



Lake Forest Park Planning Commission Regular Meeting

**Tuesday, March 8, 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 – February 8, 2022

5. Meeting Dates

- Next regular meeting is scheduled for April 12, 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 – Second review of City Attorney's draft amendments

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/83329147986>

Or One tap mobile :

US: +12532158782,,83329147986# or +13462487799,,83329147986#

Or Telephone:

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

US: +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968 or +1 669 900 6833
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Webinar ID: 833 2914 7986

International numbers available: <https://us06web.zoom.us/u/kdRdFo5ifO>



Memorandum

To: Planning Commission
From: Steve Bennett, Planning Director
Date: March 3, 2022
Re: March 8, 2022 Meeting Agenda Materials
Attachment: 1. Draft Amendments to Ch. 18.52, Signage, LFPMC
2. Updated Summary Table of Draft Amendments to Ch. 18.52

At the February 8, 2022 meeting, Commissioners reviewed the initial draft of proposed changes to Ch. 18.52 (Signage). The meeting on 3/8 will be an opportunity for a second review and discussion of Attachment 1, an updated draft that has a few minor changes which City Attorney Kim Pratt can address at the meeting. Attachment 2 is a similarly updated version of the summary table that was presented at the last meeting. Also included below is the response from City Attorney Pratt regarding pending U.S. Supreme Court case related to signs.

From: Kim Adams Pratt <kim@madronalaw.com>
Sent: Wednesday, March 02, 2022 10:58 AM
To: Stephen Bennett <SBennett@ci.lake-forest-park.wa.us>
Subject: Atty/Client - Off Premises sign information for 3/8 PC

Steve, the following information is for inclusion in the materials for the 3/8 PC meeting:

At the Planning Commission meeting on February 8th, Commissioner Bourey brought up a pending U.S. Supreme Court case that may change how cities are allowed to regulate off-premise signs. The following is a summary of the case and the position of the city adopting the regulation.

The U.S. Supreme Court heard argument in November 2021 in the case of *City of Austin v. Reagan National Advertising*. The Court's docket provides the following summary of the case:

QUESTION PRESENTED: Austin sign code provisions distinguish between on-premise and off-premise signs based solely on location. From this distinction—and unrelated to what message is conveyed—the sign code establishes a technology-based rule about how a sign's message may be conveyed. On-premise signs may be digitized, and off-premise signs may not.

Billboard companies sought permits to digitize 84 billboards—off-premise signs—and sued the city when the permits were denied. The Fifth Circuit ruled that the First Amendment invalidated the challenged provisions, holding that the on-premise/off-premise distinction is content-based under *Reed v. Town of Gilbert* and fails the strict scrutiny test.

The question presented is: Is the city code's distinction between on- and off-premise signs a facially unconstitutional content-based regulation under *Reed*?

The City of Austin argued the regulation was based on the need to balance the “public policy needs of ensuring traffic safety and protecting local aesthetic values, while also allowing ample room for free speech advertising.”

The Court’s decision in this case is expected to be issued in June of 2022.

Thanks, Kimi

Kim Adams Pratt



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**DRAFT AMENDMENTS
CHAPTER 18.52, SIGNAGE, LFPMC**

Section 1. AMEND . The City Council of the City of Lake Forest Park hereby amends section 18.52.020 LFPMC, Definitions, as follows:

18.52.020 Definitions

A. "Celebration displays" are temporary signs, banners, posters, fluttering devices, balloons, and pennants used solely for the purpose of announcing the opening of a new business, celebration of business anniversaries or announcing major sales. No balloon may exceed three cubic feet. No celebration shall commence prior to the start of the celebration. The notice shall specify the first and last days of the celebration.

A. "Animated sign" means any sign, or any portion of the sign, affected by the movement of air or other atmospheric or mechanical means, or that uses natural or artificial changes of lighting, to depict action or create a special effect or scene. Animated signs include, but are not limited to, flashing signs, inflatable signs, rotating signs, pennants, streamers, balloons, searchlights, spinners, and propellers. Changeable message signs are not considered animated signs for the purposes of this chapter.

B. "Awning or canopy sign" means a nonelectric sign that is printed on, painted on, or attached to the vertical surface or flap of an awning or canopy.

C. "Banner" means a sign composed of flexible material, such as fabric, pliable plastic, or other similar nonrigid material, with no enclosing framework or electrical components and that is supported or anchored on two or more edges or at all four corners, or along either one edge or two corners with weights installed that reduce the reaction of the sign to wind.

DB. "Changing message signs" are signs in which a change of message is made by means of moving or digitally changing letters or numbers or combinations thereof, such as clocks and electronic signs indicating time, date and temperature. The display must also be monochromatic. No messages other than date, time and/or temperature are permitted on changing message signs.

E. "Copy" means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.

C. "Construction signs" are nonilluminated signs which identify the architects, engineers, planners, contractors or other professional individuals or firms involved with a construction or remodel project or which announce the character or purpose of a project but which do not advertise any product.

Commented [KAP1]: The definitions deleted are content based meaning you have to read the sign to determine how it will be regulated.

1 **FD.** "Freestanding sign" means a sign standing directly on the ground or having one or
2 more supports standing directly on the ground, and being detached from any building or
3 fence.

4 **G. "Illuminated sign"** means a sign with an artificial light source incorporated internally or
5 externally for illuminating the sign.

6 **H. "Lawn sign"** means a freestanding sign made of lightweight materials such as
7 cardboard or vinyl that is supported by a frame, pole, or other support structure placed
8 directly in the ground without foundation or other anchors.

9 **E. "Incidental signs"** are signs of a noncommercial nature, without advertising, intended
10 primarily for the convenience of the public, that do not exceed a maximum area of two
11 square feet. Incidental signs include:

12 1. Nonflashing signs designating street addresses, restrooms, hours of operation,
13 entrances and exits to buildings and parking lots, help wanted signs, bus stop and
14 bus route signs, public telephones and the like;

15 2. Property control signs such as "no trespassing" signs, "no soliciting" signs,
16 towing signs, "no dumping" signs and the like;

17 3. Plaques, tablets or inscriptions of an historical character which are an integral
18 part of a building or are attached flat to the face of a building, walkway or street;

19 4. Newspaper boxes attached to mailbox posts which include the name of the
20 newspaper; and

21 5. Temporary signs in RM and RS zones identifying noncommercial events such
22 as private picnics, birthdays and the like.

23 A maximum of two incidental signs per business can include the names and/or logo of
24 the business. Political signs and commercial signs such as yard sale signs, real estate
25 signs and the like are subject to the specific provisions of this chapter relating to them.

26 **F. "Land use notice action signs"** are signs notifying the public of proposed site
27 alterations and which are required to be posted.

28 **G. "Noncommercial identity signs"** are signs which identify the city, parks, public utility or
29 service districts, places of worship, schools, community recreational clubs and areas
30 and residential communities within the city or provide public service, location or
31 educational information. Identity signs may not be directly illuminated but may have
32 indirect illumination on them. A noncommercial identity sign may not exceed 32 square
33 feet per side or have balloons, flags, festoons, pennants or the like attached. Such signs
34 must be placed upon the property which they identify except as provided in
35 LFPMC 18.52.040(A).

1 I. "Marquee sign" means any sign attached to or supported by a marquee, which is a
2 permanent roof-like projecting structure attached to a building.

3 J. "Monument sign" means a freestanding sign having the appearance of a solid base
4 that is 100 percent or greater of the sign face width, made of landscape construction
5 materials such as brick, stucco, stonework, textured wood, tile, or textured concrete,
6 which are harmonious with the materials of the primary structure on the subject
7 property.

8 K.H. "Off-premises signs" are any permanent sign, such as a billboard, pedestal, pole,

9 monument, or marquee sign which displays a message which is not incidental to the

10 current use of the property on which it is located.

11 L. "Pedestal sign" means freestanding signs supported permanently upon the ground by
12 one or more solid bases, which base or bases shall be of a width equal to or greater
13 than 50 percent of the sign width.

14 M. "Pole or pylon signs" means freestanding signs supported permanently upon the
15 ground by one or more solid bases, which base or bases are less than 50 percent of the
16 sign width.

17 N. "Portable sign" means a sign that is not permanently affixed and that is designed for
18 or capable of being moved, except those signs explicitly designed for people to carry on
19 their persons or that are permanently affixed to motor vehicles. Portable signs include,
20 but are not limited to, A-frame signs, portable reader boards, lawn signs, and similar
21 signs.

22 I. "Open house signs" are signs of an A-frame or sandwich type construction, which
23 may include a real estate company's name and logo and the words "open house" and
24 having a directional symbol, not exceeding six square feet in size.

25 J. "Political signs" are signs which advertise or promote a political candidate(s) for public
26 elective office, promote a political party, or promote a position on a public issue or ballot
27 issue. A sign which advertises or promotes a negative position of a political candidate,
28 political party or public issue or ballot issue is a political sign.

29 K. "Real estate signs" are temporary signs not to exceed six square feet per side, which
30 may be one- or two-sided, advertising the real estate upon which it is located, or a
31 portion thereof, for sale, lease or rent.

32 P. "Right-of-way" means land owned, dedicated, or conveyed to the public and used
33 primarily for the movement of vehicles, wheelchair, and pedestrian traffic, and land
34 privately owned and used primarily for the movement of vehicles, wheelchair, and
35 pedestrian traffic, so long as such privately owned land has been constructed in
36 compliance with all applicable laws and standards for a public right-of-way.

1 1 Q.L. "Sandwich board signs" are temporary advertising signs constructed of two boards
2 2 or other flat-surfaced materials hinged or otherwise connected at one end (i.e., A-frame)
3 3 which may not exceed six~~42~~ square feet per side and may not exceed four feet in
4 4 height. Balloons, flags, festoons, pennants, and the like may not be attached to any
5 5 sandwich board sign. Sandwich board signs must be placed on the ground; they cannot
6 6 be elevated or suspended above the ground.

Commented [KAP2]: General prohibition now of animated signs.

7 7 M. "Seasonal signs" means reasonable seasonal decorations of a noncommercial
8 8 nature within an appropriate holiday season or during a festival as long as such
9 9 seasonal signs are removed promptly at the end of the holiday season or festival.

10 10 R.N. "Sign area" means the entire area of a sign on which copy is placed, excluding the
11 11 sign's structure, architectural embellishments, and framework. Sign area is calculated
12 12 by measuring the perimeter enclosing the extreme limits of the sign face containing
13 13 copy; provided, however, for letters or symbols painted or mounted directly on walls and
14 14 awnings, sign area shall be calculated by measuring the smallest single rectangle which
15 15 will enclose the combined letters and symbols. Sign area for freestanding signs and
16 16 signs contained entirely within a cabinet and mounted on a wall, roof or monument shall
17 17 be calculated by measuring the entire area of the cabinet. When calculating sign square
18 18 footage, the measurement of a sign's dimension shall be only with respect to its
19 19 physical dimensions and not include the distance it hangs from the ground or the size of
20 20 its supports.

21 21 S.O. "Sign height" means the vertical distance, from the average level of the undisturbed
22 22 soil at the base of the sign, measured to the highest point of the sign.

23 23 T.P. "Signs" are any visible communication device, structure or fixture, stationary or
24 24 mobile, including supporting and component parts, which are visible from any right-of-
25 25 way, using graphics, letters, figures, symbols, trademarks, pennants, moving or
26 26 fluttering devices, including balloons, or written copy. Painted wall designs or patterns
27 27 which do not represent a product, commodity, service or registered trademark, and
28 28 which do not identify the user, are not signs. Official notices and informational materials
29 29 erected and maintained in the discharge of a governmental function are not considered
30 30 signs for the purposes of this chapter. When calculating sign square footage, the
31 31 measurement of a sign's dimension shall be only with respect to its physical dimensions
32 32 and not include the distance it hangs from the ground or the size of its supports.

Commented [KAP3]: Deleted because duplicative with definition of sign area.

33 33 U. "Temporary sign" means any sign not permanently affixed or attached to the ground
34 34 or a structure.

35 35 V. "Wall sign" means a sign applied with paint or similar substance on the surface of a
36 36 wall, a sign attached essentially parallel to and extending not more than 12 inches from
37 37 the wall of a building, or a sign attached to a roof gable of a building.

38 38 W. "Window signs" mean all signs located inside and affixed to a window and intended
39 39 to be viewed from the exterior of the structure.

1 Q. "Special event signs" are signs advertising the occurrence of a community event
2 such as a school bazaar, fundraising car wash, community picnic, etc. There are no size
3 limitations on special event signs. Yard sale signs are not special event signs.

4 ~~XR~~ "Street light banner" is a sign that is made of nonrigid material secured in a rigid
5 frame on all four corners which is placed upon or attached to a street light pole or utility
6 pole in a manner that does not create a traffic or other safety hazard.

7 ~~S. "Yard sale signs" are any signs which may not exceed six square feet on each of two
8 sides of a temporary nature advertising a garage or yard sale of personal belongings.
9 Home occupations permitted by this title may not utilize yard sale signs to advertise,
10 promote or sell their goods or services.~~

11 Section 2. AMEND . The City Council of the City of Lake Forest Park hereby
12 amends section 18.52.030 LFPMC, Illegal signs and removal, as follows:

13

14 **18.52.030 Prohibited~~Illegal~~ signs and removal.**

15 A. General prohibition. Any sign not expressly provided for in this chapter shall be
16 ~~prohibited~~~~Illegal~~. All ~~prohibited~~~~Illegal~~ signs must be removed by the person placing them
17 or by the person, business or entity benefited by the ~~prohibited~~~~Illegal~~ sign. However, the
18 city of Lake Forest Park may remove any ~~prohibited~~~~Illegal~~ sign within its jurisdiction.
19 Signs so removed may be released to the sign owner or other responsible person upon
20 payment of a \$25.00 removal fee. Removed signs which are unclaimed after 30 days
21 may be destroyed by the city. Removal of a ~~prohibited~~~~Illegal~~ sign by the city does not
22 relieve the person responsible for paying accrued fines therefor.

23 B. Specific prohibitions. Unless otherwise provided for in this chapter, no person shall
24 erect, alter, maintain, or relocate any of the following signs in the City:

25 1. Any animated sign as defined in LFPMC 18.52.020.

26 2. Any signs that emit smoke, visible particles, odors, and/or sound, except that
27 speakers in signs on the premises of a drive-through facility shall be allowed.

28 3. Any sign that is dangerous or confusing to motorists and pedestrians,
29 including any sign that by its color, wording, design, location, or illumination resembles
30 or conflicts with any official traffic control device or that otherwise impedes the safe and
31 efficient flow of traffic.

32 4. No sign may impede free ingress and egress from any sidewalk, pedestrian
33 walkway, door, window, or exit way required by building and fire regulations.

Commented [KAP4]: Recommend adding back into code.
Repealed by Ordinance 935 in 2007.

Commented [KAP5]: 2/8 PC discussion whether "word"
should be removed as content based. Can it meet
constitutional test?

1 5. Portable signs on wheels (trailer signs) and outdoor electric portable signs.

2 6. Signs within public property, public easements or structures, including, but not
3 limited to, medians, roundabouts, sidewalks, utility poles and cabinets, street light poles,
4 traffic poles and signals, and street trees, except as allowed pursuant to LFPNC
5 18.52.080.

6 7. Signs placed on or painted on a motor vehicle or trailer parked with the
7 primary purpose of serving as a sign not otherwise allowed by this chapter.

8 8. Signs erected, constructed, or structurally altered that are required to have a
9 permit for such action and that were erected, constructed, or altered without obtaining a
10 permit for such action.

11 9. Off-premises signs.

12 Section 3. AMEND . The City Council of the City of Lake Forest Park hereby
13 amends section 18.52.040 LFPNC, Exemptions, as follows:

14 **18.52.040 Exemptions.**

15 The following signs and sign related activities are exempt from obtaining a permit
16 pursuant to 18.52.090 LFPNC, except as set forth in LFPNC 18.52.050, and except for
17 signs in the right-of-way, exempt from regulation:

18 A. Changes to the copy of changeable message signs, provided such changes do not
19 change the material or appearance of the sign as originally permitted by the City.

20 B. The normal repair and maintenance of conforming or legal nonconforming signs.

21 C. Temporary signs with a sign area no greater than three square feet in area per side
22 and no more than four feet in height.

23 D. Any signs required to be posted pursuant to the LFPNC or any other local, State, or
24 Federal regulation.

25 E. Any sign on a vehicle, unless such vehicle sign is prohibited pursuant to LFPNC
26 18.52.030.

27 F. Traffic and pedestrian signs and signals, signs required by law, street and
28 governmental directional signs, official public notices and governmental flags.

29 A. Incidental signs and noncommercial identity signs; provided, that noncommercial
30 identity signs which identify the city or its public parks may be placed in the public right-
31 of way.

Commented [KAP6]: Memo for 3/8 includes information on pending U.S. Supreme Court case.

Commented [KAP7]: This allows a temporary sign 18 inches X 24 inches to be displayed without a sign permit.

Commented [KAP8]: A. thorough K, except poles/flags, were exempt from regulation based on their content.

1 **B. Political signs in all zones except public rights-of-way:** provided, that all political signs
2 must be removed within five days of the election in which the political candidate or
3 public issue or ballot issue is decided; and provided further, that political signs
4 advertising or promoting a political party must be removed within five days after each
5 general election.

6
7 **C. Seasonal signs.**

8
9
10 **D. Construction signs:** provided, that there may not be more than one construction sign
11 on each public right-of-way upon which the project fronts and not more than two
12 construction signs in total; and provided further, that no construction sign shall exceed
13 12 square feet in area per side and not more than six feet in height. All construction
14 signs must be removed within one day of initial occupancy or one day of completion of
15 the project; whichever is the last to occur.

16
17 **E. Land use action notice signs.**

18
19 **F. Exterior and interior signs or displays not intended to be visible from streets or public**
20 **rights-of-way, signs in the interior of a building not facing a window, window displays,**
21 **and point of purchase advertising displays such as vending machines.**

Commented [KAP9]: Not content except advertising. But these don't meet the definition of sign because they are not visible from a right of way.

22
23 **G. Sculptures, fountains, benches, lighting, mosaics, landscaping and other street**
24 **furniture which do not incorporate advertising or identification.**

25
26 **G. Poles erected for the purpose of displaying patriotic flags and such flags if the flag**
27 **does not meet the definition of Sign in LFPMC 18.52.020.**

28
29 **I. Real estate and open house signs on private property:** provided, that there may not be
30 more than one real estate sign and one open house sign on each public right-of-way
31 upon which the property fronts and not more than two real estate signs and two open
32 house signs on such property in total; and provided further, that no real estate sign or
33 open house sign shall exceed six square feet in area per side and not more than six feet
34 in height in RM and RS zones and 16 square feet in area per side and not more than six
35 feet in height in CC, BN and TC zones; and provided further, that all real estate signs
36 must be removed within five days of the property being closed, leased or rented, as the
37 case may be, and all open house signs must be removed by 7:00 p.m. of the last day
38 that the property is being shown.

39
40
41 **K. Service, fraternal, religious and similar organizations located in the city may erect**
42 **signs at their cost at the entrances to the city as follows: there shall be one standard**
43 **jointly shared by all such subject organizations no higher than 10 feet that shall carry all**
44 **the signs for each subject organization at each principal arterial entrance, and each**
45 **subject organization's sign, emblem or symbol shall be no more than two square feet**

1 per side in sign area. Placement of such standards must be approved in advance by the
2 city's engineer and by the planning director.

3 -
4
5 **Section 4. ADDITION** . The City Council of the City of Lake Forest Park hereby add
6 section 18.52.045 LFPMC, Temporary signs, as follows:

7
8 **18.52.045 Temporary sign.**

9
10 The following provisions apply to all temporary signs placed within the City, unless
11 otherwise provided in this chapter:

12
13 **A. All temporary signs must be placed totally within the site/property pursuant to the**
14 **requirements of this chapter, except when allowed to be placed within the right-of-way**
15 **under LFPMC 18.52.080.**

16
17 **B. Temporary signs may be made of any durable material; provided, that the**
18 **temporary sign otherwise conforms to the requirements of this chapter. A temporary**
19 **sign may be of rigid or nonrigid construction.**

20
21 **C. Temporary signs that have either internal or external illumination shall not be**
22 **displayed from the hours of 11:00 p.m. to 8:00 a.m.**

23
24 **D. In addition to the limitations on the placement of temporary signs within the public**
25 **right-of-way pursuant to 18.52.080 , except as otherwise provided for in this chapter,**
26 **temporary signs are prohibited from being in the following places:**

27
28 **1. No temporary sign may be placed on a roof of a building or structure.**

29
30 **2. No temporary sign may be placed on fences.**

31
32 **3. No temporary sign shall be so located as to physically obstruct any door or exit**
33 **from a building.**

34
35 **4. No temporary sign shall be located to be hazardous to a motorist's or**
36 **pedestrian's ingress and egress from buildings or parking areas.**

37
38 **5. No temporary sign shall be in the sight-distance triangle, or in any other area**
39 **which may obstruct the vision of motorists to create a safety hazard.**

40
41 **E. Temporary signs shall not exceed six square feet in area per side and not more than**
42 **four feet in height in RM and RS zones and six feet in area per side and not more than**
43 **four feet in height in CC, BN, and TC zones. Temporary signs placed on the inside of**
44 **windows shall, in the aggregate, not exceed 50 percent of the area of the window on**
45 **which they are displayed.**

Commented [KAP10]: Does Planning Commission think
that temporary signs in the CC, BN and TC zones should be
allowed to be bigger?

1 F. No more than two temporary signs shall be displayed on each side of the property
2 fronting a right-of-way, and no more than four in total on the property at any time, unless
3 provided otherwise in this chapter.

Commented [KAP11]: Discussion by PC on 2/8 about number of temporary signs allowed in residential zones.

Commented [KAP12]: Currently, the BN and CC zones allow one temporary sign (18.52.060.E) and TC allows 8 temporary signs in the shopping center (18.52.0701.2.)

7 Section 5. AMEND. The City Council of the City of Lake Forest Park hereby
8 amends section 18.52.050 LFPMC, Signs in RM and RS zones, as follows:

10 **18.52.050 Signs in RM and RS zones.**

11 In all Residential-multifamily and Residential single-family zones, the following sign
12 regulations apply.

13 A. All residences shall display the postal address of that property. The display may be
14 lighted but not flashing and shall be clearly visible from the public right-of-way. If the
15 display is to be placed upon the residence, the numbers must be no less than four
16 inches in height and of a contrasting color to the residence.

Commented [KAP13]: A safety issue. Emergency vehicles.

17 B. Temporary signs are permitted that do not exceed six square feet in area per side
18 and not more than four feet in height. Yard sale signs on private property; provided, that
19 yard sale signs may only be erected one day prior to the first day of the sale and must
20 be removed within 24 hours of the end of the last day of the sale; and provided further,
21 that yard sale signs to be held on any property may not be posted for more than a total
22 of six days per month.

23 C. No home occupation otherwise permitted by this title may erect or post any sign
24 advertising or promoting that home occupation.

25 D. The following additional signs are permitted in the RM and RS zoned properties
26 zoned nonresidential uses:

27 1. One wall sign, marquee sign, or awning sign, lighted or unlighted, nonflashing, on the
28 outside wall of the main building, which shall be flat against the wall and have an area of
29 not greater than 40 square feet.

Commented [KAP14]: Flashing prohibited as an animated sign.

30 2. Onemonument, pole, or pedestal, detached sign, lighted or unlighted, nonflashing,
31 having an area not greater than 30 square feet per side and a sign height of not more
32 than six feet on which both faces may be utilized. Such signs must be securely mounted
33 on the ground on which they rest. On corner lots, one such sign may be placed facing
34 each street.

35 3. Onechanging message sign that is included within one sign allowed by subsection
36 D.1 or D.2 above..

1 E. Fluttering signs, including balloons, festoons, pennants and flags (other than official
2 flags of political entities and a single flag identifying the project or owner), and off-
3 premises signs are prohibited; provided, that such fluttering signs are permitted on
4 temporary incidental signs in RM and RS zones identifying noncommercial events such
5 as private picnics, birthdays and the like.

Commented [KAP15]: The exception is content based.

6
7 F. Churches are permitted to attach readerboard signs to their outside walls and to
8 place sandwichboard-type signs on their property on days of service.

Commented [KAP16]: Content, noncommercial

9
10 G. For any zone, the city shall determine the square footage of a sign that is painted on
11 or attached directly to a wall, roof, monument, or support column by its sign area as
12 defined herein. Where a sign is limited to square feet, on one or both sides, square
13 footage shall be determined by sign area.

Commented [KAP17]: This is taken care of in definitions.

14
15
16 Section 6. AMEND. The City Council of the City of Lake Forest Park hereby
17 amends section 18.52.060 LFPMC, Signs permitted in CC and BN zones, as follows:

18 **18.52.060 Signs permitted in CC and BN zones.**

19
20 In Neighborhood Business (BN) and Corridor Commercial (CC) zones, the following
21 sign regulations apply.

22
23 A. In BN zones, two single-faced or one double-faced wall sign, marquee sign, pole
24 sign, or pedestal sign is permitted, not to exceed a total of 60 square feet per side,
25 attached to the building wall and advertising the business conducted therein, or the
26 goods and services available therein.

Commented [KAP18]: content

27
28 B. In the CC zone, for each street or parking lot on which a business fronts, a single-
29 faced wall sign-on the exterior wall, or marquee sign, gable- or awning sign fronting- for
30 that business is permitted (Exterior Sign). If the exterior sign is on the exterior wall, its
31 size must be the lesser of: (1) 150 square feet per side; or (2) the greater of that amount
32 in square footage which is a factor of eight tenths (0.8) of that business' linear street or
33 parking lot frontage or 75 square feet per side; provided, that stand-alone buildings in
34 the CC zone are entitled to signs of not more than 75 square feet per side irrespective
35 of linear frontage; and provided further, that businesses which occupy in excess of
36 20,000 square feet of space may have a single exterior sign of not more than 250
37 square feet per side on each street or parking lot frontage. If the exterior sign is on a
38 gable or awning, its size must be less than 40 square feet. Signage entitlements under
39 the foregoing sentence for any frontage may not be counted for entitlement on any other
40 frontage. Businesses that share space must share signage entitlements under this
41 provision.

1

2 C. In both CC and BN zones, one monument sign, pole sign or pedestal
3 signfreestanding, single-faced or one double-faced sign not exceeding 30 square feet in
4 area per side and a sign height not exceeding 20 feet is permitted, securely fastened to
5 the ground.

6 D. In both CC and BN zones, one changing message sign is permitted that is included
7 within one sign allowed by subsections A. – C. above.

8 E. In both CC and BN zones, one temporary sandwich board-sign may be placed on
9 the business' property advertising special sale commodities or services and displayed
10 only when the advertised business is open for business.

11 F. In both CC and BN zones, signs of any kind in windows viewable from any public
12 right-of-way may not cover more than 50 percent of the window area except for
13 celebration displays.

14 G. For automobile service stations, a single freestanding fuel price and fuel brand
15 identification sign, which may be lighted but nonflashing, securely anchored to the
16 ground. Additional advertising of car wash services and other fuels sold may be added
17 to the fuel price and fuel brand identification sign but no other message or device may
18 be attached to the fuel price and fuel brand identification sign.

19 H. All signs permitted by this section shall be nonflashing, with no movement or
20 simulated movement, except for changing message signs, and shall be located as not
21 to produce glare on neighboring residential properties or interfere with traffic, traffic
22 signals or traffic signs.

23 I. a Fluttering signs, including balloons, festoons, pennants and flags (other than official
24 flags of political entities and a single flag identifying the project or owner) of a
25 permanent nature are prohibited. However, in CC zones, celebration displays are
26 permitted for periods of no more than 14 consecutive days and a total of four times a
27 year. Celebration displays must be used at the site of the business and must be
28 removed at the end of the event or 14 consecutive day period, whichever is shorter.

29 J. Off-premises signs are prohibited.

30 Section 7. AMEND. The City Council of the City of Lake Forest Park hereby
31 amends section 18.52.070 LFPMC, Signs permitted in TC zone, as follows:

32

33

34 **18.52.070 Signs permitted in TC zones.**

35

36 The planned shopping center in the TC zone is a unique and visible community
37 resource and structure. It is the city's desire that signs in the planned shopping center in

Commented [KAP19]: If delete then not based on content.

Commented [KAP20]: Not needed any more because pole or pedestal signs are allowed in C.

Commented [KAP21]: These are Animated signs now prohibited everywhere.

Commented [KAP22]: All animated signs are now prohibited and celebration signs are based on content, but can regulate as temporary signs.

Commented [KAP23]: Safety

Commented [KAP24]: Content. Only need safety in some instances.

Commented [KAP25]: General prohibition now in 18.52.030.

1 the TC zone be aesthetically pleasing, architecturally cohesive with the planned
2 shopping center in the TC zone and with signs of other tenants in the planned shopping
3 center in the TC zone, of superior construction, safe for both pedestrian and vehicular
4 traffic and commercially reasonable.

5
6 A. In the TC zone, for each street or parking lot on which a business fronts, a
7 single-faced wall sign on the exterior wall, marquee sign, gable or awning sign fronting
8 of that business is permitted ("Exterior Sign"). If the exterior sign is on the exterior wall,
9 its size must be the less of (1) 150 square feet per side or (2) the greater of that amount
10 in square footage which is a factor of eight tenths (0.8) of that business' linear street or
11 parking lot frontage or 75 square feet per side; provided, that stand-alone buildings in
12 the TC are entitled to signs of not more than 75 square feet per side irrespective of
13 linear frontage; and provided further, that businesses which occupy in excess of 20,000
14 square feet of space may have a single exterior sign or not more than 250 square feet
15 per side on each street or parking lot frontage. If the exterior sign is on a gable or
16 awning, its size must be less than 40 square feet. Signage entitlements under the
17 foregoing sentence for any frontage may not be counted for entitlement on any other
18 frontage. Businesses that share space must share signage entitlements under this
19 provision.

20
21 B. For businesses that do not front either a right-of-way or parking lot, one single-
22 faced exterior sign per such business shall be allowed. If the exterior sign is on an
23 exterior wall, its size must be seventy-five (75) square feet or less. If the exterior sign is
24 on a gable or awning, its size must be less than forty (40) square feet.

25
26 CB. Each business in the TC zone may have nonilluminated projecting signs
27 hanging from the soffits but each such sign must provide a minimum of seven feet of
28 clearance from the underlying walkway to the bottom of the sign and no such sign may
29 exceed five square feet per side.

30
31 DC. Each business in the TC zone may have a nonilluminated awning on which
32 may be placed signs for that business so long as the total area of those signs does not
33 exceed 45 percent of the facing of the awning.

34
35 ED. Signs of any kind in windows viewable from any public right-of-way may not
36 cover more than 50 percent of the window area except for celebration displays.

37
38 EE. A planned shopping center in the TC zone may display up to two
39 freestanding ground signs, not in excess of 25 square feet in area per side, identifying
40 the name of the shopping center but not the businesses located therein at Northeast
41 175th and Ballinger Way Northeast, plus one nonilluminated freestanding ground sign at
42 or near Northeast 175th and Ballinger Way Northeast, not to exceed a sign height of 10
43 feet and 60 square feet in area per side identifying the businesses located therein, plus
44 a single illuminated or nonilluminated freestanding sign at the main entrance off Bothell
45 Way Northeast, not to exceed a sign height of 30 feet and not more than 300 square
46 feet in area per side, which may include identities of one or more of the businesses

Commented [KAP26]: B. adds the interior business sign provision in the Mayor's emergency order 2020-2 (confirmed Resolution 1773, extended in 2021). No change has been proposed for other provisions in the emergency order for temporary sandwich boards and temporary banners. Those would, however, continue through the pandemic.

1 located in the shopping center. Any nonilluminated sign permitted in this subsection
2 may, notwithstanding the foregoing, be illuminated by one or more separate light(s) cast
3 on it from the ground below. The ground signs shall be of a style, material and design
4 as are compatible with the associated buildings. All ground signs and support elements
5 are to be integrated into a single design.

6
7 **GF.** Entrances to buildings in the ~~planned shopping center in the~~ TC zone may
8 have ~~a changing message sign readerboard~~ signs placed on the walls adjacent to the
9 entrance wall or support columns not to exceed 13.5 square feet identifying only the
10 businesses in that building. ~~Such changing message Readerboard~~-signs shall be limited
11 to two per major public entrance.

Commented [KAP27]: Readerboard was an undefined term.

12
13 **G.** ~~For automobile service stations, a single freestanding fuel price and fuel brand~~
14 ~~identification sign, which may be lighted but nonflashing, securely anchored to the~~
15 ~~ground. Additional advertising of car wash services and other fuels sold may be added~~
16 ~~to the fuel price and fuel brand identification sign but no other message or device may~~
17 ~~be attached to the fuel price and fuel brand identification sign.~~

Commented [KAP28]: Not needed now because allow monument, pedestal and pole signs.

18
19 **H.** All signs permitted by this section shall be ~~nonflashing, with no movement or~~
20 ~~simulated movement, except for changing message signs, and shall be located as not~~
21 ~~to produce glare on neighboring residential properties or interfere with traffic, traffic~~
22 ~~signals or traffic signs.~~

23
24 **I.** ~~Fluttering signs, including balloons, festoons, pennants and flags (other than~~
25 ~~official flags of political entities of a permanent nature) are prohibited. However,~~
26 ~~celebration displays are permitted for periods of no more than 14 consecutive days and~~
27 ~~a total of four times a year. Celebration displays must be used at the site of the~~
28 ~~shopping center and must be removed at the end of the event or 14 consecutive day~~
29 ~~period, whichever is shorter.~~

Commented [KAP29]: content

30
31 **J.** ~~Off-premises signs are prohibited.~~
32 **K.** ~~Temporary sandwich board signs relating to a farmer's market may be~~
33 ~~permitted for a period not to exceed the operation of the farmer's market, subject to the~~
34 ~~following requirements:~~

Commented [KAP30]: General prohibition in code now.

Commented [KAP31]: Content.

35
36 **1.** ~~Signs~~ shall only be displayed during the hours the ~~business farmer's market~~ is
37 open to the general public, but in any event no earlier than ~~dawn and no later than~~
~~dusk, 8:00 a.m. or later than 7:00 p.m. on the day of the market;~~

38
39 **2.** A maximum of two ~~temporary~~ signs are allowed at each vehicular entrance of
40 the town center zone, not to exceed a total of seven; and one ~~temporary~~ sign is allowed
41 at the pedestrian entrance at the perimeter of the parking lot adjacent to Bothell Way
Northeast and Ballinger Way Northeast;

42 **3.** Signs shall not be directly or indirectly illuminated;

43 **4.** ~~Signs may not block sidewalks or driveways, impede pedestrian or vehicular~~
44 ~~traffic, or create a hazard to traffic, such as, but not limited to, impeding visibility of~~
45 ~~oncoming traffic.~~

1 L. Streetlight banners may be permitted upon the private light poles within the
2 ~~TCtown center~~ zone. Such streetlight banners ~~may not be used to advertise individual~~
3 ~~businesses, but may be used year-round to highlight seasonal events such as a farmer's~~
4 ~~market, holiday seasons or other special events within the town center zone are~~ subject
5 to compliance with the following requirements:

Commented [KAP32]: Content based.

- 6 1. Banners may be mounted on a total of 25 streetlight poles;
- 7 2. Two banners may be mounted on each pole and each banner must not
8 exceed the dimensions of two feet by four feet;
- 9 3. All banners must be the same size, thematically consistent, and mounted in
10 identical configurations;
- 11 4. Banners shall be installed with the bottom of the banner a minimum of 10 feet
12 above the ground;
- 13 5. A banner permit may remain valid as long as the locations and the
14 specifications of the banners and the mounting systems do not change, and so long as
15 the banners are maintained in good condition;
- 16 6. Application requirements for a banner permit include:
 - 17 a. Information on the design and construction of the mounting system including
18 any engineering calculations demonstrating the mounting system will support the
19 banner;
 - 20 b. Identification of the location of the private light poles on which the banners will
21 be placed; and
 - 22 c. A schedule that indicates when banners will be installed and changed.~~which~~
~~gives preference to farmers' market banners during the farmers' market season.~~

27 Section 8. ADDITION. The City Council of the City of Lake Forest Park hereby
28 adds section 18.52.075 LFPMC, Signs in Southern Gateway zones.

29 **18.52.075 Signs in Southern Gateway zones.**

30 A. Signs in the Southern Gateway – Single-family residential zone are governed by
31 this chapter and specifically LFPMC 18.52.050 for RM and RS zones.

32 B. Signs in the Southern Gateway - Corridor zone and Transition zone are governed
33 by this chapter and specifically LFPMC 18.52.070 for the TC zone, as well as the
34 southern gateway – corridor and transition zones design guidelines. In the event
35 of a conflict, the design guidelines shall govern.

40 Section 9. AMEND. The City Council of the City of Lake Forest Park hereby
41 amends section 18.52.080 LFPMC, Signs in the public right-of-way, as follows:

42 **18.52.080 Signs in the public right-of-way.**

1 A. The following Temporary signs are permitted in the public right-of-way, except as
2 prohibited in 18.52.030, in Lake Forest Park upon making application for a permit to the
3 planning director; provided, that no sign in a public right of way shall create a traffic or
4 other safety hazard; and upon meeting the following conditions:

Commented [KAP33]: 2/8 discussion by PC whether signs should be allowed in ROW, number, and duration.

- 1 1. Temporary signs to be displayed for 7 or more calendar days require a permit
2 under LFPMC 18.52.090;
- 3 2. Only temporary lawn and portable signs are allowed;
- 4 3. The sign shall not be placed in medians, traffic islands, roundabouts, or other
5 areas within the roadway;
- 6 4. The sign shall not be placed on a sidewalk or obstruct pedestrian or wheelchair
7 access to the sidewalk;
- 8 5. The sign shall be placed entirely outside of the sight-distance-triangle of a right-
9 of-way corner, curb-cut, or drive entrance and where no curb exists, the sign
10 must be placed outside the roadway at least five feet from the edge of the
11 roadway;
- 12 6. The sign shall be no larger than 12 square feet in size, with no single sign face
13 larger than six square feet in size, and no portion of the sign shall exceed four
14 feet in height;
- 15 7. The sign shall remain unanchored in any way to trees or to public property
16 including, but not limited to, utility or light poles, utility boxes, street signs, parking
17 meters, fences, or pavement; and
- 18 8. There is a limit of no more than six signs for the same purpose at any time.

19 1. Special Event Signs. A maximum of four special event signs may be posted for
20 a maximum of seven days prior to the event's commencement and upon such other
21 conditions as may be imposed by the planning director. Special event signs must be
22 removed within 24 hours of the termination of the special event.

Commented [KAP34]: Content based

23 B. The following signs are permitted in the public right-of-way in Lake Forest Park
24 without a permit being required:

Commented [KAP35]: 1 - 4 below are content based

- 25 1. Yard Sale Signs. A maximum of two yard sale signs may be posted for a
26 maximum of two days prior to the event's commencement and upon such
27 other conditions as may be imposed by the planning director. Yard sale signs
28 shall be removed within 24 hours of the termination of the yard sale.
- 29 2. Real Estate Open House Signs. A maximum of four open house signs per
30 property advertised for a period not to exceed two consecutive days in a
31 calendar month. Such open house signs shall be placed at least three feet
32 from the traveled portion of the right-of-way, shall not be placed on an island,
33 median strip or sidewalk, and shall not create a hazard to traffic. Open house
34 signs shall be permitted to be in place only between the hours of 8:00 a.m.
35 and 7:00 p.m.

1 3. Political Signs. Political signs; provided, that all political signs must be
2 removed within five days of the election in which the political candidate or
3 public issue or ballot issue is decided.

4 5. Churches may place sandwich type signs concerning their service on
6 sidewalks on the days of their service.

7 8. Signs shall not be located in the right of way or placed upon or in any way attached
9 to any street or traffic control sign or utility pole in such a manner as to create a traffic or
10 other safety hazard.

11 12. BD. Signs are not permitted on other city-owned property or property leased by the city
13 for public purposes such as public parks, trails, open space, or other public space,
14 except those signs placed by the City, which signs shall only display noncommercial
15 copy. without the permission of the city.

16 17. Section 10. AMEND. The City Council of the City of Lake Forest Park hereby
18 amends section 18.52.090 Permit application and fee.

19 20. **18.52.090 Permit application and fees.**

21 22. A. Except as provided in the chapter, no person shall erect, alter, or relocate any sign
23 without first receiving an approved sign permit from the City pursuant to the
24 requirements herein. All applications for issuance of permits required by this chapter
25 shall be made to the planning director on forms furnished for that purpose and shall be
26 accompanied by the required fee. The applicable fee shall be as provided in the city's
27 fee schedule. The application shall include the applicant's full name, address, signature,
28 location of the signs, types of goods proposed to be sold if applicable, duration of sale if
29 applicable, together with such other information as the planning director deems
30 appropriate.

Commented [KAP36]: More details provided below
instead of here.

31 32. B. The review and approval of sign permits is a ministerial administrative decision
33 pursuant to Chapter 16.26 LFPMC, as amended.

Commented [KAP37]: Sign permits would be added to
LFPMC 16.26.030.E.2 in separate ordinance section.

34 35. C. Application Form.

36 37. 1. Owner permission. If the applicant is not the property owner, then the property owner
38 must be identified and the application must include an affidavit from the property owner,
39 verifying that the property owner has given permission to the applicant for the
40 submission of the sign permit application and for the installation/posting of the sign on
41 the property owner's property.

42 43. 2. Building Elevation/Site Plan. Signs proposed to be mounted on a building require a
44 building elevation drawn to scale that specifies the location of the sign and drawings or
45 photographs that show the scale of the sign in context with the building. Freestanding

1 signs require a site plan indicating the proposed sign location as it relates to property
2 lines, adjacent streets, and adjacent buildings.

3
4 3. Scaled Design Drawing. A colored rendering or scaled drawing, including dimensions
5 of all sign faces, and descriptions of materials to be used, including color samples.

6
7 4. Scaled Installation Drawing. A scaled drawing that includes the sign description,
8 proposed materials, size, weight, a manner of construction, and method of attachment,
9 including all hardware necessary for proper sign installation.

10
11 5. Lighting. A drawing indicating the location and fixture type of all exterior lighting for
12 the proposed sign. The drawing shall specify wattage and bulb type to ensure
13 compatibility with the lighting standards in this chapter.

14
15 6. Expiration of Permit. A permanent sign approved under a permanent sign permit
16 must be installed within 180 days of issuance of the permit or the sign permit will
17 expire. No sign may be erected if a sign permit has expired.

18
19 Section 11. AMEND. The City Council of the City of Lake Forest Park hereby
20 amends section 18.52.100, Violations.

21
22 18.52.100 Violations.

23
24 A. A violation of L FPMC [18.52.080, Signs in public right-of-way.](#) shall be [enforced as](#)
25 [a civil an](#) infraction subject to a fine of \$100.00 a day or portion thereof, [and subject to](#)
26 [code enforcement pursuant to Chapter 1.25 L FPMC.](#)

27
28 B. A violation of any other section of this chapter shall be a [civil](#) infraction subject to a
29 fine of \$25.00 a day or portion thereof, [and subject to code enforcement pursuant to](#)
30 [Chapter 1.25 L FPMC.](#)

31
32 Section 12. SEVERABILITY. Should any portion of this ordinance, or its
33 application to any person or circumstance, be declared unconstitutional or otherwise
34 invalid for any reason, such decision shall not affect the validity of the remaining
35 portions of this ordinance or its application to other persons or circumstances.

36
37 Section 13. CORRECTIONS. The City Clerk is authorized to make necessary
38 corrections to this ordinance including, but not limited to, the correction of
39 scrivener's/clerical errors, references, ordinance numbering, section/subsection
40 numbers and any references thereto.

41
42 Section 14. EFFECTIVE DATE. This ordinance shall take effect five (5) days
43 after passage and publication.

1 **APPROVED BY A MAJORITY** of the Lake Forest Park City Council this click
2 here to enter day of month. day of Click here to enter month., 2022.

3
4 APPROVED:
5
6
7
8 _____
9 Jeff Johnson
10 Mayor
11 ATTEST/AUTHENTICATED:
12
13
14
15 _____
16 Matthew McLean
17 City Clerk
18 APPROVED AS TO FORM:
19
20
21
22 _____
23 Kim Adams Pratt
24 City Attorney
25 Introduced: _____
26 Adopted: _____
27 Posted: _____
28 Published: _____
29 Effective: _____

SUMMARY TABLE OF PROPOSED AMENDMENTS TO CHAPTER 18.52 LFPMC

Draft Date: March 3, 2022

Currently regulated as:	Proposed to be regulated as:	Amendments
Celebration Displays: temporary signs solely for purpose of announcing opening of business, announcing sale, etc.	Temporary signs	
Changing message signs: change message by moving letters or numbers	Permanent Signs allowed in all zones	Amendment: monochromatic only, no longer limited to time, date, temperature.
Construction signs: identify architect, builder, etc. on project	Temporary signs	
Incidental sign: examples such as no trespassing, restrooms, birthday parties. Maximum of 2.	Temporary signs	
Interior signs not visible from right-of-way	Not meet definition of sign, not regulated by chapter 18.52 LFPMC	
Land use notice signs	Temporary signs	Exempt when required by code or statute
Noncommercial Identity Sign: examples are schools, churches	Temporary signs and permanent signs in general	
Off-premises signs: message is not incidental to current use of property where sign installed		Amendment: continue to be prohibited if permanent
Organization signs at City entrance	Legal nonconforming Temporary signs	
Real Estate and Open House	Temporary signs	
Sandwich board signs	Temporary signs	Amendment: size decreased
Sculpture, fountain, bench without advertising	Not meet definition of a sign so not regulated by chapter 18.52 LFPMC	
Seasonal signs: holiday, festival	Temporary signs	

Special even sign: car wash, community event, etc.	Temporary signs	
Street light banner	Repealed in 2007	Add back with minor changes
Yard sale sign	Temporary signs	

Temporary sign regulations proposed:

1. Defined as any sign not permanently affixed or attached to the ground or a structure.
2. If on private property then must be within the Lot.
3. Durable material required
4. If illumination not allowed 11:00 pm to 8:00 am
5. Cannot be: on a roof, on a fence, obstruct an exit, located so hazardous to drivers or pedestrians, located in sight distance triangle
6. Size limited to six foot area per side with a maximum height of four feet.
7. Window signs cannot cover more than 50% of window
8. General Quantity: limited to 2 signs per right-of-way frontage, maximum of 4.
9. BN and CC zone quantity: 1
10. TC zone quantity: 8
11. Allowed in public right-of-way, permit required if more than 7 days

Permanent sign types proposed:

1. Awning or canopy sign continues to be allowed, but a definition is proposed.
2. Banner continues to be allowed, but a definition is proposed
3. Illuminated signs continues to be allowed, but a definition is proposed
4. Lawn sign added
5. Marquee sign added
6. Monument sign added
7. Pedestal sign added
8. Pole or pylon sign
9. Portable sign added
10. Wall sign continues to be allowed, but a definition is proposed
11. Window sign continues to be allowed, but a definition is proposed

**City of Lake Forest Park - Planning Commission
Draft Regular Meeting Minutes: February 8, 2022
Virtual/Zoom Meeting**

Planning Commissioners present: Chair Maddy Larson, Richard Saunders, T.J. Fudge, Ira Gross, Lois Lee, David Kleweno, Melissa Cranmer, Jim Bourey, Walter Hicks

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: Stephanie Shenk, Mike Dee, Kent Shuey, Jolene Jang

Planning Commissioners absent: n/a

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

Approval of Agenda

Mr. Gross made a motion to approve the agenda, Mr. Cranmer seconded. All voted in favor of the motion to approve the agenda.

Land Acknowledgement:

Land Acknowledgement: Crmr. Saunders read the land acknowledgement.

Approval of Meeting Minutes from January 11, 2022

Mr. Gross made a motion to approve the January 11, 2022 meeting minutes as drafted and Mr. Saunders seconded.

Chair Larson thanked staff for their effort and the content of the minutes.

All voted in favor of the motion to approve the January 11, 2022, minutes as drafted.

Meeting Dates:

Meeting Dates: Next regular meeting is scheduled for March 8, 2022.

Citizen Comments:

Stephanie Shenk said she resides at 18749 23 AVE NE. She talked about the new rules for ADUs and said she would like to construct an ADU on her property. She asked when the rules would be adopted. Chair Larson indicated that questions were not usually addressed during citizen comment period, but added that the City Council has the Commission's recommendation on the topic and that progress can be tracked through the Council. Councilmember Bodi asked Director Bennett when the Council's hearing on the topic would be held. Director Bennett said that the public hearing on the proposed ADU regulations will be later this month.

Jolene Jang provided her address and talked about a recent meeting where Chair Larson indicated that the citizens surrounding a reasonable use exception (RUE) proposal often seem to have the burden of proving that RUE proposals do not meet the approval criteria. Ms. Jang said that the LFP Stewardship Foundation has assisted her with her public comments on the RUE project adjacent to her property. She went on to describe how she has navigated the regulatory framework for RUEs and said that the citizens and city staff alike have pressure from the master builders association to approve such proposals. She noted the opinions of other individuals regarding environmental stewardship and how a precedent may be set with approval of the project adjacent to her home.

1
2 **Report from City Council Liaison**

3 Councilmember Bodi welcomed the new Commission members. She thanked Cmr. Saunders for his service.
4 She informed the Commission of the recently elected leadership positions on the Council. She said that the
5 mayor is gathering members for the climate action committee and the parks board. She went on to describe
6 the function of the parks board and how the public engagement process might work for the new waterfront
7 park.

8
9 Councilmember Bodi said that the city is monitoring state legislation for zoning and density requirements and
10 that LFP has an environmental interest as well as a city service interest in what occurs. She said that the next
11 Council work session will include a presentation from King County Conservation District regarding riparian
12 area management.

13
14 Cmr. Cranmer asked about the emergency shelter regulations and requested an update. Councilmember Bodi
15 responded and said that the deadline was met, and the City developed some regulations for locations of
16 emergency shelters as well as some supporting regulations. Attorney Pratt clarified that the current
17 regulations are interim.

18
19 Cmr. Saunders asked about Sound Transit. Councilmember Bodi said that they are moving ahead on the
20 BRT work, which is supposed to conclude in 2024. Councilmember Bodi asked Director Bennett to provide
21 his input. Director Bennett responded that Sound Transit would like to have agreements for permitting
22 timelines and that the agency is close to submitting some critical area permit applications.

23
24 Cmr. Gross asked if the 2024 timeline is for design or complete construction, and Councilmember Bodi said
25 it was for completion of construction.

26
27 Chair Larson asked about the composition of the climate action committee. Councilmember Bodi responded
28 with her understanding of the makeup of the committee and noted that the Council will provide guidance.

29
30 **Old Business**

31
32 Chair Larson welcomed the new Commission members. She thanked staff for their work on the sign code
33 updates.

34
35 • *Sign code update- review City Attorney draft amendments*

36
37 Director Bennett suggested a format for the discussion and indicated that this amount of code to be reviewed
38 is significant. He mentioned the table that staff created for tracking the changes to the code. He asked
39 Attorney Pratt to introduce the proposed changes.

40
41 City Attorney Pratt said that she went through the existing code to identify what areas should be changed
42 based on her knowledge of the relevant case law and her understanding of content regulation. Director
43 Bennett shared a screen with the proposed changes highlighted with strikeouts and underlines. City Attorney
44 Pratt said that instead of content regulations, which the current code was full of, a set of regulations for
45 temporary signs may provide way of avoiding content regulation. She said that she added several new
46 definitions that describe different types of signs. She went on to describe some of the new definitions she
47 added and described why she eliminated some of the existing definitions, which in most cases involved
48 content regulation. She emphasized that all content-based definitions are proposed to be eliminated within
49 the current draft.

50
51 Director Bennett asked if there were any questions. Cmr. Bourey asked if signs in the right of way were
52 allowed, and City Attorney Pratt responded that they were allowed. Cmr. Saunders asked where the new

1 definitions came from. City Attorney Pratt responded and said that she pulled a lot of them from other city
2 codes. Cmr. Saunders asked about the significance of term mono-chromatic. Director Bennett responded
3 and said that the basis of the term surrounds the Déjà vu site and that company's animated signage. City
4 Attorney Pratt continued with her presentation on the code amendments. Cmr. Hicks asked how danger can
5 be determined by color and/or wording and City Attorney Pratt responded and said that the term 'wording'
6 would probably have to be eliminated. Cmr. Fudge said that he believes wording could fit in certain sections,
7 when used in a limited context. City Attorney Pratt said that the Commission could keep the term within the
8 described section if it were to meet the higher constitutional standard where the city has an interest in
9 regulating it. Chair Larson asked about item 6; line 8. She said that it sounds like it could be limiting what is
10 on public property and City Attorney Pratt responded affirmatively. A general discussion about allowed
11 signage within the right of way occurred.

12 City Attorney Pratt continued with her presentation on the recommended code amendments. She talked
13 about the permitting thresholds for some types of temporary signs. Cmr. Bourey asked if an off-premises
14 sign contains content, how can it be regulated. City Attorney Pratt said that the regulation would have to
15 meet the higher constitutional standards. Cmr. Bourey talked about the use of signage in the right of way.
16 City Attorney Pratt suggested regulating the amount of time the sign could be posted. Cmr. Bourey said that
17 regulating signage in the right of way is a difficult item to regulate. Cmr. Fudge asked about the political sign
18 regulations which are proposed to be deleted and asked how the timeline for signage gets regulated. City
19 Attorney Pratt said that a permit could be issued for signs that need to stay up more than the allowed time.
20 Chair Larson asked if a "black lives matter" sign would require a permit if it were to be up more than seven
21 days, under the proposed draft. City Attorney Pratt responded that a sign of that type would require a permit
22 as currently proposed. Director Bennett suggested regulating temporary signs for politics and social
23 statements in a manner does not become a cumbersome enforcement issue. Chair Larson indicated that these
24 types of social statement signs should be allowed within the community. City Attorney Pratt provided her
25 perspective on how to regulate this type of sign. She said she had worked with another code where an
26 exemption for a 3'x4' sign was adopted for this type of sign. She said that real estate signs also fall into this
27 category. A general discussion on how to regulate temporary signs occurred.

28 Cmr. Kleweno suggested that the City Attorney be allowed to finish her presentation before any additional
29 questions, given the amount of material that needs to be presented. Chair Larson agreed. City Attorney Pratt
30 continued her presentation. She presented the proposed regulations for temporary signs. She said that 6
31 square feet and no higher than 4 feet is suggested for temporary signs in all districts but suggested that larger
32 temporary signs may be allowed in commercial districts. She also talked about a cap of four temporary signs
33 in commercial districts, and eight in the town center zone.

34 Cmr. Cranmer asked about the number of temporary signs in residential zones, which is proposed to be two.
35 She asked if a public notice sign would count against the total amount of temporary signs. City Attorney
36 Pratt responded that a public notice sign is an exempt sign as proposed in the new regulations. City Attorney
37 Pratt emphasized that she only changed items in the existing code that dealt with content and that she tried
38 not to change too much. She described the various types of revisions she is proposing, such as changing
39 message signs as a part of permanent signage in commercial zones. City Attorney Pratt said that limiting
40 home occupation signage in residential zones is a content-based regulation and that the City will need to
41 determine if it has an interest in regulating such signage. City Attorney Pratt introduced new sections
42 regulating southern gateway signs as well as signs within the right of way. Cmr. Fudge asked if the city has to
43 permit signs within the right of way. City Attorney Pratt responded and said that the free speech rights could
44 come into play, for example if an individual were to wear a sign in the right of way. She also introduced a
45 new section clarifying the content of permit applications for signage.

46 City Attorney Pratt reviewed a chart that tracks the sign code changes. She emphasized that the chart shows
47 that most changes are for new temporary signage. Chair Larson thanked City Attorney Pratt for the
48 presentation and asked about the next steps. Director Bennett responded that the questions the Commission

1 has posed to date would generate some policy options. He encouraged Commissioners to continue review of
2 the new content and think about any changes in policy direction that the City should consider related to
3 signage. He said he hoped that the Commission might be able to make a recommendation after a couple
4 more reviews of the proposed changes. Cmr. Bourey said that the case that is before the US Supreme Court
5 on off-premises sign could provide some insight to what we are regulating.

6

- 7 • *Adoption of 2022 PC work plan*

8

9 Chair Larson asked if all had reviewed the work plan. Cmr. Saunders said that the draft reflects the previous
10 discussions. Cmr. Kleweno said that the amount of code we just reviewed on the sign issue, could bump the
11 group over a 20% commitment on the topic. He wanted to ensure that the group devotes enough time to the
12 issue. Chair Larson asked for input from Director Bennett. He responded that the percentages reflect intent,
13 but they are not binding.

14

15 Cmr. Lee made a motion to adopt the 2022 Planning Commission work plan, and Cmr. Bourey seconded the
16 motion. All voted and the motion carried unanimously.

17

New Business

18

2021 annual report

19

20 Chair Larson asked if all had a chance to review the content of the report. She asked for discussion or
21 questions. Councilmember Bodi suggested that the Commission present the report to the Council at a future
22 meeting. Chair Larson asked if that had been done in the past and Director Bennett responded and said that
23 it had not been done in the past. Director Bennett noted that Cmr. Saunders was the creator of annual
24 reports with this format which has been in use for several years. Chair Larson asked the Commission if they
25 would like to present the report to the Council. Cmr. Fudge said that it could be valuable if the Commission
26 has additional input for the ADU code. Cmr. Gross agreed with Cmr. Fudge. Cmr. Hicks said that he agreed
27 with Chair Larson on the issue. Cmr. Kleweno said that the tree board presented the annual reports to the
28 Council during his time on that board. Cmr. Saunders said that it would be a good idea to present the annual
29 report to Council. Cmr. Bourey said that the new Council members could benefit from a report or
30 presentation. Cmr. Lee said that she could be available if a request was made to present it. Chair Larson
31 asked how to get on the Council's agenda. Councilmember Bodi responded and said that she will inform the
32 Council that the Commission would like to make a presentation on the 2021 Planning Commission annual
33 report as it pertains to adoption of the recommended ADU regulations. Chair Larson asked when John Lebo
34 resigned. Director Bennett responded that he wasn't sure and said that he would double check on the terms.

35

36 Cmr. Gross made a motion to accept the draft of the 2021 Planning Commission annual report, Cmr.
37 Cranmer seconded the motion. All voted and the motion carried unanimously.

38

Election of Officers

39 Chair Larson asked Director Bennett to lead the discussion on the election of officers. Director Bennett
40 responded and explained the nomination and voting process for both Chair and Vice Chair.

41

42 Director Bennett called for chair nominations.

43

44 Cmr. Cranmer nominated Chair Larson. Chair Larson asked if anyone was interested in chairing the
45 committee. Discussion occurred. Chair Larson indicated that she has served for two years and asked if a
46 commissioner can serve more than two years in a single office. Director Bennett responded that the
47 Commission could work under the assumption that a chair can serve more than two years in a row and then
48 elect a new one at the next meeting if it turns out not to be allowed. Director Bennett asked if there were any

1 more nominations. Hearing none, Cmr. Gross moved to close nominations and Cmr. Lee seconded. All
2 voted and the motion to close nominations carried unanimously. Director Bennett asked for a vote on Chair
3 Larson's nomination. All voted in favor of Chair Larson continuing to chair the Planning Commission.
4

5 Director Bennett opened the floor for nominations for vice chair. Cmr. Gross nominated Cmr. Lee for vice
6 chair. Cmr. Lee asked about the duties. Cmr. Saunders offered to read the duties and Chair Larson described
7 her impression of what is expected of a vice chair. Director Bennett asked if there were any more
8 nominations. There were none and Cmr. Gross made a motion to close nominations, Cmr Kleweno
9 seconded. All voted to close nominations and the motion carried unanimously.
10

11 Director Bennett asked for a vote on Cmr. Lee's nomination for vice chair. All voted in favor of Cmr. Lee for
12 vice chair.
13

Reports and Announcements

Citizen Comments:

17 Mike Dee said that Larry Goldman is the council liaison for the tree board. He talked about resolution 1836
18 the climate committee and described several individuals who are interested. He talked about the King County
19 collation for homelessness and described how there isn't any public notice or involvement with the meeting
20 and therefore it looks like a closed meeting. He encouraged the Planning Commission to act in the
21 community's interests. He encouraged the commission to present their annual report to the Council. He
22 thanked Jolene Jang and Cmr. Saunders for their comments and service.
23

Agenda for Next Meeting:

25 Similar to this agenda.
26

27 Chair Larson thanked Cmr. Saunders for his years of service on the Planning Commission. It was suggested
28 that a social gathering occur in honor of Cmr Saunders' service.
29

30 Director Bennett said that Cmr. Saunders contributed to shaping the city with his work on the southern
31 gateway design guidelines and thanked Cmr. Saunders for his work.
32

33 Cmr. Saunders said that he has learned a lot about the city and he thanked staff for assisting him and
34 contributing to his success as a commissioner. He said that LFP is a special place, and that the community is
35 connected in many ways. He said that planning is about more than land use and the environment, but also
36 about social justice. He suggested keeping that idea in mind when working on the comp plan.
37

Adjournment:

39 Cmr. Saunders made a motion to adjourn the meeting, Cmr. Cranmer seconded, and the motion carried
40 unanimously. The meeting was adjourned at 8:59 pm.
41

42 APPROVED:
43
44
45
46 Maddy Larson, Chair
47