

Chapter 17.04 GENERAL PROVISIONS

Sections:

- 17.04.010 Purpose.
- 17.04.020 Scope.
- 17.04.030 Procedure generally.
- 17.04.040 Ownership.
- 17.04.050 Definitions.
- 17.04.060 Violation – Penalty.

17.04.010 Purpose.

The regulations contained in this title are designed to provide for the approval of plats, subdivisions, and dedications; and to provide a relatively expeditious, simple, and inexpensive procedure for the short subdivision of land which imposes different requirements than a regular subdivision; to encourage the most appropriate development of land throughout the city; to minimize traffic hazards and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land and undue concentration of population; to promote the coordinated development of vacant areas; to secure an appropriate allotment of land in new developments for requirements of community life; to conserve and restore natural beauty, other natural resources, and other public uses and requirements; and to enable conveying land by accurate legal description which may be simplified by reference to an approved short plat. (Ord. 337 § 1, 1984)

17.04.020 Scope.

A. No person, firm or corporation shall make a subdivision of any land area into five or more lots, plots, or tracts or make a dedication of any land as a public right-of-way except in accordance with the standards and conditions implied by the city council and payment of required fees.

B. No person, firm or corporation shall make a subdivision of any land area into four or less lots, plots, or tracts except in accordance with the standards and rules adopted by the city council, payment of all required fees, and approval of such short subdivision by the administrator for short subdivisions. (Ord. 337 § 2, 1984)

17.04.030 Procedure generally.

Any person, firm or corporation planning to subdivide any land or dedicate any public right-of-way shall file an application and make a payment to the city clerk of a fee as provided in the then applicable ordinances. The fee ordinance schedule is on file with the city clerk. (Ord. 337 § 3, 1984)

17.04.040 Ownership.

No lot, tract or portion of same shall be divided or sold, or ownership changed or transferred whereby the ownership is less than is shown on the face of the plat except by approved subdivision or short subdivision procedure. (Ord. 337 § 5, 1984)

17.04.050 Definitions.

The following definitions apply throughout this title:

~~A.~~ ~~A.~~ “Administrator for short subdivision” means the administrative official or his designate.

~~A.~~ ~~B.~~

B. ~~“Cul-de-sac”~~ means a dead-end street terminating in a circular area with a minimum diameter of 80 feet. The improved portion of the circular area shall be 64 feet in diameter.

~~C.~~

~~D.~~ ~~C.~~ “Dedication” means the deliberate setting aside of land by an owner for any general and public use, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a plat showing the dedication thereon, and the acceptance by the public shall be evidenced by the approval of such plat in the manner provided in this title.

~~E.~~ ~~C.~~ ~~D.~~

~~F.~~ “Easement” means a right given by a property owner of the use of a strip of land by the public, a corporation or persons for specific purpose or purposes. Minimum width or road easement shall be 20 feet with improved surface to be determined at the discretion of the administrative official.

~~G.~~ ~~E.~~ “Improved roadway” means that portion of the street right-of-way which is surfaced with an asphaltic or better surface.

~~H.~~ ~~F.~~ “Lot” means a fractional part of subdivided lands having fixed boundaries ~~and being of sufficient area and dimension to meet minimum zoning requirements and having a minimum development requirements.~~ ~~75 foot frontage on a public right of way or a minimum 30 foot frontage on the circular portion of a cul de sac.~~

~~G.~~ “Lot, parent” means a lot which is subdivided into unit lots through the unit lot subdivision process.

~~H.~~ “Lot, unit” means a lot created from a parent lot and approved through the unit lot subdivision process.

~~I.~~ “Lot split” means the administrative process of dividing an existing lot into two.

~~J.~~ ~~G.~~ “Plat” means a map or pictorial representation of a subdivision.

~~J.~~ ~~H.~~ “Short subdivision” means the division of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, transfer, or building development. ~~Short subdivision includes unit lot subdivisions that divides or redivides land into four or fewer lots, tracts, parcels or sites for the purpose of sale, lease, or transfer of ownership. In determining the number of lots, tracts, parcels or sites, the count shall include all lots, tracts, parcels or sites, including any that may be considered a parent lot under the unit lot subdivision sections of this Title.~~

~~K-L.~~ ~~I.~~ “Solar energy system” means any device or combination of devices or elements which rely upon direct sunlight as an energy source including but not limited to any substance or device which collects sunlight for use in:

1. The heating or cooling of a building;
2. The heating or pumping of water;
3. Industrial, commercial, or agricultural processes; or
4. The generation of electricity.

A solar energy system may be used for purposes in addition to the collection of solar energy. The uses include, but are not limited to, serving as a structural member, part of a roof, a window, or a wall of a building.

~~M.~~ “Subdivision” means the division of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, transfer, or building development. Subdivision includes unit lot subdivisions that divides or redivides land into five or more lots, tracts, parcels or sites for the purpose of sale, lease, or transfer of ownership. In determining the number of lots, tracts, parcels or sites, the count shall include all lots, tracts, parcels or sites, including any that may be considered a parent lot under the unit lot subdivision sections of this Title.

~~N.~~ “Unit lot subdivision” means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

~~O.~~ “Zero lot line subdivision” means the division of land in which the location of each building is placed in such a manner that one or more of the building’s sides rest directly on a lot line.

17.04.060 Violation – Penalty.

Any violation of this title or of the rules adopted as authorized in this title, is deemed a misdemeanor, and each day that the condition is permitted to continue is a separate offense. (Ord. 337 § 4, 1984)

Commented [ZT1]: Huh. I hadn’t noticed this before, but this definition seems to be applying frontage within it.... Would the City want to strike this and refer to appropriate development regulations in chapter 18?

Commented [ZT2R1]: With the PC discussion in February this would be preferred.

Commented [ZT3]: Comment from Commissioner Sam Castic “Under this proposed definition is a “Lot, unit” a “lot” too? If so, we should clarify that. If not, we should also specify that. It’s a bit ambiguous as is.”

Commented [ZT4R3]: It is a lot too, but is more like a lot within a lot. For example, two unit lots within a single parent lot.

Commented [ZT5]: This is recommended language as part of the unit lot subdivision

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Commented [ZT6]: This is NOT required but is trying to be proactive with additional state

Commented [ZT7R6]: Edited to remove “for the purpose of sale, lease, or transfer of ownership.”

Commented [ZT8]: Comment from Commissioner Sam Castic “We should only add the definitions if

Commented [ZT9R8]: For organizational purposes, these terms were used as “lot, parent”

Commented [ZT10]: Comment from Commissioner Sam Castic “I suggest simplifying this definition so

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Commented [ZT11]: Comment from Commissioner Sam Castic “Do we mean “lot units” here per the

Commented [ZT12R11]: Yes. The term is unit lot, but it was placed in here as “lot, unit” to group all

Commented [ZT13]: This is NOT required as part of middle housing needs to be added to address

Commented [ZT14]: This is NOT a requirement but could be for consideration on what a “zero lot

Commented [ZT15R14]: The middle housing legislation has the requirement for:

Chapter 17.08
SUBDIVISIONS AND DEDICATIONS

Sections:

Article I. Application

- 17.08.010 Preliminary consideration.
- 17.08.020 Review.
- 17.08.030 Content.
- 17.08.040 Public hearing.
- 17.08.050 Standards of acceptability.

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- 17.08.070 Lots – Lot line adjustment fee.
- 17.08.080 Encroachment on future public areas prohibited.
- 17.08.090 Service streets.
- 17.08.100 Buffer strips.
- 17.08.110 Dedications.
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Article I. Application

17.08.010 Preliminary consideration.

A. Application for subdivision or dedication shall be made to the city clerk on a form established by the city.

B. The application shall contain sufficient information, including a sketch of the proposal sufficient to permit the hearing examiner to indicate the general acceptability of the layout as submitted.

C. The applicant must complete all requirements of the hearing examiner for final approval within six months of the original application. (Ord. 836 § 3, 2000; Ord. 337 § 8, 1984)

17.08.020 Review.

A. In completing the preliminary consideration of the application, the city administrator or his or her designee shall furnish the applicant with a list of the requirements in LFPMC 17.08.030 to be completed before final consideration of the application. The required items shall be filed with the city clerk at least two weeks before the public hearing.

B. The city clerk shall affix thereto the date received and immediately dispatch one copy of the proposed plat or dedication and engineering data to the city engineer and four copies to the hearing examiner.

C. Upon receipt of the proposed plat or dedication and engineering data, the city engineer shall check as to the general conformity with the overall requirements of the platting and right-of-way improvements ordinances of the city. The city engineer shall make his recommendations regarding the material submitted in written form to the hearing examiner prior to the initial hearing.

D. The city engineer may require the complete field and computation notes showing original or reestablished corners with descriptions of same, true bearings and distances to establish right-of-way lines and monuments, turning angles, points of curvature, length of tangents, closure and methods of balancing with corners and distances of the plat or dedication. Allowable error shall be two one-hundredths of one foot in preparation of the final plat.

E. Final sewer, water and underground service plans must be submitted to the city engineer for approval prior to actual construction of these utilities. If any changes are made during the installation, the revised drawings showing the exact location of the utilities must be furnished. All underground utilities, sanitary sewers, and storm drains installed in streets shall be constructed prior to the surfacing of such streets. Service connections for all underground utilities and sanitary sewers shall be laid to such lengths as will obviate the necessity for disturbing the street improvements, when service connections thereto are made. (Ord. 836 § 4, 2000; Ord. 337 § 8, 1984)

17.08.030 Content.

The hearing examiner may require any or all of the following to be submitted at least two weeks before the public hearing:

A. Six copies of a map of the proposed plat or dedication, drawn to a minimum scale of one inch to 100 feet, prepared by a registered surveyor, containing the following information:

1. The name of the plat or dedication;
2. The name, address, telephone number and seal of the land surveyor;
3. Lot and block numbers; street names and layout; dimensions of all lots, streets, easements, and all dedicated rights-of-way; municipal boundaries, township and section lines which adjoin or intersect the plat;
4. Date, scale and true north point;
5. Sufficient contours or elevations to determine the general topography of the land;
6. The location and direction of the flow of all watercourses and the approximate location of all areas subject to inundation or stormwater overflow;
7. The outline of any existing buildings to remain in place, including buildings within 100 feet of plat boundary;
8. All building setback lines as established by ordinances and regulations of the city;
9. Proposed location of all monuments. One such monument shall be placed at each street intersection and at such locations as required by the city engineer;
10. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating grade and exact locations.

B. Six copies of a statement containing the following:

1. The name of the plat or dedication;
2. The name, address, and telephone number of the owner or owners;
3. The legal description of the property;
4. Present and proposed land use and zoning;

5. Source of water supply and written approval of water district for proposed services;
6. Profile and section print of all streets within the plat to be dedicated as public roads together with storm drainage plans;
7. Method of proposed sewage disposal and written approval of the health officer or sewer district for the proposal.

C. All information required by the State Environmental Policy Act. (Ord. 836 § 5, 2000; Ord. 337 § 8, 1984)

17.08.040 Public hearing.

Before giving final consideration to the proposal, the hearing examiner shall call a public hearing in accordance with rules established by the city council and Chapter 58.17 RCW. (Ord. 836 § 6, 2000; Ord. 337 § 8, 1984)

17.08.050 Standards of acceptability.

The hearing examiner, in making a decision on the application, shall be guided by the standards set forth in Article II of this chapter. (Ord. 836 § 7, 2000; Ord. 337 § 8, 1984)

Article II. Design Standards

17.08.060 Rights-of-way.

A. Rights-of-way shall conform in effect to the comprehensive plan as adopted and to the general pattern of the rights-of-way system of Lake Forest Park. Except for dead-end streets, minimum right-of-way shall be 60 feet and the minimum improved roadway 28 feet.

B. The terminal of such dead-end street shall be a circular area with a minimum diameter of 80 feet, the improved portion (street) of which shall be 64 feet in diameter.

C. The minimum width of a dead-end street less than 400 feet long shall be 30 feet within improved roadway of 22 feet. If such street is over 400 feet, the minimum width of the right-of-way shall be 60 feet with an improved roadway 28 feet. All such street shall terminate in a cul-de-sac in accordance with subsection B of this section.

D. The minimum grade except in vertical curves on any street or road shall be twenty-five-hundredths of one percent for purpose of drainage.

E. The maximum grade on any street shall not exceed 10 percent, unless otherwise approved by the commission.

F. Streets shall be required to intersect one another at an angle as near to a right angle as is practicable in each specific case.

G. The subdivider shall improve the extension of all subdivision streets to the intersecting paving line of any city street.

H. All street names shall be approved by the planning commission and shall be in conformity to the county system wherever possible. (Ord. 337 § 8, 1984)

17.08.070 Lots – Lot line adjustment fee.

A. The sizes and shapes of lots shall be in conformance to any districting regulations effective in the area of the proposed subdivision.

B. The side lines of all lots, so far as possible, shall be at right angles to the street which the lot faces, or radial or approximately radial if the street is curved.

C. No lot shall be divided by a city boundary line.

D. All lots must have a minimum of 75 feet frontage on a public right-of-way.

E. The fee for a lot line adjustment shall be as established periodically by city council resolution. (Ord. 787 § 1, 1999; Ord. 439 § 11, 1989; Ord. 340, 1985; Ord. 337 § 8, 1984; Ord. 326 § 19, 1984)

17.08.080 Encroachment on future public areas prohibited.

The tract to be subdivided shall not be a part of or encroach upon an area or areas designated in the comprehensive plan for future public facilities; provided, that the city take reasonable steps to implement that part of the plan within five years. (Ord. 337 § 8, 1984)

17.08.090 Service streets.

Frontage on high volume trafficways shall be provided with parallel service streets or such other access as may be appropriate to the conditions. (Ord. 337 § 8, 1984)

17.08.100 Buffer strips.

Where residential subdivisions are to be developed adjacent to nonresidential use districts, buffer strips or other protective treatment shall be provided to the extent and type as may be required by the hearing examiner. (Ord. 836 § 8, 2000; Ord. 337 § 8, 1984)

17.08.110 Dedications.

If required by the hearing examiner, all plats must provide for dedication of areas for parks, playgrounds, or open public spaces, on the basis of population density. (Ord. 836 § 9, 2000; Ord. 337 § 8, 1984)

17.08.120 Variations and exceptions.

A. Variations and exceptions from the dimensional standards and improvement requirements as set forth in this title may be made by the planning commission in those instances where it is deemed that hardship, topography, or other factual deterrent conditions prevail, and in such manner as it considers necessary to maintain the intent and purpose of these regulations and requirements.

B. In all respects, the proposal will be considered in relation to the comprehensive plan of the city, or any part thereof, or preliminary plans made in anticipation thereof.

C. There are certain areas which have been designated as sensitive because of the nature of the topography creating concern due to flooding, bad drainage, steep slopes, rock formations, or other features likely to be harmful to the safety, welfare, and general health of the future residents. (Ord. 337 § 8, 1984)

Article III. Site Improvements

17.08.130 Requirements generally.

Site improvements shall include grading of entire widths of street rights-of-way, surfacing of roadways, construction of drainage facilities and all underground utilities included in the preliminary plat. (Ord. 337 § 8, 1984)

17.08.140 Completion or bond.

Site improvements shall be completed prior to approval of the final plat or a performance bond shall be furnished guaranteeing such completion within one year from date of acceptance of the plat. (Ord. 337 § 8, 1984)

17.08.150 Performance bond.

Performance bond shall be drawn in favor of the city in the amount specified by the city engineer, or in lieu of a bond an equal sum in cash, certified check or government bonds may be deposited with the city treasurer. If money is received, it shall be held in escrow pending the satisfactory completion of the required work. The city engineer may authorize the release of portions of this money to the subdivider in accordance with a prearranged progress schedule. When all right-of-way improvements have been completed, and all monuments properly placed according to the required city standards, and have been approved by the city engineer, the road bond or balance of money held in escrow shall be released to the subdivider. (Ord. 337 § 8, 1984)

Article IV. Final Plat

17.08.160 Submittal.

On completion of site improvements to the satisfaction of the city engineer, or upon delivery of performance bond in lieu thereof, the final plat shall be submitted to the hearing examiner accompanied by the following:

A. Filing Fees. A check payable to the King County auditor in an amount to be determined by the county auditor in accordance with the laws of Washington.

B. Deposit to cover costs of checking, equal to the estimated cost of checking the plat as determined by the city engineer. Deposit shall be made with the city clerk to be credited to the appropriate fund. All work done by the city engineer shall be charged to such deposit. Any excess remaining after deduction of cost of checking shall be returned to the plat; if checking costs exceed the amount deposited, the plat shall pay the difference.

C. A certificate of title from a reputable title insurance company giving the legal description and showing the title and interest of all parties to the plat or dedication. The certificate shall be dated not to exceed 30 days prior to submission of the final plat.

D. A certificate by the county treasurer, showing that the taxes have been paid in accordance with RCW 58.08.030 and 58.08.040, and that deposit has been made to the county treasurer for the taxes for the following year. Also, a certificate by the county treasurer showing that all taxes and assessments levied and chargeable against the property in the plat, replat or subdivision have been made in accordance with RCW 58.08.030.

E. Such other information as may be necessary to expeditiously implement the requirement of this title. (Ord. 836 § 10, 2000; Ord. 337 § 8, 1984)

17.08.170 Preparation generally.

After approval of the preliminary plat by the hearing examiner and the fulfillment of the requirements of these regulations and any other requirements specified by the hearing examiner, one tracing of the final plat shall be prepared to be filed for record. (Ord. 836 § 11, 2000; Ord. 337 § 8, 1984)

17.08.180 Drawing and index sheet.

Final plat shall be drawn with India ink on the best grade of tracing cloth, 18 inches by 22 inches in size, allowing a one-half-inch border. If more than one sheet is required, each sheet, including the index sheet shall be of the size specified in this section. The index sheet must show the entire subdivision, with street and highway names and block numbers. (Ord. 337 § 8, 1984)

17.08.190 Identification and description.

The final plat shall include the following:

A. Name of subdivision;

B. Location by section, township and range, or by other legal description;

C. The name and seal of the registered land surveyor;

D. Scale (same as preliminary plat) shown graphically, date and northpoint. The scale of the final plat shall be such that all distances and bearings can be clearly and legibly shown thereon in their proper proportions. Plats unduly cramped and on which essential data cannot be clearly read will not be approved. (Ord. 337 § 8, 1984)

17.08.200 Delineation.

The final plat shall include the following:

A. Boundary of the plat, based on an accurate traverse with angular and lineal dimensions;

B. Exact location, width, and name of all streets within and adjoining the plat, and the exact location and widths of all alleys, walkways, and crosswalkways. The name of a street shall not duplicate that of any existing street in the city, and shall be generally consistent with the practice of King County;

C. True courses and distances to the nearest established street lines or official monuments which shall accurately describe the location of the plat;

D. Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and courses;

- E. Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs;
- F. All easements for rights-of-way provided for public services or utilities;
- G. All lot and block numbers and lines, with accurate dimensions in feet and hundredths. Blocks in numbered additions to subdivisions bearing the same name may be numbered or lettered consecutively through the several additions;
- H. Accurate location of all monuments, which shall be concrete, four inches by four inches at top, six inches by six inches at bottom, and 24 inches long, with metal marker cast in the center. One such monument shall be placed at each street intersection, and at locations to complete a continuous line of sight and at such other locations as required by the city engineer;
- I. All plat meander lines or reference lines along bodies of water, established above the high-water line of such water;
- J. Accurate outlines and legal description of any areas to be dedicated or reserved for public use, with the purposes indicated thereon and in the dedication, and of any area to be reserved by deed covenant for common uses of all property owners;
- K. Building setback lines accurately shown with dimensions. (Ord. 337 § 8, 1984)

17.08.210 Descriptions, dedications and certificates.

The final plat shall include the following:

- A. A description of property platted which shall be the same as that recorded in preceding transfer of said property or that portion of the transfer covered by plat. Should this description be cumbersome and not technically correct, a true and exact description shall be shown upon the plat, together with original description. The correct description shall follow: "The intent of all above description is to embrace all the following described property;"
- B. Dedication with notarized acknowledgement, by owner or owners, of the adoption of the plat and the dedication of streets and other public areas. In case of corporation, proper acknowledgement shall be used;
- C. Restrictions;
- D. Certification by registered land surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional and geodetic details are correct;
- E. Proper forms for the approvals of the city engineer, the hearing examiner, the city, and the county treasurer with space for signatures;
- F. Approval by signature of the county auditor, as to filing for record;
- G. All signatures shall be in India ink or other ink of equal density. No interlineations will be permitted. (Ord. 836 § 12, 2000; Ord. 337 § 8, 1984)

Chapter 17.12

SHORT SUBDIVISIONS, UNIT LOT SUBDIVISIONS, AND DEDICATIONS

Sections:

- 17.12.010 Application – Preliminary consideration.
- 17.12.020 Application – Contents.
- 17.12.030 Application – Publication.
- 17.12.040 Application – Exemptions.
- 17.12.050 Design standards.
- 17.12.060 Fees and approval procedures.
- 17.12.070 *Repealed.*
- 17.12.080 Filing and recording requirements.
- 17.12.090 Unit lot subdivision.

17.12.010 Application – Preliminary consideration.

A. Application for short subdivisions and unit lot subdivisions shall be made to the city clerk on a form established by the planning commission and reviewed by the administrator/building official and the planning commission chairman.

B. The application shall contain sufficient information, including a sketch of the proposal sufficient to indicate the general acceptability of the layout as submitted. The applicant must complete all requirements for final approval within six months of the original application. (Ord. 337 § 9, 1984)

17.12.020 Application – Contents.

The administrative official may require any or all of the following to be submitted as part of the application:

- A. Four copies of a map or plat plan of the parcel;
- B. The legal description of the property to be subdivided;
- C. Name, address and telephone number of person(s) proposing to subdivide;
- D. Name and address of licensed engineer or land surveyor, if any, (or person preparing drawing and legal descriptions);
- E. Date, north arrow, and adequate scale (one inch equals 20 feet);
- F. Lot lines, dimension of lots and area of lots;
- G. Location of existing and proposed vehicular access;
- H. Location of permanent buildings and structures, if any;
- I. Legal description of the proposed lots;
- J. Location of existing or proposed utility and storm drainage easements and facilities;
- K. Other information as determined by the administrative official. (Ord. 337 § 9, 1984)

17.12.030 Application – Publication.

Notice of application for ~~a~~ short subdivisions and unit lot subdivisions shall be given by one publication in the official newspaper of the city and by first-class mail to owners of property within 300 feet of any boundary of the subject property. The proposed development site shall also be posted, identifying the total area of the plat, the number and typical lot size, the proposed use, and the name of the applicant. (Ord. 337 § 9, 1984)

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Commented [ZT16]: Comment from Commissioner Sam Castic "Unit lot, or lot unit (like the defined term)? Probably need to adjust throughout for consistency."

Commented [ZT17R16]: The term is unit lot, but I see the confusion here on use.. See comment responses under definitions section.

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17.12.040 Application – Exemptions.

No land in the city shall be divided into four or fewer lots by or because of sale, lease, transfer or other conveyance without compliance with this chapter; except that divisions of land shall be exempt from the procedures set forth in this chapter when the following circumstances apply:

A. Any deeding of land to a public body; provided, however, that any remaining lot or lots which are consistent with zoning, or access or health requirements;

B. Any division of land for the purpose of minor adjustment of a boundary line to accommodate the transfer of land between two adjacent property owners which does not result in the creation of any new building site, substandard lot, or substandard yard or setback requirement. (Ord. 337 § 11, 1984)

17.12.050 Design standards.

A. The proposed short subdivision or unit lot subdivision shall comply with the comprehensive plan and the zoning ordinance.

B. Curb, gutter, pavement, and storm drainage facilities may be required at the discretion of the administrative official to prevent stormwater erosion and damage.

C. The proposed short subdivisions or unit lot subdivision shall provide necessary utility and drainage easements and the grantees thereof shall agree in writing to restore the easement rights-of-way to their original condition after any installation, maintenance or repair.

D. The administrative official may require additional information from the applicant to determine whether the project must be reviewed under the provisions of the State of Washington Environmental Protection Act (Chapter 43.21C RCW) and as the same may be amended and supplemented from time to time. Preliminary approval of the short subdivision or unit lot subdivision shall not be given until all requirements of the Act are fulfilled. If a stream or natural drainage may exist in the proposed short subdivision or unit lot subdivision it shall not be altered until an assessment is made of potential environmental effects. (Ord. 337 § 9, 1984)

17.12.060 Fees and approval procedures.

A. The person proposing to subdivide shall pay a fee as established periodically by city council resolution.

B. The administrative official, together with the planning commission chairman shall approve or disapprove the short subdivision or unit lot subdivision if the application is in proper form and the short subdivision or unit lot subdivision complies with the foregoing.

C. Action will ordinarily be taken on short subdivisions or unit lot subdivisions of this type within 20 days from the date the application ~~is~~ filed. No construction of structures, utilities, grading or excavation shall be allowed prior to the official approval of the short subdivision or unit lot subdivision.

D. If the necessary criteria have not been complied with, the administrative official, together with the planning commission chairman may either disapprove the application or require that the applicant make necessary changes which would cause them to give their approval. (Ord. 787 § 1, 1999; Ord. 337 § 9, 1984)

17.12.070 Right of appeal.

Repealed by Ord. 768. (Ord. 337 § 9, 1984)

17.12.080 Filing and recording requirements.

A. Short plats may require surveys and monuments.

B. The regulations shall require filing of a short plat for record in the office of the county auditor (King County department of records).

C. Filing standards for short subdivisions and unit lot subdivisions are:

1. The short plat should be standard engineering drawing size (e.g., eight-and-one-half inches by 14 inches).

Commented [ZT18]: Comment from Commissioner Maddy Larson "I don't understand this section and its implications."

Commented [ZT19R18]: This section wasn't edited for this code amendment, but to provide some insight, it provides exemptions to the short subdivision process (permitting process specifics for short subdivisions) in cases of minor boundary line adjustments and transferring land to a public body from private ownership.

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2. The legal description may be written by licensing engineer or land surveyor or by a real estate title company unless otherwise determined by the administrative official.
3. The scale of drawing shall be an engineering scale, normally one inch equals 20 feet.
4. Existing structures shall show dimensions to lot lines.
5. Items to be placed on drawings:
 - a. Name or number of short plat and date;
 - b. Existing and proposed owners, if relevant;
 - c. Lots defined by large letters, "A", "B", "C" and "D", and by square footage;
 - d. Exact location of short plat by vicinity map and streets bordering the short subdivision.
6. Other requirements set forth in this chapter.

D. Recording of Short Subdivisions and Unit Lot Subdivisions.

1. Notices of short subdivision or unit lot subdivision approval shall be prepared for recording on the form prepared by the administrative official.
2. The original of the short plat, together with a copy of the completed notice of short subdivision or unit lot subdivision approval, shall be filed with the King County department of records by the subdivider. A copy of the short plat and notice of short subdivision or unit lot subdivision approval shall be furnished for the city short-plat file. (Ord. 337 §9, 1984)

17.12.90 Unit lot subdivision.

A lot may be divided into separately owned unit lots and common areas, provided the following standards are met.

- A. Process. Unit lot subdivisions shall follow the application, review, and approval procedures for a short subdivision or subdivision, depending on the number of lots.
- B. Applicability. A lot to be developed with middle housing or multiple detached single-family residences, in which no dwelling units are stacked on another dwelling unit or other use, may be subdivided into individual unit lots as provided herein.
- C. Development as a whole on the parent lot, rather than individual unit lots, shall comply with applicable design and development standards.
- D. Subsequent platting actions and additions or modifications to structure(s) may not create or increase any nonconformity of the parent lot.
- E. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features shall be recorded with the county auditor.
- F. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.
- G. Notes shall be placed on the face of the plat or short plat as recorded with the county auditor to state the

Commented [ZT21]: Comment from Commissioner Sam Castic "Struck this as it seems like the approval procedures should be followed regardless of the number of lots being created. Does that make sense?"

Commented [ZT22R21]: I put a strikethrough here for now to show the suggested edit.

I understand the reasoning; however I believe this line is trying to state that unit lot subdivisions may be subject to short subdivision (17.12) OR subdivision (17.08) processes. The difference of which process to use being the number of lots.

An example of comparison scenarios being a developer coming in to produce a subdivision of duplexes vs an individual taking a lot to divide into two duplexes (2 parent lots, 4 unit lots)

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Commented [ZT24]: Comment from Commissioner Sam Castic: "I think I see the intent here, but wonder if it would be better worded as:

Applicable unit density, and design and development standards, that apply to a parent lot shall also apply to each unit lot created from a unit lot subdivision as if each of the unit lots together were the single parent lot. The unit density limits that apply to a parent lot cannot be exceeded by the total number of dwelling units permitted or constructed on the unit lots created from a parent lot. The design and development standards applicable to a parent lot shall also be met for development and for dwelling units permitted or constructed on unit lots created from a parent lot as if all of the unit lots were still the single parent lot"

Commented [ZT25R24]: Workshopping this would be good.

Commented [ZT26R24]: Left as is for concise wording

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following:

1. The title of the plat shall include the phrase "Unit Lot Subdivision."
2. Approval of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.

H. Effect of Preliminary Approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the public works department. All development shall be subject to any conditions imposed by the city on the preliminary approval.

I. Revision and Expiration. Unit lot subdivisions follow the revision and expiration procedures for a short subdivision.

A.J. Each unit lot that will have a dwelling unit constructed or that will otherwise be developed must continue to meet the tree canopy coverage requirements for the parent lot that are specified in the Lake Forest Park Municipal Code (including without limitation, in LFPMC 16.14.070).

Commented [ZT27]: Pulled from the state recommended language on unit lot subdivision to address legislation on this requirement - SB 5258

Commented [SC28]: HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and here and in some other places noted, I think we should reflect that so that we can be clear that tree canopy requirements currently in effect can't be circumvented by subdivisions and additional density.

Commented [ZT29R28]: Agreed and added in

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Chapter 18.08
DEFINITIONS

Sections:

18.08.010 Applicability.
18.08.020 Accessory use or accessory building.
18.08.030 Accessory dwelling unit (ADU), attached.
18.08.033 Accessory dwelling unit (DADU), detached.
18.08.035 Active ground floor uses.

18.08.040 Administrative design review

18.08.040 ~~045~~ Adult family home.
18.08.050 Adult use establishment.
18.08.055 Affordable housing.
18.08.057 Affordable unit.
18.08.060 Alley.
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18.08.090 Animal, small.
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18.08.110 Automobile, boat and trailer sales area.
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18.08.140 Building.
18.08.150 Building envelope.
18.08.160 Building (or structure) height.
18.08.170 Building, main.
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18.08.200 Cemetery.
18.08.205 Charging levels.
18.08.210 Church.
18.08.220 Commission.
18.08.230 Communication facility.
18.08.240 Conditional use.
18.08.250 Conditional use permit.

18.08.255 Cottage housing

18.08.260 Council.

18.08.263 Courtyard apartments

18.08.265 Cultural, entertainment, and/or recreational facility.
18.08.270 Day care.

18.08.275 Development regulations

18.08.277 Duplex

18.08.280 Dwelling, multifamily.
18.08.290 Dwelling, single-family.
18.08.300 Dwelling unit.
18.08.302 Electric vehicle infrastructure.
18.08.304 Electric vehicle charging stations.
18.08.306 Eligible household.
18.08.310 Family.
18.08.320 Floor area.

Commented [ZT30]: Will need renumbering upon final definitions list

Commented [ZT31]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

Commented [ZT32]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

Commented [ZT33]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

Commented [ZT34]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

- 18.08.324 Framework.
18.08.326 Freestanding parking structure.
18.08.330 Grade.
18.08.340 Health club.
18.08.350 Home occupation.
18.08.352 Hotel, boutique hotels and temporary lodging.
18.08.360 Impervious surface.
18.08.370 Instructional institution.
18.08.380 Kennel.
18.08.390 Loading zone.
18.08.400 Lot.
18.08.410 Lot area.
18.08.420 Lot width.
18.08.430 Lot lines.
18.08.440 Lot, panhandle.
~~18.08.450 Major transit stop.~~
~~18.08.470⁵⁵ Manufactured housing.~~
18.08.441 ~~460~~ Marijuana or cannabis.
18.08.442 ~~461~~ Marijuana processor.
18.08.443 ~~462~~ Marijuana producer.
18.08.444 ~~463~~ Marijuana retailer.
18.08.445 ~~464~~ Marijuana-infused products.
18.08.446 ~~465~~ Marijuana retail outlet.
18.08.447 ~~466~~ Marijuana, usable.
18.08.450 ~~470~~ Medical-dental clinic.
~~18.08.475 Middle housing.~~
18.08.460 ~~477~~ Mitigation.
~~18.08.470 Manufactured housing.~~
18.08.490 Nonconforming building.
18.08.500 Nonconforming lot.
18.08.510 Nonconforming use.
18.08.520 Open space, required.
18.08.530 Person.
18.08.540 Principal use.
18.08.550 Professional offices.
18.08.560 Public agency.
18.08.565 Public art.
18.08.567 Public market.
18.08.570 Public utility.
18.08.580 Recreational area or community club house, noncommercial.
18.08.590 Recreational area, commercial.
18.08.595 Retail sales and services.
18.08.600 *Repealed.*
18.08.610 Signs.
~~18.08.615 Single-family zones~~
~~18.08.617 Stacked flat~~
18.08.620 Street.
18.08.630 Structural alterations.
18.08.635 Solar energy system.
18.08.640 Substandard lot.
~~18.08.650 Tier 3 city~~
~~18.08.655 Townhouses~~
18.08.650 ~~657~~ Transit park and ride lot.
~~18.08.660 Unit density~~
18.08.660 ~~665~~ Use.

Commented [ZT35]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

Commented [ZT36]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

Commented [ZT37]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

Commented [ZT38]: Optional definition for clarity.

Commented [ZT39]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions. Further conversation needed on applicability.

Commented [ZT40]: Optional definition for the City to define.

18.08.680 Veterinary clinic or small animal hospital.
18.08.690 Yard.
18.08.700 Yard, front.
18.08.710 Yard, side.
18.08.720 Yard, rear.
18.08.730 Zone.

18.08.010 Applicability.

For the purpose of the chapter, the definition of words and terms used in this title shall be as provided in this chapter and as defined in the Uniform Building Code, current edition, as adopted by the state of Washington. (Ord. 773 § 3, 1999)

18.08.020 Accessory use or accessory building.

“Accessory use” or “accessory building” means a use, structure, building or portion of a building located on the same lot as the main use or building to which it is accessory. (Ord. 1235 § 1, 2022; Ord. 773 § 3, 1999)

18.08.030 Accessory dwelling unit (ADU), attached.

“Attached accessory dwelling unit” means a dwelling unit which is located on the same parent lot as a primary dwelling unit ~~city subordinate in floor area to a single-family dwelling unit and is located within or attached to a single-family dwelling unit. An accessory dwelling unit that exceeds the size limitations set forth in LPMC 18.50.050, is defined as a cottage. A detached accessory dwelling unit that exceeds the size limitations set forth in LPMC XXX, is defined as a cottage.~~
(Ord. 1235 § 1, 2022; Ord. 773 § 3, 1999)

“Detached accessory dwelling unit” means a dwelling unit located on the same parent lot as a primary dwelling unit ~~which is subordinate in floor area to a single-family dwelling unit and is constructed as part of an accessory building, detached from the primary dwelling unit. A detached accessory dwelling unit that exceeds the size limitations set forth in LPMC 18.50.050, is defined as a cottage. A detached accessory dwelling unit that exceeds the size limitations set forth in LPMC XXX, is defined as a cottage.~~

~~(Ord. 1235 § 1, 2022)~~

“Active ground floor uses” means a use that promotes an active pedestrian environment on the ground floor of a mixed use, commercial, office, residential building or freestanding parking structure, and includes retail establishments, restaurants, catering, arts and craft studios, pubs, salons, day spas, health clubs and exercise studios, professional services offices, medical and dental offices, day cares, artisanal/craft production and retail, and other uses determined to be substantially similar by the director or through development agreement proposals. (Ord. 1217 § 4, 2021)

18.08.040 Administrative Design Review

“~~Administrative design review~~” means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director’s designee based solely on objective documented design and development standards ~~without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.~~

18.08.04045 Adult family home.

“Adult family home” means the regular family abode of a person or persons who are providing personal care, room and board to more than one but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and provider are capable of meeting the standards provided for by law. (Ord. 773 § 3, 1999)

Commented [ZT41]: Will need to update numbering once final definitions list is decided.

Commented [ZT42]: Commerce Comment: 18.08.030 and .033 include subordinate in floor area to single[1]family dwelling unit. We recommend including middle housing types to ADU definition and removing subordinate in floor area to be more consistent with state statute.

Commented [ZT43]: May want to edit per middle housing and HB 1337 language.

Possible additional language could include wording that an ADU above a certain size becomes a cottage (detached) or a duplex (attached)

Commented [ZT44R43]: Parameters that guide this conversation is the following language from HB 1337:

“The city or county may not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet”

Commented [KP45R43]: Edits made for consideration by PC.

Commented [ZT46]: New comment from commerce.

Commented [ZT47R46]: •18.08.030 and .033 include subordinate in floor area to single[1]family dwelling unit. We recommend including middle housing types to ADU definition and removing subordinate in floor area to be more consistent with state statute.

Commented [ZT48]: Comment by Commissioner Maddy Larson

“Can we state “documented” design and development standards? These would be standards considered and recommended by PC to City Council.”

Commented [ZT49R48]: This may warrant a review by the city attorney.

This doesn't appear that this edit would significantly change the intent of the definition; however it is a state required definition passed in HB 1110.

Commented [ZT50]: Comment by Commissioner Maddy Larson “What standards are used to perform this review?”

Commented [ZT51R50]: Development code as specified in chapters like 18.16 (setbacks, frontage, height, etc.) and any relevant design standards for those zones (such as the ones for the Southern Gateway zones).

Commented [ZT52]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

18.08.050 Adult use establishment.

“Adult use establishment” means an enterprise predominantly involved in the selling, renting or presenting for commercial purposes books, magazines, motion pictures, films, video cassettes, cable television, adult entertainment as defined by LFPMC 5.30.010(B), performance or activity distinguished or characterized by a predominant emphasis on the depiction, simulation or relation to “specified sexual activities.” Examples of such establishments include, but are not limited to, adult book or video stores and establishments offering panorams, peep shows, or topless or nude dancing.

“Specified sexual activities” means:

- A. Human genitalia in a state of sexual arousal;
- B. Acts of human masturbation, sexual intercourse or sodomy;
- C. Erotic fondling, touching or display of human genitalia or pubic region. (Ord. 773 § 3, 1999)

18.08.055 Affordable housing.

“Affordable housing” means residential housing that is rented or owned by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household’s monthly income. (Ord. 1217 § 4, 2021)

18.08.057 Affordable unit.

“Affordable unit” means a dwelling unit that is reserved for occupancy by eligible households and sold or rented at an affordable price or affordable rent. (Ord. 1217 § 4, 2021)

18.08.060 Alley.

“Alley” means a public thoroughfare or way which affords only a secondary means of access to abutting property. (Ord. 773 § 3, 1999)

18.08.070 Alteration.

“Alteration” means any human-induced action which impacts the existing condition of a site. Alterations include but are not limited to grading; filling; dredging; draining; channelizing; cutting, limbing or topping, clearing, relocating or removing vegetation; applying herbicides or pesticides or any hazardous or toxic substance; discharging pollutants excepting stormwater; grazing domestic animals; paving, construction, application of gravel; modifying for surface water management purposes; or any other human activity that impacts the existing vegetation, hydrology, wildlife or wildlife habitat. Alteration does not include walking, passive recreation, fishing or other similar activities. (Ord. 773 § 3, 1999)

18.08.080 Amendment.

“Amendment” means a city council approved change in the wording, context or substance of this title, change in the zone boundaries or change upon zoning maps adopted hereunder, or change in an approved site plan. (Ord. 773 § 3, 1999)

18.08.090 Animal, small.

“Small animal” means any animal other than livestock or animals considered to be predatory or wild. Small animal includes, but is not limited to, fowl of all kinds, furbearing animals, bees, pets, or any other similar animal which is kept outside the owner’s residence all or part of the time. Animals normally considered to be livestock, predatory or wild, shall be considered small animals when they are taken into captivity for the purpose of breeding, domestication, training, hunting, or exhibition and which weigh less than 100 pounds. (Ord. 773 § 3, 1999)

18.08.100 Apartment.

“Apartment” means a room, or a suite of two or more rooms in a multiple dwelling or in any other building not a single-family dwelling or a two-family dwelling occupied or suitable for occupancy as a dwelling unit for one family. (Ord. 773 § 3, 1999)

18.08.105 Artisanal/craft production and/or retail.

“Artisanal/craft production and/or retail” means small-scale on-site production and/or assembly of arts, crafts, foods, beverages, or other type of product involving the use of small-scale equipment and/or hand tools and involving limited outdoor storage of materials, equipment, or products when such storage is decoratively treated or otherwise integrated into the building or site design. This definition includes retail spaces such as tasting rooms for products produced or assembled off site when the activities otherwise meet this definition. This definition excludes marijuana processing, marijuana production, or marijuana retail sales as defined in this chapter. (Ord. 1217 § 4, 2021)

18.08.107 Assisted housing.

“Assisted housing” means long-term residential housing in a building consisting of two or more dwelling units or sleeping units, which shall include support services to promote independent living such as food preparation and dining areas, group activity areas, medical supervision, and similar services. (Ord. 1217 § 4, 2021)

18.08.110 Automobile, boat and trailer sales area.

“Automobile, boat and trailer sales area” means an open area, other than a street, used for the display and sale of new or used automobiles or the sale of boats or trailers, and where no repair work is done except minor incidental repair of automobiles, boats or trailers to be displayed, sold or rented on the premises. (Ord. 773 § 3, 1999)

18.08.120 Automobile rental.

“Automobile rental” means an open area, or building, used for the parking and rental of automobiles, and where no repair work is done except minor incidental repair of automobiles to be rented on the premises. (Ord. 773 § 3, 1999)

18.08.130 Automobile service station.

“Automobile service station” means an occupancy which provides for:

A. The servicing of motor vehicles, including watercraft, and operations incidental thereto limited to the retail sale of petroleum products and automotive accessories; automobile washing by hand (except as otherwise provided herein); waxing and polishing of automobiles; tire changing and repairing (excluding recapping); battery service, changing and replacement, excluding repair and rebuilding; radiator cleaning and flushing, excluding steam cleaning and repair; and installation of accessories;

B. The following operations if conducted within a building: lubrication of motor vehicles; brake servicing limited to servicing and replacement of brake cylinders, lines and brake shoes; wheel balancing; the testing, adjustment, and replacement or servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses and wiring. (Ord. 773 § 3, 1999)

18.08.135 Automobile-oriented uses.

“Automobile-oriented uses” means businesses that have permanent facilities that allow employees to serve customers in automobiles without the employee leaving the building in which the business is housed. Automobile-oriented uses also means businesses that are primarily for the purpose of sales, service, or repair of automobiles such as parts shops, auto body shops, oil change shops, garages, gasoline/fuel stations, and similar uses. “Automobile-oriented uses” does not mean businesses that, as an auxiliary use, offer pick-up, take-out, carry-out, or to-go services. (Ord. 1217 § 4, 2021)

18.08.140 Building.

“Building” means any covered structure used or intended for supporting or sheltering any use or occupancy. (Ord. 773 § 3, 1999)

18.08.150 Building envelope.

“Building envelope” means the area of a lot that delineates the limits of where a building may be placed on the lot. (Ord. 773 § 3, 1999)

18.08.160 Building (or structure) height.

“Building height” means the vertical distance, from the average level of the undisturbed soil of the site covered by a structure, measured to the highest point of the structure, except as provided for in LFPMC 18.50.085.

“Average level” shall be determined by averaging elevations of the downward projections of the four corners of the smallest rectangle which will enclose all of the building, excluding a maximum of 30 inches of eaves. If a corner falls off the site, its elevation shall be the average elevation of the two points projected downward where the two sides of the rectangle cross the property line. (Ord. 773 § 3, 1999)

18.08.170 Building, main.

“Main building” means the principal building or other structure on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. Where a permissible use involves more than one building or structure designed or used for the primary purpose, as in the case of group homes, each such permissible building or other structure on a lot or building site as defined by this title shall be construed as comprising a main building or structure. (Ord. 773 § 3, 1999)

18.08.180 Building setback line.

“Building setback line” means a line which establishes a definite point beyond which the foundation and adjoining wall of a building shall not extend. (Ord. 773 § 3, 1999)

18.08.190 Building site.

“Building site” means a parcel of land assigned to a use, to a main building, or to a main building and its accessory buildings, together with all yards and open spaces required by this title, whether the area so devoted is comprised of one lot, a fraction of a lot, a combination of lots, or combination of lots and fractions of lots. (Ord. 773 § 3, 1999)

18.08.200 Cemetery.

“Cemetery” means land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery. (Ord. 773 § 3, 1999)

18.08.205 Charging levels.

“Charging levels” means the SAE International standard indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms 1, 2, and 3 are the most common EV charging levels, and include the following specifications:

- A. Level 1 is considered slow charging.
- B. Level 2 is considered medium charging.
- C. Level 3 is considered fast or rapid charging. (Ord. 1217 § 4, 2021)

18.08.210 Church.

“Church” means a building, together with its accessory buildings, wherein persons regularly assemble for religious worship and which building, together with its accessory buildings, is maintained and controlled by a religious body, organized to sustain public worship. A church may include day care nurseries, but excludes rest homes, convalescent homes, homes for the aged, guest homes and religious nursing homes. (Ord. 773 § 3, 1999)

18.08.220 Commission.

“Commission” means the planning commission of the city. (Ord. 773 § 3, 1999)

18.08.230 Communication facility.

“Communication facility” means a site developed primarily for the transfer of voice or data through radio transmissions. Such sites typically require the construction of transmission structures to which transmission equipment is attached or in which such equipment is housed. (Ord. 773 § 3, 1999)

18.08.240 Conditional use.

“Conditional use” means a use similar to the allowed uses in a given zone but permitted only after review by the hearing examiner, and the granting of a conditional use permit imposing such performance standards as are necessary to make the use compatible with other allowed uses in the same vicinity and zone. (Ord. 924 § 5, 2005; Ord. 773 § 3, 1999)

18.08.250 Conditional use permit.

“Conditional use permit” means the documented evidence of authority granted by the city to locate a conditional use at a particular location. (Ord. 773 § 3, 1999)

18.08.255 Cottage housing.

“Cottage housing” means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

Commented [ZT53]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

18.08.260 Council.

“Council” means the city council of the city. (Ord. 773 § 3, 1999)

18.08.263 Courtyard apartments.

“Courtyard apartments” means attached dwelling units arranged on two or three sides of a yard or court.

Commented [ZT54]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

18.08.265 Cultural, entertainment, and/or recreational facility.

“Cultural, entertainment, and/or recreational facility” means a facility providing cultural, entertainment, and/or recreational services, including but not limited to: theaters, performing arts centers, museums, play facilities, dance studios, health clubs and physical fitness facilities; however, it shall not be interpreted to include adult use establishments as defined in LFPMC 18.08.050. (Ord. 1217 § 4, 2021)

18.08.270 Day care.

“Day care,” “family day care,” and “adult day care” mean a facility used for providing the regularly scheduled on-premises care of children or adults for less than a 24-hour period. A Type I day care facility is a facility providing care for 12 or fewer children or adults. A Type II day care is a facility providing care for more than 12 children or adults. (Ord. 1217 § 4, 2021; Ord. 773 § 3, 1999)

18.08.275 Development regulations

“Development regulations” or “regulation” means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

Commented [ZT55]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

18.08.277 Duplex.

“Duplex” means a residential building with two attached dwelling units.

Commented [ZT56]: Recommended not required definition. Left for the City to define how they would like - more specific or broad

18.08.280 Dwelling, multifamily.

“Multifamily dwelling” means a residential building designed for or occupied by two or more families, with the number of families in residence not exceeding the number of dwelling units provided. ~~(Ord. 773 § 3, 1999)~~ Middle housing is a type of multifamily dwelling.

Commented [ZT57R56]: The drafted language currently allows for stacked flats and courtyard apartments to also be duplexes but does not include cottage housing.

18.08.290 Dwelling, single-family.

“Single-family dwelling” means a detached residential dwelling unit, designed for and occupied by one family. (Ord. 773 § 3, 1999)

Commented [ZT58]: Middle housing is a type of multifamily housing. Could edit for clarity here.

18.08.300 Dwelling unit.

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons and which includes permanent provisions for living, sleeping, eating, cooking and sanitation. (Ord. 1285 § 3, 2023; Ord. 773 § 3, 1999)

Commented [ZT59R58]: Added recommended edits. Not required.

18.08.302 Electric vehicle infrastructure.

“Electric vehicle infrastructure” means providing conduit for wiring and data, and associated ventilation to support the addition of future electric vehicle charging stations pursuant to the most current edition of the National Electrical Code. (Ord. 1217 § 4, 2021)

18.08.304 Electric vehicle charging stations.

“Electric vehicle charging stations” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use authorized by the LFPMC. (Ord. 1217 § 4, 2021)

18.08.306 Eligible household.

“Eligible household” means one or more adults and their dependents who certify that their household annual income does not exceed the applicable percentage of the King County median income, adjusted for household size, and who certify that they meet all qualifications for eligibility, including, if applicable, any requirements for recertification on income eligibility. (Ord. 1217 § 4 2021)

18.08.310 Family.

“Family” means one or more persons jointly occupying a single-family dwelling or dwelling unit, including the joint use of and responsibility for common areas, sharing household activities and responsibilities such as meals, chores, household maintenance, and expenses. Such persons need not be related by blood or marriage. A family does not include large institutional or congregant group living situations such as dormitories, sororities, and monasteries. (Ord. 1235 § 1, 2022; Ord. 773 § 3, 1999)

18.08.320 Floor area.

“Floor area” means a total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts and light courts and except for the area devoted exclusively to loading and unloading facilities and to parking of motor vehicles. (Ord. 773 § 3, 1999)

18.08.324 Framework.

“Framework,” including “town center framework design guidelines,” means the set of recommendations and requirements entitled “Town Center Design Guidelines Framework” adopted by the Lake Forest Park city council pursuant to Ordinance 1217, including amendments and addenda thereto. (Ord. 1217 § 4, 2021)

18.08.326 Freestanding parking structure.

“Freestanding parking structure” means a standalone building or structure of multiple levels used primarily for parking vehicles and associated with no other primary use. A freestanding parking structure may include parking on the upper (rooftop) level. A freestanding parking structure may include an accessory use as defined in this chapter. (Ord. 1217 § 4, 2021)

18.08.330 Grade.

“Grade” means the average of the ground level at the centers of all walls of a building. (Ord. 773 § 3, 1999)

18.08.340 Health club.

“Health club” means an enterprise providing recreation, including but not limited to physical fitness centers, spas, and sports and recreation clubs. (Ord. 773 § 3, 1999)

18.08.350 Home occupation.

“Home occupation” means any occupation or activity undertaken for gain or profit and carried on in a dwelling or building which is clearly secondary to the main use of the premises as a dwelling place, does not represent any exterior evidence of such secondary use, does not change the residential character of the dwelling or neighborhood, and in no way infringes upon the rights of the neighboring residences to enjoy a peaceful occupancy of their homes. (Ord. 773 § 3, 1999)

18.08.352 Hotel, boutique hotels and temporary lodging.

“Hotel, boutique hotels and temporary lodging” means a facility providing lodging of 50 or fewer rooms and related services for a charge, typically for a period of one month or less, and includes inns, residence or extended-stay hotels, and bed and breakfasts. (Ord. 1217 § 4, 2021)

18.08.360 Impervious surface.

“Impervious surface” means a hard or compacted surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions preexistent to development, or a hard or compacted surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions preexistent to development. Common impervious surfaces include but are not limited to rooftops, concrete or asphalt paving, paved walkways, patios, compacted gravel, driveways, parking lots and storage areas, and oiled, macadam, or other surfaces which similarly impeded the natural infiltration of surface water. (Ord. 773 § 3, 1999)

18.08.370 Instructional institution.

“Instructional institution” means elementary, junior high, high schools, junior colleges, colleges or universities or other schools, public or private, giving academic or technical education, training or instruction. (Ord. 773 § 3, 1999)

18.08.380 Kennel.

“Kennel” means a place where four or more adult dogs or cats or any combination thereof are kept by persons providing facilities and care for compensation, but not including a small animal hospital or clinic. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months. (Ord. 773 § 3, 1999)

18.08.390 Loading zone.

“Loading zone” means an on-site space or berth on the same lot or site with the buildings or use served, such space to serve for the temporary parking of a vehicle while loading or unloading merchandise, materials or passengers. (Ord. 773 § 3, 1999)

18.08.400 Lot.

“Lot” means a recorded plot, parcel or tract of land. If one or more lots are built upon as a unit of property, they shall be considered as a single lot. (Ord. 773 § 3, 1999)

18.08.410 Lot area.

“Lot area” means the horizontal surface area within the recorded boundary lines of a platted lot, excluding those areas wholly or in part covered by water. (Ord. 773 § 3, 1999)

18.08.420 Lot width.

“Lot width” means the average of the distance between the side lot lines measured at and along the front and rear setback lines. (Ord. 773 § 3, 1999)

18.08.430 Lot lines.

A. Lot Front Line. “Lot front line” means that lot line at which vehicular access is off of a public right-of-way, private street, access easement or tract;

B. Lot Rear Line. “Lot rear line” means a lot line which is opposite and most distant from the lot front line. For the purpose of establishing the lot rear line of a triangular or trapezoidal lot, or of a lot the rear line of which is formed by two or more lines, the following shall apply:

1. For a triangular- or gore-shaped lot, a line 10 feet in length within the lot and farthest removed from the lot front line and at right angles to the line comprising the depth of such lot shall be used as the lot rear line;
2. In the case of a trapezoidal lot, the rear line of which is not parallel to the front line, the lot rear line shall be deemed to be a line at right angles to the line comprising the depth of such lot and drawn through a point bisecting the recorded lot rear line;

C. Lot Side Line. “Lot side line” means any lot boundary line not a lot front line or a lot rear line. (Ord. 773 § 3, 1999)

18.08.440 Lot, panhandle.

“Panhandle lot” or “flag lot” means a lot that is to the rear of another lot or lots and that has access via a narrow portion of the lot that extends to a public right-of-way or access tract. (Ord. 773 § 3, 1999)

18.08.450 Major transit stop.

“Major transit stop” means:

- (A) a stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;
- (B) commuter rail stops;
- (C) stops on rail or fixed guideway systems;
- (D) stops on bus rapid transit routes, including those stops that are under construction.

18.08.470~~55~~ Manufactured housing.

“Manufactured housing” means a single-family dwelling constructed after June 15, 1976, in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance. Manufactured housing is prefabricated or assembled at a place other than a building site and is located and installed in the same manner as conventional housing, except to the extent that construction standards are regulated by the Washington State Department of Labor and Industries (Chapter 43.22 RCW). (Ord. 773 § 3, 1999)

18.08.444~~460~~ Marijuana or cannabis.

“Marijuana” or “cannabis” means all or part of the plant cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. (Ord. 1095 § 3, 2015)

18.08.442~~461~~ Marijuana processor.

“Marijuana processor” means a person licensed by the state Liquor Control Board to process marijuana into usable marijuana and marijuana-infused products, package and label usable marijuana and marijuana-infused products for sale in retail outlets, and sell usable marijuana and marijuana-infused products at wholesale to marijuana retailers. (Ord. 1095 § 4, 2015)

18.08.443~~462~~ Marijuana producer.

“Marijuana producer” means a person licensed by the state Liquor Control Board to produce and sell at wholesale to marijuana processors and other marijuana producers. (Ord. 1095 § 5, 2015)

18.08.444~~463~~ Marijuana retailer.

“Marijuana retailer” means a person licensed by the state Liquor Control Board to sell usable marijuana and marijuana-infused products in a retail outlet. (Ord. 1095 § 6, 2015)

18.08.445~~464~~ Marijuana-infused products.

“Marijuana-infused products” means products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include usable marijuana. (Ord. 1095 § 7, 2015)

18.08.446~~465~~ Marijuana retail outlet.

“Marijuana retail outlet” means a location licensed by the state Liquor Control Board for the retail sale of usable marijuana and marijuana-infused products. (Ord. 1095 § 8, 2015)

18.08.447~~466~~ Marijuana, usable.

“Usable marijuana” means dried marijuana flowers. The term “usable marijuana” does not include marijuana-infused products. (Ord. 1095 § 9, 2015)

Commented [ZT60]: Required, pursuant to the middle housing legislation which amended RCW 36.70A.030 - Definitions

Commented [ZT61]: Comment from Commissioner Maddy Larson “I disagree unless we have a qualifier of what is deemed “under construction.” Given ST delays many properties may be counted in this way long before or if ever the BRT is built.”

Commented [ZT62R61]: Noted; however, this is a state required definition that was actually amended in HB 2321 to include this piece.

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Commented [ZT63]: This is only moved to a new location to alphabetize.

18.08.450170 Medical-dental clinic.

“Medical-dental clinic” means a building or group of buildings designed for the use of, and occupied and used by, physicians and dentists and others engaged professionally in such healing arts for humans as are recognized by the laws of the state of Washington, including medical clinics; and including the installation and use of therapeutic equipment, X-ray equipment or laboratories, chemical, biochemical, and biological laboratories used as direct accessories to the medical-dental profession; dental laboratories including facilities for the making of dentures on prescription; pharmacies limited to the retail dispensing of pharmaceuticals and sick room supplies (but not room or orthopedic equipment or furniture); provided, there shall be no exterior display windows or signs pertaining to such accessory uses other than a directory sign. (Ord. 773 § 3, 1999)

18.08.475 Middle housing.

“Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

18.08.460177 Mitigation.

“Mitigation” means the use of any or all of the following actions that are listed in descending order of preference:

- A. Avoiding the impact altogether by not taking a certain action or parts of an action;
- B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
- C. Rectifying the impact by repairing, rehabilitating or restoring the affected sensitive area;
- D. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the development proposal;
- E. Compensating for the impact by replacing, enhancing or providing substitute sensitive areas and environments;
- F. Monitoring the impact and taking appropriate corrective measures. (Ord. 773 § 3, 1999)

~~18.08.470 Manufactured housing.~~

“Motel” means one or more buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached to or a parking space is conveniently located next to each unit, all for the temporary use by automobile tourists or transients, and the word includes tourist courts, motor courts, automobile courts, automobile camps and motor lodges. A unit in a motel having kitchen facilities constitutes a dwelling unit and shall be subject to all of the provisions and requirements of this title governing dwelling units for the zone in which the establishment is located, but never less than the requirements of the heaviest multiple-dwelling zone. (Ord. 773 § 3, 1999)

18.08.490 Nonconforming building.

“Nonconforming building” means a legally established building or structure which does not conform in its construction, area, yard requirements or height to the restrictions of the land use zone in which it is classified in this title. (Ord. 773 § 3, 1999)

18.08.500 Nonconforming lot.

“Nonconforming lot” means a legally established lot or parcel of land which does not conform to the regulations of the land use zone in which it is classified by this title. (Ord. 773 § 3, 1999)

18.08.510 Nonconforming use.

“Nonconforming use” means a legally established use which does not conform to the regulations of the land use zone in which it is classified by this title. (Ord. 773 § 3, 1999)

18.08.520 Open space, required.

“Required open space” means a portion of the area of a lot or building site, other than required yards, which area is required by this title, as set forth in the different classifications contained herein, to be maintained between

Commented [ZT64]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

Commented [ZT65]: Comment from Commissioner Maddy Larson “Shouldn't this refer back to a set of design standards? What one person deems compatible may not be by another.”

Commented [ZT66R65]: This was a required definition provided by the state.

It can refer back to development standards but those would need to apply to both single family houses and middle housing. For example there are design standards for residences in the Southern Gateway zone, these need to apply to both single family residences AND middle housing.

buildings, between wings of a building as common area to be available for use by the persons specified in a multiple-lot subdivision, and between buildings and any portion of a property boundary line not contiguous to a required front or side yard. Open spaces are required to be free and clear of buildings and structures and to remain open and unobstructed from the ground to the sky, except for specific permitted uses and structures. (Ord. 773 § 3, 1999)

18.08.530 Person.

“Person” means and includes an individual, firm, partnership, association or corporation, governmental agency or political subdivision. (Ord. 773 § 3, 1999)

18.08.540 Principal use.

“Principal use” means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory. (Ord. 773 § 3, 1999)

18.08.550 Professional offices.

“Professional offices” means an office maintained and used as a place of business by individuals in licensed professions and other generally recognized professions which utilize training or knowledge in the mental disciplines as distinguished from occupations primarily oriented to manual skills or the handling of commodities. (Ord. 773 § 3, 1999)

18.08.560 Public agency.

“Public agency” means any agency, political subdivision, or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts; any agency of the state of Washington, the United States or any state thereof; or any Indian tribe recognized as such by the federal government. (Ord. 773 § 3, 1999)

18.08.565 Public art.

“Public art” means all forms of original creation of audio or visual art, placed outside or inside a structure, and readily accessible for public viewing. Public art must be made of durable materials that are vandal-resistant and designed to age well. Examples of public art include paintings, sculpture, murals, inlays, mosaics, friezes or bas-reliefs. (Ord. 1217 § 4, 2021)

18.08.567 Public market.

“Public market” means a temporary or occasional market, primarily outdoors, consisting of two or more independent vendors, with each vendor operating independently from other vendors, for the purpose of selling farm-grown or home-grown produce, food prepared off site or on site, artisanal or craft products including alcoholic beverages, flowers, plants, or other similar perishable goods and/or new wares, used goods, or merchandise. (Ord. 1217 § 4, 2021)

18.08.570 Public utility.

“Public utility” means a private business organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation for persons and freight. (Ord. 773 § 3, 1999)

18.08.580 Recreational area or community club house, noncommercial.

“Recreational area or community club house, noncommercial” means an area devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, playgrounds, community club houses and other similar uses maintained and operated by a nonprofit club or organization whose membership is limited to the residents within the area. (Ord. 773 § 3, 1999)

18.08.590 Recreational area, commercial.

“Commercial recreational area” means an area operated for profit and devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, playgrounds and other similar uses whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee. (Ord. 773 § 3, 1999)

18.08.595 Retail sales and services.

“Retail sales and services” means a commercial use or enterprise providing goods, food, commodities, and/or services directly to the consumer, whose goods are available for immediate purchase and removal from the premises by the purchaser and/or whose services do not meet the definition of “professional offices.” (Ord. 1217 § 4, 2021)

18.08.600 Retirement home.

Repealed by Ord. 1217. (Ord. 773 § 3, 1999)

18.08.XXX Short Term Rental.

The term “signs” shall be defined as it is in Chapter 18.52 LFPMC. (Ord. 905 § 2, 2004; Ord. 773 § 3, 1999)

18.08.615 Single-family zones.

“Single-family zones” means those zones where single-family detached residences are the predominant land use.

Commented [ZT68]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

18.08.617 Stacked flat.

“Stacked flat” means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

Commented [ZT69]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

18.08.620 Street.

“Street” means a public or recorded private thoroughfare which affords primary means of access to abutting property. (Ord. 773 § 3, 1999)

18.08.630 Structural alterations.

“Structural alterations” means any change in the supporting members of a building or structure, such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or changes in the interior dimensions of the building or structure, or increase in floor space. (Ord. 773 § 3, 1999)

18.08.635 Solar energy system.

“Solar energy system” means solar energy devices or design features of a building used for the collection, storage, and distribution of solar energy for space heating, space cooling, lighting, electric generation, or water heating. (Ord. 1217 § 4, 2021)

18.08.640 Substandard lot.

“Substandard lot” means a lot or parcel of land which has less than the required minimum area or width as established by the zone in which it is located and provided that such lot or parcel was of record as a legally created lot on the effective date of the ordinance codified in this title. (Ord. 773 § 3, 1999)

Commented [KP70]: This definition is optional.

Commented [ZT71R70]: At February meeting, planning commission was in favor of this definition.

Commented [KP72]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

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Commented [ZT73]: Comment by Commissioner Maddy Larson “What is the difference between a Townhouse vs duplex/triplex”

Commented [ZT74R73]: With this definition, a duplex cannot be a townhouse since there needs to be at least three attached units. The number of units differ in these definitions.

Triplex on the other hand, could be a set of townhouses if arranged side by side with three attached units. I think under this definition townhouses wouldn't be three units arranged as a stacked flats (three units separated vertically). However, the city currently does not have a triplex definition and it is not required.

Commented [KP75]: Recommended definition, but City may define.

18.08.650 Tier 3 city.

“Tier 3 city” means a city with a population of less than 25,000 that is within a contiguous urban growth area with the largest city in a country with a population of more than 275,000, based on 2020 Office of Financial Management population estimates. The City of Lake Forest Park is classified as a Tier 3 city.

18.08.655 Townhouses.

“Townhouses” means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

18.08.656 Transit park and ride lot.

“Transit park and ride lot” means a parking lot, whether publicly or privately owned, providing vehicle parking and passenger and vehicular circulation specifically for the purpose of access to a metropolitan public transportation system as defined in RCW 35.58.020(14). (Ord. 773 § 3, 1999)

18.08.660 Unit density.

“Unit density” means the number of dwelling units allowed on a lot, regardless of lot size.

18.08.660665 Use.

“Use” means the nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted. (Ord. 773 § 3, 1999)

18.08.670 Variance.

“Variance” means a modification or exception to specific regulations but in accordance with the intent and purpose of such regulations, including the comprehensive plan, zoning code, or other applicable land use requirement. Variances shall be allowed upon meeting the variance criteria contained in Chapter 18.70 LFPMC. (Ord. 773 § 3, 1999)

18.08.680 Veterinary clinic or small animal hospital.

“Veterinary clinic or small animal hospital” means an establishment in which veterinary medical services, clipping, bathing and similar services are rendered to dogs, cats and other small animals and domestic pets, not including kennels. (Ord. 773 § 3, 1999)

18.08.690 Yard.

“Yard” means those open spaces on a lot other than a court, that are unoccupied and unobstructed by buildings, except as otherwise provided in this title. (Ord. 773 § 3, 1999)

18.08.700 Yard, front.

“Front yard” means that yard adjacent to the front lot line and which is measured across the full width of the lot. (Ord. 773 § 3, 1999)

18.08.710 Yard, side.

“Side yard” means those yards extending along both side lot lines from the front yard to the rear yard. (Ord. 773 § 3, 1999)

18.08.720 Yard, rear.

“Rear yard” means that yard adjacent to the rear lot line and which is measured across the full width of the lot. (Ord. 773 § 3, 1999)

18.08.730 Zone.

“Zone” means an area accurately defined as to boundaries and location on an official map and within which area only certain types of land uses are permitted, and within which other types of land uses are excluded, as set forth in this title. (Ord. 773 § 3, 1999)

Chapter 18.12

ZONING MAP

Sections:

- 18.12.010 Zones established.
- 18.12.020 Boundary questions.
- 18.12.030 Changes.
- 18.12.040 Annexed land.
- 18.12.050 Reference to zones.

18.12.010 Zones established.

The following zones are hereby established: ~~RS-20, RS-15, RS-10, RS-9.6, RS-7.2~~, RM-3600, RM-2400, RM-1800, RM-900, BN, CC, TC, SG-~~LDSFR~~, SG-T and SG-C. The location and boundaries of the various zones are such as are shown on the map titled "City of Lake Forest Park Zoning Map" codified in this title and made a part of this title. (~~Ord. 1057 § 6, 2013; Ord. 773 § 3, 1999~~)

Commented [ZT76]: If any changes to the zoning acronyms occurs, flagging this area for edits.

Commented [ZT77R76]: Edited to remove use of "single family" in acronym.

18.12.020 Boundary questions.

Where uncertainty exists as to the boundaries of any zone on the zoning map, the following rules of construction shall apply:

A. Where such boundaries are indicated as approximately following street and alley lines, the actual line shall be the centerline of such street or alley.

B. Where such boundaries are indicated as following lot lines, the actual line shall be the established lot line. (Ord. 773 § 3, 1999)

18.12.030 Changes.

No change shall be made to a zoning map except by authority of an amending ordinance. Any changes made otherwise shall be in violation of this title. (Ord. 773 § 3, 1999)

18.12.040 Annexed land.

A. All land annexed to the city after the effective date of the ordinance codified in this title shall continue to have the land use classification such land enjoyed while in the county, pending study, public hearing and specific reclassification.

B. Any lot subdivided under authority of the county and recognized by the county as a buildable lot, will, upon annexation to the city, be considered a buildable lot, even though it may be smaller than the city zoning requires for that vicinity and zone. (Ord. 773 § 3, 1999)

18.12.050 Reference to zones.

Whenever the terms "RS" and "RM" are used in this title, they refer to all zones containing these letters in their titles. (~~Ord. 773 § 3, 1999~~)

Chapter 18.16
~~RS-20 SINGLE-FAMILY~~
RESIDENTIAL, LOW

Sections:

- 18.16.010 Permitted uses.
- 18.16.020 Conditional uses.
- 18.16.030 Lot area.
- 18.16.040 Street frontage.
- 18.16.050 Lot coverage.
- 18.16.060 Yards.
- 18.16.070 Building height limit.
- 18.16.080 Impervious surface.
- 18.16.090 Tree canopy coverage.

18.16.010 Permitted uses.

The following are permitted uses in an ~~RS-20~~ zone:

- ~~A.~~ ~~A.~~ A single-family dwelling of a permanent character, placed in a permanent location.
- ~~B.~~ A B- A single middle-housing dwelling made up of two units in any of the following configurations:
 - 1. Side-by-side duplex;
 - 2. Stacked flats;
 - 3. Courtyard apartments; or
 - 4. Cottage housing.
- ~~B.~~ Home occupations, provided they meet the criteria in LFPMC 18.50.040.
- ~~C.~~ ~~C.~~ Accessory buildings and structures in accordance with the provisions in LFPMC 18.50.060.
- ~~D.~~ ~~D.~~ Manufactured housing bearing the certification of the State of Washington Department of Labor and Industries.
- ~~E.~~ ~~E.~~ Accessory dwelling units in accordance with the provisions in LFPMC 18.50.050.
- ~~F.~~ ~~F.~~ Signs in accordance with the provisions in Chapter 18.52 LFPMC.
- ~~G.~~ G-H. G. Type I day care facility in accordance with the provisions in LFPMC 18.50.045. (Ord. 773 § 3, 1999)

18.16.020 Conditional uses.

Conditional uses and associated development standards, if any, for an ~~RS-20~~ zone are those identified in Chapter 18.54 LFPMC. (~~Ord. 773 § 3, 1999~~)

18.16.030 Lot area.

The minimum required area of a lot in an ~~RS-20~~ zone shall be 20,000 square feet. (Ord. 773 § 3, 1999)

18.16.040 Street frontage.

The minimum street frontage in an ~~RS-20~~ zone shall be 75 feet along a public street right-of-way. (Ord. 773 § 3, 1999)

18.16.050 Lot coverage.

No building or combination of buildings, including accessory buildings, shall occupy or cover more than 25 percent of the net lot area in an ~~RS-20~~ zone. (~~Ord. 773 § 3, 1999~~)

Commented [ZT78]: A summary table of the zoning and permitted uses would be very helpful for the City to adopt.

Commented [ZT79R78]: Discussed with planning commission in February. They did not want to add one.

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Commented [LB80]: Add middle housing types (at a minimum, duplexes, stacked flats, cottage housing, and courtyard apartments) as permitted uses in this zone

Commented [ZT81R80]: Done.

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Commented [ZT82]: Review these provisions to check for 1337 language

Commented [ZT83R82]: Reviewed and changes made.

Commented [ZT84]: Review these provisions to check for 1337 language

Commented [ZT85R84]: Reviewed and changes made.

Commented [ZT86]: Did we review conditional use chapter?

Commented [ZT87R86]: Yes. No changes needed.

Commented [ZT88]: Comment from Commissioner Maddy Larson "Does this mean if less than 75' is available the property owner would have to request a variance?"

Commented [ZT89R88]: Flagging for further review to better address comment.

Commented [ZT90]: Comment from Commissioner Maddy Larson "Does 75" comply with the new law? I feel like there was something about 15' but maybe that was just for 6k or smaller lots?"

Commented [ZT91R90]: The law itself surrounds the added "allow for two units per lot" and for middle housing regulations to not be more restrictive than single family. (this is a quick summary) but it does not state specific

Commented [ZT92]: Comment by Commissioner

Commented [ZT93R92]: No it is not required.

Commented [ZT94]: No changes needed but for

Commented [ZT95R94]: This would mean a

18.16.060 Yards.

The following setbacks shall apply in an RS-20 zone:

A. Front yard: Not less than 20 feet measured at a right angle to the front line;

B. Side yards: ~~A minimum combined width 15 feet, not less than five feet setback on either side, with a minimum combined width of 15 feet,~~ measured from the property line to the nearest point of the building;

C. Rear yard: Not less than 20 feet. (~~Ord. 773 § 3, 1999~~)

18.16.070 Building height limit.

The building height limit in an RS-20 zone shall not exceed 30 feet. (~~Ord. 773 § 3, 1999~~)

18.16.080 Impervious surface.

The maximum impervious surface allowed in an RS-20 zone shall be 35 percent of the lot area. (~~Ord. 773 § 3, 1999~~)

18.16.090 Tree canopy coverage.

Permitted and conditional uses must meet the tree canopy coverage requirements specified in the Lake Forest Park Municipal Code (including without limitation, in LFPMC 16.14.070).

Commented [ZT96]: Comment by Commissioner Maddy Larson "For all construction (single or multi) I think we need to rethink this item. Where there is space on the lot to be at least 10 feet off the side property line it should be required. And, either way, I believe we should institute a rule that limits the number of linear feet a structure can run on a neighbor's property line to reduce the impacts of decreased light on a neighboring property. Further, I think it would be ideal that if a property is 5' off the side property line that the second floor be stepped back to avoid what we are seeing in Ballard and elsewhere - housing that looms over neighbors which isn't "compatible" per section 18.08.xx Middle Housing section of this document."

Commented [ZT97R96]: As long as any changes like this are treated similarly between single family houses and middle housing, that should work.

Commented [ZT98]: Not required but consider for readability. If this is preferred, other zoning has this language as well.

Commented [ZT99]: Comment from Commissioner Maddy Larson "Do we need to clarify where this is calculated from on a lot and what it includes in terms of protrusions on the roof? I think we currently use the average of the four corners of a lot there by leaving a loophole for a taller structure."

Commented [ZT100R99]: Leaving for discussion. Not required but can be helpful.

Commented [LB101]: Height limit may not be less than 35 feet in predominantly residential zones.

Commented [ZT102R101]: Correction, this is from the model ordinance. Not the state legislation. 30 feet is valid. The City can make this change if they wish, but it is not required.

Commented [SC103]: Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density.

Commented [ZT104R103]: Thank you for the suggested language.

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Chapter 18.18

~~RS-15 SINGLE-FAMILY~~

RESIDENTIAL, MODERATE

Sections:

- 18.18.010 Permitted uses.
- 18.18.020 Conditional uses.
- 18.18.030 Lot area.
- 18.18.040 Street frontage.
- 18.18.050 Lot coverage.
- 18.18.060 Yards.
- 18.18.070 Building height limit.
- 18.18.080 Impervious surface.
- 18.18.090 Tree canopy coverage.

18.18.010 Permitted uses.

The following are permitted uses in an ~~RS-15~~ zone:

~~A.~~ A single-family dwelling of a permanent character, placed in a permanent location.

~~A.~~

~~B.~~ B. A single middle-housing dwelling made up of two units in any of the following configurations:

1. Side-by-side duplex
2. Stacked flats
3. Courtyard apartments
4. Cottage housing

~~C.~~ Home occupations, provided they meet the criteria in LFPMC 18.50.040.

~~D.~~ Accessory buildings and structures in accordance with the provisions in LFPMC 18.50.060.

~~E.~~ Manufactured housing bearing the certification of the State of Washington Department of Labor and Industries.

~~F.~~ Accessory dwelling units in accordance with the provisions in LFPMC 18.50.050.

~~G.~~ Signs in accordance with the provisions in Chapter 18.52 LFPMC.

~~H.~~ Type I day care facility in accordance with the provisions in LFPMC 18.50.045. ~~(Ord. 773 § 3, 1999)~~

18.18.020 Conditional uses.

Conditional uses and associated development standards, if any, for an ~~RS-15~~ zone are those identified in Chapter 18.54 LFPMC. (Ord. 773 § 3, 1999)

18.18.030 Lot area.

The minimum required area of a lot in an ~~RS-15~~ zone shall be 15,000 square feet. (Ord. 773 § 3, 1999)

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Commented [LB108]: Review these provisions to check for 1337 language

18.18.040 Street frontage.

The minimum street frontage in an ~~RS-15~~ zone shall be 75 feet along a public street right-of-way. (Ord. 773 § 3, 1999)

18.18.050 Lot coverage.

No building or combination of buildings, including accessory buildings, shall occupy or cover more than 27 1/2 percent of the net lot area in an ~~RS-15~~ zone. (Ord. 773 § 3, 1999)

18.18.060 Yards.

The following setbacks shall apply in an ~~RS-15~~ zone:

A. Front yard: Not less than 20 feet measured at a right angle to the front line;

B. Side yards: ~~A minimum combined width of 15 feet, n~~Not less than five feet on either side, ~~with a minimum combined width of 15 feet,~~ measured from the property line to the nearest point of the building;

C. Rear yard: Not less than 20 feet. ~~(Ord. 773 § 3, 1999)~~

18.18.070 Building height limit.

The building height limit in an ~~RS-15~~ zone shall not exceed 30 feet. (Ord. 773 § 3, 1999)

18.18.080 Impervious surface.

The maximum impervious surface allowed in an ~~RS-15~~ zone shall be 40 percent of the lot area. (Ord. 773 § 3, 1999)

18.18.090 Tree canopy coverage.

Permitted and conditional uses must meet the tree canopy coverage requirements specified in the Lake Forest Park Municipal Code (including without limitation, in LFPMC 16.14.070).

Commented [LB109]: Review to ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [SC110]: Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density.

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Chapter 18.20

~~RS-10~~ SINGLE-FAMILY RESIDENTIAL, MODERATE/HIGH

Sections:

- 18.20.010 Permitted uses.
- 18.20.020 Conditional uses.
- 18.20.030 Lot area.
- 18.20.040 Street frontage.
- 18.20.050 Lot coverage.
- 18.20.060 Yards.
- 18.20.070 Building height limit.
- 18.20.080 Impervious surface.
- 18.20.090 Tree canopy coverage.

18.20.010 Permitted uses.

The following are permitted uses in an ~~RS-10~~ zone:

- ~~A.~~ A single-family dwelling of a permanent character, placed in a permanent location.
- B. A single middle-housing dwelling made up of two units in any of the following configurations:
 - 1. Side-by-side duplex
 - 2. Stacked flats
 - 3. Courtyard apartments
 - 4. Cottage housing

- ~~A.~~ B. Home occupations, provided they meet the criteria in LFPMC 18.50.040.
- ~~C.~~ D. Accessory buildings and structures in accordance with the provisions of LFPMC 18.50.060.
- ~~D.~~ E. Manufactured housing bearing the certification of the State of Washington Department of Labor and Industries.
- ~~E.~~ F. Accessory dwelling units in accordance with the provisions in LFPMC 18.50.050.
- ~~F.~~ G. Signs in accordance with the provisions in Chapter 18.52 LFPMC.
- ~~G.~~ H. Type I day care facility in accordance with the provisions in LFPMC 18.50.045. (Ord. 773 § 3, 1999)

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18.20.020 Conditional uses.

Conditional uses and associated development standards, if any, for an ~~RS-R-10~~ zone are those identified in Chapter 18.54 LFPMC. (Ord. 773 § 3, 1999)

18.20.030 Lot area.

The minimum required area of a lot in an ~~RS-R-10~~ zone shall be 10,000 square feet. (Ord. 773 § 3, 1999)

18.20.040 Street frontage.

The minimum street frontage in an ~~RS-R-10~~ zone shall be 75 feet along a public street right-of-way. (Ord. 773 § 3, 1999)

18.20.050 Lot coverage.

No building or combination of buildings, including accessory buildings, shall occupy or cover more than 30 percent of the net lot area in an ~~RS-R-10~~ zone. (Ord. 773 § 3, 1999)

18.20.060 Yards.

The following setbacks shall apply in an ~~RS-R-10~~ zone:

A. Front yard: Not less than 20 feet measured at a right angle to the front line;

B. Side yards: ~~A minimum combined width of 15 feet, not~~ Not less than five feet on either side, ~~with a minimum combined width of 15 feet~~ measured from the property line to the nearest point of the building;

C. Rear yard: Not less than 15 feet; except as provided in LFPMC 18.50.060. (Ord. 773 § 3, 1999)

18.20.070 Building height limit.

The building height limit in an ~~RS-R-10~~ zone shall not exceed 30 feet. (Ord. 773 § 3, 1999)

18.20.080 Impervious surface.

The maximum impervious surface allowed in an ~~RS-R-10~~ zone shall be 45 percent of the lot area. (Ord. 773 § 3, 1999)

18.20.090 Tree canopy coverage.

Permitted and conditional uses must meet the tree canopy coverage requirements specified in the Lake Forest Park Municipal Code (including without limitation, in LFPMC 16.14.070).

Commented [LB115]: Review to ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [SC116]: Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density.

Commented [ZT117]: Comment from Commissioner Sam Castic "Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density."

Commented [ZT118R117]: Thank you for the suggested language.

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Chapter 18.21

~~RS-9.6 SINGLE-FAMILY-~~RESIDENTIAL, MODERATE/HIGH

Sections:

- 18.21.010 Permitted uses.
- 18.21.020 Conditional uses.
- 18.21.030 Lot area.
- 18.21.040 Lot width.
- 18.21.050 Lot coverage.
- 18.21.060 Yards.
- 18.21.070 Building height limit.
- 18.21.080 Impervious surface.
- 18.21.090 Tree canopy coverage.

18.21.010 Permitted uses.

The following are permitted uses in an ~~RS-R-9.6~~ zone:

- A. ~~A~~-A ~~single-family~~residential dwelling of a permanent character, placed in a permanent location.
- B. A single middle-housing dwelling made up of two units in any of the following configurations:
 - 1. Side-by-side duplex
 - 2. Stacked flats
 - 3. Courtyard apartments
 - 4. Cottage housing
- A. ~~B~~-Home occupations, provided they meet the criteria in LFPMC 18.50.040.
- C. ~~C~~-Accessory buildings and structures in accordance with the provisions of LFPMC 18.50.060.
- D. ~~D~~-Manufactured housing bearing the certification of the State of Washington Department of Labor and Industries.
- E. ~~E~~-Accessory dwelling units in accordance with the provisions of LFPMC 18.50.050.
- F. ~~F~~-Signs in accordance with the provisions in Chapter 18.52 LFPMC.
- G. ~~G~~-Type I day care facility in accordance with the provisions in LFPMC 18.50.045. (Ord. 773 § 3, 1999)

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18.21.020 Conditional uses.

Conditional uses and associated development standards, if any, for an ~~RS-R-9.6~~ zone are those identified in Chapter 18.54 LFPMC. (Ord. 773 § 3, 1999)

18.21.030 Lot area.

The minimum required area of a lot in an ~~RS-R-9.6~~ zone shall be 9,600 square feet. (Ord. 773 § 3, 1999)

18.21.040 Lot width.

The minimum required width of a lot in an ~~RS-R-9.6~~ zone shall be 70 feet. (Ord. 773 § 3, 1999)

18.21.050 Lot coverage.

No building or combination of buildings, including accessory buildings, shall occupy or cover more than 30 percent of the net lot area in an ~~RS-R-9.6~~ zone. (Ord. 773 § 3, 1999)

18.21.060 Yards.

The following setbacks shall apply in an ~~RS-R-9.6~~ zone:

A. Front yard: Not less than 20 feet measured at a right angle to the front lot line;

B. Side yards: ~~A minimum combined width of 15 feet, n~~Not less than five feet on either side, ~~with a minimum combined width of 15 feet~~ measured from the property line to the nearest point of the building;

C. Rear yard: Not less than 15 feet; except as provided in LFPMC 18.50.060. (Ord. 773 § 3, 1999)

18.21.070 Building height limit.

The building height limit in an ~~RS-R-9.6~~ zone shall not exceed 30 feet. (Ord. 773 § 3, 1999)

18.21.080 Impervious surface.

The maximum impervious surface allowed in an ~~RS-R-9.6~~ zone shall be 45 percent of the lot area. (Ord. 773 § 3, 1999)

18.21.090 Tree canopy coverage.

Permitted and conditional uses must meet the tree canopy coverage requirements specified in the Lake Forest Park Municipal Code (including without limitation, in LFPMC 16.14.070).

Commented [LB123]: Review to ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [SC124]: Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density.

Commented [ZT125]: Comment from Commissioner Sam Castic "Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density."

Commented [ZT126R125]: Thank you for the suggested language.

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Chapter 18.22
~~RS-7.2 SINGLE-FAMILY-~~
RESIDENTIAL, HIGH

Sections:

- 18.22.010 Permitted uses.
- 18.22.020 Conditional uses.
- 18.22.030 Lot area.
- 18.22.040 Lot width.
- 18.22.050 Lot coverage.
- 18.22.060 Yards.
- 18.22.070 Building height limit.
- 18.22.080 Impervious surface.
- 18.22.090 Tree canopy coverage

18.22.010 Permitted uses.

The following are permitted uses in an ~~RS-R-7.2~~ zone:

- ~~A.~~ A. A single-family residential dwelling of a permanent character, placed in a permanent location.
- B. A single middle-housing dwelling made up of two units in any of the following configurations:
 - 1. Side-by-side duplex
 - 2. Stacked flats
 - 3. Courtyard apartments
 - 4. Cottage housing
- ~~A.~~ B. Home occupations, provided they meet the criteria in LFPMC 18.50.040.
- ~~C.~~ C. Accessory buildings and structures in accordance with the provisions in LFPMC 18.50.060.
- ~~D.~~ D. Manufactured housing bearing the certification of the State of Washington Department of Labor and Industries.
- ~~E.~~ E. Accessory dwelling units in accordance with the provisions in LFPMC 18.50.050.
- ~~F.~~ F. Signs in accordance with the provisions in Chapter 18.52 LFPMC.
- ~~G.~~ G. Type I day care facility in accordance with the provisions in LFPMC 18.50.045. (~~Ord. 773 § 3, 1999~~)

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18.22.020 Conditional uses.

Conditional uses and associated development standards, if any, for an ~~RS-R-7.2~~ zone are those identified in Chapter 18.54 LFPMC. (~~Ord. 773 § 3, 1999~~)

18.22.030 Lot area.

The minimum required area of a lot in an ~~RS-R-7.2~~ zone shall be 7,200 square feet. (~~Ord. 773 § 3, 1999~~)

18.22.040 Lot width.

The minimum required width of a lot in an ~~RS-R-7.2~~ zone shall be 60 feet. (~~Ord. 773 § 3, 1999~~)

18.22.050 Lot coverage.

No building or combination of buildings, including accessory buildings, shall occupy or cover more than 35 percent of the net lot area in an ~~RS-R-7.2~~ zone. (~~Ord. 773 § 3, 1999~~)

18.22.060 Yards.

The following setbacks shall apply in an ~~RS-R-7.2~~ zone:

- A. Front yard: Not less than 20 feet measured at a right angle to the front line;
- B. Side yards: ~~A minimum combined width of 15 feet.~~ Not less than five feet on either side, ~~with a minimum-combined width of 15 feet~~ measured from the property line to the nearest point of the building;
- C. Rear yard: Not less than 15 feet except as provided in LFPMC 18.50.060. (~~Ord. 773 § 3, 1999~~)

18.22.070 Building height limit.

The building height limit in an ~~RS-R-7.2~~ zone shall not exceed 30 feet. (~~Ord. 773 § 3, 1999~~)

18.22.080 Impervious surface.

The maximum impervious surface allowed in an ~~RS-R-7.2~~ zone shall be 45 percent of the lot area. (~~Ord. 773 § 3, 1999~~)

18.22.090 Tree canopy coverage.

Permitted and conditional uses must meet the tree canopy coverage requirements specified in the Lake Forest Park Municipal Code (including without limitation, in LFPMC 16.14.070) .

Commented [LB131]: Review to ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [SC132]: Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density.

Commented [ZT133]: Comment from Commissioner Sam Castic "Here and in the other zoning sections where we're adding middle housing, I think we should clarify something like this.

HB 1110 allows for tree canopy requirements to continue to be addressed for permitted development, and specifying this may help clarify that tree canopy requirements currently in effect can't be circumvented by additional density."

Commented [ZT134R133]: Thank you for the suggested language.

Chapter 18.24

RM-3600 RESIDENTIAL MULTIFAMILY

Sections:

- 18.24.010 Purpose.
- 18.24.020 Permitted uses.
- 18.24.030 Conditional uses.
- 18.24.040 Lot area.
- 18.24.050 Lot area per dwelling unit.
- 18.24.060 Lot width.
- 18.24.070 Land coverage.
- 18.24.080 Yards.
- 18.24.090 Building height.
- 18.24.100 Parking.
- 18.24.110 Screening and landscaping.
- 18.24.120 Signs.

18.24.010 Purpose.

The principle objective and purpose to be served by this classification and its application is to permit a limited increase in population density in those areas to which this classification applies by permitting low density multiple dwellings and duplexes, while, at the same time, by means of the standards and requirements set forth herein, maintaining a desirable family living environment by establishing a minimum lot area and yards and open spaces. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet the needs resulting from a defined intensity of land use. (Ord. 773 § 3, 1999)

18.24.020 Permitted uses.

The following uses are permitted in the RM-3600 multifamily zone:

A. ~~A.~~ Those uses permitted in the RS-7.2 zoning district;

~~B. A two-family dwelling (duplex);~~

~~C. B.~~ A multifamily dwelling, townhouse, apartment, cooperative, condominium, each dwelling unit having one or more bedrooms. No such dwelling unit shall be occupied by more than one family;

~~C. D.~~ Senior citizen apartments;

~~D. E.~~ Accessory buildings and structures in accordance with LFPMC 18.50.050. (Ord. 773 § 3, 1999)

18.24.030 Conditional uses.

Conditional uses and associated development standards, if any, for the RM-3600 multifamily zone are those identified in Chapter 18.54 LFPMC. (Ord. 773 § 3, 1999)

18.24.040 Lot area.

The minimum required area of a lot in an RM-3600 zone shall be 7,200 square feet. (Ord. 773 § 3, 1999)

18.24.050 Lot area per dwelling unit.

In an RM-3600 zone, the lot area per dwelling unit shall be not less than 3,600 square feet. (Ord. 773 § 3, 1999)

18.24.060 Lot width.

Every lot in the RM-3600 zone shall have a width of not less than 60 feet. (Ord. 773 § 3, 1999)

Commented [LB135]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [ZT136R135]: Comment applies to RS rather than RM zones.

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Commented [ZT137]: Sometimes it is better to just restate the uses than to direct users to a different code section. Seeking direction if this method would still be preferred or not.

Commented [ZT138R137]: Leave as is

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Commented [ZT139]: When RS-7.2 is edited for middle housing, it includes the addition of duplexes in that zone, so (B) is now redundant.

In the future, the City *could* put wording here to allow for additional middle housing types or affordability pieces or incentives, but that is a later piece.

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Commented [LB140]: Add middle housing types (at a minimum, duplexes, stacked flats, cottage housing, and courtyard apartments) as permitted uses in this zone

Commented [ZT141R140]: Since RS-7.2 includes middle housing, this comment is covered in A.

Future City edits could add additional middle housing types (triplex, quadplex, etc.) to the RM zones IF desired, but for the middle housing ordinance it is not required.

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Commented [LB142]: Review these provisions to check for 1337 language

Commented [ZT143R142]: Done

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18.24.070 Land coverage.

Maximum land coverage of buildings in the RM-3600 multifamily zone shall be:

- A. Interior lot, 35 percent;
- B. Corner lot, 40 percent;
- C. Building with swimming pool, 40 percent. (Ord. 773 § 3, 1999)

Commented [LB144]: Review to ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [ZT145R144]: Comment applies to RS rather than RM zones.

18.24.080 Yards.

Setbacks for the RM-3600 multifamily zone shall be as follows:

- A. Front yard, 20 feet;
- B. Side yards, 10 feet;
- C. Rear yard, 20 feet. (Ord. 773 § 3, 1999)

Commented [LB146]: Review to ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [ZT147R146]: Comment applies to RS rather than RM zones.

18.24.090 Building height.

Maximum building height in the RM-3600 multifamily zone shall be 35 feet. (Ord. 773 § 3, 1999)

18.24.100 Parking.

Off-street parking shall be provided in the RM-3600 multifamily zone subject to regulations of Chapter 18.58 LFPMC. (Ord. 773 § 3, 1999)

18.24.110 Screening and landscaping.

All sites in the RM-3600 multifamily zone shall have adequate screening and landscaping, subject to regulations of Chapter 18.62 LFPMC. (Ord. 773 § 3, 1999)

18.24.120 Signs.

Signs are limited to those provided for in Chapter 18.52 LFPMC. (Ord. 773 § 3, 1999)

Chapter 18.26

RM-2400 RESIDENTIAL MULTIFAMILY

Sections:

- 18.26.010 Purpose.
- 18.26.020 Permitted uses.
- 18.26.030 Conditional uses.
- 18.26.040 Lot area.
- 18.26.050 Lot area per dwelling unit.
- 18.26.060 Lot width.
- 18.26.070 Land coverage.
- 18.26.080 Yards.
- 18.26.090 Building height.
- 18.26.100 Parking.
- 18.26.110 Screening and landscaping.
- 18.26.120 Signs.

18.26.010 Purpose.

The principal objective and purpose to be served by this classification and its application is to establish areas permitting a greater population density than is allowed in more restrictive classifications and at the same time maintain a residential environment consistent with such greater population density. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use. (Ord. 773 § 3, 1999)

18.26.020 Permitted uses.

The following uses are permitted in the RM-2400 multifamily zone:

- A. Those uses permitted in the RM-3600 zoning district;
- B. Day care facility, provided:
 - 1. The play area shall be completely enclosed to a minimum height of six feet with a solid fence or wall; and
- C. Retirement home, provided:
 - 1. The use shall be within one-quarter mile of public transportation, including van pools whether public or private, or neighborhood shopping, which shall be accessible by sidewalk or walkway; and
 - 2. The lot area per each sleeping unit and each dwelling unit shall not be less than 1,200 square feet. (Ord. 773 § 3, 1999)

18.26.030 Conditional uses.

Conditional uses and associated development standards for the RM-2400 multifamily zone are those identified in Chapter 18.54 LFPMC. (Ord. 773 § 3, 1999)

18.26.040 Lot area.

The minimum required area of a lot in an RM-2400 zone shall be 7,200 square feet. (Ord. 773 § 3, 1999)

18.26.050 Lot area per dwelling unit.

In an RM-2400 zone, the lot area per dwelling unit shall be not less than 2,400 square feet, except as provided for in LFPMC 18.26.020(C). (Ord. 773 § 3, 1999)

18.26.060 Lot width.

Every lot in the RM-2400 zone shall have a width of not less than 60 feet. (Ord. 773 § 3, 1999)

Commented [ZT148]: No changes are needed in the rest of the RM sections but I am leaving them in the code amendments document for now for review/discussion as to why.

Discussion with planning commission may lead to wording edits in this section per comment below.

Commented [LB149]: Consider adding language to clarify that middle housing types are permitted in this zone

Commented [ZT150R149]: Not required.

Commented [LB151]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [LB152]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [LB153]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [ZT154]: Comment from Commissioner Maddy Larson "Is this compliant with the new law?"

Commented [ZT155R154]: The new law doesn't state specifics on this; however it speaks to the grey area of development feasibility. Also, flagging that the RM zones are a higher density than the RS zones so they don't need to be changed.

18.26.070 Land coverage.

Maximum land coverage of buildings in the RM-2400 multifamily zone shall be:

- A. Interior lot, 45 percent;
- B. Corner lot, 50 percent;
- C. Building with swimming pool, 50 percent. (Ord. 773 § 3, 1999)

18.26.080 Yards.

Setbacks for the RM-2400 multifamily zone shall be as follows:

- A. Front yard, 20 feet;
- B. Side yards, 10 feet;
- C. Rear yard, 20 feet. (Ord. 773 § 3, 1999)

18.26.090 Building height.

Maximum building height in the RM-2400 multifamily zone shall be 35 feet. (Ord. 773 § 3, 1999)

18.26.100 Parking.

Off-street parking shall be provided in the RM-2400 multifamily zone subject to regulations of Chapter 18.58 LFPMC. (Ord. 773 § 3, 1999)

18.26.110 Screening and landscaping.

All sites in the RM-2400 multifamily zone shall have adequate screening and landscaping, subject to regulations of Chapter 18.62 LFPMC. (Ord. 773 § 3, 1999)

18.26.120 Signs.

Signs are limited to those provided for in Chapter 18.52 LFPMC. (Ord. 773 § 3, 1999)

Commented [LB156]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [LB157]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

Chapter 18.28

RM-1800 RESIDENTIAL MULTIFAMILY

Sections:

- 18.28.010 Purpose.
- 18.28.020 Permitted uses.
- 18.28.030 Conditional uses.
- 18.28.040 Lot area.
- 18.28.050 Lot area per dwelling unit.
- 18.28.060 Lot width.
- 18.28.070 Land coverage.
- 18.28.080 Yards.
- 18.28.090 Building height.
- 18.28.100 Parking.
- 18.28.110 Screening and landscaping.
- 18.28.120 Signs.

18.28.010 Purpose.

The principal objective and purpose to be served by this classification and its application is to establish areas permitting a greater population density than is allowed in more restrictive classifications and to permit the providing of accommodations for those who desire to live in a residential atmosphere without the necessity to individually maintain a dwelling unit. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use. (Ord. 773 § 3, 1999)

18.28.020 Permitted uses.

The following uses are permitted in the RM-1800 multifamily zone:

- A. Those uses permitted in the RM-2400 zoning district.
- B. Rest homes, nursing and convalescent homes, provided:
 - 1. The accommodations and number of persons cared for conform to state and local regulations pertaining thereto; and
 - 2. That the health department shall have approved all applicable provisions.
- C. A retirement home, provided:
 - 1. The use shall be within one-quarter mile of public transportation, including van pools whether public or private, or neighborhood shopping, which shall be accessible by sidewalk or walkway; and
 - 2. The lot area per each sleeping unit and each dwelling unit shall not be less than 900 square feet. (Ord. 773 § 3, 1999)

18.28.030 Conditional uses.

Conditional uses and associated development standards, if any, for the RM-1800 multifamily zone are those identified in Chapter 18.54 LFPMC. (Ord. 773 § 3, 1999)

18.28.040 Lot area.

The minimum required area of a lot in an RM-1800 zone shall be 7,200 square feet. (Ord. 773 § 3, 1999)

18.28.050 Lot area per dwelling unit.

In an RM-1800 zone, the lot area per dwelling unit shall be not less than 1,800 square feet, except as provided for in LFPMC 18.28.020(C). (Ord. 773 § 3, 1999)

Commented [LB158]: Consider adding language to clarify that middle housing types are permitted in this zone

Commented [ZT159R158]: Not required.

Commented [LB160]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

Commented [LB161]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

18.28.060 Lot width.

In the RM-1800 zone, every lot shall have a width of not less than 60 feet. (Ord. 773 § 3, 1999)

Commented [LB162]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

18.28.070 Land coverage.

Maximum land coverage of buildings in the RM-1800 multifamily zone shall be:

Commented [LB163]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

- A. Interior lot, 45 percent;
- B. Corner lot, 50 percent;
- C. Building with swimming pool, 50 percent. (Ord. 773 § 3, 1999)

18.28.080 Yards.

Setbacks for the RM-1800 multifamily zone shall be as follows:

Commented [LB164]: Ensure no standards are required that would be more restrictive for middle housing than for single-family units

- A. Front yard, 20 feet;
- B. Side yards, 15 feet;
- C. Rear yard, 20 feet. (Ord. 773 § 3, 1999)

18.28.090 Building height.

Maximum building height in the RM-1800 multifamily zone shall be 35 feet. (Ord. 773 § 3, 1999)

18.28.100 Parking.

Off-street parking shall be provided in the RM-1800 multifamily zone subject to regulations of Chapter 18.58 LFPMC. (Ord. 773 § 3, 1999)

18.28.110 Screening and landscaping.

All sites in the RM-1800 multifamily zone shall have adequate screening and landscaping, subject to regulations of Chapter 18.62 LFPMC. (Ord. 773 § 3, 1999)

18.28.120 Signs.

Signs are limited to those provided for in Chapter 18.52 LFPMC. (Ord. 773 § 3, 1999)

Chapter 18.30

RM-900 RESIDENTIAL MULTIFAMILY

Sections:

18.30.010	Purpose.
18.30.020	Permitted uses.
18.30.030	Conditional uses.
18.30.040	Lot area.
18.30.050	Lot area per dwelling unit.
18.30.060	Lot width.
18.30.070	Land coverage.
18.30.080	Yards.
18.30.090	Building height.
18.30.100	Parking.
18.30.110	Screening and landscaping.
18.30.120	Signs.

18.30.010 Purpose.

The principal objective and purpose to be served by this classification and its application is to establish areas permitting the maximum population density and which also permits uses other than residential, such as medical, dental and social services and shelter, all for human beings. The uses permitted in this classification relate conveniently and consistently in terms of traffic generated, demands upon public service facilities and impact upon each other. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use. (Ord. 773 § 3, 1999)

18.30.020 Permitted uses.

The following uses are permitted in the RM-900 multifamily zone:

A. Those uses permitted in the RM-1800 zoning district.

B. Retirement home, provided:

1. The use shall be within one-quarter mile of public transportation, including vanpools whether public or private, or neighborhood shopping, which shall be accessible by sidewalk or walkway; and
2. The lot area per each sleeping unit and each dwelling unit shall not be less than 450 square feet. (Ord. 773 § 3, 1999)

18.30.030 Conditional uses.

Conditional uses and associated development standards, if any, for the RM-900 multifamily zone are those identified in Chapter 18.54 LFPMC. (Ord. 773 § 3, 1999)

18.30.040 Lot area.

The minimum required area of a lot in an RM-900 zone shall be 7,200 square feet. (Ord. 773 § 3, 1999)

18.30.050 Lot area per dwelling unit.

In an RM-900 zone, the lot area per dwelling unit shall not be less than 900 square feet except as provided for in LFPMC 18.30.020(B). (Ord. 773 § 3, 1999)

18.30.060 Lot width.

In the RM-900 zone, every lot shall have a width of not less than 60 feet. (Ord. 773 § 3, 1999)

18.30.070 Land coverage.

Maximum land coverage of buildings in the RM-900 multifamily zone shall be:

- A. Interior lot, 55 percent;
- B. Corner lot, 55 percent;
- C. Building with swimming pool, 60 percent. (Ord. 773 § 3, 1999)

18.30.080 Yards.

Setbacks for the RM-900 multifamily zone shall be as follows:

- A. Front yard, 20 feet;
- B. Side yards, 20 feet;
- C. Rear yard, 20 feet. (Ord. 773 § 3, 1999)

18.30.090 Building height.

Maximum building height in the RM-900 multifamily zone shall be 35 feet. (Ord. 773 § 3, 1999)

18.30.100 Parking.

Off-street parking shall be provided in the RM-900 multifamily zone subject to regulations of Chapter 18.58 LFPMC. (Ord. 773 § 3, 1999)

18.30.110 Screening and landscaping.

All sites in the RM-900 multifamily zone shall have adequate screening and landscaping, subject to regulations of Chapter 18.62 LFPMC. (Ord. 773 § 3, 1999)

18.30.120 Signs.

Signs are limited to those provided for in Chapter 18.52 LFPMC. (Ord. 773 § 3, 1999)

Commented [LB165]: Review to ensure no standards are required that would be more restrictive for middle housing than for single-family units

~~Chapter 18.34~~

~~BN NEIGHBORHOOD BUSINESS~~

(No changes needed)

~~Chapter 18.38~~

~~CC CORRIDOR COMMERCIAL~~

(No changes needed)

~~Chapter 18.42~~

~~TOWN CENTER~~

(No changes needed for middle housing compliance)

~~Chapter 18.45~~

~~SG-SFLDR SOUTHERN GATEWAY – SINGLE FAMILY LOW DENSITY RESIDENTIAL~~

Commented [ZT166]: This code section does discuss affordable housing if that needs to be reviewed at a later date.

Commented [LB167]: Consider changing to "Low Density Residential" so as not to exclude middle housing types

- Sections:
- 18.45.010 Permitted uses.
 - 18.45.015 Prohibited uses.
 - 18.45.020 Conditional uses.
 - 18.45.030 Lot area and maximum density.
 - 18.45.040 Lot width.
 - 18.45.050 Lot coverage.
 - 18.45.060 Yards.
 - 18.45.070 Building height limit.
 - 18.45.080 Impervious surface.
 - 18.45.090 Screening, landscaping and tree canopy goal.
 - 18.45.100 Signs.
 - 18.45.110 Parking requirements and traffic impact mitigation.
 - 18.45.120 Southern gateway – single-family residential zone design guidelines – Adopted – Rules of interpretation.
 - 18.45.130 Southern gateway – single-family residential zone design guidelines – Application – Effect.
 - 18.45.140 Administration.
 - 18.45.150 Bonds or other financial security.

18.45.010 Permitted uses.

The following are permitted uses in an SG-SFLDR zone:

- A. A single-family dwelling of a permanent character, placed in a permanent location.
- B. A single two-unit middle housing dwelling of a permanent character, placed in a permanent location. This can include the following configurations:
 - 1. Side-by-side duplex
 - 2. Stacked flats
 - 3. Courtyard apartments

Commented [LB168]: Add middle housing types (at a minimum, duplexes, stacked flats, cottage housing, and courtyard apartments) as permitted uses in this zone.

Commented [ZT169R168]: Done in (B)

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4. Cottage housing

- ~~A.~~ ~~B.~~ Home occupations, provided they meet the criteria in LFPMC 18.50.040.
~~B.~~ ~~C.~~ Accessory buildings and structures in accordance with the provisions in LFPMC 18.50.060.
~~C.~~ ~~D.~~ Accessory dwelling units in accordance with the provisions in LFPMC 18.50.050.
~~D.~~ ~~E.~~ Type I day care facility in accordance with the provisions in LFPMC 18.50.045.
~~E.~~ ~~F.~~ Townhouses, provided the front or rear yards do not directly face public rights-of-way or adjacent single-family residential zones.
~~F.~~ ~~H.~~ ~~G.~~ Real estate sales offices located within the development site in a temporary facility, including office space located in a temporary mobile office trailer up to 40 feet long. The real estate sales office shall be temporary in nature and used only for conducting sales activities for housing located within the development (no sales of off-site property shall be allowed). The sales office shall be removed within 30 days of completion of initial sales within the community.

18.45.015 ~~H.~~ Prohibited Uses.

“Gated communities,” that is, enclosed complexes of multiple residences that restrict public access, are prohibited. (Ord. 1057 § 1, 2013)

18.45.020 Conditional uses.

Conditional uses and associated development standards, if any, for an SG-~~SFLDR~~ zone are those identified in Chapter 18.54 LFPMC. (Ord. 1057 § 1, 2013)

18.45.030 Lot area and maximum density.

A. There is no minimum lot area. Residences may be located on common parcels held in condominium ownership.

B. The maximum density is 20 dwelling units per acre. The density shall be calculated by dividing the number of dwellings by the total area being developed, including streets, alleys, open spaces and other common areas. In using this density calculation, the maximum density allowed in this zone can be no less than two units. ~~(Ord. 1057 § 1, 2013)~~

There is no minimum required lot width. (Ord. 1057 § 1, 2013)

18.45.050 Lot coverage.

No building or combination of buildings, including accessory buildings, shall occupy or cover more than 60 percent of the net lot area. “Net lot area” shall be defined as the total land area included in the application less roads and common open space. (Ord. 1057 § 1, 2013)

18.45.060 Yards.

All buildings within the SG-~~SFLDR~~ zone must comply with the setbacks and other requirements in the southern gateway – single-family residential zone design guidelines. See Section B.1.2, Conditions at Zone Edges. (Ord. 1057 § 1, 2013)

18.45.070 Building height limit.

The building height limit in an SG-~~SFLDR~~ zone shall not exceed 35 feet as determined by LFPMC 18.08.160, Building (or structure) height. For residences with a sloped roof and not directly facing a single-family zone or across the street from a single-family zone, the maximum height of the building may be measured to the midpoint between the peak of the roof and the bottom of the eave; that is, half way up the slope of the roof.

Commented [ZT170]: Consider including this as a new line item rather than included under permitted uses when it is instead prohibited.

Commented [LB171]: Add language to clarify that up to two dwellings per lot must be allowed in this zone.

Commented [ZT172R171]: Provided additional clarity that the density maximum cannot be less than two units. This does not prohibit single family houses in this zone, just states that the code cannot restrict two units after the calculation.

Please advise if this section needs to be edited further.

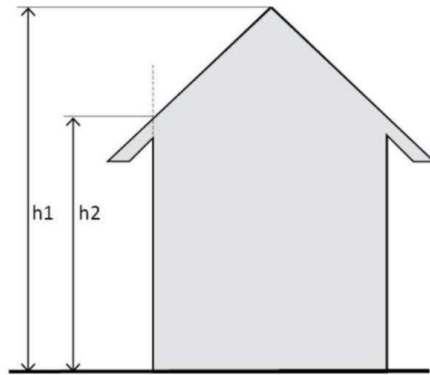


Figure 18.45.070-1. Where allowed by LFPMC 18.45.070, the height of a building with a pitched roof is $(h1 + h2)/2$, where $h2$ is measured at the surface of the roof where it intersects with a projection of the outside edge of the building wall. Where the wall/roof configuration varies, the building height shall be at the point where the height is the maximum.

(Ord. 1057 § 1, 2013)

18.45.080 Impervious surface.

The maximum impervious surface allowed in an SG-~~SFLDR~~ zone shall be 60 percent of the land area included in the application; provided, that the requirements of the city's stormwater management regulations are met (see Chapter 16.25 LFPMC). (Ord. 1057 § 1, 2013)

18.45.090 Screening, landscaping and tree canopy goal.

A. All sites in the SG-~~SFLDR~~ zone must have adequate screening and landscaping, subject to the southern gateway -- ~~single-family~~residential zone design guidelines.

B. The provisions of Chapter 16.14 LFPMC (Tree Canopy Preservation and Enhancement) shall apply; provided, that the canopy coverage goal established in LFPMC 16.14.080(A) shall be 20 percent for the SG-~~SFLDR~~ zone (measured over the whole site including roads, parking and service areas) and that the provisions under LFPMC 16.14.080(B) regarding designating a tree tract equal to five percent of the gross project area shall not apply. (Ord. 1057 § 1, 2013)

18.45.100 Signs.

Signs must comply with Chapter 18.52 LFPMC and, specifically, meet the requirements in LFPMC 18.52.050, Signs in RM and RS zones. (Ord. 1057 § 1, 2013)

18.45.110 Parking requirements and traffic impact mitigation.

All parking in the southern gateway --~~single-family~~ residential zone shall be provided in accordance with the following:

A. Provide two stalls for every dwelling unit.

B. Additionally, provide either:

1. At least one additional stall on site for visitors. This stall may be part or all of a driveway; provided, that the vehicle does not impede either pedestrian or vehicular movement; or
2. For those residences that do not include on-premises space for visitor parking, provide one shared stall per three dwellings on street or within a small parking lot with no more than eight spaces. The stalls should not be more than 200 feet from the residence it serves. On-street parking spaces or joint use parking spaces may be

Commented [LB173]: Update section to comply with middle housing parking standard requirements - see Section 9(B) of the Commerce model ordinance

used to meet this requirement. Visitor parking must meet ADA standards in terms of number and location of accessible parking stalls.

C. The parking requirement for the overall development may be met by counting all parking spaces in garages, driveways, parking lots, on-street parking included within the development as well as on-street parking along NE 145th Street, and NE 147th Street adjacent to the site. The applicant may apply for a parking reduction for conditions that reduce the actual parking need such as joint use, special populations, etc. The code administrator may allow a parking reduction if he or she determines that the reduction is justified by a parking occupancy analysis prepared by a licensed transportation planner with special qualifications in parking analysis.

D. The applicant shall submit to the city a traffic and parking impact analysis identifying the increases in traffic and off-site parking demand. The analysis shall be prepared by a licensed professional transportation engineer. The applicant shall be responsible for implementing both on-site and off-site mitigation measures that the code administrator determines necessary to prevent significant adverse impacts to transportation systems and the surrounding area. Specifically, necessary mitigation measures, such as on-site and off-site traffic calming measures, must be taken to prevent cut-through traffic and additional parking demand on streets in the surrounding area. (Ord. 1057 § 1, 2013)

E. If a housing development in the southern gateway – residential zone is a middle housing unit, off-street parking requirements apply as follows:

1. No off-street parking shall be required within one-half mile walking distance of a major transit stop.
2. A maximum of one off-street parking space per unit shall be required on lots no greater than 6,000 square feet, before any zero lot line subdivisions or lot splits.
3. A maximum of two off-street parking spaces per unit shall be required on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

18.45.120 Southern gateway – ~~single family~~-residential zone design guidelines – Adopted – Rules of interpretation.

A. The Lake Forest Park “Southern Gateway – ~~Single-Family~~-Residential Zone Design Guidelines,” dated March 28, 2013, are adopted as guidelines applicable to applications filed under the southern gateway – ~~single-family~~-residential zone review process described in LFPMC 18.47.130 through 18.47.150 and incorporated by reference herein.

Commented [LB174]: Review design guidelines and ensure they are inclusive of middle housing types

B. To the extent that a proposed development in the southern gateway – ~~single-family~~-residential zone provides parking or open space in excess of the minimum required by the applicable zoning code or design guidelines provision, the excess may be allocated to meet similar requirements in the adjacent transition zone, subject to the following limitations:

1. The property to which the excess parking or open space are to be allocated shall be part of the same development proposal as the property providing the excess parking or open space, as part of a commercial site development permit (CSDP) reviewed and approved pursuant to Chapter 18.48 LFPMC; and
2. The property with excess parking spaces and/or open space shall be developed prior to or concurrently with development of the property to which the excess parking or open space is allocated; and
3. Any excess parking in the southern gateway – ~~single-family~~-residential zone shall be within 200 feet of the property in the southern gateway – transition zone to be served by the excess parking.
4. No excess open space in the southern gateway – ~~single-family~~-residential zone may be allocated or used to reduce the amount of open space otherwise required by design guidelines B.1.1.d and B.8.1, or LFPMC 18.46.060(E) or 18.47.040(A)(2). (Ord. 1057 § 1, 2013)

Commented [ZT175]: Reviewed and this stands as a separate document that will need amending to remove use of single family in it.

18.45.130 Southern gateway – ~~single-family~~-residential zone design guidelines – Application – Effect. Except as otherwise provided, any person who plans to develop or redevelop within the southern gateway – ~~single-family~~-residential zone may apply to have the proposed project processed and reviewed according to this title. An

accepted application shall be reviewed under this chapter and the southern gateway --~~single family~~-residential zone design guidelines, both of which shall take precedence over and supersede any conflicting provision of LFPMC Titles 17 and 18, including provisions incorporated by reference into this title. (Ord. 1057 § 1, 2013)

18.45.140 Administration.

The provisions of Chapter 18.47 LFPMC and the southern gateway --~~single family~~-residential zone design guidelines shall be administered as follows:

A. The applicant shall submit a commercial site development permit application on a form provided by the city planning department, along with supporting documents required by the city planning department. The submitted materials must include drawings and information needed to evaluate the proposal with respect to the southern gateway --~~single family~~-residential zone design guidelines.

B. The application shall be reviewed first by the city code administrator generally under LFPMC 16.26.030(E), Ministerial Administrative Decisions, and LFPMC 16.26.040, Applications. LFPMC 16.26.035 providing for appeals to the city council shall not apply.

C. The code administrator shall make a recommendation according to LFPMC 16.26.080 (Type I applications -- Code administrator's recommendation) and the hearing examiner shall review the application under the procedures for a hearing examiner decision stated in LFPMC 16.26.090 through 16.26.110. (Ord. 1057 § 1, 2013)

18.45.150 Bonds or other financial security.

The city may require a bond or other financial security to ensure compliance with any aspect of a permit or approval under this chapter. (Ord. 1057 § 1, 2013)

~~Chapter 18.46~~

~~SG-C SOUTHERN GATEWAY – CORRIDOR~~

(no changes needed)

Chapter 18.47

SG-T SOUTHERN GATEWAY – TRANSITION

Sections:

- 18.47.010 Purpose.
- 18.47.020 Permitted uses – Commercial and nonresidential.
- 18.47.030 Permitted uses – Primary and accessory residential.
- 18.47.040 Limitations on use and minimum residential density.
- 18.47.050 Conditional uses.
- 18.47.060 Building height.
- 18.47.070 Setbacks and north-south access road requirement.
- 18.47.080 Land coverage.
- 18.47.090 Screening, landscaping and tree retention.
- 18.47.100 Signs.
- 18.47.110 Parking requirements and traffic impact mitigation.
- 18.47.120 Southern gateway – corridor and transition zones design guidelines – Adopted – Rules of interpretation.
- 18.47.130 Southern gateway – corridor and transition zones design guidelines – Application – Effect.
- 18.47.140 Administration.
- 18.47.150 Bonds or other financial security.

18.47.010 Purpose.

The intent of the SG-T zone is to:

- A. Encourage small to moderate scale neighborhood and community oriented residential and commercial uses which provide services to the local community, a greater range of economic opportunities and housing choices, a pleasant residential environment and a focus for the local community.
- B. Serve as transition between the more intense and larger scale development envisioned along Bothell Way and the smaller, single-family character to the north and east.
- C. Support an active, walkable mixed use center.
- D. Protect the livability and attractiveness of residential neighborhoods.

The SG-T zone should provide for increased diversity for desirable business, commercial, civic, recreation, employment, and housing opportunities in a manner that is compatible with the residential character and scale of the local neighborhood. (Ord. 1057 § 3, 2013)

18.47.020 Permitted uses – Commercial and nonresidential.

The following commercial and nonresidential uses are permitted in the SG-T zone, subject to the off-street parking, southern gateway – corridor and transition zones design guidelines and other general provisions as set forth in this title, except where modified by this chapter:

- A. Retail sales of food and commodities, which involve only incidental and limited fabrication and assembly. Uses excluded from this zone would include auto service stations, sale of gasoline or other fuels, and car washes, repair or

sale of heavy equipment, boats, tires and motor vehicles, sale of alcohol for on-premises consumption except in a restaurant with a license from the Washington State Liquor Control Board.

B. Business offices and uses which render professional, personal, and instructional services, such as real estate or insurance brokerages, consultants, medical or dental clinics, technical training, health clubs, and repair of jewelry, eyeglasses, clothing, household appliances and tools, or other such similar uses; excluding vehicle or tool rentals, pet sales and veterinary clinics.

C. Government buildings and uses, including but not limited to community centers, police stations, libraries, administrative offices, and other public service uses that are compatible with the intent of the SG-T zone.

D. Day care facilities.

E. Public utilities.

F. Electric vehicle charging stations.

G. In-home businesses and services. (Ord. 1057 § 3, 2013)

18.47.030 Permitted uses – Primary and accessory residential.

The following residential uses are permitted in the SG-T zone, subject to the off-street parking, southern gateway – corridor and transition zones design guidelines and other general provisions as set forth in this title, except where modified by this chapter:

A. Multiple dwelling units.

B. Single-family dwelling units are permitted in the SG-T zone; provided, that no single-family dwelling units shall front on the proposed north-south road along the west edge of the transition zone and single-family dwelling units shall make up no more than 50 percent of the residential units in the SG-T zone. Regardless of the number of single-family dwelling units in the transition zone, the minimum density in LFPMC 18.47.040(E) shall apply. Additionally, for single-family residences in the SG-T zone, the Lake Forest Park southern gateway – single-family residential zone design guidelines shall also apply.

C. Senior citizen apartments.

D. Convalescent, nursing and retirement homes. (Ord. 1057 § 3, 2013)

18.47.040 Limitations on use and minimum residential density.

Every use locating in the SG-T zone shall be subject to the following further conditions and limitations:

A. Buildings facing the north-south connector road (the envisioned street as described in LFPMC 18.47.070) shall feature either:

1. Ground floor commercial spaces and uses facing the connector road over at least 85 percent of the building frontage; or
2. At least 55 square feet of public open space for every one linear foot of connector road street frontage adjacent to the development. The public open space shall be a park, plaza or other publicly accessible and usable open space approved by the code administrator. Buildings featuring ground level units facing the connector road shall feature ground floors with at least 12 feet from floor to ceiling and have entries that meet the Americans with Disabilities Act standards so that they may be used for commercial activities;
3. Option 2 above notwithstanding, buildings over 35 feet in height facing the connector road must feature ground floor commercial spaces and uses over at least 85 percent of the building frontage;

B. Individual commercial and nonresidential uses within a structure shall contain no more than 40,000 square feet per use on a single floor. Uses greater than 40,000 square feet on a single floor and not more than 60,000 square feet

on a single floor are only permitted after obtaining a conditional use permit (LFPMC 18.47.050). For the purposes of this subsection, each residential unit is considered a separate use;

C. Business and residential portions of a building must be separated by soundproof walls, floors, equipment, utilities or other suitable architectural features or appurtenances;

D. All businesses, services, repair, processing, storage or merchandise displays shall be conducted wholly within an enclosed building except for the following:

1. Off-street parking or loading;
2. Storage and sale of goods in connection with an established use under the provisions of a temporary use permit or special event;
3. Merchandise displays which are located in the SG-C zone where proper provision has been made for screening and safe pedestrian and vehicular passage;
4. Small outdoor display areas, not more than 100 square feet in footprint, associated with permanent indoor retail establishments; provided, that the merchandise is brought inside when the business is not open;
5. Temporary outdoor eating and drinking areas associated with permanent indoor establishments;

E. All development must include at least 25 dwelling units per net buildable acre of the portion of the site being developed. Roadways (including sidewalks and street landscaping), protected critical areas (e.g., wetlands) and common open spaces accessible to the general public are not included in the “net buildable area” calculation;

F. Drive-through window services are prohibited; and

G. Manufacturing that requires special or heavy equipment (e.g., professional quality lathes, presses, etc.) or that uses toxic chemicals is prohibited. Fabrication that uses small scale personally operated equipment such as a sewing machine or reprographic equipment may be permitted subject to the code administrator’s approval. (Ord. 1057 § 3, 2013)

18.47.050 Conditional uses.

A. Individual commercial and nonresidential uses within a structure shall contain a maximum of 60,000 square feet in building footprint area (as measured on the ground) per use. Uses greater than 60,000 square feet in building footprint area (as measured on the ground) and not more than 100,000 are only permitted after obtaining a conditional use permit (Chapter 18.54 LFPMC).

B. Transit facilities such as park-and-ride and kiss-and-ride lots. A kiss-and-ride lot is a small parking and drop-off area where people can wait to pick up passengers arriving on transit. (Ord. 1057 § 3, 2013)

18.47.060 Building height.

A. The maximum building height limit in the SG-T zone shall not exceed 45 feet, except that portions of structures at least 100 feet from a single-family residential zone (including the SG-SFR zone) may be up to 55 feet in height. Additionally, for structures near properties zoned single-family residential (including the SG-SFR zone), the maximum height shall not exceed 35 feet, measured to the midpoint of the slope of a pitched roof (see Figure 18.45.070-1), plus one foot in height for every one foot more than 20 feet (measured horizontally) away from the property zoned single-family residential, up to a maximum height of 45 feet (i.e., maximum height = 35 feet + distance of portion of the structure from the SFR zone minus 20 feet).

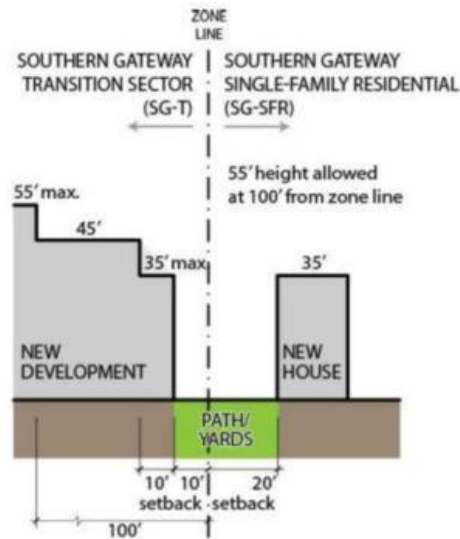


Figure 18.47.060-1. Maximum height of buildings near the southern gateway – single-family residential zone.

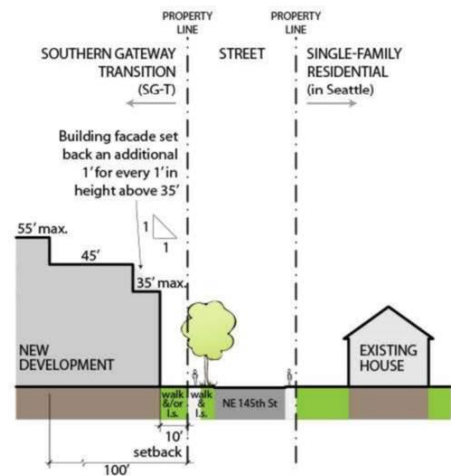


Figure 18.47.060-2. Maximum height of buildings across the street from a single-family zone (NE 145th Street is the only location where existing single-family residences are across the street from the southern gateway – transition zone).

B. For structures directly across the street from properties zoned single-family residential (including the SG-SFR zone), the maximum height shall not exceed 35 feet measured to the midpoint of the slope of a pitched roof, plus one

foot in height for every foot more than 10 feet (measured horizontally) away from the street right-of-way, up to a maximum height of 45 feet (i.e., maximum height = 35 feet + distance of portion of the structure from the SFR zone minus 10 feet). (Ord. 1057 § 3, 2013)

18.47.070 Setbacks and north-south access road requirement.

A. Where reasonably necessary to mitigate impacts disclosed by the traffic analysis prepared pursuant to LFPMC 18.47.110(B), the city's review thereof and/or the environmental review process, approval of development in the SG-T zone between NE 145th Street and NE 147th Street may be conditioned upon construction of a north-south access street. The street will run north and south generally along the western edge of the SG-T zone. The street will be approximately 60 feet wide from backside of sidewalk to backside of sidewalk (see Figure 18.47.070-1 below). The roadway design must be submitted to the city for approval. In the absence of other direction from the code administrator, the roadway will generally consist of two 10-foot-wide travel lanes, two seven-foot-wide parking lanes (or widened sidewalks) and two 13-foot-wide sidewalks plus planting areas. (Sidewalks plus planting strips together must be at least 13 feet wide.)

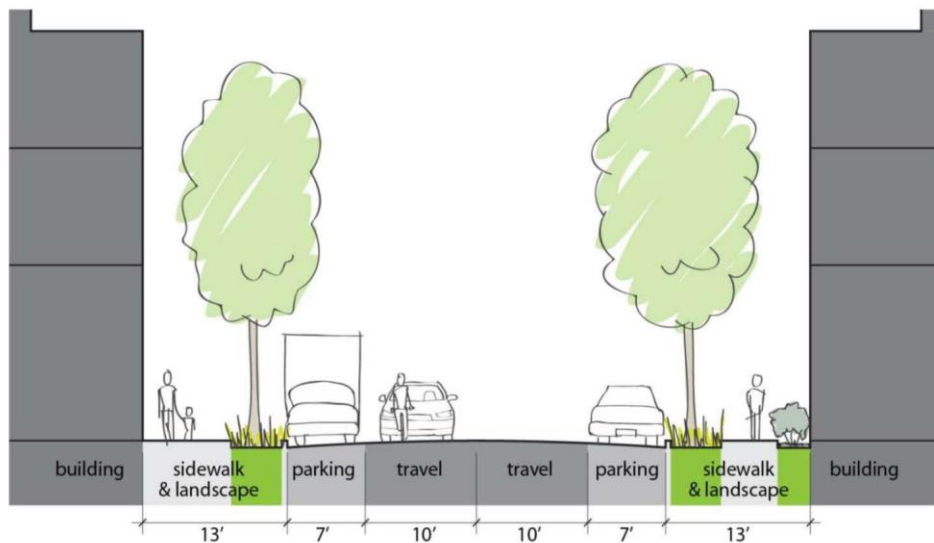


Figure 18.47.070-1. Preliminary N-S access street section.

B. Minimum setback requirements in the SG-T zone shall be:

1. Front Yard. No requirement for yards facing the N-S access street. See also southern gateway – corridor and transition zones design guidelines. For buildings facing single-family residential zones and also without pedestrian facades, buildings must be set back at least 10 feet from the public right-of-way to reduce visual impact to nearby residences.
2. No side yards required except at least a 10-foot building setback along zone boundary lines directly adjacent to a ~~single-family~~ residential zone (including the SG-~~SFLDR~~ zone).
3. No rear yards required except at least a 10-foot building setback along zone boundary lines directly adjacent to a ~~single-family~~ residential zone (including the SG-~~SFLDR~~ zone). (Ord. 1057 § 3, 2013)

18.47.080 Land coverage.

No maximum land coverage requirements provided other provisions of this title, including stormwater management and open space requirements, are met. (Ord. 1057 § 3, 2013)

18.47.090 Screening, landscaping and tree retention.

A. All sites in the SG-T zone must have adequate screening and landscaping, subject to the southern gateway – corridor and transition zones design guidelines.

B. The provisions of Chapter 16.14 LFP MC (Tree Canopy Preservation and Enhancement) shall apply; provided, that the canopy coverage goal established in LFP MC 16.14.080(A) shall be 10 percent for the SG-T zone for nonparking areas and 30 percent for open parking lots. Also, the provisions under LFP MC 16.14.080(B) regarding designating a tree tract equal to five percent of the gross project area shall not apply. (Ord. 1057 § 3, 2013)

18.47.100 Signs.

Signs are limited to those provided for in Chapter 18.52 LFP MC and the southern gateway – corridor and transition zones design guidelines. (Ord. 1057 § 3, 2013)

18.47.110 Parking requirements and traffic impact mitigation.

A. All parking in the southern gateway – transition zone shall be provided in accordance with the following:

1. Provide one stall for every 250 square feet of commercial space.
2. Provide 1.25 stalls for every dwelling unit, except that detached single-family dwelling units shall have two parking stalls per dwelling unit, plus either at least one additional stall on site for visitors or, for those residences that do not include on-premises space for visitor parking, one shared stall per three dwellings and located either on-street or within a small parking lot containing no more than eight spaces. Any additional off-site visitor parking space shall be located not more than 200 feet from the residence it serves. Where the total number of parking spaces required by this section results in a fraction, the next highest full unit shall be provided.
3. The applicant may apply for a parking reduction for conditions that reduce the actual parking need such as joint use, special populations, etc. The code administrator may allow a parking reduction if it is justified by a parking occupancy analysis prepared by a licensed transportation planner with special qualifications in parking analysis.
4. The total number of required parking spaces may be satisfied in part by use of excess parking spaces if provided as part of a contiguous development approved under LFP MC 18.45.120(B).

B. The applicant shall submit to the city traffic and parking impact analysis identifying the increases in traffic and off-site parking demand. The analysis shall be prepared by a licensed professional transportation engineer. The applicant shall be responsible for implementing both on-site and off-site mitigation measures that the code administrator determines necessary to prevent significant adverse impacts to transportation systems and the surrounding area. Specifically, necessary mitigation measures, such as on-site and off-site traffic calming measures, must be taken to prevent cut-through traffic and additional parking demand on streets in the surrounding area. (Ord. 1057 § 3, 2013)

18.47.120 Southern gateway – corridor and transition zones design guidelines – Adopted – Rules of interpretation.

A. The Lake Forest Park “Southern Gateway – Corridor and Transition Zones Design Guidelines,” dated March 28, 2013, are adopted as guidelines in the southern gateway – corridor and transition zones and incorporated by reference herein.

B. To the extent that a proposed development in southern gateway – transition zone exceeds a requirement of the applicable zoning code or design guidelines the excess may be allocated to meet similar requirements in the SG – ~~single-family residential~~ zone. This provision shall apply only to parking, impervious surfaces, lot coverage, open space, stormwater LID, and canopy coverage goals. This provision can only be implemented through a site

development plan approved by the city. The required elements or conditions supporting residential development must be provided concurrently with the residential development. (Ord. 1057 § 3, 2013)

18.47.130 Southern gateway – corridor and transition zones design guidelines – Application – Effect.

Except as otherwise provided, any person who plans to develop or redevelop within the southern gateway – transition zone shall apply to have the proposed project processed and reviewed according to this title. An accepted application shall be reviewed under this chapter and the southern gateway – corridor and transition zones design guidelines, both of which shall take precedence over and supersede any conflicting provision of LFPMC Title 17 or 18, including provisions incorporated by reference into this title, as the same may be amended. (Ord. 1057 § 3, 2013)

18.47.140 Administration.

The provisions of this chapter and the southern gateway – corridor and transition zones design guidelines shall be administered as follows:

A. The applicant shall submit a site plan application on a form provided by the city planning department, along with supporting documents required by the city planning department. The submitted materials must include drawings and information needed to evaluate the proposal with respect to the southern gateway – corridor and transition zones design guidelines.

B. The application shall first be reviewed by the city code administrator generally under LFPMC 16.26.030(E), Ministerial Administrative Decisions, and LFPMC 16.26.040, Applications. LFPMC 16.26.035 providing for appeals to the city council shall not apply.

C. The code administrator shall make a recommendation according to LFPMC 16.26.080, Type I applications – Code administrator’s recommendation, and the hearing examiner shall review the application under the procedures for a hearing examiner decision stated in LFPMC 16.26.090 through 16.26.110. (Ord. 1057 § 3, 2013)

18.47.150 Bonds or other financial security.

The city may require a bond or other financial security to ensure compliance with any aspect of a permit or approval under this chapter. (Ord. 1057 § 3, 2013)

Chapter 18.48
COMMERCIAL SITE DEVELOPMENT PERMITS

Sections:

- 18.50.010 Walls and fences.
- 18.50.020 Yards.
- 18.50.030 Boat moorage.
- 18.50.040 Home occupations.
- 18.50.045 Day care/adult day care – Type I.
- 18.50.050 Accessory dwelling units.
- 18.50.060 Accessory structures and buildings.
- 18.50.070 Vision clearance.
- 18.50.080 Permitted intrusions into required yards.
- 18.50.085 Permitted height exclusions.
- 18.50.090 Location of swimming pools.
- 18.50.100 Lighting.
- 18.50.110 Temporary use permits.
- 18.50.120 Keeping household pets.
- 18.50.130 Collective gardens and dispensaries defined.
- 18.50.140 Collective gardens prohibited.
- 18.50.160 Recreational marijuana retailers.

18.50.010 Walls and fences.

A. Fences not more than four feet in height may be constructed across the front of a lot and on the sides back as far as the building line in an RS or RM zone. Back of the building line, fences constructed along the side and rear property lines may be six feet in height. Fences higher than as set out in this subsection may be constructed provided they are located behind the building setback lines.

Commented [LB176]: Ensure standards for walls and fences are no different for middle housing types than they are for single-family units

Commented [ZT177R176]: No changes needed.

B. Barbed and razor wire fences and electrified fences are prohibited.

C. Where a fence is located directly on the ground, the height of the fence shall be the vertical distance from the top board, rail or wire to the ground directly below the fence; where a masonry wall is used as a fence, the height shall be the vertical distance from the top surface of the wall to the ground on the high side of the wall.

D. Fences may be placed on a retaining wall; provided that the fence meets the height restriction of this section. For purposes of measuring the allowed height of the fence, the low point shall correspond to the average height of the retaining wall.

E. Any fence exceeding a height of six feet, and any retaining wall exceeding a height of 48 inches shall require a building permit; the provisions and conditions of this section shall not apply to fences required by state law to surround and enclose public utility installations, or to chain link fences enclosing school grounds and public playgrounds. (Ord. 773 § 3, 1999)

18.50.020 Yards.

All front and side yard setback areas must be maintained clear of all buildings. All yards must be free of objectionable litter and refuse and municipal waste. (Ord. 773 § 3, 1999)

18.50.030 Boat moorage.

Private boat moorage or wharfs shall be allowed for the moorage of private pleasure boats of the owner of the property on which the moorage is located in waterfront areas of R zones; provided, that such moorage is in compliance with the city's shoreline management master program and with the regulations of this title. (Ord. 773 § 3, 1999)

18.50.040 Home occupations.

A. Home occupations shall be carried on entirely within the main residence and shall not exceed 500 square feet of the floor space of the residence.

B. All activities of the occupation must be conducted indoors, with the exception of those occupations related to plants and those uses specified under Chapter 18.54 LFPMC (day care).

C. No more than two persons other than members of the immediate family residing on the premises may operate or be employed in the home occupation.

D. Home occupations shall not be conducted as a retail outlet for tangible goods. Goods shall not be sold or rented on the premises. Display or storage of goods outside of the premises or in a window is prohibited. Uses providing on-site services to customers shall do so by appointment only.

E. Home occupations shall not create traffic, noise, smoke, dust, vapor, odors, vibration, glare, electrical interference, fire hazard or any other hazard or nuisance which is greater or more frequent than that commonly associated with permitted uses within the zoning district.

F. One off-street parking space in addition to that required in LFPMC 18.58.030(4) shall be required for each employee not residing on-site and sufficient off-street parking spaces for uses which provide on-site services and services by appointment to avoid any on-street parking by customers;

G. The occupation may use or store a vehicle used by the occupation provided:

1. No more than one such vehicle is allowed;
2. An off-street parking space shall be provided for the vehicle in addition to those required under subsection F of this section and LFPMC 18.58.030(4);
3. Such vehicle must not exceed a gross vehicle weight of 10,000 pounds.

H. Any use which changes the residential character of the home, including modifications of the site which would suggest a use other than residential, shall not be permitted.

I. Signs advertising home occupations shall not be permitted.

J. A business license for the home occupation issued by the city is required. This business license may not be assigned to another person nor may it be transferred to any other site. (Ord. 962 § 1, 2007; Ord. 773 § 3, 1999)

18.50.045 Day care/adult day care – Type I.

Type I day care nurseries and adult day care facilities are allowed when no more than 12 children or adults are to be cared for at one time, subject to the following provisions:

A. A minimum of one off-street parking space in addition to those required under LFPMC 18.58.030, plus one for each employee on duty.

B. Buildings, structures and landscaping shall be of a character which is appropriate for the area.

C. For day care nurseries, outdoor play areas shall be provided with a minimum of 75 square feet in area for each child using the area at one time, and shall be completely enclosed by a solid barrier such as a berm, wall or fence, with no openings except for gates, and having a minimum height of six feet, to minimize visual and noise impacts and prevent trespassing on adjacent residentially classified properties.

D. The hours of operation may be restricted to assure compatibility with surrounding development. (Ord. 773 § 3, 1999)

18.50.050 Accessory dwelling units.

Accessory dwelling units, as defined by this title, may be permitted ~~on lots of at least 7,200 square feet, and~~ provided they meet the following development criteria:

~~A. Only one accessory dwelling unit will be permitted per residential lot, except that one attached and one detached accessory dwelling unit may be permitted on lots with an area over one acre (43,560 square feet);~~

Commented [LB178]: Update to ensure compliance with ADU legislation (HB 1337)

Commented [ZT179]: •We did not find language allowing for sale by condominium as in [RCW 36.70A.681\(1\)\(k\)](#). We recommend adding to 18.50.050 for clarification.

Commented [ZT180R179]: (k) A city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit; and

Commented [ZT181R179]: Leaving for council decision

B. Accessory dwelling units shall comply with the development standards of the zoning district in which the accessory dwelling unit is located, including but not limited to, minimum lot coverage, setbacks, tree canopy coverage, etc.

B.C. The accessory dwelling unit must be subordinate to the main dwelling unit by having with a floor area that does not exceed the total floor area of the principal residence or 1,000 square feet, whichever is less.

C. Accessory dwelling units on lots less than 10,000 square feet in area must be attached, except that:

D. Accessory dwelling units on lots of 10,000 square feet or greater may be detached or part of an accessory building; provided, however, that the accessory dwelling unit shall meet the requirements of LFPMC 18.50.060;

1. However, if the converted accessory building previously contained parking, the minimum parking standards for both the principal unit and any accessory dwelling unit must be replaced elsewhere on the property.
2. Nonconforming use rules as set forth in chapter XXX18.66 LFPMC apply to any accessory buildings that are converted which but are not consistent with the applicable codes at the time of conversion.

GHG. One off-street parking space per accessory dwelling unit, in addition to that required for a single-family dwelling, shall be provided unless the accessory dwelling unit is within one-quarter-half mile of a major transit stop. Provided, however, that off-street parking spaces may be required even if the accessory dwelling unit is within one-quarter mile of a major transit stop if the director finds the following:

H. An ADU may be sold as a condominium unit or as a separate piece of property through the unit lot subdivision process. I. The accessory dwelling unit is within an area with a lack of access to on-street parking; or
18.50.060 Accessory structures and buildings.

Accessory buildings and structures are permitted uses in single-family dwelling residential zones, provided:

A. The total combined lot coverage of accessory buildings shall occupy or cover no more than 10 percent of the total area of the lot up to a maximum of 1,000 square feet; provided, that a maximum of 10 percent of the total area of the lot up to 1,500 square feet is allowed if a detached accessory dwelling unit is included in an accessory building on the lot.

B. In no case shall an accessory building have a floor area of more than 1,500 square feet. For the purposes of this provision, "floor area" includes floor area devoted to the parking and storage of motor vehicles.

C. Accessory buildings that do not include an accessory dwelling unit may only be placed in a rear yard.

D. Accessory buildings shall be 10 feet or more from the main buildings.

E. Accessory buildings may shall be placed no closer than five feet to the rear lot line, excluding Accessory dwelling units, which may shall be placed no closer than 15 feet to the rear property line unless abutting a public alley not routinely snow plowed, then the accessory dwelling unit may be placed along the lot line.

F. Accessory building height shall not exceed 15 feet, except those accessory buildings which include an accessory dwelling unit, which can be up to 25 feet in height; provided, that the building meets all zoning regulations pertaining to the primary or main building. (Ord. 1235 § 3, 2022; Ord. 773 § 3, 1999)

18.50.070 Vision clearance.

A. All corner lots subject to yard requirements shall maintain for safety vision purposes a triangular area, one angle of which shall be formed by the lot front line and the side line separating the lot from the street, and the sides of the triangle forming the corner angle shall each be 15 feet in length measured from the aforementioned angle. The third side of the triangle shall be a straight line connecting the last two mentioned points which are distant 15 feet from the intersection of the lot front and side lines. Within the area comprising the triangle, no tree, fence, shrub or other physical obstruction higher than 42 inches above the established street grade shall be permitted.

B. On lots abutting fully developed urban streets, the city may require modification or removal of structures or landscaping located in required front, rear or side yards, if such improvements prevent adequate driveway entering

Commented [KP182]: HB 1337 states that local governments may not require ADU's to be smaller than 1,000 gross sqft in size.

Commented [ZT183]: Sizing needs to be discussed with Planning Commission.

Here, the floor of 1,000 sqft (as required by the state) is also the maximum sqft for an ADU.

Commented [ZT184R183]: PC approved 1000sf

Commented [ZT190]: At February PC Meeting, there was a request to wordsmith this item more.

Commented [ZT191R190]: Done

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Commented [ZT192]: ½ mile check RCW

•18.50.050(H) states one off-street parking space unless within a quarter mile, statutory guidance in RCW 36.70A.681(2)(a)(i) does not require off-street parking within ½ mile so we recommend using ½ mile to be consistent and removing the director's discretion to require within ¼ mile as neither is consistent with guidance. See more on page 13 of Commerce's ADU guidance.

Commented [ZT193]: Commerce Comment: 18.50.050(H) states one off-street parking space unless within a quarter mile, statutory guidance in RCW 36.70A.681(2)(a)(i) does not require off-street parking within ½ mile so we recommend using ½ mile to be consistent and removing the director's discretion to require within ¼ mile as neither is consistent with guidance. See more on page 13 of Commerce's ADU guidance.

Commented [ZT194]: Commerce comment: We did not find language allowing for sale by condominium as in RCW 36.70A.681(1)(k). We recommend adding to 18.50.050 for clarification.

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Commented [ZT199]: Review against zones getting changed.

Commented [ZT200]: To review as part of ADU sizing conversation.

Commented [ZT201R200]: Done

Commented [ZT202]: Commerce Comment: Section 18.50.060(E) has a 15-foot setback from the rear property line. We recommend adding language that ADU's can be sited at the lot line when abutting a public alley, if it is not routinely snow plowed.

Commented [ZT203R202]: Lake Forest Park currently doesn't have alleys but added language in case development goes that way moving forward

sight distance to roadways from an adjoining lot or lots, and if no reasonable driveway relocation alternative is feasible. (Ord. 773 § 3, 1999)

18.50.080 Permitted intrusions into required yards.

The following may project into required yards:

- A. Eaves, not exceeding 18 inches;
- B. Fireplace structures, bay windows, garden windows, enclosed stair landings, closets, framed fireplace shafts, eaves or similar projections not exceeding 18 inches and no more than a total of eight feet measured parallel to the wall of which it is a part;
- C. Uncovered porches and platforms which do not extend above the floor level of the first floor – 18 inches into side yards and six feet into the front yard;
- D. Planting boxes or masonry planters not exceeding 42 inches in height in any required front yard. (Ord. 773 § 3, 1999)

18.50.085 Permitted height exclusions.

Height is measured to the highest point of the structure, excluding the following:

- A. Church steeples;
- B. Elevator penthouses, not to exceed 72 square feet in horizontal section, or three feet in height, for that portion above the height limit;
- C. Chimneys, not to exceed nine square feet in horizontal section or more than three feet in height, for that portion above the height limit. No multiple-flue chimney shall exceed 39 square feet in horizontal section. The first chimney shall not exceed nine square feet in horizontal section, and other chimneys shall not exceed six square feet in horizontal section;
- D. Vent pipes not to exceed 18 inches in height above the height limit. (Ord. 773 § 3, 1999)

18.50.090 Location of swimming pools.

In any zone, a swimming pool may not be located in any required front yard, nor closer than five feet to any property line or to any building on the same premises. (Ord. 773 § 3, 1999)

18.50.100 Lighting.

All floodlighting provided in this chapter to illuminate any exterior area or building shall be so arranged as to direct light away from adjoining premises and public thoroughfares. (Ord. 773 § 3, 1999)

18.50.110 Temporary use permits.

Temporary use permits shall be required for the following activities:

A. Outdoor Promotions and Fundraising Events. No outdoor promotional activities intended to attract customers to a business or shopping center shall be permitted within the limits of the city except by permit issued by the city. The city may limit the hours and duration of the temporary use and terminate such activity if it proves to be:

- 1. Detrimental to public safety or traffic upon a public way; or
- 2. Disturbing to the community by reason of noise, lighting or lighting effects; or offensive conduct; or
- 3. Different from activity described in the permit application.

B. Christmas tree lots, temporary fruit or flower stands, car washes.

C. Promotions of seasonal merchandise.

D. Similar temporary uses that will not exceed a duration of 30 days. (Ord. 773 § 3, 1999)

18.50.120 Keeping household pets.

Keeping household pets is permitted as an accessory use, pursuant to LFPMC Title 6. (Ord. 820 § 4, 2000)

18.50.130 Collective gardens and dispensaries defined.*

“Collective garden” means the use of property for growing, production, processing, transportation, and/or delivery of cannabis by qualifying patients for medical use, as set forth in RCW 69.51A.130(2). (Ord. 1060 § 1, 2013)

*Code reviser’s note: Section 5 of Ord. No. 1060 provides, “No use that constitutes or purports to be a collective garden as that term is defined in this ordinance, that was engaged in that activity prior to the enactment of this ordinance shall be deemed to have been a legally established use under the provisions of the Lake Forest Park Municipal Code and that use shall not be entitled to claim legal nonconforming status.”

18.50.140 Collective gardens prohibited.

A. Collective gardens, as defined in LFPMC 18.50.130, are prohibited in the following zoning districts:

1. All residential and mixed use districts, including ~~RS-R-20~~, ~~RS-R-15~~, ~~RS-R-10~~, ~~RS-R-9.6~~, ~~RS-R-7.2~~, RM-3600, RM-2400, RM-1800, RM-900, SG-SF, SG-C and SG-T;
2. All business and/or commercial districts, including BN, CC and TC; and
3. Any new district established after July 22, 2013.

B. Any violation of this section is declared to be a public nuisance per se, and may be abated by the city attorney under applicable provisions of this code or state law, including but not limited to the provisions of LFPMC Chapter 1.16 and/or 8.12. (Ord. 1060 § 2, 2013)

18.50.160 Recreational marijuana retailers.

A. Marijuana retail outlets licensed by the Washington State Liquor Control Board, as defined in Chapter 18.08 LFPMC, are permitted in the following zoning districts: BN and SG-C, but are prohibited in all of the zoning districts:

1. All residential and mixed use districts, including ~~RS-R-20~~, ~~RS-R-15~~, ~~RS-R-10~~, ~~RS-R-9.6~~, ~~RS-R-7.2~~, RM-3600, RM-2400, RM-1800, RM-900, SG-SF and SG-T;
2. All business and/or commercial districts, including CC and TC; and
3. Any new district established after March 26, 2015.

B. Chapter 314-55 WAC, now or as may hereafter be amended, shall apply in addition to the provisions of this chapter.

C. Limitations on Uses. The following limitations shall apply to all marijuana retailers unless stated otherwise:

1. A marijuana retailer shall not be located within 1,000 feet of the following uses or any use included in Chapter 314-55 WAC now or as may be hereafter amended:
 - a. Elementary or secondary school;
 - b. Playgrounds;
 - c. Recreation center or facility;
 - d. Child care centers;
 - e. Public parks;
 - f. Public transit centers;

- g. Libraries;
- h. Any game arcade; or
- i. Any real property with a land use designation of recreation/open space;
- j. Any real property designated for park use in an approved binding site plan under Chapter 18.48 LFPMC;
- k. Any real property designated for park use in an approved preliminary plat under LFPMC Title 17; and
- l. Any real property designated in the capital improvement plan for future park use.

D. Marijuana Retail Outlets. Marijuana odor shall be contained within the retail outlet so that the odor from marijuana cannot be detected by a person with a normal sense of smell from any abutting use or property. If marijuana odor can be smelled from any abutting use or property, the marijuana retailer shall be required to implement measures, including but not limited to installation of ventilation equipment necessary to contain the odor.

E. Security. In addition to the security requirements in Chapter 315-55 WAC, during non-business hours, all recreational marijuana retailers shall store all usable marijuana, marijuana-infused product, and cash in a safe or in a substantially constructed and locked cabinet. The safe or cabinet shall be incorporated into the building structure or securely attached thereto. For usable marijuana products that must be kept refrigerated or frozen, these products must be stored in a locked refrigerator or freezer container in a manner approved by the director, provided the container is affixed to the building structure.

F. Legal Nonconforming Uses. No use that constitutes or purports to be a marijuana producer, marijuana processor, or marijuana retailer as those terms are defined in this title, that was engaged in that activity prior to the enactment of the ordinance codified in this section, shall be deemed to have been a legally established use under the provisions of the Lake Forest Park Municipal Code, and that use shall not be entitled to claim legal nonconforming status under Chapter 18.66 LFPMC. (Ord. 1095 § 12, 2015)

~~Chapter 18.52~~

~~SIGNAGE~~

(No changes needed)

~~Chapter 18.54~~

~~CONDITIONAL USES~~

(No changes needed)

Chapter 18.58

OFF-STREET PARKING

Sections:

- 18.58.010 Required off-street parking.
- 18.58.020 Parking plan.
- 18.58.030 Parking spaces required.
- 18.58.040 Parking requirements for common facilities.
- 18.58.050 General requirements on size of parking spaces.
- 18.58.060 Surfacing.
- 18.58.070 Access.
- 18.58.080 Landscaping, pathways and amenities.
- 18.58.090 Drainage.

18.58.010 Required off-street parking.

Every building or use hereafter developed shall be provided with parking spaces as required in this chapter, and such parking space shall be made permanently available and be permanently maintained for parking purposes and, except for parking areas used for playground purposes in connection with schools, shall be used only for the parking of automobiles or trucks. Any areas used to provide required off-street parking shall be of such size and shape and so designed that the area will accommodate the number of cars to be provided for. Where structural alterations or additions to a building provide additional floor space, or additional seats or additional beds, as the case may be, the parking requirements shall only apply to the additional floor space, seats or beds. Wherever feasible, impervious parking surface shall be reduced through parking reduction mechanisms and design criteria including the use of permeable surfacing. (Ord. 1149 § 5, 2016; Ord. 773 § 3, 1999)

18.58.020 Parking plan.

Prior to the issuing of a building permit for any new building or structure, or for the enlargement of the floor area of an existing building or structure, the use of either of which requires off-street parking facilities to be provided as set forth in this title, or if a parking area is to be jointly used, a site plan of the parking area clearly indicating the number of parking spaces being provided and the proposed development of such area including location of the spaces, the size, shape, design, relationship to buildings to be served, curbcuts, lighting, landscaping and other features and appurtenances of the proposed parking facility shall be approved by the planning department. (Ord. 773 § 3, 1999)

18.58.030 Parking spaces required.

The amount of off-street parking required shall be no less than as set forth in this section.

The following uses, wherever located, shall provide off-street parking facilities as follows:

1. Churches	One parking stall for each three seats in the principal place of worship.
2. Community clubs and community recreational centers	One parking space for each employee and one parking space for each 40 square feet of gross floor area used for assembly purposes.
3. Day care	One parking space per 10 children or adults cared for, plus one parking space for each employee in addition to any other required parking.
4. Single-family dwellings Multifamily dwellings	Two parking spaces. One and one-half parking spaces per dwelling unit. Where the total quota results in a fraction, the next highest full unit shall be provided.

5 Middle h Housing dwellings	<p>A maximum of one off-street parking space per unit shall be required on lots no greater than 6,000 square feet before any zero lot line subdivisions or lot splits.</p> <p>A maximum of two off-street parking spaces per unit shall be required on lots greater than 6,000 square feet before any zero lot line subdivision or lots splits.</p> <p>No off-street parking shall be required within one-half mile walking distance of a major transit stop.</p>
6 Health clubs	One parking space for each employee, plus one parking space for each 200 square feet of floor area.
7 Hotels	One parking space for each bedroom.
8 Hospitals	One parking space for each bed.
9 Libraries, government buildings, fire stations and police stations, courts	One parking space for each employee, plus one parking space for each 250 square feet of total floor area.
10 Mortuaries	One parking space for each 40 square feet of floor area.
11 Motels	One parking space for each sleeping unit or dwelling unit.
12 Museums	One parking space for each 250 square feet of gross floor area.
13 Offices	One parking space for each 250 square feet of gross floor area.
14 Recreational facilities	One parking space for each employee and one parking stall for each 40 square feet of total floor area used for assembly purposes.
15 Rest homes, nursing and convalescent homes; homes for retired and children's institutions	One parking space for each four beds.
16 Retail	One parking space for each 200 square feet of gross floor area.
17 Rooming houses and boarding houses	One parking space for each two sleeping rooms or one parking space for each four beds, whichever is greater.
18 Self-service storage	One parking space for every 3,500 square feet of storage area provided and two additional spaces adjacent to resident manager's quarters.
19 Senior citizen apartments	One parking space for each dwelling unit.
20 Schools, elementary and junior high; public, private or parochial	One parking space for each employee and each faculty member.
21 School, high; public, private or parochial	One parking space for each 10 students and one parking space for each employee and each faculty member. Where parochial schools and churches are on the same site, the required church parking facilities shall be considered as contributing to the school parking requirement.
22 School, specialized instruction	One parking space for each instructor who does not reside on the site and one parking space for every two students and/or spectators in attendance during an instructional session.

Commented [KP204]: Required RCW 36.70A.635(6)

22 23. Arenas, auditoriums (including school auditoriums) and other places of public assembly (other than churches) and lodges	One parking space for each five fixed seats, in all parking generating areas used simultaneously for assembly purposes. If there are no fixed seats, one parking space shall be provided for each 40 square feet of gross floor area used for assembly purposes.
23 24. Storage and warehousing, comprising only activity on premises	One parking space for each two employees on maximum working shift.
24 25. Theaters	One parking space for each three seats.

The parking requirements for a use not provided for in this section shall be determined by the city planning department and such determination shall be based upon the requirements for the most comparable use specified herein. (Ord. 773 § 3, 1999)

18.58.040 Parking requirements for common facilities.

The amount of off-street parking required in LFPMC 18.58.030 may be reduced, by an amount to be determined by the planning department, when common parking facilities for two or more buildings or uses are designed and developed as one parking facility, provided;

- A. The total parking area exceeds 5,000 square feet.
- B. The amount of the reduction shall not exceed 10 percent for each use, except that the reduction may exceed 10 percent when:
 1. The reduction is based on cooperative use of parking facilities when the time during which the cooperative uses operate are not conflicting;
 2. The normal hours of operation are separated by at least one hour;
 3. The total number of off-street parking spaces in the common facility is not less than the sum of the required parking spaces for the various uses computed separately for which the hours of operation overlap.
- C. A covenant or other acceptable contract between the cooperating property owners is approved by the planning department which cannot be amended without the consent of the department.
- D. If the conditions under which the reduction in parking requirements was approved are violated, the affected property owners must provide a remedy satisfactory to the planning department or provide the full amount of required off-street parking, in accordance with the provisions of this chapter, within 90 days of notice of the violation by the director or his designee. (Ord. 773 § 3, 1999)

18.58.050 General requirements on size of parking spaces.

A. Standard Parking Spaces. Standard parking space dimensions shall be as follows:

1. Parallel parking: width, 12 feet; length, 23 feet;
2. Angle parking: width, nine feet; length, 18 feet;
3. Parking aisle width for one-way traffic in relation to parking angle shall be:

0 to 50 degrees	12 feet
55 degrees	14 feet
60 degrees	16 feet
65 degrees	18 feet

70 degrees	20 feet
90 degrees	24 feet

4. The minimum aisle width to accommodate two-way traffic shall be 20 feet, except where a greater width is required for the parking angle used.

B. Compact Parking Spaces. Within any off-street parking facility which includes more than 20 parking spaces, up to 50 percent of the total may be sized to accommodate compact cars, subject to the following:

1. Each space shall have an area of not less than 120 square feet exclusive of drives and aisles, and a width of not less than seven feet, six inches.
2. Each space shall be adequately identified as a compact or small car space.
3. Aisle widths shall conform to the standards set forth by LFPMC 18.58.050(A)(3) for standard size cars.
4. Compact car spaces shall be reasonably distributed throughout the facility. (Ord. 773 § 3, 1999)

18.58.060 Surfacing.

All of the parking areas and driveways mentioned in this chapter, excluding those for single-family residential uses, shall be surfaced with an asphaltic or better material so as to provide a surface that is durable for the purpose and dust-free. Parking will not be permitted in entrances and exits. (Ord. 773 § 3, 1999)

18.58.070 Access.

Where the side street is available, access to the parking area must be made from that side street or lower classified street. Access to arterial and collector streets should only be done when no other reasonable access alternative exists. Where access must be made from an arterial right-of-way, the location of the parking access must comply with city standards and every effort shall be made to reduce traffic congestion and hazards. (Ord. 773 § 3, 1999)

18.58.080 Landscaping, pathways and amenities.

A. Purpose. To realize the city's vision and reflect community values, all aspects of our city should ensure that the natural environment is celebrated. This includes the trees, lands, buildings and connections, as well as the spaces where vehicles park. Incorporating natural elements to provide shade, assist in managing surface water, and enhance the ecology of the location both reflect the character of the city and play an important role in combating the effect of urban heat islands that contribute to climate change.

B. Applicability.

1. New projects or redevelopment projects exceeding 50 percent of the fair market value of the parking lot must comply with these regulations in their entirety.
2. Redevelopment projects not exceeding 50 percent of the fair market value of the parking lot must comply with these regulations for all new or replaced portions of the parking lot.
3. Maintenance of existing parking lots that does not include altering the footprint of the parking lot, such as grind and overlay or restriping projects, must comply with these regulations where possible.

C. Landscaping. Parking lot landscaping is required as follows:

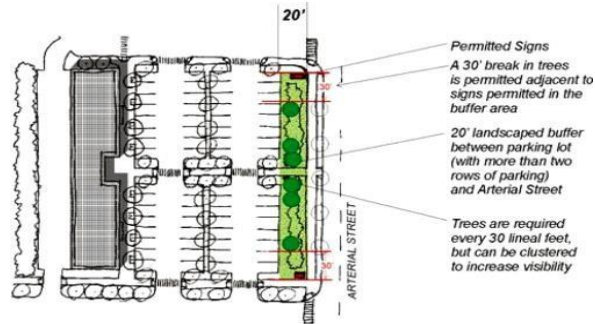
1. Perimeter Parking Lot Landscaping.

- a. Adjacent to Roadways. Parking lots adjacent to roadways shall include a 10-foot-wide planting bed meeting the requirements for Type 3 landscaping set forth in LFPMC 18.62.080; except trees can be clustered or staggered to improve visibility near driveways and a 30-foot break in the required tree coverage is allowed adjacent to permitted signage. Refer to Figure 18.58.080-1.

Commented [LB205]: Ensure these standards are no different for middle housing types than they are for single-family units

Commented [ZT206R205]: Language should be fine as is.

Figure 18.58.080-1: Landscaping between large parking lots and adjacent streets.



b. Adjacent to Residential Uses. Parking lots adjacent to residential uses or zones must include the following additional screening measures:

- i. A post-and-beam fence, decorative metal fence, or similar fence with minimum four-inch openings consistent with residential character and quality; and
- ii. A 10-foot-wide planting bed meeting the requirements for Type 1 landscaping set forth in LFPMC 18.62.080.

c. Adjacent to Other Uses. Parking lots adjacent to nonresidential uses on a separate lot must provide a 10-foot-wide planting bed meeting the requirements for Type 2 landscaping set forth in LFPMC 18.62.080. This requirement can be waived by the director if adjacent lots are under common ownership with the subject of the proposal.

d. Adjacent to Buildings. Parking lots adjacent to buildings shall include a five-foot-wide planting bed meeting the requirements of Type 3 landscaping set forth in LFPMC 18.62.080.

e. Adjacent to Streams. Parking lots adjacent to streams as defined in Chapter 16.16 LFPMC shall include a 20-foot-wide planting bed meeting the requirements of stream buffer landscaping set forth in LFPMC 18.62.080. Where this provision conflicts with other landscaping requirements, this provision shall prevail.

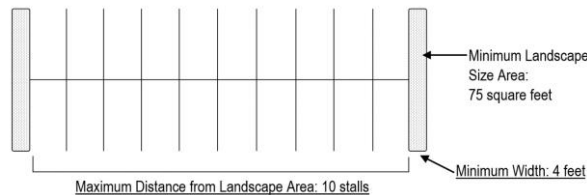
2. Interior Parking Lot Landscaping. Surface parking lots must be landscaped to break up large areas of asphalt and provide visual relief as follows:

a. Landscaping must be provided within surface parking lots at a rate of 20 square feet per parking stall. Landscaping must be designed and maintained to provide clear sight distance between three and one-half feet and eight feet above the existing street or private access road grade. Surface parking lot landscaping must be planted as follows:

- i. Deciduous trees shall be planted at a rate of one tree per every seven stalls;
- ii. Shrubs shall be planted no more than four feet apart; and
- iii. Groundcovers shall be planted no more than 24 inches apart. Turf is not permissible as a groundcover in surface parking lot landscaping.

b. Landscape islands must be placed no further than 10 parking stalls apart and at the end of each parking row. Landscaping strips may be placed between rows of parking stalls. Landscape islands and strips must be a minimum of four feet wide and have an area of at least 75 square feet. Refer to Figure 18.58.080-2.

Figure 18.58.080-2: Parking lot landscaping.



c. Landscape islands or planters must be surrounded by a standard vertical curb or similar barrier to protect the plantings from vehicle overhang. Gaps in the curb are permitted for stormwater drainage.

3. Low Impact Development. Except in landscape buffer areas adjacent to a “stream,” as defined in Chapter 16.16 LFPMC, parking area landscaping shall be used for low impact development best management practices or treatment best management practices as approved by the public works director pursuant to the stormwater management manual adopted in LFPMC 16.24.010, unless technically infeasible. The requirements for plant sizes and spacing in this section may be relaxed for bioretention facilities when supported by recommendations provided by an arborist, landscape architect, or other qualified professional.

D. Pathways Through Parking Lots. Safe and convenient pedestrian paths are required from street sidewalks through parking lots to building entries, as follows:

1. At least one pedestrian pathway must be provided for every four rows of vehicle parking spaces or fraction thereof. Pedestrian pathways must be provided at a maximum distance of 150 feet between pedestrian pathways and must be a minimum of six feet in width.
2. Where possible, pathways must be aligned to connect with major building entries or other destinations. At a minimum, pedestrian pathways must be configured to provide a convenient path to buildings or other destinations.
3. Pedestrian pathways must be clearly identifiable through special pavement, pavement markings and/or artistic painting. Signage and/or lighting provided at or along the pedestrian pathways must be pedestrian-scale.
4. Pedestrian pathways must be integrated with the required parking lot landscaping.

E. Pedestrian Amenities. All nonresidential development must provide a decorative garbage and recycling receptacle and at least one of the following pedestrian amenities near required pedestrian pathways:

1. Pedestrian furniture such as benches or low seating walls;
2. Weather protection;
3. Wayfinding kiosk;
4. Umbrellas with receptacles;
5. Perimeter landscaping in addition to the requirement in subsection B of this section;
6. Permanently installed and maintained public art. This is satisfied if the pedestrian pathway uses unique paving treatments; or
7. Other element that encourages pedestrian activity and creates a welcoming pedestrian environment, as approved by the director. (Ord. 1219 § 1, 2021; Ord. 773 § 3, 1999)

18.58.090 Drainage.

Drainage shall be in conformance with the city of Lake Forest Park standards and the Design Manual as defined in LFPMC 16.08.030. (Ord. 1241 § 13, 2022; Ord. 1149 § 5, 2016; Ord. 773 § 3, 1999)

Chapter 18.62

SCREENING AND LANDSCAPING

Sections:

- 18.62.010 Applicability.
- 18.62.020 Site plan.
- 18.62.030 Landscaping of perimeter of lot.
- 18.62.040 Landscaping of street frontages.
- 18.62.041 Minimum requirements.
- 18.62.050 Fencing.
- 18.62.060 Traffic visibility.
- 18.62.070 Maintenance.
- 18.62.080 Landscaping types.

18.62.010 Applicability.

The regulations of this chapter apply to RM, BN, TC, CC zones and uses. (Ord. 773 § 3, 1999)

18.62.020 Site plan.

A site plan of the proposed landscaping and screening shall be submitted and approved by the planning department prior to the approval of development permit. (Ord. 773 § 3, 1999)

18.62.030 Landscaping of perimeter of lot.

The perimeter of a lot, or development site, shall be landscaped to a depth of six feet from the property line or the perimeter of the development site and be maintained as a sight screen in accordance with this chapter, except as provided for in LFPMC 18.62.050 or as otherwise specified in this title. (Ord. 1220 § 1, 2021; Ord. 773 § 3, 1999)

18.62.040 Landscaping of street frontages.

Unless otherwise specified within this title, street frontages, except driveways and pedestrian walks within the property, shall be landscaped with evergreen shrubs or a combination of lawn, evergreen or deciduous shrubs and trees, and perennial or annual flowers to create and maintain a maximum residential character. (Ord. 1220 § 1, 2021; Ord. 773 § 3, 1999)

18.62.041 Minimum requirements.

A. Unless otherwise specified within this title, landscaped areas shall consist of a variety of trees, shrubs and plants that shall cover at least 75 percent of the ground contained in the landscape areas. At least one tree shall be required for every 250 square feet of landscaped area. A minimum of 30 percent of the landscaping and trees shall consist of evergreen/conifer species.

B. Use of native and drought-tolerant species is encouraged.

C. Invasive species and noxious weeds are prohibited. (Ord. 1220 § 1, 2021; Ord. 773 § 3, 1999)

18.62.050 Fencing.

There shall be allowed a decorative solid fencing on the perimeter with planting of three feet in depth on the public right-of-way sides of the fencing. (Ord. 773 § 3, 1999)

18.62.060 Traffic visibility.

Sight screening at all intersections between streets, between streets and alleys, and between streets and driveways shall not obstruct sight within 15 feet of the intersection. However, a perimeter screen shall be required to a height of no more than 40 inches within the 15-foot setback from the intersection. (Ord. 773 § 3, 1999)

18.62.070 Maintenance.

Shrubs and trees in the landscaping and screening shall be maintained in a healthy growing condition. Dead or dying trees or shrubs shall be replaced immediately and the planting area shall be maintained reasonably free of weeds and trash. (Ord. 773 § 3, 1999)

Commented [LB207]: Standards may not be different for middle housing types than they are for single-family units - consider excluding middle housing types from the applicability of this chapter, since the RM zones may contain middle housing types.

Commented [ZT208R207]: As it stands with edits, RM is a higher density that includes apartment buildings and condos. With middle housing requirements being added to the RS zones, the required treatment is met.

18.62.080 Landscaping types.

A. Type 1 – Solid Screen.

1. Purpose. Provide sight-obscuring screening to separate incompatible land uses. Type 1 landscaping consists of a mix of primarily evergreen trees and shrubs placed to form a continuous screen.

2. Description. Type 1 landscaping shall consist of evergreen trees planted no more than 20 feet on center in a triangular pattern; shrubs and groundcover which will provide a 100 percent sight-obscuring screen within three years from the time of planting; or a combination of approximately 75 percent evergreen and 25 percent deciduous trees (with an allowable five percent variance), planted no more than 20 feet on center in a triangular pattern. Deciduous trees shall be at least two-inch caliper and evergreen trees shall be at least six feet in height. Shrub and groundcover spacing shall be appropriate for the species type and consistent with the intent of this section. Shrubs shall be at least 24 inches in height. Turf may constitute no more than 30 percent of groundcover.

B. Type 2 – Visual Screen.

1. Purpose. Provide a visual filter to separate higher- and lower-intensity uses. Type 2 landscaping consists of a mix of evergreen and deciduous trees and shrubs spaced to create a filtered screen.

2. Description. Type 2 landscaping shall be a combination of at least 50 percent evergreen and at least 30 percent deciduous trees, planted no more than 25 feet on center in a triangular pattern, interspersed with large shrubs and groundcover. Deciduous trees shall be at least two-inch caliper and evergreen trees shall be at least six feet in height. Shrub and groundcover spacing shall be appropriate for the species type, and consistent with the intent of this section. Shrubs shall be at least 24 inches in height. Turf may constitute no more than 30 percent of groundcover.

C. Type 3 – Visual Buffer.

1. Purpose. Provide a semi-transparent buffer to partially separate uses and soften the appearance of development projects. Type 3 landscaping consists of a mix of evergreen and/or deciduous trees spaced to create a continuous canopy.

2. Description. Type 3 landscaping shall be at least 70 percent deciduous trees planted no more than 30 feet on center in a triangular pattern and interspersed with shrubs and groundcover. Deciduous trees shall be at least two-inch caliper and evergreen trees shall be at least six feet in height. Shrub and groundcover spacing shall be appropriate for the species type, and consistent with the intent of this section. Shrubs shall be at least 24 inches in height. Turf may constitute no more than 30 percent of groundcover.

D. Stream Buffer.

1. Purpose. Provide stream buffer functions to enhance in-water and upland habitat. Stream buffer landscaping consists of native species typically found growing on stream banks in the Puget Sound lowlands.

2. Description. Stream buffer landscaping shall be designed by a landscape architect, certified professional wetland scientist, or other qualified professional using a mix of native trees, shrubs, and forbs. Stream buffer landscaping shall meet the following requirements:

- a. Native trees shall be planted at an average of 12 feet on center and at an overall density of 300 trees per acre. Plants shall be a minimum one-gallon size at time of planting.
- b. Native shrubs shall be planted at average of five feet on center and at an overall density of 1,730 shrubs per acre. Plants shall be a minimum of one-gallon size at time of planting.
- c. Native forbs may include a mix of grasses, sedges, rushes, ferns, and other herbaceous plants and shall be planted at an average of 12 inches on center and at an overall density of one plant per square foot. Plants shall be a minimum of 10-inch plugs or four-inch pot size at time of planting.

Commented [ZT209]: Double checked and this is a typo in the code.

Commented [ZT210R209]: It is.

3. Streambank landscaping shall include planting area preparation for all required planting areas. Planting area preparation includes removal of invasive weed species, decompaction of compacted soils, and introduction of soil amendments including compost and organic fertilizers. Planted areas shall be mulched with a uniform three-inch depth of wood chip mulch. Trees and shrubs shall be protected from herbivore and rodent browsing with plant protection tubes. (Ord. 1220 § 1, 2021)