



# CITY OF LAKE FOREST PARK

## CITY COUNCIL

### AGENDA COVER SHEET

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<b>Meeting Date</b>	March 9, 2023
<b>Originating Department</b>	Planning Department
<b>Contact Person</b>	Kim Adams Pratt, City Attorney; Steve Bennett, Planning Director; and Nick Holland, Senior Planner
<b>Title</b>	Draft Ordinance - amending Chapter 16.16.250 of the Lake Forest Park Municipal Code, Reasonable use exception to allow for reasonable economic use

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#### Legislative History

- First Presentation – March 9, 2023
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#### Attachments:

1. Draft Ordinance amending Chapter 16.16.250 of the Lake Forest Park Municipal Code, Reasonable use exception to allow for reasonable economic use
  2. September 13, 2022 Memorandum from Planning Commission with recommended amendments
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#### Executive Summary

In response to input from the community and a review of the history of Reasonable Use Exception (RUE) projects, the Planning Commission began reviewing the relevant provisions in Chapter 16.16.250 LFPMC to determine if there were amendments that could enhance City staff's ability to ensure mitigation and monitoring plans are adhered to. With the assistance of the Planning staff and the City Attorney, the Commission developed the recommended amendments in the attached draft ordinance (Attachment 1). Attachment 2 is a memorandum from the Planning Commission providing an explanation of the process and reasoning that led to the recommended changes.

#### Background

Section 16.16.250 of the Lake Forest Park Municipal Code (LFPMC) provides a process by which an applicant may apply for a reasonable use exception from Chapter 16.16 LFPMC, Environmentally Critical Areas, when the application of regulations in the Chapter prevents all reasonable economic use of the property.

After receiving community input early last year, the Planning Commission began the formal discussion of the issue at its May 2022 meeting. Public meetings were held on July 12, August 17, and September 13 of 2022, to consider possible amendments to LFPMC 16.16.250.

### **Fiscal & Policy Implications**

Adoption of this ordinance would not add significantly to staff review time. The City's hearing examiner may charge the City for additional time to ensure new criteria are addressed by applicants.

### **Alternatives**

<i><b>Options</b></i>	<i><b>Results</b></i>
<ul style="list-style-type: none"><li>• Adopt ordinance</li></ul>	City Staff and Hearing Examiner have more specific criteria pertaining to the review and approval of Reasonable Use Exceptions that better ensure compliance with conditions of approval
<ul style="list-style-type: none"><li>• No action</li></ul>	City Staff and Hearing Examiner will not have more specific criteria pertaining to the review and approval of Reasonable Use Exceptions

### **Staff Recommendation**

Review draft ordinance and consider recommendations from Planning Commission and provide guidance to the Administration on any changes needed prior to adoption.