

City of Lake Forest Park - Planning Commission
Draft Regular Meeting Minutes: April 12, 2022
Virtual/Zoom Meeting

Planning Commissioners present: Chair Maddy Larson, Lois Lee, David Kleweno, Walter Hicks, Melissa Cranmer; T.J. Fudge

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: Jolene Jang, Mike Dee, Meridith Labonte

Planning Commissioners absent: Jim Bourey, Ira Gross

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

Land Acknowledgement:

Comr. Lee read the land acknowledgement.

Approval of Agenda

Comr. Lee made a motion to approve the agenda, Comr. Cranmer seconded, and the motion to approve the agenda passed unanimously.

Approval of Meeting Minutes

Discussion occurred on the order of approving the minutes. Staff indicated that the February minutes did not get approved during the March meeting. Comr. Hicks made a motion to approve the February 8, 2022 meeting minutes. Comr. Lee seconded the motion and all voted. The motion carried unanimously.

Chair Larson pointed out a spelling error on Page 3 line 27, with the recommendation to change the word to "capping."

Comr. Fudge made a motion to approve the March 8, 2022, meeting minutes. Comr. Cranmer seconded and all voted. The motion carried unanimously.

Meeting Dates:

Chair Larson noted that the next regular meeting is scheduled for May 10, 2022.

Citizen Comments:

Jolene Jang said that developers who buy properties in Lake Forest Park do not care about the environment. She said that she published a website (<https://parcelbyparcel.wixsite.com/my-site>) on the topic of reasonable use exceptions and the example adjacent to her property. She provided a specific example of how developers make profits when purchasing properties. She said that it is important to study the examples and that city staff has the burden of enforcement on these types of cases. She talked about the various agencies that have commented on the project adjacent to her property.

Report from City Council Liaison

Councilmember Bodi thanked the Commission for their work on the sign code updates. She said that the Council will welcome a presentation on the Commission's recommendation. Councilmember Bodi said that there will be an update on the recent State legislative session at the next Council meeting. She also said she would not be able to attend the next Commission meeting.

1 **Old Business**

2 *Review new draft language in response to Commission discussion and proposal for temporary*
3 *sign criteria*
4

5 Chair Larson led the discussion on the sign code regulations and asked which staff would be presenting.
6 Director Bennett responded that he would provide some opening remarks and described the context of the
7 most recent changes to the sign code draft. He said that if tonight's meeting results in a draft of the update
8 that is acceptable to Commissioners, a public hearing could be held during next month's meeting. He talked
9 about the content of the most recent draft and asked City Attorney Pratt to weigh in on it. City Attorney
10 Pratt talked about her approach to drafting the temporary sign regulations and said she pulled from King
11 County regulations as well as other cities of comparable size. She talked about a court case in Washington
12 that did not allow for time restrictions on political signs. She referenced some of the blank areas in the chart
13 that were being reviewed at the meeting and asked the Commission for their input to finish the chart. City
14 Attorney Pratt described the new approach for temporary signs, where each zoning district had its own
15 section addressing temporary signs. She described the changes to right of way signage and mentioned that
16 LFP doesn't have many sidewalks. City Attorney Pratt noted the draft regulations used to describe an event
17 on a specific date and provisions for removal of that signage within a certain time from the event date. She
18 said that this type of regulation could be defended in court if the regulations only referenced the dates and
19 time and not the content of the event.
20

21 Director Bennett shared his screen displaying a table summarizing the types of signage and how they were
22 proposed to be regulated within each zone and talked about the regulations for temporary sign size and
23 quantity. Cmr. Hicks provided his opinion on the duration of temporary signs and suggested 60 days. Cmr.
24 Kleweno asked about the burden of enforcement on city staff for situations involving temporary signs.
25 Director Bennett described the policy on code enforcement for the City and said that it was basically
26 complaint driven. He said that a 60-day duration would be acceptable timeframe for temporary signs. City
27 Attorney Pratt said that the draft exempted signs of three-square feet and under, which includes typical
28 political signs and suggested that the usual timeframe be longer than 60-days for those types of signs. Cmr.
29 Cranmer asked what timeframe would be appropriate for temporary sign duration. City Attorney Pratt
30 responded and said that 90 days is a good duration and could likely be defended. Chair Larson asked the
31 Commission if 90 days would be acceptable, and Commissioners agreed. Chair Larson asked if security signs
32 would be affected and City Attorney Pratt responded that those types of signs are typically allowed in
33 residential zones. Director Bennett asked City Attorney Pratt if social justice signs are exempt in the draft
34 and City Attorney Pratt responded that they would be exempt as currently drafted. Discussion continued on
35 temporary signs and how to regulate them. Councilmember Bodi suggested that offering Council more than
36 one option could be a strategy for the Commission. Cmr. Cranmer asked if it was possible to separate signs
37 and regulate them individually. City Attorney Pratt responded that signs can't be regulated by content so, if
38 you must read the sign to determine how to regulate it, then the regulation is less defensible. Cmr. Hicks
39 suggested coming up with a way to differentiate one sign from another, without having content dictate the
40 regulations. He recommended separating those signs within the right of way and those on private property.
41 Cmr. Lee asked if political signs would fall within the event category. City Attorney Pratt responded that
42 those signs will need to have a duration specified. Director Bennett referred to the residential portion of the
43 chart. City Attorney Pratt suggested not having a duration for temporary signs in residential zones. Chair
44 Larson said that only smaller signs, located on private property should be allowed to stay up indefinitely.
45 General discussion on temporary sign duration occurred. Cmr. Lee said that it is important to notice all the
46 signage currently up and to let people express their views through signage. She recommended political signs
47 be classified as an event. Director Bennett summarized his understanding of the Commission's direction
48 temporary signs and duration. He described the proposed exemption for signs in the residential zones that
49 are less than the size threshold. Chair Larson recommended a limit on the number of signs for that type of
50 exemption. Director Bennett replied that the chart only specifies one sign allowed. Chair Larson proposed
51 that signs located on private property should be limited to a specific number and that they have no duration,

1 where signs within the right of way be limited to 90-days. She asked for the Commission's opinion they all
2 agreed. Discussion ensued and the Commission decided to allow up to five signs on private property with no
3 duration and that signs within the right of way be limited to 90-days.

4
5 The discussion moved to signage in the Neighborhood Business (BN) zone and Chair Larson asked for
6 suggestions on the duration for temporary signs in the BN zone. Cmr. Kleweno recommended not having a
7 duration for signs in the BN zone. He recommended being consistent throughout. Cmr. Lee said that
8 businesses should be able to have additional signage but that signage in residential zones should be treated
9 differently and there should be a limitation on time in the BN zone. Cmr. Hicks agreed on a more liberal
10 treatment for signage in residential zones and more restrictive for signage in commercial zones. Chair Larson
11 asked about time limits in residential zones and enforcement. City Attorney Pratt responded that the
12 enforcement of the sign code is complaint based and referred to the details of the chart on the shared screen.
13 Cmr. Lee asked if permits are required for signs that are not temporary. Director Bennett responded that a
14 permit is required for signs that are not temporary.

15
16 Councilmember Bodi said that she is having trouble following the conversation and that the matrix provided
17 by staff is a good way to assist others in understanding. She recommended presenting the changes in a clear
18 way, so that all involved understands what is being discussed. The discussion moved to signage in Town
19 Center. A few of the Commissioners provided their suggestions on the number of signs allowed at both
20 vehicular entrances and at pedestrian entrances, within the town center. Chair Larson suggested not changing
21 those provisions since they have not been an issue in the past. She went on to say that signage in the town
22 center is intended to promote businesses. Cmr. Lee said that she supported language allowing one sign at
23 both the vehicular and pedestrian access points, for temporary signs in the town center. Cmr. Hicks agreed
24 and said the town center zone is made up of six parcels so different sign regulations could have implications
25 on property owners. There was agreement to allow one temporary sign per business at both the vehicular
26 and pedestrian access points.

27
28 Director Bennett suggested going back to residential section to confirm what the Commission decided. Cmr.
29 Hicks suggested having the same regulations across zones, for consistency. Director Bennett presented the
30 SG-Corridor (SG-C) provisions and explained the draft proposal in that zone. He indicated the effect of the
31 mayor's emergency order on signs in the Town Center and that the proposed language would allow the same
32 level of signage in the SG-C zone. Chair Larson asked for comments from the Commission.

33
34 Director Bennett suggested talking about the right of way signage. Cmr. Lee said she sees a lot of real estate
35 signs in residential rights of way. Chair Larson asked how to identify the extent of the right of way in
36 residential zones. Director Bennett responded that it is difficult to tell without a survey, but that the location
37 of utility poles is a good indicator of the right of way boundary. Chair Larson asked the Commission for their
38 opinions. Cmr. Fudge suggested limiting the size of signage in the right of way and requiring a permit to place
39 a sign in the right of way. Cmr. Lee provided her opinion on temporary signage in the right of way and
40 indicated she would like the safety of pedestrian and others to be considered. Cmr. Kleweno said that he
41 does not favor signage that impedes pedestrians and cyclists. Director Bennett provided some draft language
42 in the chart which pertained to temporary signs within the right of way. He explained the nature of the draft
43 language and clarified his understanding of temporary signs within the right of way where exempt signs, as
44 described in the chart, apply to all temporary signage regardless of location. City Attorney Pratt asked the
45 Commission if they wanted to impose a time limit on temporary signs within the right of way. Cmr. Lee said
46 she is comfortable with a 30-day time limit. Director Bennett started amending the text in the chart as the
47 discussion from the Commission evolved. He encouraged Commissioners to confirm whether what he had
48 written at each stage was what was agreed upon. Discussion continued regarding how to regulate signage
49 within the right of way. Chair Larson asked for consensus on the draft chart to this point. She also
50 summarized her understanding of what has been drafted and decided upon. Chair Larson asked

1 Councilmember Bodi about her opinion. Councilmember Bodi responded that what the Commission has
2 here is very helpful and that the Council will likely pick it up from scratch and could struggle to understand
3 everything in the beginning. She said that a memorandum from the Commission to the Council could frame
4 the issue for the Council and aid in increased understanding. Director Bennett indicated that the text of the
5 code will allow the chart to become a better tool. Chair Larson asked Director Bennett if the draft is ready
6 for a public hearing. Director Bennett responded that the Commission should decide if they are ready. Chair
7 Larson requested a marked-up copy of the draft and a clean copy of the draft for review for the purpose of
8 having a public hearing on the issue at the June meeting and asked the Commission if they agreed with that
9 direction. The Commission agreed. Director Bennett confirmed his understanding of the next steps and said
10 that the meeting had been helpful.

11
12 **New Business:** None.

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14 **Reports and Announcements**

15 Director Bennett said that the City had received applications from a number of good candidates to fill the
16 open position on the Planning Commission and that the Mayor is planning on interviewing them soon.

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18 **Additional Citizen Comments:**

19 Meridith LaBonte said that it might be a good idea to talk to real estate agents or business owners to gain
20 their perspective on the draft sign regulations.

21
22 **Agenda for Next Meeting:**

23 Chair Larson said that the Commission would like to understand the current Reasonable Use Exception (RUE)
laws and local public process. City Attorney Pratt asked for clarification on the types of laws the Commission
24 wanted
25 to understand. Director Bennett summarized potential discussion topics such as how the growth
26 management act treats property rights and past cases as well as how the City has regulated reasonable use in
the past.

28
29 Additional discussion on the draft sign regulations will also occur.

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31 **Adjournment:**

32 Cmr. Lee made a motion to adjourn the meeting, Cmr. Hicks seconded, and the motion carried unanimously.
33 The meeting was adjourned at 9:03 pm.

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35 APPROVED:

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39 Maddy Larson, Chair
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