

MEMORANDUM

To: Maddy Larson, Planning Commission Chair
Rachel Katz, Planning Commission Vice-Chair

CC: Kim Adams-Pratt, City Attorney
Phil Hill, City Administrator
Steve Bennett, Planning Director

From: Phillipa Kassover, Deputy Mayor and Council Chair
Tom French, Council Vice-Chair

Topic: Town Center code recommendations

First of all, thank you both – and all the commissioners - for your work and dedication to our community in Lake Forest Park. Serving on the Planning Commission is civic duty of truly heroic proportions!

As you know, the City Council has adopted another six-month moratorium ordinance regarding accepting permit applications for development at the Town Center. This moratorium is specific in identifying the end-date of the moratorium as March 10th, 2021.

It is the advice of counsel, and our own informed understanding from communications from the Washington Governor and State Attorney General, that during this stage of the pandemic, our city can and must resume normal business, albeit remotely. This includes holding of public hearings and the deliberation and adoption by Council of code changes and ordinances as is now common in counties, cities and towns across Washington State. The high value that our community places on in-person hearings and meetings exemplifies the commitment our citizens have to this and other important topics. While we all sincerely want to hold these meetings in person as neighbors, the harsh reality of the pandemic precludes these options.

It is also the advice of counsel, and our own informed understanding of land-use case law, that adoption of another moratorium beyond March 10th, 2021 is inadvisable and could put the city in legal jeopardy. Therefore, to fulfill our own fiduciary and legal responsibilities to our community as duly elected and sworn council-members, we have developed a time-line that identifies all the legal requirements the City Council must meet to adopt the Town Center and Parking Garage codes prior to the moratorium end-date.

It is our plan to adopt the Town Center code on February 25th. We also plan to hold at least two public hearings before the City Council: October 22nd for the Garage Code and January 14th for the Town Center Code.

To meet these deadlines, we ask that the Planning Commission forward recommendations to Council on two key items of deep interest to the community members we all serve and represent. We recognize that the commission has had many other detailed and valuable deliberations and several Council

Members have been following these discussions with keen interest. They will inform our decisions on the entirety of the code.

The key items we believe need the Planning Commission's attention and recommendations are as follows:

1. Density - # of residential units
2. Open Space – and consideration of public benefits with regard to bonus height.

We ask that these recommendations be forwarded to us no later than November 10th, 2020.

We believe the current code has many good sections that take care of other issues, and will also reference your own discussions and earlier public engagement and comment, as well as the aforementioned scheduled public hearings, to ensure that our final adoption reflects as much as legally possible, the community values and standards we all cherish.

With much appreciation for all the good work achieved by the Planning Commission.