

ORDINANCE NO. 23-1285

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, ADDING CHAPTER 10.24 TO THE LAKE FOREST PARK MUNICIPAL CODE (“LFPMC”), RESIDENTIAL PARKING ZONES; AMENDING CORRESPONDING SECTION 16.26.030 FOR MINISTERIAL DECISIONS; AMENDING CORRESPONDING SECTION 18.08.300, DWELLING UNIT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Forest Park is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and has the authority to regulate the use of City streets pursuant to RCW 35A.11.020; and

WHEREAS, the City has an interest in mitigating adverse impacts on residential areas of the city that have limited on-street parking available for residents; and

WHEREAS, the City Council held public meetings regarding residential parking zones on August 22, 2022, November 30, 2023, and December 14, 2023; and

WHEREAS, the City Council has determined it is in the interest of public safety and the welfare to establish regulations for residential parking zones when application is made by residents and all criteria are met including support from 70% of the proposed zone; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. ESTABLISHING NEW CHAPTER 10.24 RESIDENTIAL PARKING ZONES. Title 10 of the Lake Forest Park Municipal Code (“LFPMC”), VEHICLES AND TRAFFIC, is amended as set forth in Exhibit A to this Ordinance to establish Chapter 10.24 LFPMC, Residential Parking Zones.

Section 2. AMEND. Section 16.26.030 of the LFPMC, Classification of decisions, shall be amended to provide as follows:

16.26.030 Classification of decisions.

...

E. Ministerial Administrative Decisions.

1. Final decisions of the city for which notice will be given by posting the property as provided in this chapter and by posting notice at City Hall:

a. Building permits for new construction of either multifamily residential or commercial structures;

b. Land clearing, grading, excavating, and tree-cutting permits; and

2. Final decisions of the city which are not subject to the notice provisions of this chapter:

a. All other building permits and minor sensitive area, land clearing, grading, excavating and tree-cutting permits;

b. Boundary line adjustment;

c. Final plats;

d. Temporary use permits;

e. Home occupation permits; ~~and~~

f. Right-of-way permits; and

g. Residential Parking Zone creation or revision

3. Interpretations of LFPMC Titles 15, 16, 17, and 18, which are neither final decisions of the city nor subject to the notice provisions of this chapter.

Section 3. AMEND. Section 18.08.300 of the LFPMC, Dwelling unit, shall be amended to provide as follows:

18.08.300 Dwelling unit.

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons, ~~not to exceed one family~~, and which includes permanent provisions for living, sleeping, eating, cooking and sanitation.

Section 4. SEVERABILITY. Should any portion of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise

invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. EFFECTIVE DATE. This ordinance shall take effect five (5) days after passage and publication.

APPROVED BY A MAJORITY the Lake Forest Park City Council this XXX day of XXX, 2023.

APPROVED:

Jeff Johnson
Mayor

ATTEST/AUTHENTICATED:

Matthew McLean
City Clerk

APPROVED AS TO FORM:

Kim Adams Pratt
City Attorney

Introduced:
Adopted:
Posted:
Published:
Effective:

EXHIBIT A

Chapter 10.24 - Residential Parking Zones

10.24.010 Purpose.

This chapter is adopted to mitigate in part adverse impacts on defined residential areas of the city which have limited on-street parking available for residents, due to the high demand for parking created by transit stops, park usage, and similar uses that place high demand on parking.

10.24.020 Applications and criteria for establishment or revision of Residential Parking Zones (RPZ) and boundaries.

The following requirements apply to applications for establishment or revision of residential parking zones (RPZ) and boundaries:

A. An application for creation or amendment to a RPZ shall be processed pursuant to the requirements in chapter 16.26 LFPMC for a Ministerial administrative decision. Applications must be made in writing to the Community Development Department, including an explanation of the rationale, need, and proposed provisions (times, days, etc.) for an RPZ; and including a description and depiction of the geographic area of the proposed RPZ.

B. The applicant shall satisfy the following criteria necessary for the creation or revision of an RPZ:

1. A RPZ or revision is needed because of limited on-street parking available for residents due to the high demand for parking in the proposed RPZ;

2. A RPZ or revision to RPZ shall be a minimum one-block segments on one side of roadway.

3. RPZ boundaries must be contiguous, and no revision shall create pockets of non-RPZ parking areas within the boundaries of the overall RPZ zones;

4. There is support for the application from at least 70 percent of the lots within the proposed RPZ. Written support shall be in the form of either a signed letter or petition.

E. The Community Development Director shall review the application and determine whether the materials satisfy the criteria for creation or revision of an RPZ.

10.24.030 Residential Parking Zones authorized.

The approval of an application to create or modify a RPZ, may be conditioned on the following, and such other conditions that the Director deems appropriate to mitigate impacts:

A. Parking on the street block(s) is reserved for the exclusive use by the owners of abutting properties and/or residents in a prescribed vicinity; vehicles used by their visitors; and service vehicles having business in the street or with the residents; and/or

B. Parking on the street is reserved during certain posted hours and/or days for such exclusive use and available at all other times and/or days without additional restriction; and/or

C. Time limits are established for parking on the street which apply to all vehicles except vehicles owned by or used by such residents, their visitors or service vehicles of persons having business on the street or with the residents.

10.24.040 Residential Parking Zones signage and temporary suspension.

All RPZ authorized under this chapter shall be appropriately signed or marked as instructed by the City. The City may, upon notice to affected residents, temporarily suspend the parking limitations imposed by this chapter for public events, such as concerts, fairs, and fireworks displays.

10.24.050 Parking Permits required in Residential Parking Zones.

A permit or visitors' permit must be displayed on the dashboard or hanging from the rearview mirror on all vehicles parked within an RPZ and at the times identified by the RPZ approved under this chapter.

No person shall park a vehicle in violation of the posted or marked restrictions or when a permit or other authorization issued by the city is required as a condition for parking.

10.24.060 Residential parking permits defined.

When properly issued and displayed, a residential parking permit ("RPZ permit") shall exempt a vehicle, while parked on a street or alley within a specific RPZ for which the permit was issued, from citation for parking longer than the posted time limit for that particular zone. The permit does not guarantee a parking space, nor does it exempt the vehicle or operator from observing zones where parking is prohibited at all times, including but not limited to no parking zones, load zones, and fire zones.

10.24.070 Eligibility for residential parking permits.

A. Permits may be issued only to persons who reside within a RPZ; provided that, one permit may be issued to the occupants of any residential property located outside of and directly contiguous to a RPZ.

B. For purposes of this chapter, in order to qualify as a residence, a dwelling unit as defined in LFPMC 18.08.300 must be legally approved. Additionally, residence location shall be determined by the street address of the structure in which the applicant resides as determined by the U.S. Postal Service, or such other street upon which the residence fronts and for which the applicant can present adequate evidence that the proposed alternative frontage adequately reflects the actual orientation and location of the structure in which the applicant resides.

C. Proof of residence shall be established by:

1. A valid driver's license reflecting a current address within the area for which the RPZ permit is issued; and
2. A deed, lease, rental agreement, utility account or other official document showing residency.

10.24.080 Applications for permits.

A. The Community Development Department is authorized to issue permits to qualified residents which shall be valid for a period of up to one year. The Department shall provide online application forms for this purpose and charge the fees established by the City then current fee resolution.

B. Application Form. Application forms shall include:

1. The name, address, telephone number and vehicle license number(s) of the applicant;
2. The license plate and state, make, model, color and year of the vehicle or vehicles for which the permit is sought;
3. The number of resident and temporary visitor permits requested; as well as a certification that the resident and visitor permits requested are for limited time personal, visitor, and service vehicle use only and will not be sold or transferred.
4. A statement immediately above where the applicant is to sign, certifying that the applicant has reviewed this chapter, is familiar with its requirements, and certifies that they will at all times comply with these requirements. All applications shall be signed by the applicant and certified as true and correct under penalty of law.

C. No more than two RPZ permits shall be issued to any one dwelling unit; provided, however, the Department may issue additional permits per dwelling unit if an applicant demonstrates they occupy a dwelling unit, there are more than three motor vehicles owned or controlled by the occupants of that dwelling unit, and there is insufficient off-street parking available to accommodate the additional vehicle or vehicles.

D. The issued permit(s) shall contain the following information: the residential parking zone for which the permit is issued; a number corresponding to the applicant information on file with the City, and the expiration date of the permit.

10.24.090 Use and validity of permits.

A. Display. Permits shall be displayed visibly in the windshield or on the dashboard where they can be readily observed.

B. Validity. Permits shall be valid only in the zone designated, and only for so long as the permit holder retains the vehicle and resides at the address specified in his or her application. Permits are nontransferable.

C. Expiration. All RPZ permits issued by the Department shall be valid for the same one-year period, which shall be set by the Department.

10.24.100 Temporary visitors' permits.

A. The Community Development Department is authorized to issue temporary visitors' permits which shall be valid for a period of up to one year, for *bona fide* transient use for visitors to the residence. Two temporary visitors' permits shall be issued upon request for each residential address. It shall be the responsibility of the resident to control the use of the permit. The following are prohibited:

- (1) Parking in excess of seven days within any thirty-day period; or
- (2) Use of visitor permits by residents for the residents' vehicles.

B. Visitors' permits may be temporarily lent or borrowed between residents within the same RPZ.

C. Temporary visitor permits shall be issued in conjunction with the issuance or renewal of a RPZ permit to those individuals entitled to a RPZ permit.

10.24.110 Service vehicles, childcare pickup, and disabled parking exemptions.

A. Service vehicles (including yard, housecleaning, and utility services) parked in a RPZ are not required to display a RPZ permit while making service calls to

residential dwellings within the zone and are exempt from posted time limits. Such service vehicles shall display a sign or other means to indicate the vehicle is a service vehicle.

B. Vehicles being used for childcare pick-ups and drop-off are not required to display a RPZ permit while picking up or dropping off children, but shall display a sign or other means to indicate it is a childcare pick-up vehicle.

C. The Director shall make available online a standard form for print out and posting for A and B above (although this specific form is not required).

D. The parking restrictions established for a RPZ shall not limit the parking of vehicles displaying a card or decal issued pursuant to RCW 46.19.030, relating to disabled persons' parking privileges.

10.24.120 Penalties.

The basic penalty for parking in violation of this chapter shall be a \$75.00 fine per day of violation; provided, however, upon a second violation in any 12-month period the penalty shall be \$125.00 per day. Upon a third or succeeding violation in any 12-month period the penalty shall be \$150.00 per day. Warning citations shall be issued for such violations during the first 15 calendar days after the creation of a RPZ zone or change in enforcement hours of an existing residential parking zone. For the purpose of determining increased penalties under this section, the notices of infraction shall have been issued on the same vehicle under the same ownership during the 12-month period. An additional monetary penalty of \$50.00 shall be imposed for failure to respond to a notice of traffic infraction relating to parking.