



City of Lake Forest Park

Planning Commission Meeting Tuesday, June 8, 2021 **PROPOSED MEETING AGENDA**

Meeting to be Held Virtually

See second page for information about how to participate virtually

City Hall is Closed to the Public

1. **Call Meeting to Order—7:00 p.m.** (confirm recording start)
2. **Land Acknowledgement**
3. **Approval of Agenda**
4. **Approval of Meeting Minutes – May 11, 2021**
5. **Meeting Dates**
 - Next regular meeting is scheduled for July 13, 2021
6. **Citizen Comments** (Each speaker has three minutes to comment)

The Planning Commission accepts oral and written citizen comments during its regular meetings. Written comments are no longer being read during the meeting. Instructions for how to make oral Citizen Comments are available here: <https://www.cityofflp.com/617/Virtual-Planning-Commission-Meetings>
7. **Report from City Council Liaison**
8. **Old Business**
 - Evaluation of LFP's Accessory Dwelling Unit and Accessory Building Regulations
 - Discuss potential areas of amendment in LFP ADU code provisions
 - Discuss public engagement strategy and draft survey
9. **New Business**
10. **Reports and Announcements**
11. **Additional Citizen Comments**
12. **Agenda for Next Meeting**
13. **Adjournment**

Planning Commission's Land Acknowledgement

We'd like to acknowledge we are on the traditional land of a rich and diverse group of Native Peoples who have called this area home for more than 10,000 years. We honor, with gratitude, the land itself and the descendants of these Native Peoples who are still here today. In doing this we aim to illuminate the longer history of this land we call home, our relationship to this history, and the heritage of those peoples whose ancestors lived here before the European-American immigration that began in the 1800s.

Instructions for participating in this meeting virtually:

Please click the link below to join the webinar:

<https://zoom.us/j/96342704635>

Or One tap mobile :

US: +12532158782,,96342704635# or +16699006833,,96342704635#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 669 900 6833 or +1 346 248 7799 or +1 408 638 0968
or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 963 4270 4635

International numbers available: <https://zoom.us/j/ab9l1mFOKJ>



Memorandum

To: Planning Commission
From: Steve Bennett, Planning Director and Nick Holland, Senior Planner
Date: June 4, 2021
Re: June 8, 2021 Meeting Agenda Materials and Background – Accessory Dwelling Units

This memo is intended to provide some background information that may be useful in the Commission's discussion of potential ADU code updates at the June 8th meeting.

On behalf of the Council, the Deputy Mayor has asked the Commission to recommend code revisions:

- which streamline and remove unnecessary barriers for homeowners wishing to build a DADU or incorporate an ADU into a current structure; and
- that encourage ADU and DADUs in the city to increase the diversity of housing options, promote multi-generational living and aging-in-place, while maintaining the character of our neighborhoods; and to
- recognize the urgency of this task, given the serious housing shortage in our region.

In order to facilitate discussion, we are working on a summary/matrix of the various code sources and how they deal with issues related to the ADU policy questions reviewed at the last meeting. That document should be available on Monday for your review.

You may want to refresh your familiarity of the goals and policies the Land Use, Housing and Environmental Quality elements of the Comprehensive Plan:
<https://www.cityoflfp.com/160/Lake-Forest-Park-Comprehensive-Plan>

For your convenience, here again is the link to the LFPMC Accessory Dwelling Unit and Accessory Structure Regulations:
<https://www.codepublishing.com/WA/LakeForestPark/#!/LakeForestPark18/LakeForestPark1850.html#18.50>

In addition, please be prepared to provide feedback on the draft survey that Chair Larson developed. You can access it at this link:
<https://docs.google.com/forms/d/e/1FAIpQLSdlzl5Y3fD2uWy6kSbUJTPkxCcExT6S6sLDMINziDAstMyehg/viewform>

Finally, here a summary of staff's additional background research on ADU permitting activity and recent ADU code updates by neighbor communities. This information is provided mainly to give Commissioners a better idea of what is going related to ADUs in surrounding communities and not necessarily intend for detail discussion at this meeting.

Accessory Dwelling Unit (ADU) Permitting Activity in LFP, Kenmore, and Shoreline

The following tables summarizes the permitting activity in LFP and neighboring cities. Staff's understanding is that these numbers reflect permitted ADUs for each city but not necessarily newly built or occupied units. The 2000 Census single family unit count in the heading of each table provides perspective on the number of lots that could potential be occupied by an ADU (Source: <https://ofm.wa.gov/washington-data-research/population-demographics/population-estimates/adjusted-2000-population-and-housing-structure-type-and-group-quarters-state-counties-cities-and-towns>). While Kenmore only has about 20% more single family lots than LFP, it has had five times as many ADU applications over the last four years.

LFP - ADU PERMITTING ACTIVITY: APRIL 2016 – APRIL 2020 (4,362 Single Family Units in 2000 Census)						
	2016	2017	2018	2019	2020	Totals
Accessory Dwelling Units	1	1	0	1	4	7

Kenmore - ADU Permit Applications Submitted: 2016 – 2020* (5,286 Single Family Units in 2000 Census)						
	2016	2017	2018	2019	2020	Totals
Accessory Dwelling Units	9	7	11	4	4	35

* Kenmore also reported that 5 ADU permits had been applied for in 2021 as of mid-May.

Shoreline - ADU PERMITTING ACTIVITY: 2017 – 2021 (15,776 Single Family Units in 2000 Census)						
Year/Totals	2017	2018	2019	2020	2021, Jan-Apr	Totals
Attached	0	5	4	0	3	12
Detached	6	7	9	5	1	28
Total	6	12	13	5	4	40

History of ADU Regulations in Kenmore and Shoreline

Kenmore - The City of Kenmore adopted an updated to its ADU regulations in 2020. The topic was debated by the Planning Commission during the summer of 2019. Public involvement was solicited by Planning Commission during the summer sessions and considered in the Planning Commission's recommendation of a draft ADU ordinance for which a public hearing was held in November 2019. One controversial element of the Planning Commission's recommendation was to create the potential for each single-family parcel to have up to two ADUs, one attached and one detached. Several other ADU policy issues were discussed during the Commission's

deliberations such as pre-approved plans for ADUs, educational outreach designed to inform the public about the potential of ADUs as an alternative housing option, potential funding sources for ADU projects, and an amnesty program that would legalize existing unpermitted ADUs.

After the Commission's public hearing, staff solicited additional public input by mailing a postcard to all residences in the City which summarized the Planning Commission's proposed changes to the ADU regulations. City staff presented the Planning Commission's recommended ADU code update to the City Council in January of 2020. A public hearing was held by the City Council in July 2020 which attracted significant community interest. The City Council did not incorporate all of the Planning Commission's recommendations for changes to the regulations. The most significant change from Commission's recommendation was to decrease the allowed number ADUs from two to one per each single-family zoned parcel. The City Council also eliminated the requirement for off-street parking for ADUs. The City Council adopted the amended ordinance in September 2020.

The adopted ordinance was appealed to the Growth Management Hearing Board by two citizens in November 2020. The official basis of the appeal according to the petition filed before the Growth Management Hearing Board was that (1) the City violated the SEPA process by failing to prepare an EIS to inform the Planning Commission and City Council as they deliberated on recommendations and changes to the City's ADU ordinance; and (2) the City failed to solicit public participation by providing adequate public notice to potentially affected individuals; and (3) the City adopted an ordinance that was specifically in conflict with the City's Comprehensive Plan; and (4) the City adopted an ordinance that is not consistent and does not implement the land use and neighborhood policies within the Comprehensive Plan, specifically those policies that dictate single family zoning and single family neighborhood character; and (5) the City did not modify its capital budget to extend concurrency on public services such as roads and utilities to accommodate for this new type of development; and (6) the City adopted an ordinance with development regulations that are not internally consistent and must be consistent with and implement the Comprehensive Plan; and (7) the City violated the legislative intent of the GMA.

The City of Kenmore was granted a summary judgement to dismiss the petitioner's claims based on lack of standing according to the Growth Management Hearings Board Order. The order states: "Ordinance 20-0510 amends the development regulations for ADUs in ways that are clearly identified in RCW 36.70A.600(1). The Legislature has declared in (4) of this statute, and in plain language, that actions taken consistent with this provision are not subject to appeal under the GMA."

Shoreline – The City of Shoreline's ADU regulations have been in place since the City's incorporated in 1995 and no changes are currently proposed.

City of Lake Forest Park - Planning Commission
Regular Meeting Minutes: May 11, 2021
Virtual/Zoom Meeting

Planning Commissioners present: Chair Maddy Larson, Vice Chair Rachael Katz, Lois Lee, David Kleweno, Richard Saunders, Melissa Cranmer, T.J. Fudge

Staff and others present: Steve Bennett, Planning Director; Nick Holland, Senior Planner, Cameron Tuck, Assistant Planner, Councilmember Tom French (Planning Commission Liaison)

Members of the Public: Mike Dee, Don Fiene, Randi Sibonga, Ned Lawson

Planning Commissioners absent: Ira Gross

Call to order: Chair Larson called the meeting to order at 7:00 pm.

Land Acknowledgement:

Mr. Katz read the land acknowledgement.

Approval of Agenda

Mr. Saunders made a motion to approve the agenda, Mr. Lee seconded. Mr. Katz asked about adding a new Commissioner to replace Mr. Morris. Director Bennett responded that there is a candidate who the Mayor has interviewed but he has not decided yet whether to forward that candidate to the Council for confirmation or to interview additional candidates. The new Assistant Planner, Cameron Tuck, was introduced. The motion to approve the agenda was approved unanimously.

Approval of Meeting Minutes from April 13, 2021

Mr. Katz made a motion to approve the April 13, 2021 meeting minutes and Mr. Lee seconded. Mr. Kleweno, suggested amending page 1, line 36 to read, "may have a disagreement with someone, but is always interested in hearing other perspectives" Mr. Katz amended her motion to approve the April 13, 2021 Planning Commission meeting minutes as amended, Mr. Lee seconded, and the motion was approved unanimously.

Meeting Dates:

Next regular meeting is scheduled for June 8, 2021.

Citizen Comments:

None.

Report from City Council Liaison

Councilmember French said that there was no new information to report from the Council side. He said the Council is looking forward to seeing progress on the ADU (Accessory Dwelling Unit) work.

Chair Larson asked if Councilmember French had an update on Sound Transit. Councilmember French said that the strategic plan was discussed at Council. Director Bennett provided an update on Sound Transit and said that Sound Transit has appealed the new town center regulations to the Central Puget Sound Growth Management Hearings Board. The Board ensures adopted regulations are consistent with the Growth Management Act. Councilmember French said that staff and the City's legal team are doing a good job sorting out the content of the appeal. Director Bennett indicated that the hearing could occur in August or September. Councilmember French said that this action is not unusual, most agencies have received appeals.

1
2 Cmr. Fudge asked about the planned overpass on 522. Councilmember French provided an update on the
3 need for a grade separated crossing for 522 to connect town center to the trail. He talked about the difficulty
4 LFP has qualifying for funding on infrastructure projects because of the city's small population.
5

6 **Old Business**

7 8 Addressing Housing Diversity and Affordability in LFP

9 o Review single family zoning (map and regulations)

10 Chair Larson talked about the Council directive to increase housing type and diversity in LFP. She
11 summarized the packet materials and how they relate to the current Commission goals. She said that the goal
12 for the meeting was to understand the issues at hand. Cmr. Saunders summarized his understanding of the
13 memorandum to the Commission from the Deputy Mayor that was included in the meeting materials.
14

15 Chair Larson suggested an approach to evaluating the current Accessory Dwelling Unit (ADU) regulations
16 and said she would keep a list of the issues that pertain to the Commission's goals. Cmr. Fudge asked for an
17 update at the State level for new legislation about ADU regulations. Director Bennett and Cmr. Katz
18 provided perspective on recent State legislation. Councilmember French confirmed that the State legislative
19 session has recommendations for local ADU regs, but not necessarily mandates. Chair Larson stated that the
20 City meets State requirements with the ADU ordinance as currently drafted.
21

22 Director Bennett presented the information on the existing zoning regulations as they apply to potential
23 ADU development through a power point format. He talked about the northern half of the City having a lot
24 of 10,000 square foot lots, which are not allowed to have a detached ADU under the current regulations. He
25 went on to touch on the geography of the city and which lots can accommodate which types of ADUs. He
26 also summarized how critical areas affect site planning for potential development and mentioned that
27 maximum lot coverage and maximum impervious surface limits could affect ADU projects. There was
28 discussion about maximum lot coverage, the 15-foot height limit for accessory structures, and the rear yard
29 setback for ADUs. Cmr. Saunders and Chair Larson asked clarifying questions regarding the content of the
30 table presented and Director Bennett clarified the intent of the regulations. Maximum floor areas for
31 accessory structures were discussed as they relate to ADUs. Director Bennett presented a site plan of a
32 potential ADU project, which has several constraining factors. He discussed the challenges of site planning
33 when designing an ADU. Cmr. Fudge asked how yard areas are defined and Director Bennett clarified those
34 definitions.
35

36 Cmr. Saunders asked if the property owner considered a back yard accessory project and Mr. Holland
37 explained the situation. Cmr. Lee asked about the slopes on the sample lot, and how they are regulated.
38 Director Bennett explained how the slope regulations applied to the sample lot. Cmr. Kleweno asked what
39 type of zoning regulations prohibit people from building ADUs. Director Bennett provided various
40 examples of regulations that limit ADU development.
41

42 o Review Comprehensive Plan Housing and Land Use policies

43 Director Bennett reviewed and presented the LFP Comprehensive Plan policies and goals that relate to
44 ADUs and housing policies in general. He explained that the zoning ordinance was adopted prior to the first
45 comprehensive plan. He explained how the comprehensive plan goals and policies in the land use element
46 support some changes to single family zoning regulations. Chair Larson wondered if the Commission could
47 recommend design guidelines and basic plans for ADU construction. Cmr. Saunders said that front yard
48 detached ADUs should be looked at carefully and could affect neighborhood character. Cmr. Lee said she
49 was in favor of requiring the architectural style of ADUs to be similar to the primary structure for detached

ADUs located in the front yard. Cmr. Katz responded that she would not be in favor of restricting designs for ADUs that were not of the same character as the primary structure.

o Discuss policy questions related to ADU code update

Director Bennett presented slides containing ADU policy questions and Chair Larson asked the Commission for input. Chair Larson summarized a list of policy issues she has prepared and asked about parking for ADUs. There was discussion about home occupations as they relate to ADUs and whether more than one accessory dwelling unit should be allowed on a property. Cmr. Kleweno questioned whether it was advisable to work on eliminating the barriers for ADU construction at this point or look at housing more broadly. Director Bennett reminded Cmr. Kleweno of the memorandum from the Deputy Mayor which summarizes the direction for the Commission. Cmr. Cranmer asked why businesses cannot occur within ADUs, and Director Bennett said the limitation was probably a conservative measure meant to reduce potential impacts on neighbors. Director Bennett asked if the Commission would favor more than one accessory dwelling unit on one property. Cmr. Katz said that it should be discussed further. Chair Larson said that she would like to revisit the multiple ADU on one property topic. Cmr. Fudge said that the community may not support multiple ADUs on one site and Cmr. Lee agreed. Chair Larson asked for input on parking requirements. Cmr. Saunders and Cmr. Cranmer indicated that parking should be discussed.

Director Bennett continued to query Commissioners on policy questions including the owner-occupancy requirement. Chair Larson asked if that aspect should be re-evaluated and Cmr. Katz suggested eliminating that requirement. Chair Larson said that the topic needs public input. There was a brief discussion about utilities and additional hook-up fees for ADUs.

Chair Larson asked for comments from the Commission. Cmr. Fudge suggested that it would be good to review an example on a smaller lot. He said he would like to see how it applies to some of the smaller lots and believes there are site planning issues that will exist. Chair Larson summarized her understanding of the task list and suggested an approach for further analysis of the regulations and future recommendations. Director Bennett suggested an approach for preparing amendments to the ADU regulations and said that it is important that we hear from all the Commissioners. Cmr. Fudge indicated that he would like to get community input on these issues.

New Business

Election of Chair and Vice Chair

Director Bennett led the nominations of officers for the Planning Commission. He explained how nominations from the floor occur.

Director Bennett opened the floor for nominations for Chair. Cmr. Saunders nominated Chair Larson. There were no other nominations. Cmr. Fudge made a motion to close the nomination for Chair, Cmr. Lee seconded. The motion to close nominations carried unanimously. Director Bennett asked for a vote on Chair Larson continuing as Chair. The vote was unanimous in favor.

Director Bennett opened the floor for nominations for Vice Chair. Cmr. Saunders nominated Cmr. Katz for Vice Chair. Cmr. Katz said she would be willing to continue as Vice Chair. Director Bennett asked if there was any objection to closing nominations for Vice Chair. Hearing none, nominations were closed. Director Bennett asked for a vote on Cmr. Katz continuing as Vice Chair. The vote was unanimous in favor. Director Bennett noted that the term for Chair Larson and Vice Chair Katz would be through March of next year so the Commission could get back on track with the regular terms of service.

Reports and Announcements

1 Chair Larson said she has a draft survey for the public to complete on the Commission's work. She asked for
2 the Commission to email her back on initial feedback for the content. She emphasized that Commissioners
3 should not reply to because it could constitute an online meeting of the Planning Commission.
4

5 **Additional Citizen Comments**

6 Don Fiene said that the work of the Commission is exciting. He said he agrees with the goals and the memo
7 for the Deputy Mayor. He said that they should not give up on the smaller lots.
8

9 **Agenda for Next Meeting:**

10 Similar to this agenda.
11

12 **Adjournment:**

13 Cmr. Katz moved to adjourn the meeting, Cmr. Saunders seconded, and the motion carried unanimously.
14 The meeting adjourned at 9:07pm.
15

16 APPROVED:
17
18

Madlyn Larson

19
20
21 _____
22 Maddy Larson, Chair

ADU Code Summaries						
Item	LFP Municipal Code	Fiene/Tonkin Recommendations	Kenmore	Shoreline	Bothell	Policy Questions
	Code Section 18.50.050 and .060					
Quantity	1 per single family residential lot	1 per single family residential lot	1 per residential lot	1 per residential lot	1 per residential lot	Is there any size lot that it would make sense to allow more than one ADU per lot?
ADU vs DADU	ADUs allowed on lots over 7.2K sf and DADU or ADU on lots 15K sf or greater	ADU or DADU allowed on all SF lots	ADU or DADU allowed on all SF lots			Is there any size lot that is too small for a DADU?
Floor area	min. = 300 sf; max = no more than 50% of main residence or 1,000 sf, whichever is less	min. = 140 sf; max. = 500 (RS-7.2) 1,000 (RS-15 and RS-20)	Attached max = 1,000sf (w/ same exeption as Shoreline); Detached max on Lots > 6,000 sf = 10% of lot area up to 1,500 sf max; Lots < 6,000sf = 600 sf max	No larger than 50% of primary residence; except may be larger when ADU is located on a separate floor and shares a common roof with the primary residence.	No more than 2/3 of the floor area of the primary res or 40% of the total floor area of the primary res. and the ADU combined (excluding garage area) up to 800 sf. If the ADU is located on its own floor, increase in floor area may be allowed	Should zoning district or lot size dictate max size of ADUs? What is an appropriate minumum floor area? Should ADU be limited to a percentage/fraction of main residence's floor area? Should there be flexilibity if ADU is located on its own floor?
Owner Occupancy Requirement	Yes	Yes	No (after first 6 months)	Yes	Yes, for at least 6 months of each year	Retain owner-occupancy requirement or increase flexibility (see Kenmore and Bothell for alternatives?
Garage conversion	DADU must meet all other requirements and at least 3 off-street parking spaces required with ADU or DADU	Must meet all other req'ts and at least 3 off-street parking spaces required with ADU or DADU				Should conversions of existing garages to ADUs be allowed regardless of the size? Should replacement of off-street parking be required?
Parking	1 additional required	1 additional required	No	1 additional required	1 additional required	Are there situations where no additional parking would be required?
Location/Yard Restrictions	Rear yard only	Front, side, or rear				
Set-backs						
main structure	10' or more from main structure	10' or more from main structure eves or other protrusions				
front yard	Not allowed	Min. = 20 ft	15' from street	min. 10'-20'	20'	Allow DADUs in front yard?
rear	min. 15'	10' - 25' (based on zoning and height)	20'	min. 5'-15'	5'-15'	Accessory buildings may be placed no closer than five feet to the rear lot line, excluding accessory dwelling units, which may be placed no closer than 15 feet to the rear property line. Should DADUs below a certain height be allowed closer to rear lot line?
side	Not allowed	min. 5'/side w/ min. 10-15' total	min 5'/15' combined	min. 5'	min 5'/15' combined	Allow DADUs in side yard?
Height	DADU max. = 15' / ADU is considered part of main structure	Cannot be higher than primary structure	DADU=35', ADU=no more than one level above existing structure or 2 stories	max. 30'-35'	max. 25'-28'	Should DADU height be limited by proximity to property line, main structure height, yard location?

ItemLFP Municipal Code						Policy Questions
		Fiene/Tonkin Recommendations	Kenmore	Shoreline	Bothell	
Underlying Code Provisions	Single Family, Ch. 18.16-18.20					
Lot coveage (building)	25-35% depending on min. lot size	30-40% - 5% extra for all zoning districts with ADU		35-70%	35%-50%	
Impervious Surface	35-45% depending on min. lot size	40-50% - 5% extra for all zoning districts with ADU	30%-70% (depending on zone)	45-85%	50%	Fiene/Tonkin model creates potential conflict with tree canopy rqmts for lots over 15K sf (RS-15 Imp. Surf Max = 45% versus canopy coverage min = 58%). Should similar bonus/discount apply to canopy coverage requirements?
Set-back, front	min. 20'			min. 10'-20'		
Set-back, side	min. 5'/side; total of both 15' or greater					
Set-back, rear	max. 15'-20'					