

1 **Chapter 2.41**

2 **Design Review Board**

3 **2.41.010 Design Review Board**

4 A. The Lake Forest Park Design Review Board is hereby created. The Board shall be advisory  
5 and have the responsibility of working with the Planning ~~and Building~~Department Director  
6 (Director) and making recommendations to the Hearing Examiner concerning applications filed  
7 under Chapter 18.42 LFPMC.

8 B. The Board shall be comprised of members with experience in architecture, landscape  
9 architecture, environmental science, urban planning, or urban design. The Board shall be  
10 comprised of three (3) ~~or~~ five (5) persons, the majority of whom reside in or own property in  
11 the city. The Mayor may appoint up to ~~one~~ two member(s) who does not reside in or own  
12 property in the city but has required training or experience. Members shall serve without  
13 compensation but may be reimbursed for reasonable expenses pursuant to city policies.

14 C. Member appointments, removal, and terms shall be the same as for members of the ~~planning~~  
15 Planning Board Commission in Chapter 2.22 LFPMC.

16 D. The Board shall elect from its members a chair, who shall preside at all meetings, and a vice-  
17 chair. The majority of the Board shall constitute a quorum, and a majority vote of those present  
18 shall be necessary for any action.

19 E. The Board shall determine its schedule in conjunction with the Director. All meetings shall be  
20 subject to the Open Public Meetings Act.

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23 **Chapter 18.08**

24 **Definitions**

25 [NEW OR AMENDED DEFINITIONS]

26 **18.08.035 Active ground floor uses.**

27 “Active ground floor uses” means a use that promotes an active pedestrian environment on the  
28 ground floor of a mixed use, commercial, office, or residential building, and includes retail  
29 establishments, restaurants, catering, arts and craft studios, brew pubs, salons, day spas, health  
30 clubs and exercise studios, professional services offices, medical and dental offices, and other  
31 uses determined to be substantially similar by the Director or through development agreement  
32 proposals.

1 **18.08.105 Artisanal/craft production and retail.**

2 “Artisanal/craft production and retail” means small-scale on-site production and/or assembly of  
3 arts, crafts, foods, beverages, or other type of product involving the use of small-scale equipment  
4 and/or hand tools and involving limited outdoor storage of materials, equipment, or products  
5 when such storage is decoratively treated or otherwise integrated into the building or site design.

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7 **18.08.107 Assisted housing.**

8 “Assisted housing” means housing in a building consisting of two or more dwelling units or  
9 sleeping units, restricted to occupancy by at least one senior citizen per unit, which may include  
10 support services such as food preparation and dining areas, group activity areas, medical  
11 supervision, and similar.

12 **18.08.131 Automobile-oriented retail sales of food and commodities.**

13 “Automobile-oriented retail sales of food and commodities” means businesses that are oriented  
14 to automobiles (drive-throughs, drive-ins) as well as businesses that are primarily for the purpose  
15 of sales, service, or repair of automobiles such as parts shops, auto body shops, oil change shops,  
16 garages, gasoline/fuel stations, and similar uses.

17 **18.08.235 Community solar project.**

18 “Community solar project” means a solar facility shared by multiple community subscribers who  
19 receive credit on their electricity bill for their share of the power produced.

20 **18.08.265 Cultural, entertainment, and/or recreational facility.**

21 “Cultural, entertainment, and/or recreational facility” means a facility providing cultural,  
22 entertainment, and/or recreational services, including but not limited to: theaters, performing arts  
23 centers, museums, play facilities, dance studios, health clubs and physical fitness facilities.

24 **18.08.270 Day care. ((NOTE: This is a revision to the existing definition.))**

25 “Day care,” “family day care,” and “adult day care” means a facility used for providing the  
26 regularly scheduled on-premises care of children or adults for less than a 24-hour period. A Type  
27 I day care facility is a ~~single-family residence facility used for the of facility~~ providing care for  
28 12 or fewer children or adults. A Type II day care is a facility providing care for more than 12  
29 children or adults.

30 **18.08.XXX Framework. ((NOTE: Update if document title changes.))**

31 “Framework,” including “Town Center Framework Design Guidelines,” means the set of  
32 recommendations and requirements entitled “Town Center Design Guidelines Framework”  
33 adopted by the Lake Forest Park City Council pursuant to [ORDINANCE OR RESOLUTION  
34 NUMBER], including amendments and addenda thereto.

35 **18.08.325 Freestanding parking structure.**

1 “Freestanding parking structure” means a standalone building or structure of multiple levels used  
2 primarily for parking vehicles. A freestanding parking structure may include parking on the  
3 upper (rooftop) level.

4 **18.08.351 Hotels and temporary lodging.**

5 “Hotels and temporary lodging” means a facility providing lodging and related services for a  
6 charge, typically for a period of one (1) month or less, and includes inns, residence or extended-  
7 stay hotels, and bed and breakfasts.

8 **18.08.565 Public market.**

9 “Public market” means an indoor or outdoor market consisting of two or more independent  
10 vendors, with each vendor operating independently from other vendors, for the purpose of selling  
11 farm-grown or home-grown produce, food prepared off-site or on-site, artisanal or craft products  
12 including alcoholic beverages, flowers, plants, or other similar perishable goods and/or new  
13 wares, used goods, or merchandise.

14 **18.08.599 Retail sales and services.**

15 “Retail sales and services” means a commercial use or enterprise providing goods, food,  
16 commodities, and/or services directly to the consumer, whose goods are available for immediate  
17 purchase and removal from the premises by the purchaser and/or whose services do not meet the  
18 definition of “professional offices.”

19 **18.08.600 Retirement home.**

20 ~~“Retirement home” means a building or group of buildings designed for the occupancy of three~~  
21 ~~or more families, living semi-independently from each other, and containing only sleeping units~~  
22 ~~with common kitchen, dining, and recreation facilities; provided, a retirement home may contain~~  
23 ~~one or more dwelling units for resident staff only.~~

24 **18.08.642 Town Center Design Review, Major**

25 A Major Town Center Design Review project means construction, alteration, or repair of a  
26 building in the Town Center zone, subject to design review under Chapter 18.42 LFPMC which  
27 does any of the following:

- 28 1. Increases or decrease gross floor area by 1,000 or more square feet, or
- 29 2. Increases or decreases gross floor area by fifty (50) percent or more, or
- 30 3. Involves construction of a new building.

31 **18.08.643 Town Center Design Review, Minor**

32 A Minor Town Center Design Review project means construction, alteration, or repair of a  
33 project in the Town Center zone, subject to design review under Chapter 18.42 LFPMC and  
34 which includes less than 1000 of square feet and is not otherwise a Major Town Center Design  
35 Review project.

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**Chapter 18.42**  
**Town Center**

**18.42.010 Purpose.**

**18.42.020 Permitted uses**

A. The following uses are permitted in the TC zone, subject to the general provisions as set forth in this title, except where modified by this chapter:

1. Accessory uses – on-site.
2. Artisanal/craft production and retail subject to 18.42.035.X.
3. Assisted housing facilities.
4. Business offices and uses rendering professional, personal, and instructional services subject to 18.42.035.X.
5. Cultural, entertainment, and recreational facilities.
6. Day care facilities – Type I and Type II subject to 18.42.035.X.
7. Essential public facilities.
8. Freestanding parking structures subject to 18.42.XXX.
9. Government buildings and uses.
10. Hotels and temporary lodging.
11. Instructional institution.
12. Micro-mobility programs including bicycle sharing and scooter sharing and related infrastructure.
13. Multiple-family dwelling units.
14. Public markets/farmers markets.
15. Public utilities.
16. Retail sales and services subject to 18.42.035.X

B. Uses not listed. Uses not listed above may be authorized through a development agreement.

1 **18.42.022 Limitations on use.**

2 A. Artisanal/craft production and retail.

- 3 1. Artisanal/craft production and retail establishments shall be open to the public and  
4 shall include a retail/eating/drinking/tasting component that occupies a minimum  
5 of 10 percent of usable space.
- 6 2. Artisanal/craft production and retail establishments shall provide street frontage at  
7 sidewalk level, a well-marked and visible entrance at sidewalk level, or similar  
8 prominent pedestrian access.
- 9 3. All production, processing, and distribution activities shall be conducted within an  
10 enclosed building.
- 11 4. Outdoor storage of materials, equipment, products, or similar items incidental to  
12 the production and sale of artisanal or craft goods is prohibited except when the  
13 storage meets the following conditions:
- 14 i. Outdoor storage of materials, products, or similar items incidental to the  
15 production of artisanal or craft goods shall be fully-enclosed and shall be  
16 designed in a decorative, aesthetically attractive manner and integrated  
17 into the site or building design in a way that contributes to the pedestrian  
18 experience and Town Center character.
- 19 ii. Outdoor storage of equipment used in manufacturing artisanal or craft  
20 goods is not allowed.
- 21 5. Applicable state licenses or permits are required for the operation of an  
22 artisanal/craft production and retail establishment.
- 23 6. The following annual production limits apply to artisanal or craft production of  
24 alcoholic beverages:
- 25 i. 100,000 gallons per year for a distillery;  
26 ii. 15,000 barrels per year for a brewery or cidery;  
27 iii. 5,000 cases per year for a winery.

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29 B. Business offices and uses rendering professional, personal, and instructional services.

- 30 1. On-site vehicle or tool rentals and similar uses are prohibited.

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32 C. Day care facilities – Type 1 and Type 2.

- 33 1. A City of Lake Forest Park business license is required pursuant to LFPMC  
34 5.02.030.
- 35 2. Day care facilities shall comply with all building, fire safety, and health codes.  
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37 D. Retail sales and services and other nonresidential uses.

- 38 1. Commercial or other nonresidential uses shall be separated from residential uses  
39 by soundproof materials or suitable architectural features to reduce noise impacts  
40 on the residential portion of the building.
- 41 2. Individual commercial or nonresidential uses shall contain no greater than 60,000  
42 square feet of gross floor area per use. The following exceptions apply:
- 43 i. Freestanding parking structures meeting requirements in LFPMC  
44 18.42.XXX.
- 45 ii. Government buildings and uses.

- 1                   iii. Other uses may exceed the size limitations when authorized by a  
2                   development agreement.
- 3           3. The following uses are not permitted as a retail, commercial, or other  
4           nonresidential use in the TC zone: automobile-oriented retail sales of food and  
5           commodities, auto service stations, sale of gasoline or other fuels, and car washes,  
6           repair or sale of heavy equipment, boats, tires and motor vehicles, sale of alcohol  
7           for on-premises consumption except in a restaurant or artisanal/craft production  
8           and retail space with appropriate licensing from the State of Washington.  
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10 **18.42.025 Conditional uses.** Conditional uses are not allowed in Town Center zone

11 **18.42.030 Building height.**

12 **18.42.040 Setbacks.**

13 **18.42.050 Residential Density.** The total number of residential units in the Town Center zone  
14 shall not exceed 700.

15 Conditional uses and associated development standards, if any, for the TC zone are those  
16 identified in Chapter 18.54 LFPMC, including permitted uses exceeding 60,000 square feet, but  
17 not more than 100,000 square feet, and drive-through window services.

18 **18.42.060 Open Space.**

19 **18.42.070 Signs.**

20 **18.42.080 Parking.**

21 **18.42.090 Freestanding parking structures.**

22 The following freestanding parking structure design standards apply in addition to or, as  
23 specified below, supersede applicable parking requirements set forth in LFPMC 18.42.110 and  
24 LFPMC 18.58:

25       A. Parking structure location and massing.

26           1. Freestanding parking structures located within 50 feet of Lake Forest Park City  
27           Hall shall be designed and located in accordance with the following provisions.

28                   a. Pedestrian weather protection on the first level is exempt from this  
29                   requirement.

30                   b. For commercial or other active use space conforming with the  
31                   requirements set forth in LFPMC 18.42.XXX(K)(1) integrated into the  
32                   first level (ground level) of the freestanding parking structure, the  
33                   freestanding parking structure may protrude up to 10 feet south of the  
34                   southern (front) façade of Lake Forest Park City Hall.

1                   c. When commercial or other active use space conforming with the  
2 requirements set forth in LFPMC 18.42.XXX(K)(1) is integrated into  
3 upper levels of the freestanding parking structure, the parking structure  
4 may protrude up to 30 feet south of the southern (front) façade of Lake  
5 Forest Park City Hall.

6                   2. Freestanding parking structures shall not be located within 50 feet of Lyon Creek.

7                   3. Base height. Freestanding parking structures are limited to 40 feet in height  
8 inclusive of the height of parapet walls, guardrails, and similar features.  
9 Exemptions are allowed pursuant to LFPMC 18.42.XXX(A)(5).

10                  4. Bonus height. When public benefits are provided pursuant to LFPMC  
11 18.42.XXX(K), the height of a freestanding parking structure shall be limited to  
12 60 feet in height. Exemptions are allowed pursuant to LFPMC 18.42.XXX(A)(5).

13                  5. The Director can allow the following exceptions to base height provisions and  
14 bonus height provisions:

15                   a. Architecturally designed stairway and elevator towers and  
16 penthouses that are designed as attractive signature elements of the  
17 parking structure. Such elements must be approved by the design review  
18 board.

19                   b. Community solar project structural elements that comply with the  
20 requirements set forth in LFPMC 18.42.XXX(L)(1).

21                   c. Public viewing platforms and covered public use spaces on the  
22 structure rooftop which comply with the requirements set forth in LFPMC  
23 18.42.XXX(L)(X).

24                   d. Public art elements on the rooftop or along the sides of the building  
25 that otherwise are in compliance with the design guidelines for parking  
26 structures.

27                  B. Pedestrian access and views of parking structure.

28                   1. Facades facing public rights-of-way or private internal access roads shall comply  
29 with the Town Center Framework Design Guidelines except at required vehicle or  
30 bicycle entries and exits.

31                   2. Facades of freestanding parking structures must be designed to maximize  
32 pedestrian access and minimize views into the interior of the parking structure.

33                   a. The minimum width of pedestrian access ways surrounding the  
34 structure shall be eight feet and wider where possible, particularly along  
35 the frontage that may align with or be parallel to the City Hall frontage.

b. Weather protection at least eight feet wide must be provided along applicable facades except at required vehicle or bicycle entries and exits.

C. Parking decks. The rooftop parking deck shall not exceed a slope of two percent (2%).

D. Parking structure ramps.

1. Parking structure ramps for internal circulation must be located on the interior of the parking structure. Exterior parking structure ramps are prohibited.

2. Parking structure ramps that include on-ramp parking shall have a slope no greater than 6.67 percent (6.67%).

E. Parking stall dimensions and layout.

1. Parking stalls are limited to no less than eight feet and nine inches in width. The parking width dimension is shown in Figure XX, below, and is symbolized with a “W.”

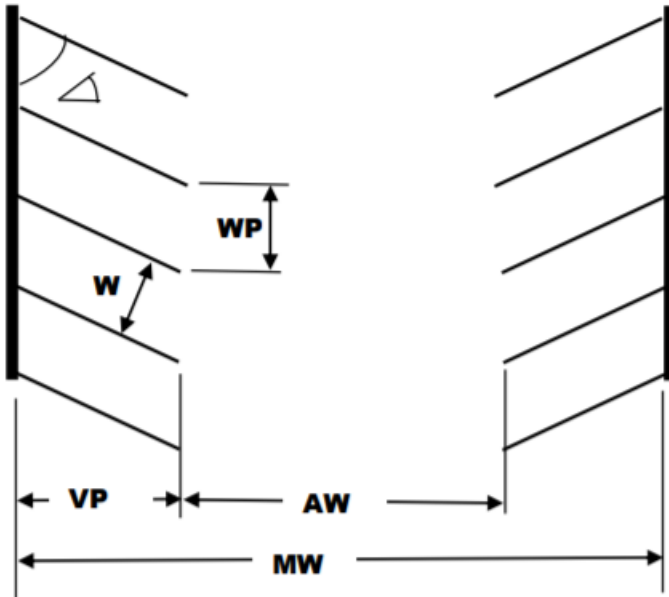
2. Parking stall dimensions and layout in freestanding parking structures shall comply with the criteria in Table XX below. These criteria shall take precedence over and supersede any conflicting provision of LFPMC 18.58.050. Parking layout dimensions are shown in Figure XX, below.

Table XX: Parking Stall Dimensions and Layout

<u>Parking Angle</u>	<u>Stall Width Projection</u> (Figure symbol WP)	<u>Module Width<sup>1</sup></u> (Figure symbol MW)	<u>Vehicle Projection</u> (Figure symbol VP)	<u>Aisle Width</u> (Figure symbol AW)
<u>45°</u>	<u>12'-4"</u>	<u>48'-10"</u>	<u>17'-7"</u>	<u>13'-8"</u>
<u>50°</u>	<u>11'-5"</u>	<u>50'-7"</u>	<u>18'-2"</u>	<u>14'-3"</u>
<u>55°</u>	<u>10'-8"</u>	<u>52'-0"</u>	<u>18'-8"</u>	<u>14'-8"</u>
<u>60°</u>	<u>10'-1"</u>	<u>53'-6"</u>	<u>19'-0"</u>	<u>15'-6"</u>
<u>65°</u>	<u>9'-8"</u>	<u>54'-9"</u>	<u>19'-2"</u>	<u>16'-5"</u>
<u>70°</u>	<u>9'-4"</u>	<u>56'-0"</u>	<u>19'-3"</u>	<u>17'-6"</u>
<u>75°</u>	<u>9'-1"</u>	<u>57'-0"</u>	<u>19'-1"</u>	<u>18'-10"</u>
<u>90°</u>	<u>8'-9"</u>	<u>61'-0"</u>	<u>18'-0"</u>	<u>25'-0"</u>

<sup>1</sup>Wall to wall, double-loaded aisle





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2 [Figure XX: Parking Layout Dimensions](#)

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3 [F. Bicycle parking and circulation.](#)

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4 [1. Long-term bicycle parking.](#)

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5 [a. Long-term bicycle parking spaces in freestanding parking garages](#)  
 6 [intended to support high-capacity transit must be provided at a minimum](#)  
 7 [of five percent \(5%\) of projected AM peak period daily ridership of the](#)  
 8 [high-capacity transit service. Long-term bicycle parking spaces for all](#)  
 9 [other structured parking must be provided at a minimum of one space per](#)  
 10 [40 automobile parking spaces.](#)

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11 [b. Long-term bicycle parking must be provided in the form of](#)  
 12 [permanently-anchored bicycle lockers or limited-access bicycle cages and](#)  
 13 [must be labeled as bicycle parking.](#)

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14 [c. Long-term bicycle parking must provide bicycles with full weather](#)  
 15 [protection and theft protection.](#)

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16 [d. Ground-level long-term bicycle parking must accommodate](#)  
 17 [tandem bicycles, recumbent bicycles, folding bicycles, cargo bicycles,](#)  
 18 [bicycles with trailers, family bicycles, and other non-standard bicycle](#)  
 19 [designs.](#)

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20 [2. Short-term bicycle parking.](#)

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21 [a. Short-term bicycle parking spaces in freestanding parking garages](#)  
 22 [intended to support high-capacity transit must be provided at a minimum](#)  
 23 [of two percent of projected AM peak period daily ridership of the high-](#)

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1 capacity transit service. Short-term bicycle parking spaces in all other  
2 freestanding parking garages must be provided at a minimum of one space  
3 per 20 automobile parking spaces.

4 b. Short-term bicycle parking must be provided in the form of  
5 permanently-anchored racks or corrals. Racks or corrals must provide two  
6 points of support for the bicycle frame, must be intuitive to use, and must  
7 accommodate a standard U-lock.

8 c. Short-term bicycle parking must be organized to accommodate a  
9 standard bicycle dimension of two feet in width by six feet in length.

10 3. Bicycle parking location and access.

11 a. All long-term bicycle parking shall be located inside the  
12 freestanding parking structure except long-term bicycle parking can be  
13 located outside or on the top level of the freestanding parking structure  
14 under adequate weather protection.

15 b. Short-term bicycle parking can be located inside the freestanding  
16 parking structure and along the sidewalk adjacent to the freestanding  
17 parking structure.

18 c. Bicycle parking may be provided in one or more areas. Bicycle  
19 parking is encouraged to be located entirely on the ground floor. Bicycle  
20 parking located on upper stories must be placed adjacent to an elevator  
21 capable of accommodating non-standard bicycles.

22 d. Bicycle entry/exit must be clearly identified and separately signed  
23 and/or marked from automobile traffic.

24 e. Bicycle parking area(s) must be accessed from a logical well-lit  
25 path of travel from the bicycle entry/exit.

26 f. Directional signage from the bicycle entry/exit to bicycle parking area(s)  
27 must be provided.

28 4. Bicycle maintenance/repair stations. One bicycle maintenance/repair station must  
29 be provided in each long-term bicycle parking area.

30 G. Elevator towers and stairwells.

31 1. External elevator towers and stairwells, including penthouses, must be open to  
32 public view through the use of architecturally designed glazing and/or other  
33 transparent features.

34 2. Ground floor stairwell areas beneath stairs must be fenced. Alternative methods  
35 for securing such spaces may be authorized by the Director or as part of a  
36 development agreement.

1 3. Height of stair and elevator towers and penthouses is regulated pursuant to  
2 LFPMC 18.42.XXX(A)(5).

3 H. Site pedestrian safety requirements (for areas connecting to and surrounding the  
4 structure).

5 1. Pedestrian pathways within facilities shall be clearly marked and signed to protect  
6 pedestrians from moving traffic.

7 2. Sidewalks shall be provided along all facades of the freestanding parking  
8 structure at a minimum of eight-foot-wide pursuant to LFPMC  
9 18.42.XXX(B)(2)(a).

10 a. These requirements can be modified as part of a development  
11 agreement when the applicant demonstrates that the sidewalk widths are  
12 infeasible. If modified pursuant to this section, the sidewalks shall be the  
13 maximum width feasible.

14 3. Pedestrian pathways within the structure shall be established through striping,  
15 signage, and/or other markings. Pedestrian pathways shall be established between  
16 pedestrian entries and exits from the freestanding parking garage and existing or  
17 planned sidewalks and pedestrian pathways. At a minimum, the following shall  
18 be provided:

19 a. Crosswalks shall be provided at the intersection of any internal  
20 access roadways and/or public roadways affected by the freestanding  
21 parking structure.

22 b. Crosswalks shall be provided across vehicular and bicycle entries  
23 and exits.

24 c. If pedestrians are likely to walk through a parking lot, a pedestrian  
25 pathway and/or signage shall be provided.

26 I. Lighting.

27 1. Lighting must be provided in accordance with Table XX:  
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1 Table XX: Parking Structure Lighting Standards

<u>Area</u>		<u>Minimum Horizontal Illuminance on Floor</u> (Footcandles)	<u>Minimum Vertical Illuminance at Five Feet</u> (Footcandles)	<u>Maximum to Minimum Uniformity Ratio</u>
<u>General Parking &amp; Pedestrian Areas</u>		<u>2</u>	<u>1</u>	<u>4:1</u>
<u>Ramps and Corners</u>	<u>Days</u>	<u>2</u>	<u>1</u>	<u>4:1</u>
	<u>Nights</u>	<u>1</u>	<u>0.5</u>	
<u>Entrance Areas</u>	<u>Days</u>	<u>50</u>	<u>25</u>	<u>4:1</u>
	<u>Nights</u>	<u>1</u>	<u>0.5</u>	
<u>Stairways</u>		<u>7 average</u>		

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3 2. Lighting shall be downshielded or otherwise designed and configured to prevent  
4 spillover onto neighboring properties and public right-of-way.

5 3. The design shall incorporate smart lighting technologies to maximize energy  
6 conservation.

7 J. Signage and wayfinding.

8 1. Regulatory and pavement markings shall comply with the Manual on Uniform  
9 Traffic Control Devices (MUTCD).

10 2. Signage shall clearly direct drivers to vehicular entries by the most efficient route  
11 possible.

12 K. Mixed use.

13 1. Freestanding parking structures must be designed to include space for  
14 commercial, public, or other active and pedestrian-oriented uses. The  
15 commercial, public, or active use space shall meet the following requirements:

16 a. Commercial, public, or other active use space provided pursuant to  
17 this section shall have a minimum depth of 60 feet. Such commercial,  
18 public, or other active use space shall be integrated into the freestanding  
19 parking structure and must comply with façade alignment requirements in  
20 LFPMC 18.42.XXX(A) when the structure is located within 50 feet of  
21 Lake Forest Park City Hall.

1                    b. The minimum amount of space provided shall be the greater of  
2                    10,000 square feet or fifty percent (50%) of the length of the exterior  
3                    ground-floor façade exclusive of vehicle entries and exits multiplied by  
4                    the minimum depth set forth in LFPMC 18.41.XXX(K)(1)(a), and if the  
5                    parking structure is built within 50 feet of City Hall, the frontage parallel  
6                    to City Hall’s frontage the parking structure must include  
7                    commercial/active/public use at the first level (ground level) and may also  
8                    include commercial/active/public space in levels of the building above  
9                    ground level and along the frontage parallel to City Hall.

10                   c. The commercial, public, or other active use space can be  
11                   consolidated into a single façade and can span multiple floors. The  
12                   location of commercial, public, or other active use space or convertible  
13                   space must be approved by the Director or as part of a development  
14                   agreement.

15                   d. Parking structure ground floors and spaces built out as commercial,  
16                   public, or other active uses shall include fire suppressing sprinkler systems  
17                   at the time of construction even if not required by the Building and Fire  
18                   Codes, as adopted by the City.

19                   2. At the time of construction, a minimum of XX square feet of leasable  
20                   retail/commercial or service space shall be constructed and made available for  
21                   occupancy. The space shall be located on first level (ground level) of the  
22                   southernmost façade unless an alternative location is approved by the Director or  
23                   as part of a development agreement.

24                   L. Public benefits.

25                   Public benefits must be provided to authorize the use of the bonus height provision and  
26                   additional protrusion beyond the City Hall façade set forth in LFPMC 18.42.XXX(A) (1) and  
27                   (4). Acceptable public benefits to use this provision include the following and in order to  
28                   authorize bonus height and additional protrusion must include at least two of the following 1  
29                   through 5 components:

30                   1. Commercial, public, or other active use space(s) in addition to the minimum  
31                   requirements set forth in LFPMC 18.42.XXX(K), subject to the provisions under  
32                   K., above. Public and/or community space(s) shall meet the following  
33                   requirements:

34                   a. Public and/or community space(s) to include at least three of the  
35                   following elements: a plaza, viewing platforms, a community room, a  
36                   community meeting space, a rooftop terrace, a community garden, a  
37                   walking trail, public art, restaurant/café space, or similar features/spaces  
38                   approved through the development agreement. A combination of multiple  
39                   public and/or community space(s) incorporating up to three of these

1 elements shall satisfy this requirement with approval by the Design  
2 Review Board.

3 b. The area of public and/or community space(s) provided must be  
4 equivalent to a minimum of 10 percent of the footprint of the structure  
5 exclusive of eaves, weather protection, or similar façade protrusions.

6 c. Public and/or community space(s) must be provided within or at  
7 the rooftop of the structure.

8 d. If public and/or community space(s) is/are incorporated into the  
9 freestanding parking structure, such spaces must be publicly accessible at  
10 all times and wayfinding signage must be provided directing members of  
11 the public to the space(s).

12 e. Financial or in-kind contributions, such as accommodating City  
13 Hall-related parking within the freestanding parking structure, to creating  
14 public and/or community space(s) can satisfy this requirement if approved  
15 by a development agreement.

16 2. Construction of or a financial contribution to construction of a grade-separated  
17 pedestrian and bicycle crossing between the Town Center site and the Burke  
18 Gilman Trail, subject to the following requirements:

19 a. The amount of any contribution to a grade-separated pedestrian  
20 and bicycle crossing must be negotiated through a development  
21 agreement.

22 b. A strong pedestrian connection in the form of an artistic pedestrian  
23 pathway or similar treatment must be provided between the freestanding  
24 parking structure and the sidewalk. Provision of this pedestrian  
25 connection is in addition to any financial contribution to a grade-separated  
26 pedestrian and bicycle crossing. The location of the pedestrian connection  
27 must be approved through a development agreement.

28 3. Provision of 50 parking spaces for City and public use within the structure,  
29 including space for use by Lake Forest Park Police.

30 4. Construction of or financial contribution to development of a public plaza in the  
31 vicinity of City Hall and the parking structure.

32 5. Community solar project or alternative carbon-reducing features subject to  
33 approval through a development agreement.

1 **18.42.100 Town center design guidelines – Adopted**

2 A. The guidelines contained the 2020 Town Center Framework Design Guidelines, dated  
3 \_\_\_\_\_ , 2020, are adopted as design guidelines applicable to all applications filed for proposed  
4 development in the Town Center zone and incorporated by reference herein.

5 **18.42.110 Administration**

6 A. Major Town Center Design Review.

7 1. A Major Town Center (“TC”) Design Review project shall be classified as a Type I  
8 permit application and shall be subject to the applicable processing requirements of Chapter  
9 16.26 LFPMC.

10 2. Before applying for Major TC Design Review, the applicant shall attend a pre-  
11 application conference with the Planning Department Director or designee (“Director”). The  
12 conference will be scheduled by the Planning Department (“Department”) to occur within 30  
13 days of written request by the applicant. The applicant shall submit a complete application for  
14 Major TC Design Review within six (6) months following the conference otherwise a new  
15 conference will be required prior to application. The purpose of this conference is to discuss how  
16 the design guidelines pertain to the proposed development.

17 3. The applicant must make application for Major TC Design Review on forms provided  
18 by the Department. An application for Major TC Design Review may be submitted prior to  
19 submission of an underlying project permit application for development on the same property;  
20 however, a complete underlying project permit application shall not be processed without a  
21 complete Major TC Design Review application. Consolidation of permit types for a project shall  
22 be done per Chapter 16.26 LFPMC.

23 4. Upon receipt of a complete application for Major TC Design Review, the Director  
24 shall review the application, analyze same for compliance with Chapter 18.42 LFPMC, and route  
25 the application and a staff report to the Design Review Board.

26 5. After receipt of the staff report, the Design Review Board shall meet with the Director  
27 and the applicant to evaluate the Major TC Design Review application for compliance with the  
28 applicable criteria.

29 6. The Design Review Board shall hold a public meeting regarding the application. At  
30 the public meeting, the applicant shall have an opportunity to make a presentation and the public  
31 shall be allowed to comment. Notice of the public meeting shall be provided at least 21 days  
32 prior to the public meeting as follows:

33 (i). Emailed or sent regular United States Parcel Service (USPS) mail to the applicant  
34 and members of the public who have submitted written comments;

35 (ii). Sent regular USPS mail to owners of real property within a 500 [or 1000] foot radius  
36 of the proposed project’s boundaries; and



1 (iii). Published in the City’s website on its News Flash page, the Notices-and-  
2 Announcements page, and the City’s calendar as these website pages are amended or replaced by  
3 the City with similar electronic notification methods.

4 7. After the public meeting, the Design Review Board shall deliberate and provide a  
5 written recommendation to the Hearing Examiner that may include approval, conditional  
6 approval, or denial of the application. Because the Design Review Board provides only a  
7 recommendation, there are no appeals of the Board’s recommendation.

8 8. The Department shall submit the staff report and the Design Review Board’s  
9 recommendation to the Hearing Examiner for consideration during the open record pre-decision  
10 hearing on the Type I permit.

11 B. Minor Town Center Design Review.

12 1. A Minor Town Center (“TC”) Design Review project shall be classified as a Type III  
13 permit application and shall be subject to the applicable processing requirements of Chapter  
14 16.26 LFPMC. **Provided, however, that a Notice of Application with a 14 day public comment**  
15 **period shall be provided as described in LFPMC 16.26.040(E).** The applicant must make  
16 application for Minor TC Design Review on forms provided by the Department.

17 2. Upon receipt of a complete application for Minor TC Design Review, the Director  
18 shall review the application, analyze same for compliance with Chapter 18.42 LFPMC, and issue  
19 a final decision pursuant to section 16.26.180 LFPMC.

20 C. General - Town Center Design Review

21 1. In the event questions arise regarding permit type, the Director shall make the final  
22 determination on whether an application is processed as a Type I or a Type III permit.

23 2. For a site that has been issued a TC Design Review final decision, subsequent permits  
24 shall be issued only for development that complies with the final decision.

25  
26 3. Approval of a TC Design Review permit shall not provide the applicant with vested  
27 rights for the proposed project. Subsequent permits shall be subject to the applicable codes and  
28 regulations in effect at the time a complete application for those permits is filed, **unless provided**  
29 **otherwise in a Development Agreement as provided in Chapter 18.72 LFPMC.**

30 4. An approved TC Design Review permit without a phasing plan shall be null and void  
31 if the applicant fails to file a complete building permit application(s) for all buildings, and have  
32 all valid building permits issued within the time periods specified in the final decision by the  
33 hearing examiner (Type I) or the Director (Type III).

34 5. An approved TC Design Review with a phasing plan shall be null and void if the  
35 applicant fails to meet the conditions and time schedules specified in the final decision’s phasing  
36 plan.



1 D. Minor Adjustments.

2 1. The Director shall have the authority to approve a minor adjustment to Major and  
3 Minor TC Design Review final decisions if all the following criteria are met:

4 (i) the adjustment does not change the Town Center Design Review Project from a Minor  
5 TC Design Review to a Major TC Design Review, and

6 (ii) the adjustment does not increase floor area by more than 10% or 1000 square feet,  
7 whichever is smaller, and

8 ~~(iii) the adjustment does not delete approved architecture; and~~

9 (iv) the adjustment does not change the general location or number of approved vehicular  
10 access points ~~proposed~~; and

11 (v) the adjustment does not decrease the amount or location of approved open space; and

12 (vi) the adjustment does not increase height of ~~structures~~-buildings as approved; and

13 (vii) the adjustment represents an equivalent or superior design solution to what would  
14 otherwise be achieved by rigidly applying specific requirements in the final decision.

15 2. An application for a minor adjustment shall be a Type III permit application and shall  
16 be subject to the applicable processing requirements of Chapter 16.26 LFPMC. Modifications  
17 that exceed one or more of the limitations stated in subsection 1. above shall require a new TC  
18 Design Review application for the entire site. The new application shall be reviewed according  
19 to the laws and rules in effect at the time of application.

20 **18.42.120 Bonding.**

21 Unless otherwise provided elsewhere in the LFPMC, the applicant shall be required to bond for  
22 all improvements that are subject to review under this chapter.

23 A. Before a permit is issued, the applicant shall deposit with the city clerk a surety bond in such  
24 reasonable amount as set by the Hearing Examiner (Type I) or set by the Director (Type III). The  
25 required surety bond must be:

26 1. With good and sufficient surety;

27 2. By a surety company authorized to transact business in the state;

28 3. Satisfactory to the city attorney in form and substance; and

29 4. In an amount sufficient to guarantee that all required improvements and mitigation  
30 measures will be completed in a manner that complies with conditions of approval.

31 B. Posting of a bond or other security shall not discharge the obligation of an applicant or  
32 violinator to complete required mitigation, monitoring or restoration. The requirement of a bond or  
33 other security is not intended and shall not be construed to relieve an applicant of any obligation  
34 imposed under this chapter.

1

2 **18.42.170 Development Agreement.**

3 A. The applicant and the city may enter into a development agreement as provided in Chapter  
4 18.72 LFPMC incorporating the Town Center Framework Design Guidelines and other  
5 provisions not inconsistent with the Town Center Framework Design Guidelines or other  
6 provision of this code.

7 B. The development agreement shall not include provisions that modify the following town  
8 center design guidelines:

9 1. [building height in LFPMC 18.42.030,](#)

10 2. [open space in LFPMC 18.42.060,](#)

11 3.

12 **Chapter 18.72**

13 **Development Agreements**

14 **18.72.010 Authorized.**

15 A. The city may enter into a development agreement with a person having ownership or control  
16 of real property within its jurisdiction. The city may enter into a development agreement for real  
17 property outside its boundaries as part of a proposed annexation or a service agreement. A  
18 development agreement must set forth the development standards and other provisions that shall  
19 apply to and govern and vest the development, use, and mitigation of the development of the real  
20 property for the duration specified in the agreement.

21 B. Pursuant to RCW [36.70B.170](#) through [36.70B.210](#), as amended, a person or entity having  
22 ownership or control of real property within the city may file an application for a development  
23 agreement with the Planning and Building Department (“Department”), and pay the filing fee  
24 established by city council resolution.

25 **18.72.020 Terms and Conditions.**

26 A. The Director of the [Planning](#) Department (“Director”), and such designee as may be  
27 appointed for this purpose by the Mayor, is authorized, but not required, to negotiate acceptable  
28 terms and conditions of the proposed development agreement with due regard for the following  
29 criteria:

30 1. The development agreement conforms to the existing comprehensive plan policies.

- 1           2. The terms of the development agreement are generally consistent with the development  
2           regulations of the city then in effect.
- 3           3. Appropriate elements such as permitted uses, residential densities, and nonresidential  
4           densities and intensities or structure sizes are adequately provided.
- 5           4. Appropriate provisions are made for the amount and payment of fees agreed to in  
6           accordance with any applicable provisions of state law, any reimbursement provisions,  
7           other financial contributions by the property owner, inspection fees, or dedications.
- 8           5. Adequate mitigation measures, development conditions, and mitigation requirements  
9           under Chapter 43.21C RCW are provided, including monitoring and adjustment of  
10          measures and conditions to ensure mitigation is effective.
- 11          6. Adequate and appropriate design standards such as maximum heights, setbacks, drainage  
12          and water quality requirements, landscaping, and other development features are provided.
- 13          7. If applicable, targets and requirements regarding affordable housing are addressed.
- 14          8. Provisions are sufficient to assure requirements of parks and preservation of open space.
- 15          9. Interim uses and phasing of development and construction are appropriately provided.  
16          The agreement shall clearly state the conditions under which an interim use shall be  
17          converted to a permanent use within a stated time period and the penalties for  
18          noncompliance if the interim use is not converted to the permanent use in the stated period  
19          of time.
- 20          10. Where a phased development agreement is proposed, a site plan shall be provided and  
21          shall clearly show the proposed phasing.
- 22          11. Clearly document that any departures from the standards of the code that are requested  
23          by the applicant are, in the judgment of the city, offset by providing a benefit to the city of  
24          equal or greater value relative to the departure requested. In no case shall a departure from  
25          the code be granted if no benefit to the city is proposed in turn by the applicant.
- 26          12. Provisions for maintenance and operations, including landscape maintenance.
- 27          13. A build-out or vesting period for applicable standards is provided.
- 28          14. Provisions for resolving disputes, review procedures, and standards for implementing  
29          decisions.
- 30          15. If appropriate, and if the applicant is to fund or provide public facilities, the  
31          development agreement should contain appropriate provisions for reimbursement over time  
32          to the applicant.

33   **18.72.030 Public hearing, recommendation, decision.**

1 A. When the Director determines that a development agreement addressing the criteria in this  
2 chapter has been negotiated and recommends the same for consideration, a public hearing  
3 pursuant to RCW 36.70B.200 shall be held by the planning commission.

4 1. At the public hearing, the applicant shall have an opportunity to make a presentation,  
5 city representatives shall have an opportunity to make a presentation, and members of the public  
6 shall be allowed to present and comment.

7 2. Notice of the public hearing be provided at least 21 days prior to the public hearing as  
8 follows:

9 (i). Emailed or sent regular United States Parcel Service (USPS) mail to the applicant and  
10 members of the public who have submitted written comments;

11 (ii). Sent regular USPS mail to owners of real property within a 500 [or 1000] foot radius  
12 of the proposed project's boundaries; and

13 (iii). Published in the City's website on its News Flash page, as amended or replaced by  
14 other similar electronic notification methods.

15 3. The planning commission may continue the hearing for the purpose of clarifying  
16 issues, or obtaining additional information, facts, or documentary evidence. After deliberation,  
17 the planning commission shall make a recommendation on the development agreement to the  
18 city council.

19 B. The development agreement shall be subject to review and approval by the city council based  
20 on the record of the planning commission and on any subsequent public hearing the city council  
21 may hold. Any public hearing by the city council will be subject to the same notice provisions in  
22 A.2 above. If a public hearing is held, the city council may continue the hearing for the purpose  
23 of clarifying issues, or obtaining additional information, facts, or documentary evidence.

24 C. The decision of the city council shall be final immediately upon adoption of a resolution  
25 authorizing or rejecting the development agreement.

26  
27 D. Following approval of a development agreement by the city council, and execution of the  
28 same, the development agreement shall be recorded with the King County recorder, at the  
29 applicant's expense.

30  
31 E. Because a development agreement is not necessary to any given project or use of real property  
32 under the existing comprehensive plan and development regulations in effect at the time of  
33 making application, approval of a development agreement is wholly discretionary and any action  
34 taken by the city council is legislative only, and not quasi-judicial.

35  
36 F. During the term of an approved development agreement, the agreement is binding on the  
37 parties and their successors, and any permit or approval issued by the city after execution of the  
38 development agreement must be consistent with the development agreement.

39

1 **18.72.040 Amendments to development agreements.**

2 A. The city will process and decide upon an application for an amendment to an existing  
3 development agreement as if it were an application for a new development agreement in the  
4 manner set forth above, unless it is deemed a minor modification as set forth in subsection B. of  
5 this section.

6 B. The Director may approve minor modifications to an existing development agreement.  
7 Criteria for approving minor modifications include but are not limited to the following:

- 8 a. Shall conform to the terms of the development agreement;
- 9 b. Shall not reduce landscaping, buffering, or open space areas;
- 10 c. Shall not reduce setback requirements;
- 11 d. Shall not result in an increase in height of any structure;
- 12 e. Shall not result in a change in ingress or egress; and
- 13 f. Shall not increase any adverse impacts or undesirable effects;

14 | **18.72.050 Consistency and flexibility.**

15 A development agreement shall be consistent with applicable development regulations; provided,  
16 a development agreement may allow development standards different from those otherwise  
17 imposed under the Lake Forest Park Municipal Code in order to provide flexibility to achieve  
18 public benefits, respond to changing community needs, or encourage modifications that provide  
19 the functional equivalent or adequately achieve the purposes of otherwise applicable city  
20 standards. Any development standards approved pursuant to a development agreement that differ  
21 from those in the LFPMC shall not require any further zoning reclassification, variance from city  
22 standards or other city approval apart from development agreement approval. The development  
23 standards as approved through a development agreement shall apply to and govern the  
24 development and implementation of each covered site in lieu of any conflicting or different  
25 standards or requirements elsewhere in the LFPMC. Subsequently adopted standards that differ  
26 from those of a development agreement adopted by the city as provided in this chapter shall  
27 apply to the covered development project only where necessary to address imminent public  
28 health and safety hazards or where the development agreement specifies a time period or phase  
29 after which certain identified standards can be modified. Determination of the appropriate  
30 standards for future phases which are not fully defined during the initial approval process may be  
31 postponed. Building permit applications shall be subject to the building codes in effect when the  
32 permit is applied for.

33 | **18.72.060 Exercise of city police power and contract authority.**

34 As provided in RCW 36.70B.170(4), the execution of a development agreement is a proper  
35 exercise of the city's police power and contract authority. Accordingly, a development

1 agreement may obligate a party to fund or provide services, infrastructure, or other facilities. A  
2 development agreement shall reserve authority to impose new or different regulations to the  
3 extent required by a serious threat to public health and safety.

4 | **18.72.070 Form.**

5 Development agreements shall be consistent with RCW 36.70B.170 through 36.70B.210.

6

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