

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

Planning Commissioners present: Chair Maddy Larson, Ira Gross, Lois Lee, David Kleweno, Jim Bourey, Walter Hicks

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

Members of the Public: Jolene Jang, Mike Dee

Planning Commissioners absent: Melissa Cranmer; T.J. Fudge

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

Land Acknowledgement:

Mr. Bourey read the land acknowledgement.

Approval of Agenda

CMR. BOUREY made a motion to approve the agenda, CMR. KLEWENO seconded, and the motion to approve the agenda passed unanimously.

Meeting Dates:

Chair Larson noted that the next regular meeting is scheduled for April 12, 2022.

Citizen Comments:

Jolene Jang said she wanted to talk about the Garey property and the pending RUE. She said she has commented nine times on this project. She said that the project is a vacant lot which Lyon creek runs through. Ms. Jang said that the Council wants to save salmon and Lyon creek is where they can live. She said that habitats and riparian zones will be destroyed if projects like this one get approved. She said that the project goes against what LFP stands for. She asked how much of an onus should be on the neighbor to argue against such a project. She offered herself as a resource. She invited all to her property to visually inspect the site.

Report from City Council Liaison

Councilmember Bodi congratulated the Planning Commission on its work that had led to the Council's recent adoption of the new ADU regulations. She said that several spoke at the hearing and that it was a good discussion. She said the Council adopted the ordinance which was recommended by the Planning Commission. She said the Council is still interested in standard designs for ADUs but the implementation of that idea may happen at a later date. She went on to talk about the state legislation to change single family zoning laws. She described two bills that have not been successful in going forward and described the details of each bill.

Councilmember Bodi said the state legislature required that local jurisdictions update regulations on emergency shelters and transitional housing and noted that the City adopted such interim regulations last year. She said that those interim regulations were going to expire and that there will be a public hearing on Thursday to renew them.

Councilmember Bodi said there is a very detailed City Administration report and that one highlight of it was that the city has received some funds for park planning which will likely be used for the master plan for the lake front park.

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2 Councilmember Bodi added that the City Council has come up with a hybrid in person/virtual meeting
3 format that will likely start in May.
4

5 **Old Business**
6

7 *Sign code update- Second review of City Attorney's draft amendments*
8

9 City Attorney Pratt described some of the changes that they made to the draft sign code regulations. She also
10 described the material she provided regarding the recent supreme court case, which she indicated, has not
11 been decided on yet. She recommended the Planning Commission move forward with recommendations for
12 off-premises signs and recommended changes to the draft at a later date if needed pending the court's
13 decision.

14 City Attorney Pratt presented the latest draft and started with the definitions section and asked for questions.
15 She presented the material on prohibited signs and asked if there were any questions. Chair Larson asked
16 about section on general prohibition and asked for clarification on the process for enforcement. City
17 Attorney Pratt responded that she didn't change much of the process for enforcement on violations of the
18 sign code. Director Bennett described the process for enforcement of sign code violations for signs within
19 the right of way. Cmr. Bourey said he had a concern about signs within the right of way. He said that he is
20 concerned with allowing signs within the right of way. He asked what other Commissioners opinions were
21 on allowing signs within the right of way. Chair Larson asked if this could be addressed in item six. City
22 Attorney Pratt described where signs can and cannot be placed. Chair Larson asked what the difference is
23 between a public easement and a public right of way. City Attorney Pratt responded and said the difference
24 usually lies within the purpose or use of the property. Cmr. Lee said that LFP does not have continuous
25 sidewalks and some signs are in the right of way. City Attorney Pratt said that the regulations prohibit
26 signage impeding pedestrian progress. Discussion continued regarding signage within the right of way. Cmr.
27 Gross recommended additional language to prohibit signage adjacent to sidewalks. Cmr. Kleweno asked if
28 bicyclists are considered pedestrians. He asked if signage in the right of way is a problem and said that he
29 doesn't want to regulate for regulation sake. Director Bennett responded and said that the department
30 doesn't get many complaints regarding signs within the right of way. Cmr. Hicks said he is wondering if the
31 draft can be a bit more concise. Chair Larson asked if there is support for temporary signs in the right of way
32 and said she wanted to discuss how to add specific language about the subject so that confusion is avoided.
33 She asked who supported signage in the right of way and/or easements. The Commissioners gave their
34 opinions. City Attorney Pratt said that prohibiting signs in the right of way is an extreme departure from
35 policies of most cities in Washington. Cmr. Bourey asked City Attorney Pratt if there are constitutional
36 impediments to prohibiting signs in the right of way. City Attorney Pratt responded and said that the
37 distinctions Cmr. Bourey is describing seem to be content based. She said that it would be difficult to
38 separate content and recommended making safety the deciding factor for prohibiting signs in the right of
39 way. Cmr. Hicks asked if a date range can be placed on temporary signage. City Attorney Pratt responded
40 and said that it could be a possibility. City Attorney Pratt described the difference between mechanical and
41 animated signage. Chair Larson said that it would be beneficial for more specificity on item four in the
42 prohibited sign section. She suggested that a measurement be specified in that section and asked for advice.
43 City Attorney Pratt responded and said that a distance could have a different affect in different areas and
44 recommended not specifying a distance for that type of signage. Cmr. Lee suggested adding language that
45 would specify which areas are prioritized for pedestrians use.
46

47 City Attorney Pratt presented the recommended language for exempt signage which would not require a
48 permit. Cmr. Hicks suggested adding language which references the temporary sign section. Chair Larson
49 asked whether little free libraries would be regulated by the sign code. City Attorney Pratt responded and said
50 they would not qualify as signs.
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1 City Attorney Pratt presented the recommended language for temporary signs. Chair Larson suggested
2 having a time limit for these types of signs. Cmr. Hicks suggested having a time limit for signs within the right
3 of way. Director Bennett asked if there was a suggestion on the time frame and asked if staff should research
4 what other cities are doing. Cmr. Hicks responded and said that he had two weeks in his mind. City Attorney
5 Pratt said that political sign restrictions have been changed and that she will provide the specifics to the
6 Commission. Cmr. Kleweno said that all signs need to be treated the same. Cmr. Gross agreed with having a
7 two-week time limit. Chair Larson suggested one week as the time limit for temporary signs and suggested
8 having them placed on private property and out of the right of way. City Attorney Pratt said that if a private
9 property owner doesn't provide permission to place signage, it could affect an election. Discussion ensued on
10 size requirements for temporary signs. City Attorney Pratt cited examples of how the regulations have been
11 applied in the past and how the existing sign code is problematic given current case law. Cmr. Bourey
12 described his professional experience in differentiating art versus signage. He asked City Attorney Pratt her
13 opinion on the difference. City Attorney Pratt responded and pointed towards the definitions in the draft
14 code. She said that the difference would need to be evaluated on a case-by-case basis. Chair Larson asked
15 Director Bennett for input. Director Bennett responded and said that from staff's perspective he would
16 prefer to have language that would provide clarity on the issue. He described a past enforcement case where
17 the code did not provide enough guidance. Cmr. Hicks said most of the language in this section make sense
18 but sounded like it could be difficult to enforce. He said that he would prefer to eliminate the regulation for
19 signs on fences. Cmr. Gross said he was not in favor of eliminating subsection D.2. Chair Larson
20 summarized the Commission's opinion on subsection D2. Chair Larson asked for opinions. Cmr. Bourey
21 said that there is a qualitative difference between something on a house and something on a fence. Chair
22 Larson asked who is supportive of removing subsection D2, the Commissioners gave their opinions. Chair
23 Larson asked for opinions on the size requirement, which is six square feet, for temporary signs in residential
24 areas. Cmr. Lee said that she favors the language as drafted. Cmr. Gross said that a time limit for those signs
25 should be imposed. Chair Larson asked who decides to permit the signage, and City Attorney Pratt
26 responded and said it goes through staff review. Discussion occurred on duration for temporary signage.
27 Director Bennett recommended capping the time at a month to prevent sequence permitting. City Attorney
28 Pratt asked if the two-week limit on temporary signs is agreed upon. Chair Larson asked for opinions. City
29 Attorney Pratt explained that the draft is trying to avoid over administration and an overabundance of types
30 of permit applications.
31

32 Discussion continued regarding the appropriate time limit for temporary signs. Cmr. Gross suggested having
33 a date of removal posted on the temporary sign. He suggested that community members police sign
34 duration. Cmr. Hicks said he doesn't want to limit statement signs on private property. City Attorney Pratt
35 clarified how time limits would be applied. Chair Larson suggested allowing two temporary signs on private
36 property without a time limit. There was additional discussion on the appropriate time limit for temporary
37 signs. Director Bennett suggested having staff bring back some language alternatives on the subject at the
38 next meeting. The Commission agreed. City Attorney Pratt asked if there was interest in having larger size
39 for temporary signs in commercial zones. Cmr. Kleweno said he would be interested in providing for larger
40 temporary signs in commercial zones. Cmr. Hicks said that prohibiting the number of temporary signs on
41 private property would prohibit someone from having signs for multiple city council candidates, beyond the
42 limit of two signs. Chair Larson asked the Commissioners to flag the draft for any items that require
43 discussion. City Attorney Pratt said that she will draft some additional language for consideration.
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45 **New Business:** None.
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47 **Reports and Announcements**

48 Director Bennett said that the City Arborist is resigning affective this week and that arborist services will be
49 provided via consultants.
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51 **Additional Citizen Comments:**
52 None.

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2 **Agenda for Next Meeting:**

3 Chair Larson asked for information on the reasonable use process to evaluate the current LFP policy. She
4 asked if other commissioners are interested in exploring that topic at the May meeting and Cmr. Gross and
5 Kleweno responded that they were interested.

6
7 **Adjournment:**

8 Cmr. Gross made a motion to adjourn the meeting, Cmr. Hicks seconded, and the motion carried
9 unanimously. The meeting was adjourned at 8:55 pm.

10 APPROVED:
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Madlyn Larson

14 _____
15 Maddy Larson, Chair
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