

**City of Lake Forest Park - Planning Commission
Draft Regular Meeting Minutes: August 10, 2021
Virtual/Zoom Meeting**

Planning Commissioners present: Chair Maddy Larson, David Kleweno, Richard Saunders, Melissa Cranmer, T.J. Fudge, Ira Gross

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

Members of the Public: Mike Dee, Don Fiene

Planning Commissioners absent: Vice Chair Rachael Katz, Lois Lee

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

Land Acknowledgement:

Comr. Gross read the land acknowledgement.

Approval of Agenda

Comr. Gross made a motion to approve the agenda, Comr. Kleweno seconded and the motion to approve the agenda was approved unanimously.

Approval of Meeting Minutes from July 13, 2021

Comr. Saunders made a motion to approve the July 13, 2021 meeting minutes as presented, Comr. Gross seconded, Comr. Fudge abstained; the motion was approved.

Meeting Dates:

Next regular meeting is scheduled for September 14, 2021.

Citizen Comments:

None.

Report from City Council Liaison

Councilmember Bodi said that Director Bennett will be presenting growth target information on housing targets and job targets at the Council work session on Thursday. She said the numbers didn't really reflect the effects of the pandemic. She went on to explain the reasons for the study and potential regulations the County may adopt on the topic of affordable housing. She said that LFP may need to amend the Comprehensive Plan because of any new County legislation. She said that LFP has sufficient capacity for housing units with the current land supply.

Councilmember Bodi said that Council meetings for August have been canceled. She said that there will be an additional presentation from Police Chief Harden regarding the new State legislation on police reform.

Councilmember Bodi provided an update on the Sound Transit appeal. She said the summary judgement requested by King County was denied and that the exhibits they've asked to be added to the record were also denied. Director Bennett said that the hearing date has been postponed until December. Comr. Fudge asked about the timing of the appeal relative to the parking garage schedule. Councilmember Bodi said that it should not affect the timing of the appeal. She said that Sound Transit has an optimistic schedule for their projects given their current budget. She also said that the LFP parking garage has been postponed until 2044 because the timing of the Sound Transit station at 130TH has been moved up, which should allow riders in LFP to access that facility.

Chair Larson asked whether a subdivision has been applied for the town center property. Director Bennett indicated that the property owner has not contacted the City about subdividing since their community meeting earlier this year.

Old Business

Evaluation of LFP's Accessory Dwelling Unit (LFPMC Ch. 18.50.050) and Accessory Structure (LFPMC Ch. 18.50.060)

- Discuss draft amendments to Accessory Dwelling Unit (LFPMC Ch. 18.50.050) and Accessory Structure (LFPMC Ch. 18.50.060) code provisions in response to Commission guidance provided at July 13th regular meeting

Chair Larson provided an update for Cmr. Fudge who had not been able to attend the last meeting. She mentioned a few items that Cmr. Katz had wished to discuss. She said that if code language can be decided upon at this meeting, the Planning Commission could potentially propose recommendations to Council in September, which was the Council's desired timeline.

Chair Larson asked the Commissioners if they understood the provisions presented in the packet materials. Director Bennett provided some background on the draft code amendments which, as drafted, would allow for detached ADUs on lots as small as 7,200 square feet. Cmr. Gross said he was in favor of this provision. Cmr. Fudge said he disagrees with the language and that he favored a minimum lot size of 10,000 square feet. Cmr. Saunders said he supports the 7,200 square foot lot minimum. Cmr. Kleweno said he agreed with Cmr. Fudge, and that he is worried about allowing detached ADUs on smaller lots. Cmr. Cranmer reminded Commissioners of some of the public input, and that privacy was a concern for the people surveyed. Cmr. Fudge provided a graphic example which illustrated the implications of detached structures on smaller lots. He said that privacy would be impacted by detached structures on smaller lots.

The Commission discussed the idea of detached structures on smaller lots. Chair Larson said that the Commission seems to be divided on the issue of detached structures on lots with 7,200 square feet. Cmr. Saunders said that he was fine with recommending 10,000 square feet as a minimum lot size for detached structures, if only to bring the idea to Council for deliberation. He also suggested that the Commission prepare a memo to Council stating that the Commission considered allowing detached ADUs on lots as small as 7,200 sq. ft. but that there were concerns about privacy. In response to a question about administrative deviations from Cmr. Gross, Director Bennett said that an individual with a 7,200 square foot lot who wishes to construct a detached ADU would need to receive zoning variance approval which would require a public hearing. In response to discussion about subdividing lots in the larger single-family zones, Director Bennett also explained the nature of the 75-foot street frontage zoning regulation and how it limits the development of those larger lots in LFP. Cmr. Saunders said that those larger lots could be developed may be good candidates for attached ADUs as well as an additional detached ADU structure. He also mentioned the Fiene-Tonkin which emphasize that adding an ADU to a lot is much less environmentally impactful than subdividing a lot. Cmr. Gross said he would be in favor of Cmr. Saunders proposal. Cmr. Fudge said that he disagreed because there may be unintended consequences from providing flexibility in development of larger lots. Cmr. Kleweno said it could be risky because of the unintended consequences that may arise from multiple accessory dwelling unit development in single family zones. Chair Larson asked the Commission if they are interested in making a recommendation as Cmr. Saunders was describing. Cmr. Cranmer said that she would support multiple ADUs on a site if additional parking was required. Chair Larson said that there seems to be a majority interested in having multiple ADUs on a lot of larger size and asked what the appropriate minimum lot size would be. . It was suggested that a minimum one-acre lot size be recommended to Council. Cmr. Fudge suggested that the lot size recommendation should be twice the underlying zoning's minimum lot size. After some discussion, Chair Larson said she was hearing consensus

1 from Commissioners that an acre should be the recommended lot size and that parking be required for each
2 ADU. Director Bennett summarized the changes he would make for the next draft.

3
4 Chair Larson started a discussion on the next code amendment topic pertaining to the minimum square
5 footage for ADUs in 18.50.050 (B). Director Bennett suggested that one option would be to amend the
6 minimum square footage to 150 square feet based on the example provided through a link in the materials.
7 Cmr. Saunders and Cmr. Gross said they supported reducing the minimum size. Cmr. Fudge and Kleweno
8 agreed with reducing the size. Cmr. Cranmer said that she doesn't favor a minimum size. Chair Larson
9 suggested eliminating the minimum size and there was no objection.

10
11 Chair Larson introduced the next topic related to allowing detached structures on 10,000 square foot lots as
12 shown in draft amendments for 18.50.050.C and D. Director Bennett clarified how the difference between
13 attached and detached units are interpreted. He presented a change in the definitions, which was a part of the
14 materials provided in the draft code. Chair Larson asked if Commissioners supported the change as drafted
15 and all agreed to the amendment as drafted allowing for detached ADUs on lots of as small as 10,000 square
16 feet.

17
18 There was discussion about any potential changes to the owner-occupation requirement in subsection
19 18.50.050(E). Chair Larson asked for input and all agreed on leaving the requirement unchanged.

20
21 There was discussion about the existing language in section 18.50.050 (F). Chair Larson asked if this section
22 would be appropriate to address the idea of a living space over a detached garage. Director Bennett provided
23 insight on the existing language which is intended to make sure parking is replaced when a garage is converted
24 into an ADU. Cmr. Gross asked about parking requirements when garages are converted to ADUs and
25 Director Bennett provided explanation. Chair Larson suggested tabling this idea and all agreed.

26
27 Chair Larson opened the discussion on proposed changes to the parking requirements in section 18.50.050
28 (G) in the draft code. She talked about new State legislation that prohibits required parking in most
29 circumstances for ADUs located within a ¼ mile of a major transit stop. There was general support for
30 continuing to require a parking space for each ADU. Chair Larson brought up the situation on Brookside
31 and how this might be an area where the exceptions to the prohibition may be applicable. Chair Larson
32 asked Director Bennett to research the parking requirements and how the potential change would relate to a
33 future Bus Rapid Transit (BRT) stop. Director Bennett suggested creating a map that showed areas within a
34 ¼ mile of a major transit stops for Commission consideration. Chair Larson asked who supports the idea
35 and all agreed with eliminating parking for ADUs for projects within a ¼ mile of a major transit stop.

36
37 Chair Larson moved the discussion to proposed changes to the accessory building provisions in section
38 18.50.060 (A) which limits lot coverage for such structures. Director Bennett reminded Commissioners of
39 their discussion regarding increasing the maximum coverage for accessory buildings from 1000 to 1500 sq. ft.
40 at the July meeting. Chair Larson asked which Commissioners supported the amendment and all indicated
41 they did support it.

42
43 Chair Larson opened the discussion of the draft provisions in section 18.60.060 (B). Cmr. Saunders said that
44 critical areas could limit where accessory structures are located and that he supported providing the flexibility
45 to have structures within the front yard. Director Bennett provided clarification on how accessory buildings
46 are defined. He said that the proposed amendment would allow for accessory structures with ADUs to be
47 sited in other places other than the rear yard area and that the amendment works in tandem with section (E).
48 Chair Larson summarized her understanding of the draft language and asked if the Commission would like to
49 recommend regulations that would allow for accessory structures in places other than the rear yard. Cmr.
50 Gross said that neighbors would be more likely to see accessory structures with this change but that he
51 supported side yard placement. Cmr. Fudge said that he doesn't want the Commission to recommend any
52 change to this provision and that these changes don't relate directly to ADUs. He said that there could be

1 unintended consequences for this change. Cmr. Cranmer agreed with Cmr. Fudge. Cmr. Kleweno said that
2 he would prefer not to discuss the issue. Chair Larson summarized the options to this point. She asked for
3 the Commission's opinion on what should be recommended. Cmr. Saunders said that he would support
4 leaving the language as is.

5
6 Chair Larson asked for Commissioners' opinions on the provisions in section 18.60.060 (C). All indicated
7 support as drafted.

8
9 Chair Larson then asked for Commissioner comments on the draft changes to section 18.60.060 (D). Cmr.
10 Cranmer said that five feet from the property line seems close and could potentially cause issues if one
11 neighbor is allowed to build close to the property line and another may not, depending on who built first.
12 Director Bennett described the nature of the change and how the current regulations are applied and added
13 that the change would simply allow ADUs to be five feet from the rear lot line like other accessory buildings
14 including workshops. Chair Larson asked if there was support from Commissioners for the draft changes.
15 Cmr. Fudge said that he does not support the language as drafted and said that the ADUs should have the
16 same setback as the primary structure. He said that he would support five-foot setbacks for non ADUs.
17 Chair Larson asked if the Commissioners wanted to reduce the setback for ADUs in the rear yard. Cmr.
18 Gross suggested keeping the same setbacks as the primary dwelling unit. Commissioners indicated that they
19 supported having the same setbacks for ADUs as the underlying zoning district currently requires for primary
20 structures, however, after some additional discussion it was decided to not recommend any change to section
21 18.60.060 (D).

22
23 Chair Larson moved the discussion to the amendments proposed in section 18.60.060 (E) dealing with
24 building height. Director Bennett clarified that no change has occurred to the proposed amendments in this
25 section from the last meeting. He said that there seemed to be consensus regarding the idea that the ADU could
26 be up to 25 feet in height if it doesn't exceed the height of the primary dwelling unit. Cmr. Gross asked how
27 height is measured and Director Bennett clarified how the city calculates building height. Chair Larson asked
28 if there was support from the Commissioners regarding the drafted language. All agreed except for Cmr.
29 Fudge. Cmr. Fudge said that a height increase to 25 feet could have some negative implications. He asked if
30 setbacks change for differing building heights and Director Bennett responded that they did not. Cmr. Fudge
31 said he is concerned that privacy may be violated with higher buildings closer to lot lines. Chair Larson asked
32 support from the Commissioners regarding the drafted language. Cmr. Saunders summarized the past
33 discussions on building height. Cmr. Gross suggested increasing rear setbacks an additional five feet for
34 buildings above 15-feet in height. Chair Larson asked for support from the Commissioners regarding the
35 drafted language. All but Cmr. Fudge supported the draft language.

36
37 Chair Larson asked if anyone had questions regarding the proposed definition changes. There were no
38 questions or discussion. Chair Larson asked if anyone had reservations with the code language as discussed
39 tonight. Additional discussion occurred on building height. The Commission also discussed maximum floor
40 area for ADUs. Cmr. Fudge said that a builder he met indicated that there are ways to circumvent the ADU
41 rules. Director Bennett indicated that neighbors typically watch each others' activities, and that violations are
42 kept in check. Chair Larson asked if the amendments as proposed could result in an ADU that is over 2,000
43 square feet. Director Bennett asked for clarification of the question and Chair Larson said that section B in
44 18.50.050 and section A in 18.50.060 could result in an excessively sized ADU. Director Bennett clarified
45 that the floor area of an accessory building could be over 2000 sq. ft. but the ADU could not exceed 1000 sq.
46 ft.

- 47
48
 - Discuss public engagement event for Commission's proposed set of recommended amendments

49
50 Chair Larson asked the Commission how they wanted to involve the public in the discussion of their ADU
51 code recommendations. She suggested notifying the public that the Commission is close to a
52 recommendation and doing a presentation before a regular meeting. Cmr. Saunders indicated that he liked

1 that idea but would like to see a clean draft of the code amendments prior to the meeting. Chair Larson
2 asked if the draft could be published prior to the meeting with the public. Director Bennett said that he
3 could get the material out two weeks before the next meeting. Cmr. Fudge agreed with having public
4 comment prior to recommending changes to the Council. Cmr. Saunders agreed with having a draft
5 presented and said that a summary of the Commission's intentions should be provided to the public. Chair
6 Larson summarized the public involvement and suggested using the first hour of the meeting to introduce it
7 to the public and the second hour to finalize items. All seem to agree with that approach. Cmr. Klewen
8 asked if the code could be published prior to public outreach, and it was determined that it could be
9 published in advance.

10
11 **New Business**

12 None.

13
14 **Reports and Announcements**

15 None from staff.

16
17 **Additional Citizen Comments**

18 Don Fiene located at 4014 NE 178 ST - Mr. Fiene indicated that the maximum square footage in his study
19 represented all floor area within the structure. He said that he looked at relief of setbacks on some lots and
20 indicated that there are a significant number of larger lots that could site an ADU. He suggested relaxing
21 setbacks but enforcing height on smaller lots. He went onto describe some background on the study he was
22 involved with in the past.

23
24 **Agenda for Next Meeting:**

25 Similar to this agenda. It was determined that the first hour of the meeting would be spent on public
26 engagement and the second would be for finalizing the recommendation for code amendments to Council.
27 Director Bennett said that the next meeting would be advertised as a hearing for the recommendation of the
28 ADU regulations as drafted.

29
30 **Adjournment:**

31 Cmr. Gross moved to adjourn the meeting, Cmr. Fudge seconded, and the motion carried unanimously. The
32 meeting was adjourned at 9: 22 pm.

33
34 APPROVED:

Madlyn Larson

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37
38 _____
39 Maddy Larson, Chair