by the City, with the intent that the units are generally mixed with all other market rate housing in the development.
  - b. **Size (Bedroom).** The affordable housing units shall consist of a range of the number of bedrooms that are comparable to the market rate housing units in the overall development.
  - c. **Size (Square Footage).** Affordable housing units shall be the same size as market rate housing units with the same number of bedrooms unless approved by the Director. The Director may approve smaller units when: (a) the size of the affordable housing is at least 90 percent of the size of the market rate housing in the project with the same number of bedrooms; and (b) the affordable units are not less than 500 square feet for a studio unit, 600 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit and 1,000 square feet for a two-bedroom-plus unit.
  - d. All units in the development must have equal access to the development's amenities or facilities, such as parking, fitness centers, community rooms, and swimming pools. If a fee is charged for the use of an amenity/facility, then all units in the development must be charged equally for such use.
3. **Timing/Phasing.** The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the market rate housing units in the development unless a phasing plan is developed pursuant to subsection D of this section or the requirements of this section are met through subsection E of this section.

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### **18.XX.060 Building heights.**

The maximum building height limit in the TC zone shall not exceed 75 feet to the highest occupied floor level (measured from grade to finish floor of entrance way of highest occupied floor) and 85 feet to the base roof line.

<OR: The maximum building height limit in the TC zone is not to exceed 65 feet to the highest occupied floor level (measured from grade to finish floor of entrance way of highest occupied floor) and 75 feet to the base roof line. An additional floor level may be added with the provision of....>

Exceptions:

- A. Where buildings are located in a portion of Town Center that abuts single family residential use, the building shall step back starting at the third floor level up, stepping back 1 foot of horizontal distance for every 1 foot of vertical height.

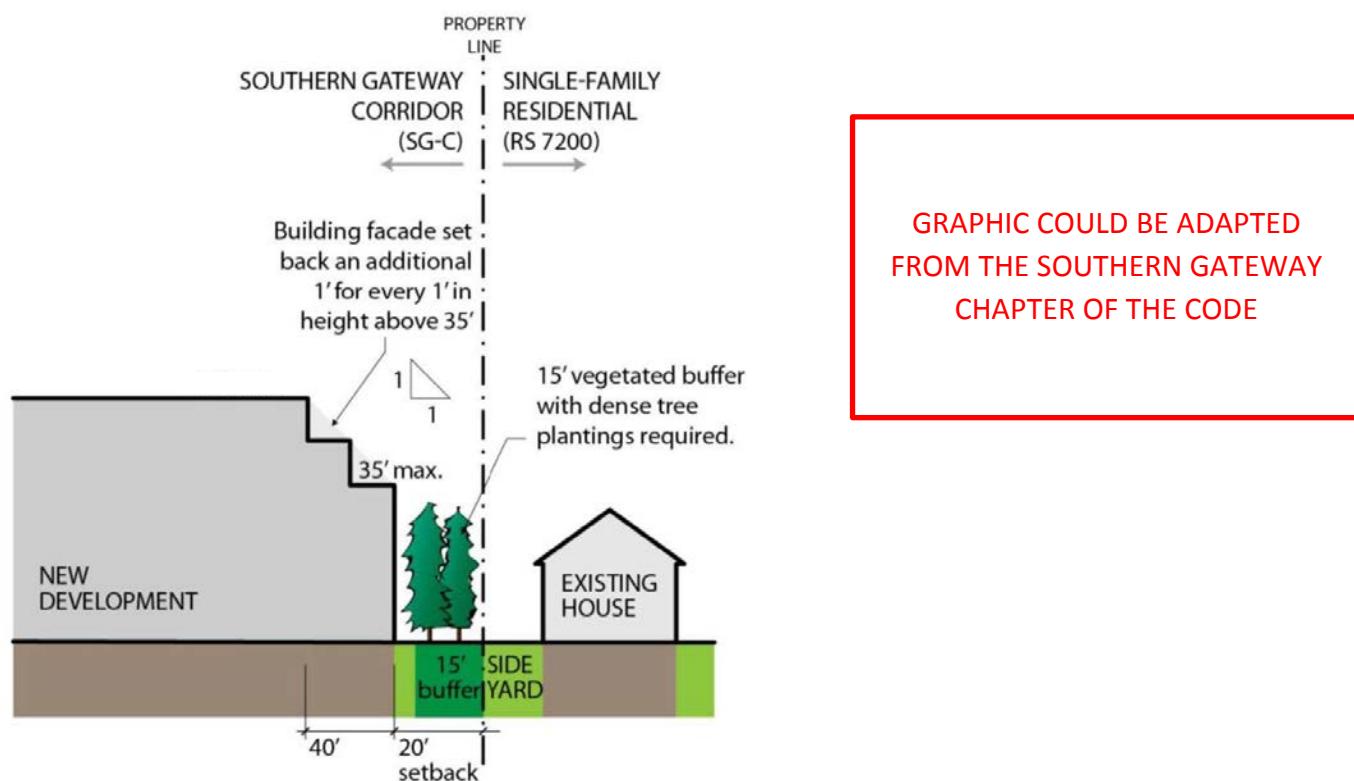


Figure 18.XX.060-X Building step back configuration near a single-family zone. This figure also illustrates the landscape screen called for by 18.XX.XXX

### **ADDITIONAL NOTES AND CONSIDERATIONS**

#### **ADDITIONAL CONSIDERATIONS RELATED TO BUILDING HEIGHT**

- Evaluate/analysis bonus height incentive vs. bonus density incentive prior to finalizing Code provisions
- If bonus height is offered, base height would be 65 feet to highest occupied floor level and 75 feet to roofline

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



### Additional requirements related to building height.

- A. Flat roof lines are not desirable. See Town Center Design Standards and Guidelines. Roof lines shall be articulated vertically to break up the building mass. An additional 10 feet (15?) above the base roof line height of \_\_ is allowed for this purpose. <include reference to peaked/gabled roof lines either in Code or in Design Standards and Guidelines document>
- B. All roof mounted appurtenances including, but not limited to air conditioning units, and mechanical equipment shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets and adjacent residentially zoned property. The screening material must be compatible with and integrated into the architectural design of the structure.

### ADDITIONAL NOTES AND CONSIDERATIONS

#### ADDITIONAL CONSIDERATIONS RELATED TO BUILDING HEIGHT

- Evaluate/analysis bonus height incentive vs. bonus density incentive prior to finalizing Code provisions
- If bonus height is offered, base height would be 65 feet to highest occupied floor level and 75 feet to roofline
- Discuss level of detail in Code chapter vs. Town Center Design Standards and Guidelines

# CODE AMENDMENTS WORKSHEET

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### 18.XX.070 Setbacks.

Minimum setback requirements in the TC zone shall be:

- A. Buildings and structures shall be set back a minimum of 20 feet from the right-of-way lines along SR 522/NE Bothell Way and SR 105/NE Ballinger Way.
- B. Buildings and structures shall be set back a minimum of 60 feet from the Town Center property line adjacent to single family zone <specifically the west boundary of Town Center>
- C. Setbacks between properties within the internal limits of the Town Center shall be reviewed administratively based on site development plan submittal.

### 18.XX.080 Land coverage. Open space requirements. <IN PROCESS>

~~The maximum land coverage by all structures, excluding driveways, private walkways and similar impervious surfaces, shall be no more than 45 percent of the total lot area. (Ord. 773 § 3, 1999)~~

### 18.XX.090 Screening and landscaping.

All sites in the TC zone must have adequate screening and landscaping, subject to the Town Center Design Standards and Guidelines and the regulations of Chapter [18.62](#) LPMC. (Ord. 773 § 3, 1999) In the case of a conflict between Chapter 18.63 LPMC and the Town Center Design Standards and Guidelines, the regulations of the Town Center Design Standards and Guidelines shall prevail.

### 18.XX.100 Signs.

Signs are limited to those provided for in Chapter [18.52](#) LPMC. (Ord. 773 § 3, 1999) <CONSIDERING THE NEED FOR MORE SPECIFIC DESIGN GUIDANCE FOR SIGNING. NOT SURE YET. WOULD LIKE PLANNING COMMISSION INPUT ON THIS>

### 18.XX.110 Parking.

~~All parking in the town center shall be provided in accordance with the provisions of Chapter [18.58](#) LPMC. (Ord. 773 § 3, 1999)~~

- A. Provide a maximum parking ratio of one parking stall for every \_\_\_\_ square feet of commercial space <researching; gather input from property owners; C and D below may show that a lower parking supply is sufficient.>
- B. Provide a maximum parking ratio of 1.25 <1?> parking stall for every dwelling unit. <researching; gather input from property owners; C and D below may show that a lower parking supply is sufficient.>
- C. If the total number of parking spaces required results in a fraction, the next highest number shall be provided (rounding up).
- D. The applicant may apply for parking reduction based on conditions related to shared parking, joint use agreements, or other special conditions to be analyzed by a parking study of demand and occupancy. The director may allow a parking reduction if justified by the parking occupancy analysis prepared by a professional transportation planner/engineer with special qualifications in parking analysis.
- E. The total number of required parking spaces may be justified in part by use of excess parking spaces if provided as part of contiguous development and demonstrated through a parking demand and occupancy study. <LPMC 18.45.120 (B)>
- F. The applicant shall submit to the city traffic and parking impact analysis identifying the increases in traffic and off-site parking demand. The analysis shall be prepared by a professional transportation planner/engineer with special qualifications in parking analysis. The applicant shall be responsible for implementing both on-site and off-site mitigation measures that the director determines necessary to prevent significant adverse impacts to transportation systems and the surrounding area. Specifically, necessary mitigation measures, such as on-site and off-site traffic calming measures must be taken to prevent cut-through traffic and additional parking demand on streets in the surrounding area.

### ADDITIONAL NOTES AND CONSIDERATIONS

THESE SECTIONS ARE STILL IN DEVELOPMENT, but the suggested amendments at left should be considered prior to the September 25<sup>th</sup> meeting.

CONSIDERATIONS RELATED TO SETBACKS: The purpose of the 60-foot setback along the west property boundary is to encourage a multi-modal circulation through route along that edge, designed as a nice street to support adjacent redevelopment. The dimension can be determined through further discussions/design analysis.

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### 18.42.120 Site plan review required – Exceptions.

Except for wireless communications proposed in accordance with Chapter [18.68](#) LFPMC, all new development and/or significant exterior modifications of existing development within the TC zone shall require a site plan review according to criteria and procedures of LFPMC [18.42.130](#), unless the applicant chooses to proceed under the optional town center framework design guidelines process established by LFPMC [18.42.140](#) through [18.42.180](#). (Ord. 944 § 1, 2006; Ord. 773 § 3, 1999)

### 18.XX.130 Site plan review – Criteria.

<NEEDS REVISION> Site plan review shall be processed as a Type II decision under Chapter [16.26](#) LFPMC; provided, that the city planning commission shall replace the hearing examiner and perform the responsibilities required of that official by LFPMC [16.26.140](#) and [16.26.150](#). Proposed development applications shall comply with the Code provisions herein as well as the Town Center Design Standards and Guidelines, including but not limited to the following criteria. Compliance shall be demonstrated in the site plan review materials submitted with the application as part of the site plan review process, which may or may not support a specific development agreement process.

A. Building Facade Articulation. Projects within the TC zone shall provide building facade articulation with the use of windows, entries, balconies, and/or bays on facades. The following standards shall apply to the articulation:

1. Windows shall be frequent and coordinate with the articulation of entries, bays and balconies;
2. Display windows must line facades facing public streets and sidewalks, with no more than 10 feet of blank non-window wall space for every 25 feet of store front;
3. All window frames shall provide a reveal with the exterior finish (i.e., not flush);
4. Reflective glass curtain walls are prohibited;
5. Facades shall not consist of an undifferentiated blank wall when facing a public street or pedestrian connected walkway.

B. Entries. To ensure development in the TC zone is easily visible and accessible to pedestrian and vehicular traffic, the following guidelines shall apply:

1. Primary entries shall be located adjacent to a public street or pedestrian walkway and must be visible from that street or walkway;
2. Entries shall be sheltered with an overhang or portico with a depth of at least four feet.

C. Landscaping.

1. A landscape plan that provides for extensive landscaping of large parking areas or other open areas which can be seen from the street or other pedestrian-oriented areas.
2. A landscaped buffer shall be provided between projects in the TC zone and any abutting RS or RM zoned properties. A combination of landscaping and screening may be used to buffer visual and audible impacts.
3. Landscaped areas shall consist of a combination and variety of deciduous and evergreen vegetation. Native plant species are encouraged.

### ADDITIONAL NOTES AND CONSIDERATIONS

COMBINE ALL PROCEDURES INTO ONE SECTION WITH SUBSECTIONS FOR CLARITY. SITE PLAN SHOULD BE AN ELEMENT OF THE DEVELOPMENT AGREEMENT PROCESS.

Hearing Examiner or Planning Commission?

How does this relate to other procedural requirements in the current Chapter 18.42?

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



D. Buildings. The size, shape, texture, and color of buildings may be reviewed to ensure that the purpose and proposed character of the TC zone is preserved.

E. Pedestrian Amenities. Projects in the TC zone are encouraged to incorporate pedestrian amenities into the design and layout of interior and exterior spaces. Pedestrian amenities may include, but are not limited to, benches and low walls or planters at sitting height, alcoves or other small meeting areas, water features and art, covered walkways, and clear pedestrian connections.

F. Urban Form and Urban Design.

1. The proposed urban form and design features are in keeping with and serve to implement the goals and policies of the VISION for Town Center and the Lake Forest Park Comprehensive Plan.
2. Proposed building height and form allows opportunities for visual connectivity across the site, areas of natural light within the town center, and open space consistent with the provisions herein.
3. The proposal preserves and enhances views from the town center, including existing as well as potential views of features such as Lake Washington and Mount Rainier.
4. The proposal enhances Town Center character by increasing the number of trees and extent of landscaping across the site, preserving and enhancing the landscaped perimeter of the site and in proximity to Lyon Creek, and complements the forested neighborhoods surrounding Town Center.
5. The proposal demonstrates how urban form and urban design provides an overall benefit to the community through enhancement of public places, social gathering spaces, environmental resources, and other amenities, furthering and supporting the goals and the policies of the VISION for Town Center and the Lake Forest Park Comprehensive Plan.

### **18.42.140 Town Center Design Standards and Guidelines – Adopted – Rules of interpretation.**

A. The provisions of the Town Center Design Standards and Guidelines document, dated \_\_\_\_\_, are incorporated by reference herein and shall be applicable to all development applications within the Town Center boundary and subject to the TC zone.

B. The Town Center Design Standards and Guidelines contain provisions that are required and mandatory, as well as provisions that are highly encouraged as best practices but that are discretionary and optional. Provisions that are required and mandatory are described using the terms “shall” or “required” in the Town Center Design Standards and Guidelines, while provisions that are recommended or encouraged but that are optional are described using the terms “should” or “encouraged.”

### **ADDITIONAL NOTES AND CONSIDERATIONS**

FEEL FREE TO SUGGEST ADDITIONAL PROVISIONS FOR THE SITE PLAN REVIEW SECTION.

COMBINE ALL PROCEDURES INTO ONE SECTION WITH SUBSECTIONS FOR CLARITY. THE SITE DEVELOPMENT PLAN SHOULD BE A REQUIRED ELEMENT OF A DEVELOPMENT AGREEMENT.

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### 18.XX.XXX Town Center Design Standards and Guidelines – Application – Effect.

- A. Except as otherwise provided, any person who plans to develop or redevelop within the town center zone may apply to have the proposed project processed and reviewed according to LFPMC [18.42.140](#). An accepted application shall be reviewed under the town center framework design guidelines, which shall take precedence over and supersede any conflicting provision of Chapter [18.42](#) LFPMC, including provisions incorporated by reference into Chapter [18.42](#) LFPMC.
- B. The city shall not accept an application submitted for review under LFPMC [18.42.140](#) that does not propose to develop or redevelop all property in the town center zone owned or controlled by the applicant. (Ord. 944 § 2, 2006)

### 18.XX.XXX Administration of Town Center Design Standards and Guidelines.

The Town Center Design Standards and Guidelines and applicable provisions of this Code shall be administered as follows:

- A. The application shall not be processed according to Chapter [16.26](#) LFPMC, except that LFPMC [16.26.020](#), Definitions; [16.26.040](#), Applications; [16.26.240](#), Rules; and [16.26.250](#), Hold harmless and indemnification, shall be applicable to the application.
- B. ~~Upon determination by the administration that an application is complete, the application shall be forwarded to the city council which by resolution shall refer the application to a special committee on Towne Centre development of the council. The resolution may appoint the citizen members of the committee, if any, set a schedule for concluding review, provide for extension of the schedule, and reserve to the full city council the right to assume the committee's responsibilities if the committee is unable to complete its mandate within the prescribed time.~~
- C. ~~In accordance with the city council's resolution forwarding the application, the special committee on Towne Centre development shall review the application, with the assistance of the city administration, for compliance with the town center framework design guidelines, other applicable ordinances, and laws; negotiate the development agreement authorized by LFPMC [18.42.170](#); and refer the application, the draft development agreement, and the recommendation of the special committee on Towne Centre development to the city council for final decision.~~
- D. ~~Upon receiving the application, draft development agreement and a recommendation from the special committee on Towne Centre development, the city council shall direct that the application be placed on a council agenda for public hearing and subsequent action. (Ord. 1013 § 1, 2010; Ord. 944 § 2, 2006)~~

#### FROM SOUTHERN GATEWAY CHAPTER:

##### 18.46.150 Administration.

The provisions of this chapter and the [southern gateway – corridor and transition zones design guidelines](#) shall be administered via a commercial site development permit (CSDP) issued pursuant to Chapter [18.48](#) LFPMC, as follows:

- A. If the proposed development is: (1) less than 30,000 square feet in total building footprint, and (2) less than 45,000 square feet in total property area, and (3) involves only one building, and (4) does not involve phased development (over more than two years), the CSDP shall be decided upon by the code administrator as a Type III administrative decision under LFPMC [16.26.030](#)(C), [16.26.180](#) and [16.26.190](#).

### ADDITIONAL NOTES AND CONSIDERATIONS

COMBINE ALL PROCEDURES INTO ONE SECTION WITH SUBSECTIONS FOR CLARITY.

INTENDING TO REVISE THE PROCESS PER FURTHER DISCUSSION WITH CITY STAFF AND PLANNING COMMISSION. PER STEVE BENNETT'S MESSAGE TO PLANNING COMMISSION:

*If you have time, I'd recommend that you review Chapter 18.42 (Town Center zone) and 18.46 (SG-C Southern Gateway Corridor zone). Both chapters have a section entitled 'Administration' (18.42.160 and 18.46.150 respectively). Our current recommendation is to craft something along the lines of 18.46.150 that ties back into the City's land use procedures chapter (16.26) but with the addition of some provisions enabling a development agreement.*

SEE CODE SECTIONS 18.46.150 AT LEFT

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



B. If the project is: (1) more than 30,000 square feet in total building footprint, or (2) more than 45,000 square feet in total property area, or (3) involves more than one building, or (4) involves phased development (over more than two years), the code administrator shall make a recommendation on the CSDP as provided in LFPMC [16.26.080](#), Type I applications – Code administrator's recommendation, and the procedures for a hearing examiner decision stated in LFPMC [16.26.090](#) through [16.26.110](#) shall apply. (Ord. 1057 § 2, 2013)

### BACK TO CURRENT CODE LANGUAGE

#### **18.XX.170 Development agreement.**

A. The applicant and the city shall enter into a development agreement as provided in RCW [36.70B.170](#) incorporating the Town Center Design Standards and Guidelines, the decision of the city council, and other provisions not inconsistent with the Town Center Design Standards and Guidelines or other provision of this code.

B. The development agreement may provide for subdivision of the applicant's property to facilitate orderly, economic development of the property. In case of a conflict with any provision of the city's subdivision regulations, LFPMC Title [17](#), the Town Center Design Standards and Guidelines shall control.

<CONTINUING TO EVALUTE THESE PROVISIONS AND INTEGRATING SIMILAR TO SOUTHERN GATEWAY ADMINISTRATIVE SUBSECTION>

#### **18.XX.180 Design departure.**

A. An applicant may propose an alternative project design that does not strictly comply with the Town Center Design Standards and Guidelines, but is consistent with the intent of the Design Standards and Guidelines. Such a proposal shall be processed as provided in LFPMC [18.42.160](#). In evaluating the project, the city council shall determine whether the alternative design provides equivalent or superior results when compared with strict compliance with applicable guidelines according to one or more of the following criteria:

1. The alternate enhances multiple uses in the Town Center;
2. The alternate enhances the pedestrian scale of the Town Center;
3. The alternate enhances the perimeter of the Town Center; or
4. The alternate enhances the environmental quality of the Town Center.

B. The city council may also review, as provided in LFPMC [18.42.160](#), an alternative project design on the basis of physical constraints of the project site, provided the alternate provides equivalent or superior results when compared with strict compliance with applicable guidelines according to the foregoing criteria.

C. An approved alternate design shall be implemented by a development agreement as provided for in LFPMC [18.42.170](#) that shall include the reasons for concluding that alternative design provides equivalent or superior results when compared with strict compliance with applicable guidelines. (Ord. 944 § 2, 2006)

#### **18.XX.XXX Bonds or other financial security.**

The city may require a bond or other financial security to ensure compliance with any aspect of a permit or approval under this chapter. (Ord. 944 § 2, 2006)

### ADDITIONAL NOTES AND CONSIDERATIONS

COMBINE ALL PROCEDURES INTO ONE SECTION WITH SUBSECTIONS FOR CLARITY – INCLUDING DEVELOPMENT AGREEMENT PROCEDURES.

EXPAND/REVISE DEVELOPMENT AGREEMENT PROCEDURES UPON CONSULTATION WITH PROPERTY OWNERS.

### DESIGN DEPARTURE

- Allows flexibility in interpretation of Design Standards and Guidelines.

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



### TOWN CENTER DESIGN STANDARDS AND GUIDELINES DOCUMENT—ANTICIPATED OUTLINE OF CONTENTS

#### A. Administrative

- A1 Purpose
- A2 Administrative Procedures
- A3 Applicability

#### B. Site Planning and Design

- B1 Relationship to Street Frontages
- B2 General Pedestrian Circulation
- B3 Vehicular Access and Circulation
- B4 Surface Parking Design
- B5 Service Areas with Mechanical Equipment
- B6 Stormwater Facility Planning and Low Impact Development Best Practices
- B7 Multi-Family Open Space
- B8 Non-Residential Open Space
- B9 Site Planning for Security
- B10 Considerations Related to Views and Solar Access
- B11 Site and Parking Area Landscaping
- B12 Fencing, Site Walls, and Screening
- B13 Site Lighting
- B14 Signing and Wayfinding

#### Pedestrian and Bicycle Access, Amenities and Gathering Places

- C1 Internal Pedestrian Paths and Circulation
- C2 Visual Connectivity
- C3 Pedestrian-Friendly Design Best Practices
- C4 Bicycle-Friendly Design Best Practices
- C5 Pedestrian and Bicycle Access through Parking Areas

#### C. Access to Transit and Transit-Oriented Development Best Practices

- D1 Connectivity between Commuter Parking Areas and Transit Stations/Stops
- D2 Transit-Oriented Design Best Practices

### ADDITIONAL NOTES AND CONSIDERATIONS

TOWN CENTER DESIGN STANDARDS AND GUIDELINES OUTLINE  
PATTERNED AFTER SOUTHERN GATEWAY CORRIDOR AND  
TRANSITION ZONE DESIGN GUIDELINES

#### OTHER ELEMENTS:

#### LOW IMPACT DEVELOPMENT/SUSTAINABLE SITE PRACTICES

- Include best practices language in Town Center Design Standards and Guidelines.
- If Lake Forest Park has NPDES Phase II responsibilities, integrate appropriate LID provisions (common and preferred method of development) into the Code chapter for Town Center.

#### LYON CREEK

- Require stream corridor enhancements; encourage development that highlights the creek corridor as an amenity/important natural feature of the site

# CODE AMENDMENTS WORKSHEET

## PRELIMINARY DRAFT FOR DISCUSSION—SEPTEMBER 11, 2018



### D. Parking Areas (see F. for Parking Structures)

### E. Architecture and Building Design

F1 Town Center Character and Architectural Design Quality

F2 Human Scale Elements

F3 Architectural Scale

F4 Pedestrian-Oriented Facades and Weather Protection

F5 Building Corners

F6 Building Design Details

F7 Exterior Materials and Finishes

F8 Blank Walls

F9 Rooftop Features/Appurtenances <SCREENING>

F10 Building Entrances

F11 Parking Structures

### F. Community Cultural Expression and Integration of Public Art

### ADDITIONAL NOTES AND CONSIDERATIONS

## Additional Housing Data and Resources for Lake Forest Park, WA

### Lake Forest Park Housing Stock by Income Group Affordability

Income Level	Percent of Units Affordable	County Need	Percentage Point Gap to County Need
Less than 30% AMI	1.2%	12%	(10.8) pts.
30%-50% AMI	4.1%	12%	(7.9) pts.
50%-80% AMI	12.5%	16%	(3.5) pts.

Data: 2008-2012 CHAS data. Published in the 2016 King County Comprehensive Plan Update Technical Appendix B, March 2016

### Comprehensive Housing Affordability Strategy Data - Lake Forest Park (2006-2015)

Income Distribution	Owner	% of Total	Renter	% of Total
Household Income <= 30% HAMFI	415	10%	155	15%
Household Income >30% to <=50% HAMFI	290	7%	215	20%
Household Income >50% to <=80% HAMFI	365	9%	70	7%
Household Income >80% to >=100% HAMFI	255	6%	175	16%
Household Income > 100% HAMFI	2,815	68%	455	43%
Total	4,140	100%	1,065	100%

Data: Comprehensive Housing Affordability Strategy data published from the U.S Department of Housing and Urban Development

## Kenmore, WA – Affordable Housing Commitments and Implementation

### *Implementation*

Has an inclusionary zoning policy that requires certain MF residential developments (**with more than 20 units**) within areas of its downtown residential or downtown commercial zones to include affordable housing units (18.77.030)

**Requires that 25 percent of units within these developments are affordable to households below 85 percent AMI**

### *Tax exemption*

Kenmore offers a variety of incentives to encourage affordable housing. To qualify for the City's multi-family tax exemption, each building within a development must contain at least four affordable dwelling units (3.65.040).

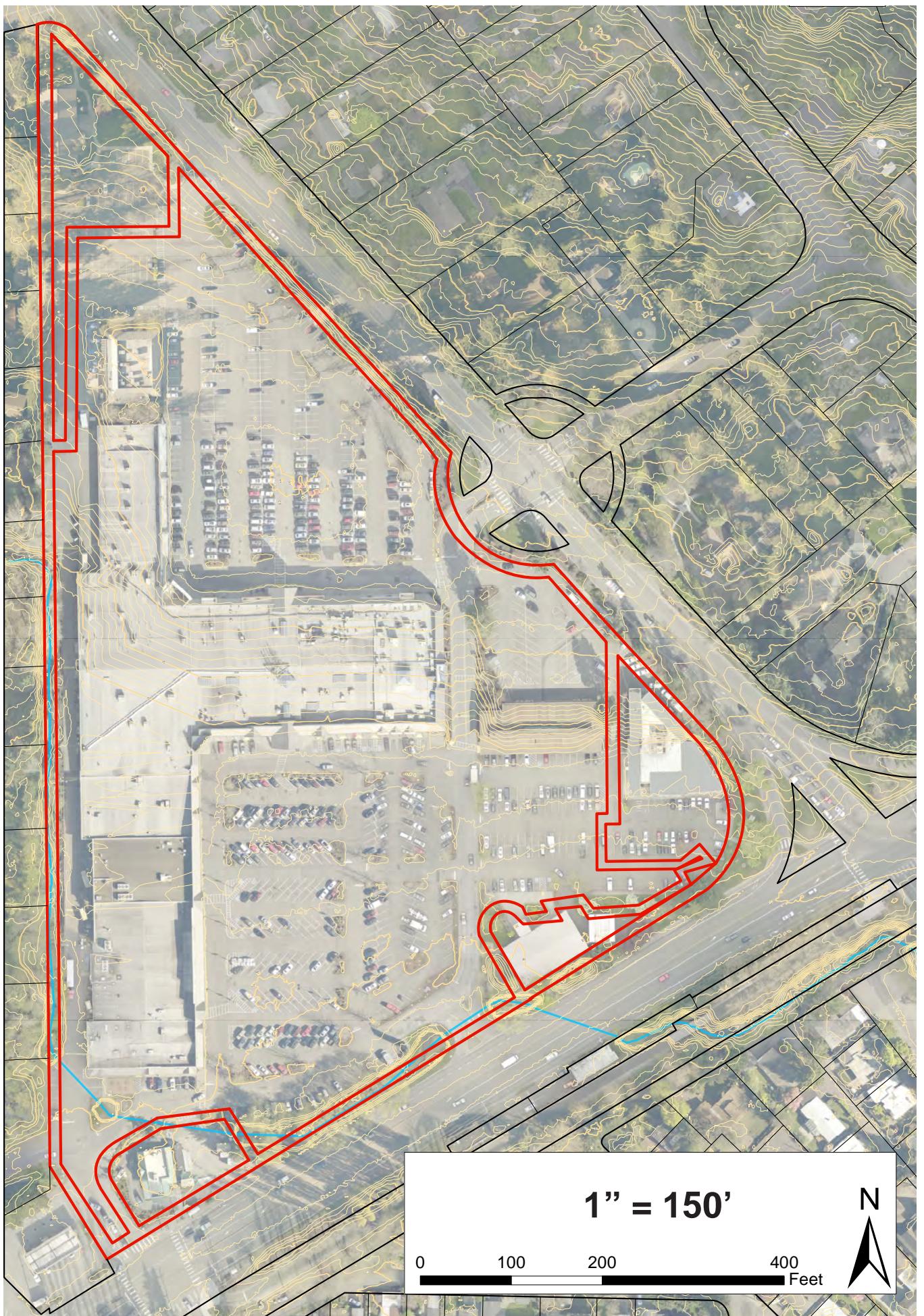
Kenmore also offers density bonuses in exchange for including affordable units in a development. For example, the City grants 2.0 bonus units per unit of rental housing permanently priced to serve low income households (at or below 50 percent AMI).

There are several more benefit unit types that can receive a density bonus (at varying rates) (18.80.040).

BENEFIT	DENSITY INCENTIVE
<b>1. AFFORDABLE HOUSING</b>	
a. Benefit units consisting of rental housing permanently priced to serve low-income households (i.e., no greater than 30 percent of gross income for households at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the City shall be recorded at final approval.	2.0 bonus units per benefit unit.
b. Benefit units consisting of assisted housing units 600 square feet or less.	1.0 bonus unit per benefit unit.
c. Benefit units consisting of rental housing permanently priced to serve moderate-income households (i.e., no greater than 30 percent of gross income for households at or below 70 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the City shall be recorded at final approval.	1.0 bonus unit per benefit unit.
d. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards for 30 years from date of first sale. A covenant on the site that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to the City shall be recorded at final approval.	1.0 bonus unit per benefit unit.
e. Projects in which units are reserved for moderate-income- and asset-qualified buyers (total household income at or below 50 percent of the King County median, adjusted for household size). All units shall be limited to owner-occupied housing with prices restricted based on current underwriting ratios and other lending standards, and with prices restricted to same income group, for 30 years from date of first sale. Final approval conditions shall specify requirements for reporting to the City on both buyer eligibility and housing prices.	2.0 bonus units per benefit unit.
f. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or noninsignia mobile home, that has been or will be displaced due to closure of a mobile home park located in the City.	1.0 bonus unit per benefit unit.



EXISTING 20-FOOT SETBACKS - ALL PROPERTY LINES



POSSIBLE AMENDED SETBACKS SCENARIO



JURISDICTION	OPEN SPACE REQUIREMENTS	DESIGN GUIDELINES	INCENTIVE PROGRAM
Bothell Downtown (Bothell Downtown Plan Part 2)	Non-residential: Office 60 sf / 1,000 sf Lodging 60 sf / room  Residential: Public 100 sf / dwelling unit Private 60 sf / dwelling unit	General open space requirements (12.64.305) Street and open space guidelines (12.64.306)	
Burien - Downtown Design Standards (BMC 19.47.030)	Pedestrian-oriented space requirements based on frontage along designated Class A & B pedestrian-oriented streets. Provide certain number of pedestrian amenities based on amount of frontage	Pedestrian-oriented space: qualifying criteria	FAR Bonus (19.15.025) 4 sf of additional floor area for each sf of public open space (no limit)
Kirkland: Central Business District (KZC Chapter 92)	At least 175 sf of pedestrian-oriented space between sidewalk and building (Rose Hill and Totem Lake - 1% of applicable lot area + 1% of nonres. building floor area)	Pedestrian Oriented Improvements - Design Criteria (92.15) Design Guidelines for Pedestrian Oriented Business Districts	
Lynnwood City Center District (City Center Design Guidelines)	Open Space/Public Plazas: every new building shall provide 1% of the sum of the sf of building area and the sf of the site	City Center Design Guidelines	FAR Bonus (LMC 21.60) 5 sf of additional floor area for each sf of public plaza above the amount required by the city center design guidelines
Poulsbo - Commercial Districts (Poulsbo Municipal Code)	Planned mixed-use: 15% of gross site area (18.80.090 H)		Downtown District: Increased front yard setbacks are allowed at the ground level on Front Street and Jensen Way, if the area is designed as a pedestrian courtyard or square (18.80.050 B)
Redmond Urban Center: 21.62 (Red Urban Design Standards)	Non-residential: 3% of building footprint (for total site area > 1/2 acre)  Residential: 100 sf / dwelling unit	Pedestrian-oriented open space design criteria Residential usable open space types & design standards	
Sammamish Town Center (SMC 21B)	Non-residential: 1% of net developable area + 1% of gross nonresidential building floor area  Multifamily: 10% of building living space; 5% if adjacent or across the street from existing park  Townhouses: 10% of building living space	Open space design general requirements and design criteria for pedestrian-oriented space, multifamily open space, and children play area safety (21B.30.160)	Stormwater facility planning: Certain LID/stormwater features can count for required landscaped open space, pedestrian oriented space and common open space (21B.30.100)
Sammamish Town Center Infrastructure Plan (Sam Infra Plan)	All development must contribute 66% of open space requirement to 'Green Spine'	Open Space Development Guidelines: Primary open space, secondary open space, and neighborhood transition	
Shoreline - General Development Standards (SMC 20.50.240 E-G)	Non-residential: 4 sf / 20 sf of net commercial floor area to max. 5,500 sf (public place min. of 400 sf)  Residential: 800 sf / development -or- 50 sf / dwelling unit, whichever is greater	Public Places Design Requirements Multifamily Open Space Requirements	Deep Green Incentive Program (SMC 20.50.630) Up to 100% waiver of all City-imposed pre-application and permit application fees

**Example Comparison for Non-residential Development:**

1 acre Net Developable Area (NDA)

0.5 acre Building Floor Area (BFA)

Jurisdiction	Requirement	Open Space Area (sf) to be provided
Bothell	6% NDA	2,614
Lynnwood	1% NDA + BFA	653
Poulsbo	15% NDA	6,534
Redmond	3% BFA	653
Sammamish, Kirkland	1% NDA + 1% BFA	653
Shoreline	20% BFA	4,356

**Synopsis:**

- In general, downtown plans designate specific locations for desired public open space and have zoning code requirements for adjacent development and incentives for all development to contribute space and amenities to these locations
- Where residential development requirements are specified, the open space provision is a combination of public and private open space (central courtyard vs. private balcony)
- Pedestrian-oriented space (used by Kirkland, Burien, Redmond, and Sammamish) typically includes some combination of pedestrian amenities such as plazas, seating, landscaping, pedestrian furniture, artwork, water feature, kiosk, etc.
- Most design guidelines encourage developments to provide public access to all adjacent property especially building entrances, public spaces and public right-of-way



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