



## **Lake Forest Park Planning Commission Regular Meeting**

**Tuesday, October 12, 2021  
PROPOSED 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 – September 27, 2021**

**5. Meeting Dates**

- Next regular meeting is scheduled for November 9, 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.cityoflfp.com/617/Virtual-Planning-Commission-Meetings>

**7. Report from City Council Liaison**

**8. Old Business**

- Evaluation of LFP's Accessory Dwelling Unit (LFPMC Ch. 18.50.050) and Accessory Building (LFPMC Ch. 18.50.060)
  - Review and discuss latest version of draft amendments to Accessory Dwelling Unit (LFPMC Ch. 18.50.050) and Accessory Building (LFPMC Ch. 18.50.060) code provisions and consider making recommendation to Council for amending these code sections
  - Discuss and finalize draft Planning Commission memorandum to accompany recommendation to Council

**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://us06web.zoom.us/j/92352877390>**

**Or One tap mobile :**

**US: +12532158782,,92352877390# or +16699006833,,92352877390#**

**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: 923 5287 7390**

**International numbers available: <https://us06web.zoom.us/u/kyjt75HfV>**

**City of Lake Forest Park - Planning Commission  
Draft Regular Meeting Minutes: September 27, 2021  
Virtual/Zoom Meeting**

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

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

**Members of the Public:** Mike Dee, Don Fiene, Jack Tonkin, Larry Goldman

**Planning Commissioners absent:** n/a

**Call to order:** Chair Larson called the meeting to order at 7:02 pm.

## Land Acknowledgement:

Cmr. Cranmer read the land acknowledgement.

## Approval of Agenda

CMR. LEE MADE A MOTION TO APPROVE THE AGENDA, CMR. KATZ SECONDED, AND THE MOTION TO APPROVE THE AGENDA WAS APPROVED UNANIMOUSLY.

Approval of Meeting Minutes from September 14, 2021

Mr. Saunders made a motion to approve the September 14, 2021, meeting minutes as presented and Mr. Cranmer seconded. Mr. Lee suggested adding a period on line 50. Mr. Saunders made a motion to approve the September 14, 2021, meeting minutes as amended and Mr. Cranmer seconded. All voted and the motion to approve the minutes passed unanimously. Mr. Fudge and Saunders said they appreciate the content of the minutes. Director Bennett said that Senior planner staff does a good job with the minutes.

## Meeting Dates:

Next regular meeting is scheduled for October 12, 2021.

## Citizen Comments:

Jack Tonkin said that he appreciates the Commissions work. He said that a facility that would allow 1500 square feet (sf) would not qualify as low-income housing. He referred to two illustrations in the binder he previously provided to the Commission. He talked about a study for 44 cities where no city offered a space over 1000 sf. He said that regulating paint type and texture may be hard to comply with, but that color could be very easy to mandate. He also said that he understands the Sound Transit proposal but that it doesn't speak to the living conditions in LFP, where citizens will have to use a car and will be forced to park on the street.

Cmr. Saunders asked for some discussion on Mr. Tonkin's comments and went on to say that he wanted to clarify that the 1500 sf would be applied to all accessory structures, and not the accessory dwelling unit, which would be limited to 1000 sf. Cmr. Lee said she agreed with Cmr. Saunders. Cmr. Fudge also summarized his understanding of the regulation.

## Report from City Council Liaison

Councilmember Bodi said the Council and Deputy Mayor had started planning for the review of the Commission's recommendations. She said that if Proposition 1 passed, the Council was wondering how a community advisory board for sidewalks would function and that the Council decided that review of sidewalk

1 projects should be a part of the Parks and Recreation Board's responsibility. She said the Council will be  
2 talking to them about their role with sidewalks in the city.  
3

4 Councilmember Bodi brought up the new state-imposed requirements on local governments dealing with  
5 emergency shelters and housing. She indicated the State had set a deadline for local jurisdictions to adopt  
6 regulations by the end of September of this year. She added that, at the last meeting on Thursday, the  
7 Council adopted a new ordinance (Ordinance 1227) with interim regulations to address emergency shelters  
8 and supportive and transitional housing requirements. She explained the content of the ordinance and  
9 mentioned that the Planning Director was able to use existing information to arrive at some conservative  
10 target numbers. She said that emergency shelters must be allowed anywhere that zoning would allow a hotel  
11 and that the maximum number of individuals in emergency shelters would be 15 people. She said that the  
12 interim regulations will be in effect for six months. Councilmember Bodi said that transition and supportive  
13 housing must be allowed wherever residential zoning exists and that the Council has also adopted interim  
14 regulations for these types of uses. She said the interim regulations would also address how services are being  
15 provided and minimum parking requirements.  
16

17 Councilmember Bodi asked Director Bennett for any additional thoughts and Director Bennett responded  
18 and said that a public hearing will be held on the interim regulations in November.  
19

## 20 Old Business

21

22 *Evaluation of LFP's Accessory Dwelling Unit (LFPMC Ch. 18.50.050) and Accessory Structure (LFPMC Ch.*  
23 *18.50.060)*

24 • *Review and discuss latest version of draft amendments to Accessory Dwelling Unit (LFPMC Ch.*  
25 *18.50.050) and Accessory Structure (LFPMC Ch. 18.50.060) code provisions and consider making*  
26 *recommendation to Council for amending these code sections*

27 Chair Larson suggested discussing the code update recommendations. She asked Director Bennett if there  
28 was anything that needed discussion prior to getting into the review of the draft code amendments. Director  
29 Bennett replied that he didn't have anything that needed to be discussed before the review but that he did  
30 have a set of slides pertaining to height issue. Chair Larson asked Director Bennett to proceed with the  
31 presentation of the slides.  
32

33 Director Bennett stated that the slides pertained to the provisions in 18.50.060 (E) where, if an accessory  
34 building included an ADU, it could be up to 25 feet height. He reminded Commissioners that they had been  
35 considering requiring accessory buildings with ADUs have a similar appearance to the primary dwelling if it  
36 was going to be higher than the principal structure. He provided examples of similar provisions in other  
37 cities. He explained Redmond's regulations where the façade, roof pitch, siding, and windows need to be  
38 similar to the primary structure. He also described Mountlake Terrace's regulations where an attached ADU  
39 must be consistent with the existing roof pitch, siding and windows of the principal residence. He provided  
40 visual examples of how appearance element regulation might be applied. He said that some jurisdictions  
41 require design or technical review by way of a committee to confirm compliance with these types of  
42 regulations and mentioned that such a review would slow down the permitting process. He described the  
43 potential for appeals from neighbors, who may disagree with the applicant's idea of compliance with the  
44 design regulations and talked about the challenges from a staff perspective when regulating design elements  
45 to buildings. He concluded the presentation and asked if Commissioners had questions. Cmr. Gross joined  
46 the meeting.  
47

48 Cmr. Katz thanked Director Bennett for his presentation and clarified her statements and intent from the last  
49 meeting where she was trying to suggest a situation where in no case shall the accessory building exceed the  
50 height of the primary building. She said that she can appreciate the administrative challenges that come with  
51

1 such a regulation and said that design review for these types of projects would not be a good idea for the  
2 community. She suggested a text change that wouldn't limit the accessory building from being higher than  
3 the primary building. Cmr. Kleweno asked Cmr. Katz to clarify her comments. Cmr. Katz recited the current  
4 language contained in the draft and summarized her thoughts on color from the last meeting. She went on to  
5 say that she understands the administrative challenges of adding color restrictions and that she no longer  
6 supports such a change. She said that she suggests eliminating the height cap on accessory buildings with  
7 ADUs. Cmr. Kleweno said he agreed with this idea. Cmr. Lee said that she appreciated the administrative  
8 constraints but wanted accessory structures to be compatible with the principal structure. She suggested  
9 having a height constraint of 25-feet unless site conditions preclude development of an ADU. Chair Larson  
10 referred to a suggestion from Don Fiene and Jack Tonkin where pre-approved architectural designs could be  
11 permitted for an ADU which she said would lower costs for applicants. She suggested adding that element  
12 into the Commissions' recommendation. Cmr. Lee said she wants to allow for innovative designs but keep  
13 with the character of the community.

14  
15 Chair Larson asked for a straw poll on the appearance element provisions such as design or color constraints.  
16 Cmr. Fudge asked for clarification on the request from Chair Larson. Cmr. Saunders said that he agrees with  
17 what Cmr. Lee and Katz said but wanted to discuss what they wanted to avoid. He asked Director Bennett  
18 about a potential shipping container as an ADU. Director Bennett replied and said that the building code  
19 would ensure that the appearance of the approved ADU would look more like a house than a container.  
20 Director Bennett said that architectural style is difficult to regulate and that specific characteristics that are  
21 measurable are preferable to ensure that applicants get equal treatment. He suggested that the Commission  
22 establish what was important to them in terms of characteristics for regulating architectural features. Cmr.  
23 Saunders asked if a trailer if it could be considered an ADU. Director Bennett replied that a trailer could not  
24 meet the building code if it has wheels. He added that requirement that the ADU be subordinate and the  
25 many trees and larger lots in LFP all serve to reduce the visual impact of ADUs that vary from the principal  
26 residence. Chair Larson responded to Director Bennett and described situations where the current draft  
27 would allow floor area and height can exceed the primary structure, which would not be a subordinate  
28 situation. Cmr. Katz provided her perspective on subordinate structures. Cmr. Fudge said he agreed with  
29 the statements from Cmr. Saunders. He said he isn't concerned with 1000 sf structures being subordinate to  
30 the primary structure. He said he was concerned with bigger problems that could occur if more freedoms  
31 aren't given. Cmr. Cranmer brought up a geo-dome type structure as an example which would not meet the  
32 design requirements being considered. Cmr. Lee said that she is comfortable just regulating the roof pitch and  
33 siding which would be consistent with what the Commission is trying to do which is keep with the existing  
34 neighborhood character. Director Bennett suggested that roof pitch would be a more measurable factor. A  
35 discussion ensued about how to regulate the type of siding occurred.

36  
37 Chair Larson said that she was hearing from the Commission that DADUs should restrictions relating to  
38 similar roof pitch and siding material as the primary structure if the height of the primary structure is to be  
39 exceeded. She asked if there was consensus on that potential provision. Cmr. Lee said that the pitch should  
40 apply to all DADUs. Cmr. Lee clarified how she thought the provision would be applied. Cmr. Kleweno  
41 said that he thought two different conversations were occurring. He asked Director Bennett if the other  
42 jurisdiction's code language would apply to any structure. Director Bennett responded that it was a policy  
43 decision for the Commission regarding how far that regulation should go: should it apply to all accessory  
44 buildings or just ones that are taller than the main building. Cmr. Gross asked if a broader regulation could  
45 be used and let the designer interpret how it would apply. Chair Larson summarized her understanding of  
46 where the Commission was on this issue and asked if there was support for regulations on appearance  
47 limitations. The Commission indicated that they did not want to add appearance provisions for DADU  
48 structures that would exceed the height of the primary structure. Cmr. Cranmer asked Director Bennett about  
49 the photographic example from Redmond. Director Bennett replied that he wasn't sure where the examples  
50 were from or if they could meet either of the ADU codes of the two cities mentioned.

51

1 Chair Larson summarized her understanding of the position of the Commission and said that all but Cmrs.  
2 Kleweno and Cranmer are against regulating the architectural features of DADUs. She asked Cmrs. Kleweno  
3 and Cranmer to confirm what their positions were.

4  
5 Cmr. Kleweno said he is okay with keeping the language the way it is and not regulating architecture. Cmr.  
6 Cranmer said she is nervous about not incorporating architectural regulations, but that she would support the  
7 overall Commission's position of not regulating it. Cmr. Fudge said that he wants to see if this becomes a  
8 problem in the future. He said that a future evaluation of this element should occur.

9  
10 Chair Larson moved the discussion to allowable height. She asked the Commission if a DADU should be  
11 allowed to be 25 feet regardless of the height of the primary residence or if it should only be as tall as the  
12 primary structure. All Commissioners agreed with Chair Larson that the last sentence in the height portion  
13 should be eliminated so that a DADU could be 25 feet tall regardless of primary residence height.

14  
15 Chair Larson asked Director Bennett about a scenario where an existing structure is 5 feet away from the side  
16 yard lot line and wondered how far a structure would need to be from the opposite side yard lot line.  
17 Director Bennett said that if there is an existing structure within 5 feet of the side yard lot line another  
18 structure would need to be 10 feet away from the opposite side yard lot line. Chair Larson asked if someone  
19 built an accessory building 5 feet of the rear lot line could it be converted to an ADU or could an ADU be  
20 added to that structure since ADUs have different setbacks in the rear. Director Bennett replied and said that  
21 the portion that included the ADU would have to meet the setbacks required for ADUs. Chair Larson  
22 summarized her understanding of what Director Bennett explained.

23  
24 Chair Larson asked for discussion about 18.50.060 (A). Cmr. Fudge said that the terms floor area and lot  
25 coverage are confusing. He said that no single accessory structure should have a floor area over 1500 square  
26 feet. Cmr. Saunders said that he would like a regulation that limits the size of a structure and that 1500 sf  
27 would be a good limitation. Cmr. Fudge said that 1500 sf is the equivalent size of a three-car garage. Chair  
28 Larson provided her perspective on floor areas and how square footage can accommodate designs. Cmr.  
29 Gross and Cmr. Katz agreed with Cmr. Fudge's idea of limiting the floor area of accessory buildings. Cmr.  
30 Katz asked if there should be an 'and/or' statement relative to lot coverage and floor area. Chair Larson  
31 asked Director Bennett to clarify the difference between lot coverage and floor area as they are applied in the  
32 regulations. Director Bennett explained the difference and added that he supported using Cmr. Katz's  
33 suggestion of an "and" statement. He summarized his understanding of how the Commission wants to limit  
34 floor area. Cmr. Katz agreed with Director Bennett's suggestion. Cmr. Fudge said he wanted an area in the  
35 code to define lot coverage and a maximum amount of floor area for accessory structures. Cmr. Katz  
36 seconded that idea and that it should be its own separate letter "B" within the section. Chair Larson  
37 summarized her understanding of the suggested language and asked if there could be unintended  
38 consequences of having such a limitation. Cmr. Fudge provided an explanation of how he understood the  
39 maximums would be applied. Director Bennett provided his perspective and indicated that the lot coverage  
40 would limit the footprint to accessory structures. Chair Larson indicated that the keeping the 10% limit on  
41 lot coverage and adding a separate floor area limit of 1500 square feet per accessory building could be  
42 something the Commission could support, and all agreed that it should be recommended as such.

43  
44 Chair Larson asked if there were any more issues that needed further discussion on the code amendments.

45  
46 Cmr. Saunders asked for discussion on the comments from Don Fiene related to 18.50.050(H) regarding  
47 household size. He said he supported the suggestions from Don Fiene and that it could be modified to  
48 eliminate the square footage provisions. Cmr. Fudge clarified his understanding of that proposal and  
49 referenced the current code provisions limiting the number of individuals that can reside on each lot.  
50 Director Bennett recited the current code definition of family and clarified how the definition of family  
51 addresses Mr. Fiene's comments. He then said the Commission might want to think about adding a separate  
52 definition for family as applied to ADUs. Cmr. Saunders thanked Director Bennett for his information.

1 Chair Larson asked Director Bennett to clarify how the family definition would be applied. Director Bennett  
2 replied and explained how the family definition is worded so that there is no limit on the number of  
3 blood/marriage relatives but there is on non-related individuals and that is intended to keep single family  
4 residences from become boarding houses. Chair Larson asked if there was consensus to leave section  
5 18.50.050 (H) unchanged. All commissioners, except Lee and Saunders, indicated that they would like to  
6 keep the section as is. Cmr. Lee said she didn't realize the overcrowding was a problem. Director Bennett  
7 replied that it isn't a problem that staff deals with regularly. He said that it is mainly complaints about an  
8 excessive number of vehicles parked at one house or junk vehicles that are the most prominent. Chair  
9 Larson asked Cmrs. Saunders and Lee if the current language was acceptable and Cmr. Lee said she is  
10 comfortable with Mr. Fiene's recommendation. Chair Larson clarified that it deals with people related by  
11 blood. There was discussion about how adoption was covered by the current definition and Cmr. Katz  
12 suggested that a new definition could be created to address adoption-related circumstances.  
13

14 Discussion continued regarding the content of the current definition of family and how it would affect the  
15 code recommendations. Director Bennett said that the Council may want to deal with this definition during  
16 its discussion of the temporary shelter and supportive housing regulations. He asked for Councilmember  
17 Bodi to help him remember to ask the Council how they would like to address the issue and Councilmember  
18 Bodi agreed. Chair Larson said that the language in (H) refers to the existing family definition and that the  
19 Commission's job is to decide if the definition is still working. Cmr. Saunders suggested that it be noted in the  
20 PC memorandum to Council. Chair Larson asked if anyone is proposing to change section (H) and Cmr.  
21 Saunders said he was not proposing to change that section. She asked if there was consensus, and all agreed  
22 not to change the content.  
23

24 Chair Larson asked if the Commission would like to present the changes to Council as discussed or have an  
25 additional meeting. Director Bennett clarified what he understood were the new changes. He said he noted  
26 deletion of the material in line 13 and 14 on page 2 where in no case shall the accessory building exceed the  
27 height of the primary building. He went onto summarize the next change and said adding new B in 060  
28 regarding floor areas being limited to 1500 square feet for all accessory buildings. He also said that floor area  
29 has its own definition.  
30

31 Cmr. Fudge summarized his understanding of the limitations on floor area for accessory buildings. Director  
32 Bennett replied and indicated that Cmr. Fudge's language seemed to be more lenient than what he thought he  
33 had previously heard. He said that he was hearing that in no case shall any single building have a floor area of  
34 more than 1500 square feet. Cmr. Fudge said that he agreed with Director Bennett's interpretation of his  
35 suggestion. Chair Larson went through her understanding of how the maximums would apply and provided  
36 some supporting calculations. She asked Director Bennett about how the code could be applied and Director  
37 Bennett replied and indicated that 1500 square feet of floor area would be the limit for any single building.  
38 Chair Larson asked Director Bennett how many accessory buildings can be placed on any lot and Director  
39 Bennett replied that there isn't anything that is regulating the number of accessory buildings on any lot, they  
40 would be limited by lot coverage. Cmr. Fudge provided an example of a scenario where the floor area  
41 maximum could apply. The Commission discussed its idea of how the maximum floor area would be applied  
42 and how it relates to potential lot coverage constraints. Cmr. Fudge asked for the language to review it, and  
43 Cmr. Gross agreed and clarified his understanding of how the rule would apply. Cmr. Katz said that any  
44 single structure would be limited to 1500 square feet in floor area. Cmr. Fudge explained the current code  
45 requirements where 1000 sf of floor area is the maximum for an ADU and, with this change, an additional  
46 500sf would be allowed if a DADU is part of the building. He said that 10% maximum for accessory  
47 structure is only affecting lots under 10,000 sf. Cmr. Fudge clarified that the additional square footage only  
48 applies in the event of a dwelling unit being added. Chair Larson summarized her understanding of the  
49 current amendments. Director Bennett replied and confirmed his understanding of Chair Larson's direction  
50 where 1500 sf could only be applied to a DADU, and accessory structures without an ADU would be limited  
51 to 1000sf of lot coverage.  
52

1  
2     • *Discuss and finalize draft Planning Commission memorandum to accompany recommendation to Council*  
3

4  
5 Chair Larson suggested moving the discussion to review of the content of the draft memo to Council.  
6

7 Cmr. Saunders said that he agrees with Cmr. Fudge's edited version of the memo and presented his suggested  
8 changes to the memo dealing with appearance of ADUs and the survey. He said that the survey was  
9 important but wasn't the only reason why they changed the complementary appearance requirement. Chair  
10 Larson asked for input on rest of the memo and in the owner occupancy section specifically. Cmr. Katz  
11 provided her perspective on potential changes to Cmr. Fudge's version of the memo. She discussed her  
12 perspective on a more targeted method to address long term rentals. and the concern that LFP could be a  
13 target for real estate investors who want to monetize homes in LFP and exploit short term rentals. She  
14 suggested additional discussions on the topic and code language to address this concern. Cmr. Katz added  
15 that the Council could consider ways to address the owner occupancy for only ADUs. She said that the  
16 current code doesn't have a requirement for owner occupancy of single-family homes but the fact that these  
17 provisions are included for ADUs could constitute housing discrimination because each are uses that are  
18 permitted in all residential zones. Cmr. Lee asked what could be suggested to address the issue. Cmr. Katz  
19 said that she previously suggested that requiring a resident to live in one of the dwellings for at least 6 months  
20 out of the year could eliminate an outside investor from doing short term rentals. Chair Larson suggested  
21 that this was an issue that could be address at the Council level and then moved the discussion on to the next  
22 issue that was edited by Cmr. Fudge, item 3. She asked for input on that item. There was none. She asked if  
23 there was for support for the item that had been stricken out and Cmr. Fudge clarified that he didn't strikeout  
24 the item but moved it. She asked for support of the change in item 2 and all agreed. She asked for  
25 discussion on item 4 and there was none.  
26

27 Chair Larson asked for support of item 5, all agreed to keep the amendment.  
28

29 She asked if there were any additions such as asking Council to considered pre-approved designs for ADUs  
30 and if the Commission would want to add that as a provision. Cmr. Saunders responded that he would like to  
31 stick to code provisions and not get into other things that couldn't be addressed through code changes. Cmr.  
32 Kleweno talked about the need for equality to be incorporated in the regulations changes and the  
33 memorandum to Council.  
34

35 Councilmember Bodi thanked staff and the Commission of the work on this topic.  
36

37 **New Business**  
38 None.  
39

40 **Reports and Announcements**  
41 Cmr. Katz said that the next meeting will be her last meeting on the Planning Commission. She thanked all  
42 involved for their work. Chair Larson asked for updates on filling Steve Morris's commission seat. Director  
43 Bennett responded that he and Chair Larson should follow up with the Mayor regarding the open positions.  
44

45 **Citizen Comments:**  
46

47 Don Fiene said that the Commission has gone in a positive direction as he sees it. He provided examples of  
48 sites where ADUs would fit great with an increased height. He said that short term rentals don't create  
49 diversity in housing in LFP. He added that pre-approved plans are an issue that can be taken up by the  
50 Council.  
51

1 Jack Tonkin said that he is concerned with a 25-foot height limit which he thought would cause a lot of  
2 neighborhood issues. He said that some areas don't allow for an increased height limit and that the 25-foot  
3 allowance should be governed by the height of the primary residence.

4  
5 Cmr. Lee replied to Mr. Tonkin's comment and said that setback requirements may mitigate his concerns.  
6

7 **Agenda for Next Meeting:**

8 Similar to this agenda.  
9

10 **Adjournment:**

11 Cmr. Katz moved to adjourn the meeting, Cmr. Gross seconded, and the motion carried unanimously. The  
12 meeting was adjourned at 9:08 pm.  
13

14 APPROVED:  
15  
16  
17  
18  
19  
20

\_\_\_\_\_  
Maddy Larson, Chair



## Staff Memorandum

**To:** Planning Commission  
**From:** Steve Bennett, Planning Director  
**Date:** October 6, 2021  
**Re:** October 12, 2021 Meeting Materials  
**Attachments:**

1. Draft Amendments to Accessory Dwelling Unit (ADU) and Accessory Building Regulations reflecting Commission discussion at the Sept. 27, 2021 Meeting
2. Revised version of draft PC memo to City Council to accompany recommended code amendments

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At the September 27 meeting, the Commission agreed on two additional amendments to the provisions of LFPMC Ch. 18.50.060 (Accessory Buildings) which are highlighted in Attachment 1 and annotated with comments reflecting staff's interpretation of Commissioners' guidance.

Attachment 2 is a new draft of the Planning Commission Memorandum to the City Council which has also been revised to reflect discussion at the September 27 meeting.

Recommended Action - Pass motion to recommend amendments to the Council at this meeting and approve final version Commission memo to accompany the recommended code amendments.

Suggested motion: *'I move to recommend the amendments to Chapters 18.08, 18.50.050, and 18.50.060 of the Municipal Code as presented (or 'as amended at this meeting') to the City Council for adoption.'*

Suggested motion: *'I move to approve and forward the Planning Commission memorandum to the City Council as presented (or 'as amended at this meeting') along with the recommended code amendments.'*

1      **Draft Amendments to Accessory Dwelling Unit (ADU) and Accessory Structure**  
2      **Regulations Reflecting Planning Commission (PC) discussion at the Sept. 27,**  
3      **2021 Meeting**

4      **18.50.050 Accessory dwelling units.**

5      Accessory dwelling units, as defined by this title, may be permitted on lots of at least 7,200  
6      square feet, and provided they meet the following development criteria:

7      A. Only one accessory dwelling unit will be permitted per residential lot.except that one  
8      attached and one detached accessory dwelling unit may be permitted on lots with an area over  
9      one acre (43,560 square feet);

10     B. The accessory dwelling unit floor area ~~must be at least 300 square feet, but~~ may not exceed ~~50~~  
11     ~~percent of~~ the total floor area of the principal residence or 1,000 square feet, whichever is less;

12     C. Accessory dwelling units on lots less than ~~15,000~~10,000 square feet in area must be developed  
13     ~~within the existing primary residence~~attached, except that, on lots of 7,200 sq. ft. or greater,  
14     ~~accessory buildings existing as of the adoption date of Ordinance XXXX may be remodeled to~~  
15     ~~include a detached accessory dwelling unit provided that the ADU meets all other provisions of~~  
16     ~~this chapter and that there is no increase in the lot coverage or height of the subject accessory~~  
17     ~~building;~~

18     D. Accessory dwelling units on lots of ~~15,000~~10,000 square feet or greater may be developed as  
19     ~~an accessory structure~~detached or part of an accessory building; provided, however, that the  
20     accessory dwelling unit shall meet the requirements of LFPMC 18.50.060;

21     E. Either the primary residence or the accessory dwelling unit must be owner-occupied;

22     F. Garage space may be converted only if the same number of off-street parking spaces are  
23     provided elsewhere on the property;

24     G. One off-street parking space per accessory dwelling unit, in addition to that required for a  
25     single-family dwelling shall be provided;

26     H. The total number of people who may occupy principal residence and the accessory unit,  
27     together, shall not exceed the number of people who may occupy a one-family dwelling.

28     **18.50.060 Accessory structures and buildings.**

29     Accessory buildings and structures are permitted uses in single-family dwelling zones, provided:

30     A. The total combined ~~lot coverage of accessory buildings shall occupy or cover no floor area of~~  
31     ~~all accessory buildings shall not occupy~~ more than 10 percent of the total area of the lot up to a  
32     maximum of 1,0001,500 square feet;provided that a maximum of 10 percent of the total area of

1    the lot up to 1,500 square feet is allowed if a detached ADU is included in an accessory building  
2    on the subject lot;

3    B. In no case shall an accessory building have a floor area of more than 1,500 square feet. For  
4    the purposes of this provision, 'floor area' includes floor area devoted to the parking and storage  
5    of motor vehicles.

6    C. Accessory buildings that do not include an accessory dwelling unit may only be placed in a  
7    rear yard;

8    D. Accessory buildings shall be 10 feet or more from the principal-main buildings;

9    E. Accessory buildings may be placed no closer than five feet to the rear lot line, excluding  
10    accessory dwelling units, which may be placed no closer than 15 feet to the rear property line;

11    F. Accessory building height shall not exceed 15 feet, except those accessory buildings which  
12    include an accessory dwelling unit, which can be up to 25 feet in height provided that the  
13    building meets all zoning regulations pertaining to the primary or main building. In no case shall  
14    the accessory building exceed the height of the primary building.

15

## 16    **Chapter 18.08 DEFINITIONS**

### 17    **18.08.020 Accessory use or accessory building.**

18    “Accessory use” or “accessory building” means a subordinate use, structure, building or portion  
19    of a building located on the same lot as the main use or building to which it is accessory.

### 20    **18.08.030 Accessory dwelling unit (ADU), attached.**

21    “Attached Aaccessory dwelling unit” means a dwelling unit which is subordinate to a single-  
22    family dwelling unit which:

23    A. Is located within the or attached to a single-family dwelling unit; or

24    B. Is located within an accessory building.

### 25    **18.08.033 Accessory dwelling unit (ADU), detached.**

26    “Detached accessory dwelling unit” means a dwelling unit which is subordinate to a single-  
27    family dwelling unit which is constructed as part of an accessory building.

28

**Commented [SB1]:** Changes made in response to PC discussion at 9/27/21 meeting. Second sentence has been added based on staff's understanding of the PC's intention to regulate 'floor area' differently for accessory buildings. This is the current zoning definition (Ch. 18.08.320):

“Floor area” means a total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts and light courts and except for the area devoted exclusively to loading and unloading facilities and to parking of motor vehicles. (Ord. 773 § 3, 1999)

**Commented [SB2]:** At 9/27/21 meeting, Commission's guidance was to delete last sentence of proposed amendment to E.

1    **Other Relevant Zoning Definitions**

2    **18.08.290 Dwelling, single-family.**

3    “Single-family dwelling” means a detached residential dwelling unit, designed for and occupied  
4    by one family. (Ord. 773 § 3, 1999)

5    **18.08.300 Dwelling unit.**

6    “Dwelling unit” means a single unit providing complete, independent living facilities for one or  
7    more persons, not to exceed one family, and which includes permanent provisions for living,  
8    sleeping, eating, cooking and sanitation. (Ord. 773 § 3, 1999)

9    **18.08.310 Family.**

10    “Family” means an individual, or two or more persons related by blood or marriage, or a group  
11    of not more than eight persons including children who are not related by blood or marriage,  
12    excluding employees, living together in a dwelling as a single housekeeping unit. (Ord. 773 § 3,  
13    1999)

14



**MEMORANDUM**  
LAKE FOREST PARK PLANNING COMMISSION

TO: Lake Forest Park City Council  
FROM: Lake Forest Park Planning Commission  
DATE: October 12, 2021  
RE: ADU Code Recommendations

The Lake Forest Park Planning Commission (“LFPPC”) is forwarding recommendations to the Lake Forest Park City Council regarding proposed changes to code sections (1) 18.50.050 Accessory dwelling units, and (2) 18.50.060 Accessory Uses and Buildings. We’ve arrived at these recommendations following six months of work to gather community input and use what we learned to inform our own monthly discussions. The bulk of the input we received came from a survey sent out through LFP’s social media channels which generated 260 responses. [The results](#) of the survey can be found in our July 2021 meeting materials and are worth reviewing as they provided insights on which parts of our code are important to many residents and which are considered serious barriers for building an ADU. We also want to share key items with you that we wrestled with – some of which are reflected in our recommendations and some that were strongly considered but did not make it into our recommendations. You may be interested in considering them in your own deliberations.

- 1. ADU Siting.** The ADU survey showed that the rear-yard restriction was a barrier to adding a detached accessory dwelling units (DADU). As a result, the single biggest change in our recommendations is to remove the rear-yard restriction and allow DADUs anywhere on a single-family lot of 10,000 square feet (down from 15,000 square feet) or larger – provided the DADU meets all other regulations in the underlying single family code provisions. What did not make it into our recommendations are design requirements to ensure DADUs sited in a front or side yard be complementary (same color, materials, roof line, etc.) to the primary structure. This was discussed as a way to ensure DADUs are not out of character with the rest of the neighborhoods in which they are built. We were advised this would be difficult to administer due the subjectivity of such provisions and we did not have the time to consider it further.
- 2. Owner Occupancy Requirement.** While we did discuss what changes to this current code requirement could look like, all but one Planning Commissioners felt owner

October 6, 2021

occupancy was critical to keep in place. Discussion revealed concerns that removing this requirement would make LFP an increased target for investors who would like to monetize homes in LFP for revenue without a personal investment in the community itself.

3. **Concerns for privacy between neighbors.** The Planning Commission has recommended that the height limit on DADUs be increased to 25ft (from 15ft) to allow building of an ADU above a garage or shop. We spent considerable time discussing the implications of changes to setbacks and height requirements given the impacts that changes to these provisions can have on neighbors with regards to noise, lighting, and privacy. The Commission ended up recommending that DADUs continue to meet all current required single family and accessory building setbacks.
4. **Incentivizing smaller, primary homes to build ADUs.** The current rules prohibiting the total floor area of an ADU to 50% of the primary structure or 1,000 square feet disproportionately and negatively impact smaller homes. Planning Commissioners did not sense this was the intent of the code and adjusted 18.50.050 accordingly.
5. **Encouraging additional housing units on larger lots by allowing one attached and one detached ADU.** In section 18.50.050, we are recommending lots of one acre or more be allowed one attached and one detached ADU provided they meet all other underlying code requirements including impervious surface limits.

**Commented [ML1]:** Did we determine whether we wanted to strike this or not? Replace it with something else?

We are happy to answer any questions you may have about these recommendations.

Sincerely,  
LFP Planning Commission