

Brian Saunders
Lake Forest Park, WA 98155
August 11, 2026

Lake Forest Park Planning Commission
City of Lake Forest Park
17425 Ballinger Way NE
Lake Forest Park, WA 98155

Re: Recommendations for Strengthening Critical Areas Protections in the Lake Forest Park Municipal Code

Dear Members of the Planning Commission,

My name is Brian Saunders, and I have lived in Lake Forest Park my entire life. I grew up along the banks of McAleer Creek, and the countless hours I observed its flow through the seasons gave me a lasting attachment to the watersheds that define this city. That attachment eventually became a vocation: I hold a B.S. in Biology and an M.S. in Estuarine-Marine Science with a focus on ecology, and I have spent my career teaching sustainable principles at local colleges looking closely at how development and natural systems interact. I am writing to offer the Commission a set of suggestions, grounded in that scientific background, for updating the city's protections for critical and sensitive areas.

I understand that the Planning Commission's role is advisory, and that any changes to the Lake Forest Park Municipal Code (LFPMC) ultimately need to be recommended to, and adopted by, the Mayor and City Council. I offer the following, then, not as demands but as suggestions I hope the Commission will find useful as it formulates its own recommendations. I also recognize that many of my suggestions may already be on your radar and debated by this commission for which I would like to recognize the hard work and commitment you have demonstrated in past revisions.

To ground these suggestions, I compared our current critical area ordinance (CAO) code against the codes of five neighboring cities. Lake Forest Park already compares well: our wetland buffer widths are among the largest documented in the comparison, reaching up to 300 feet for high-functioning Category I/II wetlands; our code shares the same default-prohibition posture on critical area alteration that Shoreline uses; and our reasonable-use exception (RUE) already caps new home footprints at a relatively tight 750 square feet. It is not my intent to suggest the code needs a major revision, but more as refinements to a solid foundation rather than a

wholesale overhaul, and each is modeled on a provision already in active use by a neighboring jurisdiction, which I hope makes them easier to evaluate as workable rather than speculative.

Finally, these suggestions should underline the uniqueness of Lake Forest Park. A look at a Critical Areas map of our city reveals that these areas are not odd or rare places. Two major watersheds have carved out the landscape for hundreds of years through loosely packed glacial silt. The truth is that we have a lot more critical area to lose than most cities. And with increasing development pressures and impermeable surfaces, along with the adverse effects of climate change, efforts to preserve the natural habitats and the biodiversity they culture like our salmon species, become insurmountable without our critical area protected.

With that context, I would respectfully suggest the Commission consider recommending the following code changes:

1. **Adopt a science-based riparian buffer standard for streams, modeled on Shoreline's 200-foot Riparian Management Zone.** LFPMC does not currently appear to have a uniform, science-derived stream buffer comparable to Shoreline's. I would suggest replacing the fixed, ad hoc stream setbacks with a Riparian Management Zone standard based on WDFW's site-potential-tree-height methodology, as Shoreline adopted in 2025 and Kenmore adopted in 2024, paired with a capped reduction (for example, a maximum 25% reduction with an absolute floor no lower than 100 feet) rather than open-ended variance relief.
1. **Strengthen the "no net loss" language to require applicants to affirmatively prove impacts cannot be avoided before mitigation is considered.** Kenmore's code (§18.55.100) requires applicants to demonstrate an inability to avoid or reduce impacts before restoration or compensation is even allowed. I would suggest adding this affirmative-burden language explicitly, rather than listing mitigation sequencing only as a preference order, so the burden of proof sits with the applicant rather than the reviewing planner.
2. **Bar development outright in state- or federally listed species habitat absent an agency-approved management plan.** Shoreline's code (§20.80.330(E)) flatly prohibits development in habitat with a primary association to list endangered, threatened, or sensitive species unless a WDFW- or agency-approved management plan authorizes it. I would suggest Lake Forest Park adopt a similar categorical bar, rather than relying solely on general mitigation sequencing, which currently allows impacts if they are "compensated."
3. **Add economic-benefit-based civil penalties, like Bothell's approach.** Bothell calculates penalties based on the actual economic benefit a violator gained from the violation,

adds a separate penalty of up to \$25,000, and automatically refuses further permit applications from unresolved violators. I would suggest an economic-benefit penalty calculation, rather than only a flat per-day fine, so that it is never cheaper to violate the code and pay a fine than to comply with it.

4. **Extend the "default prohibition" framing explicitly to fish and wildlife habitat conservation areas, not just critical areas generally.** LFPMC §16.16.020 already prohibits alteration of critical areas generally unless expressly authorized, which is a strong starting point. I would suggest that fish and wildlife habitat conservation areas receive the same explicit, named prohibition-with-narrow-exceptions treatment that Shoreline uses in §20.80.330(A), rather than being folded into the general critical areas definition, so habitat protection cannot be read as secondary to wetlands and streams.
5. **Increase the maximum wetland buffer ceiling and confirm alignment with the most current Ecology wetland rating system.** Our own buffers already reach 300 feet for high-functioning Category I/II wetlands, among the strongest in the region. I would suggest the Commission ask staff to (a) confirm the code references the most current Washington State Department of Ecology wetland rating publication, and (b) establish a periodic review to reverify that our scoring thresholds match Ecology's latest guidance, since buffer credibility depends on the science behind it staying current.
6. **Tighten the reasonable-use exception's footprint cap into an enforceable ceiling rather than discretionary guidance.** LFPMC §16.16.250(B)(10)(a) already suggests a 750 square foot footprint and 1,500 square foot gross floor area guideline for hardship exceptions. I would suggest the Commission review whether this is phrased as a binding standard or merely discretionary guidance, and if the latter, recommend it be tightened into a hard ceiling, absent a documented, site-specific finding of infeasibility, so it cannot be negotiated away on a case-by-case basis.
7. **Require permanent conservation easements for any corridor used to justify a reduced buffer.** Both Lake Forest Park's and Bothell's wetland tables already reward developers with a smaller buffer if they preserve a 100-foot vegetated corridor to nearby habitat. I would suggest requiring that any corridor relied upon to justify a reduced buffer be permanently protected by a recorded conservation easement, rather than simply present at the time of permitting, so that future owners cannot later remove it.
8. **Formally track and publish a citywide "no net loss" accounting.** LFPMC's stated goal is "no net loss of wetland function, value, and acreage within each drainage basin" (§16.16.010(F)). I would suggest the city commit to a periodic public report, perhaps every three to five years, tallying cumulative wetland and critical area acreage and

function lost versus mitigated citywide, so that this goal is auditable rather than aspirational.

Each of these suggestions is modeled on a provision already operating successfully in a neighboring jurisdiction, so none would place Lake Forest Park outside the regional norm; if anything, they would help close the gap between the areas where our code is already strong and the areas where practice on the ground has, in my observation over the past several years of following local applications, sometimes fallen short of the code's stated intent.

I recognize that the Commission can only forward recommendations to the Mayor and City Council, and that many factors beyond the science will shape what ultimately moves forward. I would simply ask that the Commission consider these suggestions as it deliberates, and I would be glad to provide any additional technical detail, sources, or comparative code language that would be useful as that discussion proceeds.

Thank you for the time and care you devote to this work, and for the opportunity to contribute to it as a lifelong resident of this city and of the McAleer Creek watershed.

Sincerely,

A handwritten signature in blue ink that reads "Brian Saunders". The signature is written in a cursive, flowing style.

Brian Saunders

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