



Lake Forest Park Planning Commission Regular Meeting

**Tuesday, January 11, 2022
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 – December 14, 2021

5. Meeting Dates

- Next regular meeting is scheduled for February 8, 2022

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

- Sign Code Update – status report
- Adoption of 2022 Commission Work Plan

9. New Business

10. Reports and Announcements

- Commissioner terms and election of officers
- Council confirmation of new commissioners
- Commissioner recruitment

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/89054829949>

Or One tap mobile :

US: +12532158782,,89054829949# or +16699006833,,89054829949#

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: 890 5482 9949

International numbers available: <https://us06web.zoom.us/u/kqpwm4IQJ>

City of Lake Forest Park - Planning Commission
Draft Regular Meeting Minutes: December 14, 2021
Virtual/Zoom Meeting

Planning Commissioners present: Chair Maddy Larson, Richard Saunders, T.J. Fudge, Ira Gross, Lois Lee

Staff and others present: Steve Bennett, Planning Director; Nick Holland, Senior Planner, Councilmember Lorri Bodi (Planning Commission Liaison); Kim Adams-Pratt, City Attorney

Members of the Public: Mike Dee, Jolene Jang, Walter Hicks, Jim Bourey

Planning Commissioners absent: David Kleweno, Melissa Cranmer

Call to order: Chair Larson called the meeting to order at 7:01 pm.

Land Acknowledgement:

Cmr. Saunders read the land acknowledgement.

Approval of Agenda

Cmr. Saunders made a motion to approve the agenda, Cmr. Fudge seconded. All voted to approve the agenda as amended.

Approval of Meeting Minutes from October 12, 2021

Cmr. Gross made a motion to approve the October 12, 2021, meeting minutes as drafted and Cmr. Fudge seconded. Cmr. Saunders thanked staff for the detailed content and structure of the minutes.

Chair Larson suggested a change to page 3 line 1 to reflect a discussion about the definition of the word family.

All voted in favor of the motion to approve the October 12th, 2021 minutes as amended.

Meeting Dates:

Next regular meeting is scheduled for January 11, 2022.

Citizen Comments:

Chair Larson welcomed Jim Bourey and Walter Hicks, who have applied for open Planning Commission positions.

Jim Bourey said he would be delighted to work as a Planning Commissioner and that he was a former city planner who has lived in LFP for 2 years.

Walter Hicks said he is an engineer for the City of Redmond. He added that he is interested in working with the Planning Commission and has lived in LFP for three years.

Chair Larson summarized the process for appointing new Planning Commissioners.

Jolene Jang said she would like to bring the Commission's attention to a development application from builder Mark Garey. She said the property has been vacant for many years and it is located adjacent to her property. She said the development threatens public welfare. She summarized the content of the application materials and described the topography of the parcel. She spoke of potential flooding that occurs in the area and said that the floodplain exists in the same location of the potential build. She invited the Commission to visit the site and asked the Commission to think about the development.

1 Chair Larson asked for an address and Ms. Jang provided the address of the subject property. Jolene Jang
2 spoke about an email she forwarded to the Planning Director and requested it be forwarded to the
3 Commission.
4

5 **Report from City Council Liaison**
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7 Councilmember Bodi said are three new Councilmembers slated to start at the first of the year. She said the
8 Council has been discussing the Commission's recommendations for code amendments to the ADU
9 regulations and the accessory building regulations and that a vote on recommended amendments won't occur
10 until the new Council members start. Councilmember Bodi asked Director Bennett if he had a timetable for
11 adoption. Director Bennett responded and said that the regulations will need to be put into ordinance form
12 prior to voting for adoption. Councilmember Bodi said that a pre-approved ADU program is being
13 investigated for citizens to use when applying for ADU permits. Councilmember Bodi asked Director
14 Bennett about the process of standard ADU plans and Director Bennett responded and said that they are
15 researching what other cities have in the way of such programs.
16

17 Councilmember Bodi said that the Council plans to initiate a climate action committee and that there could
18 be some overlap with the Planning Commission work.
19

20 Councilmember Bodi said that at a recent Sound Cities meeting they discussed tribal treaty rights and how
21 drainage of the Lake Washington watershed has been conducted over the years. She said they discussed the
22 details of tribal rights and fisheries that belong to certain tribes. She went on to describe some of the other
23 details of the tribal rights discussion. She offered to share the power point slides for the meeting. Chair
24 Larson provided her perspective on the tribes in the area and how the land acknowledgement aimed to
25 recognize all involved.
26

27 Commissioner Fudge asked what the Council's plan is for the future of parks and sidewalks. Councilmember
28 Bodi provided her personal view and said that she supported Proposition 1. She said the Council was not
29 taking the issue up at this time but that failure of Proposition 1 was an example of people not wanting to pay
30 more taxes. She went on to explain how levies are passed and how they can affect a citizen's tax rate. She
31 talked about how the property tax formula is complicated and provided examples of typical household tax
32 bills. She said that the Council hopes to find dollars to develop a master plan for the new parks.
33 Commissioner Fudge asked about the sidewalks throughout the city and specifically capital projects for
34 sidewalks to area schools. Councilmember Bodi said that the Council plans on pursuing grants for sidewalks.
35

36 Chair Larson said that the Planning Commission would want to help with the climate action committee. She
37 said that the community's youth should be involved. Councilmember Bodi provided some detail about how
38 the committee would be formed.
39

40 **Old Business**
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42

- 43 • *Review of 2021 PC work plan*

44 Chair Larson opened the discussion of reviewing the past year's work plan. Director Bennett summarized the
45 content of the work plan and noted that, in the housing category, the Planning Commission decided to focus
46 on the ADU regulations, and that updating the Comprehensive Plan can accommodate the missing middle
47 conversation. He said that the Comprehensive Plan update should start in the middle of 2022. Chair Larson
48 asked if the summary of the work plan could start from the top of the established list. Director Bennett
49 responded that he understood the Council wanted to look at the tree regulations. He added that the
50 Shoreline Master Program Update must be approved by the State and the City and, given that it is rather
51 technical in nature, he was going to recommend that the Council take up that review effort. Chair Larson
52

1 said that she is okay with the Commission not being involved in SMP updates but that some Commissioners
2 had questions on the SMP updates.

3
4 Cmr. Fudge said that the SMP was something that he was able to get familiar with when he moved into LFP,
5 because of a project he had done. He said that there may be an opportunity for the City to influence the
6 content of the updates to the document. He said that dredging performed by the Civic Club is regulated by
7 the SMP and there is potentially a need to improve the process with updates to that portion of the SMP. He
8 said that the SMP has a six- or seven-year cycle, so he thinks it should be reviewed in detail by the City, given
9 the rather lengthy time between updates. He said he favors exploring the types of changes the Planning
10 Commission can make. Chair Larson asked Councilmember Bodi to direct the Commission on this matter.
11 Councilmember Bodi responded that the Council hasn't had a substantive discussion on the issue of the SMP
12 updates, but that the Planning Commission could explore the issue.

13
14 Chair Larson asked if the wireless code could be worked on by the Commission and Director Bennett
15 responded that the Commission could help with aesthetic regulations but that most changes will be to address
16 federally mandated criteria.

17
18 Chair Larson asked about reviewing the tree regulations and Director Bennett responded that his
19 understanding was that the Council intends to undertake review of those revisions soon, but that wouldn't
20 prevent the Commission from exploring the tree code if there was a majority of Commissioners who want to
21 work on that topic.

22
23 Chair Larson asked about reviewing pedestrian access standards for 522 and Director Bennett responded and
24 said that Councilmember French had expressed an interest in the topic, but that negotiations with Sound
25 Transit are ongoing. He said that, while there are no applications to develop the BAT lane at this time, it
26 would be difficult to get changes to those standards through the Planning Commission and onto Council in
27 time for it to affect the Sound Transit project. Councilmember Bodi provided her understanding of the
28 Sound Transit project scope and indicated that most of the improvements are to occur on the lake side of the
29 highway. She said that the new bus service could start in 2024. Chair Larson asked about the process to
30 adopt standards for sidewalks and retaining walls and Director Bennett responded with information on how
31 those regulations are adopted and added that, if Sound Transit realized that new standards were being
32 developed, they could file a development application to vest to current regulations. Cmr. Lee asked if there is
33 coordination between the Comprehensive Plan update and the sidewalk plan that Sound Transit is
34 developing. Director Bennett responded that a good sidewalk policy is included in the Comprehensive Plan,
35 so that we can use it to guide the Sound Transit project. Councilmember Bodi said she agreed with Director
36 Bennett about the possibility of Sound Transit applying for a development permit if they realize we are
37 adopting new sidewalk standards. She asked Director Bennett if sidewalks will be located on both sides of
38 the highway and Director Bennett responded that some of the stretches will have them on both sides.

39
40 Cmr. Saunders asked Director Bennett about the public hearing held in 2019 on the SMP updates. Director
41 Bennett responded and summarized his memory of the hearing and added that public comments were
42 received along with comments from State Ecology, which would need to be addressed in the next SMP draft.

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45 **New Business**

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47 • *Overview of current LFP sign code and legal issues surrounding sign regulation*

48 Chair Larson introduced the topic and turned the floor over to Director Bennett who introduced the City
49 Attorney and said that the current sign regulations date from 1999 when the city consolidated various sets of
50 regulations that had been in place for newly annexed areas. He added that there had been very few updates

1 since 1999, with exception of a few minor changes pertaining to signs in town center. He concluded by
2 listing some of the areas of the code that needed updating.

3 City Attorney Pratt said that she would provide a framework for how signs are regulated in the country and
4 suggestions about how the City can approach amendments to its sign code. She said that signage triggers a
5 constitutional first amendment right to free speech. She described the types of signage that are common in
6 cities and talked about the distinction between non-commercial signs and commercial signs. She said that
7 sign content cannot be regulated and provided background on court decisions in recent years. She provided
8 examples of what can be regulated other than content such as location and size. She cited aesthetics and
9 safety as areas that the government has a compelling interest in regulating. She went on to talk about legal
10 precedents and burdens of proof for governments when trying to regulate signage. City Attorney Pratt
11 spoke about examples of regulations from different jurisdictions and provided examples of how regulations
12 had been challenged as well as the outcome of litigation.

13 City Attorney Pratt described a case in Washington involving the Mattress Outlet and commercial type signs
14 where off-site signage was regulated. She said that the government couldn't proof that they had a compelling
15 interest and therefore didn't meet the some of the criteria for the intermediate scrutiny test.

16 City Attorney Pratt asked if there were any questions. Cmr. Saunders asked if restricting size could be a
17 component of regulations. City Attorney Pratt responded that size can be regulated and that, generally, if you
18 can enforce your regulation without reading the sign, then it probably can be defended.

19 Cmr. Saunders asked about the current sign regulations for town center. Director Bennett responded and
20 indicated adding the temporary regulations contained in the emergency order allowing for signs for internal
21 businesses could be a good update for the sign code. Cmr. Saunders said that he read some of other cities'
22 sign ordinances and asked if an entire new ordinance could be developed. Director Bennett responded that
23 he was in favor of that approach. General discussion ensued on an approach and suggested structure for the
24 new sign code. Chair Larson suggested developing a spreadsheet that illustrated the various needs for the
25 new sign code. Cmr. Fudge said he's not entirely clear about the community's perception of the city's sign
26 regulations. He asked if there is a record of the community's perception. Director Bennett replied that
27 political signs have generated some complaints and that the Déjà vu sign has generated some as well. Chair
28 Larson suggested that an LFP version of Family Feud could be conducted to determine public opinion.
29 Director Bennett added that another community survey might be helpful to determine the public's interest.

30 • *Discussion of 2022 Commission Work Plan*

31 Chair Larson introduced the topic of next year's work plan and said that she would like to have the 2022
32 work plan ready for adoption by the next meeting. She suggested having realistic goals for next year's work
33 plan and asked for input from other Commissioners.

34 Cmr. Fudge asked what the Commission's priorities would be. Director Bennett said that a schedule for the
35 Comprehensive Plan update and scope should be forwarded to Council in 2022, at which point a request for
36 proposal for a consultant can be executed. He added that the scope and timeline for substantive amendments
37 should be approved in 2022 so that the appropriate agencies can be put on public notice that the City is
38 working towards compliance. He said that the Commission's recommended amendments should be
39 forwarded to the Council at least six months prior to the June 2024 deadline.

40 Cmr. Gross said that community input should be sought for any changes to the plan. Discussion continued
41 about which topics take priority for the 2022 work plan. Chair Larson suggested working on the sign code
42 update in the first quarter and the Comprehensive Plan update within the last three quarters of 2022. Cmr.
43 Lee asked why the sign code is a priority. Director Bennett replied and said that the sign code is a priority
44 because the City can be put into legal jeopardy with the current sign code. Cmr. Lee asked Cmr. Saunders

1 about his experience with the last the Comprehensive Plan update. Cmr. Saunders summarized his experience
2 from the last update.

3
4 Chair Larson asked about the current land use policy on Reasonable Use Exceptions (RUEs). Director
5 Bennett replied and provided the background on reasonable use exception policy and indicated that State
6 requires that property owners have reasonable use of their property, which in the case of single family zoned
7 property, has been a single family residence. Chair Larson expressed her concern that applications for
8 reasonable use exceptions make the environment suffer. Cmr. Fudge asked if RUEs go to the Hearing
9 Examiner and Director Bennett replied that the Examiner makes the decision on all RUEs. Director Bennett
10 described the permitting process for RUEs. He indicated that the Commission could investigate the critical
11 area regulations generally to look at changing RUE regulations, but that it should not take the form of
12 weighing in on a proposed RUE application. Chair Larson asked if the City has enough staff to support
13 enforcement of the regulations. Director Bennett replied that most of the remaining undeveloped properties
14 in LFP are difficult to develop and that the City uses third party peer review to confirm the accuracy of
15 technical reports.

16
17 Councilmember Bodi summarized the different ways that the community can become involved in a particular
18 development application. She indicated that the City will generally be careful when a type of taking on a
19 property could occur. She said that the Commission should feel free to investigate if additional provisions can
20 be added to RUE regulations as long as it is within the framework of the law.

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22 **Reports and Announcements**

23 None from staff.

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25 **Citizen Comments:**

26 None.

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28 **Agenda for Next Meeting:**

29 Similar to this agenda.

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31 **Adjournment:**

32 Cmr. Lee made a motion to adjourn the meeting, Cmr. Saunders seconded, and the motion carried
33 unanimously. The meeting was adjourned at 9:05 pm.

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35 APPROVED:
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Maddy Larson, Chair



Planning Commission Work Plan— 2022 (*draft*)

Project Summary	Focus as a % of estimated time that will be devoted to each project.
1. LFPMC Chapter 18.52 Signage Update Recommendation <ul style="list-style-type: none">• Remove/replace provisions which regulate speech• Town Center signage for interior businesses• Home Occupation signage• Clean-up ambiguous provisions	20-30%
2. Preparation for 2024 Comprehensive Plan Update <ul style="list-style-type: none">• Gap Analysis regarding Housing (Missing Middle) policy• Gap Analysis regarding Climate Change policy• Gap Analysis regarding Equity policy• Gap Analysis for GMA Consistency• Initial Public Engagement Plan• Recommend Scope of Work to Council	50% or more
3. Shoreline Master Program (SMP) <ul style="list-style-type: none">• Review SMP policies and regulations related to dredging	?%
4. ??? <ul style="list-style-type: none">• ???	?%