



# **CITY OF LAKE FOREST PARK CITY COUNCIL COMMITTEE OF THE WHOLE SPECIAL MEETING**

**Monday, February 06, 2023 at 6:00 PM**

**Meeting Location: In Person and Virtual / Zoom  
17425 Ballinger Way NE Lake Forest Park, WA 98155**

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## **INSTRUCTIONS FOR PARTICIPATING IN THIS MEETING VIRTUALLY:**

**Join Zoom Webinar: <https://us06web.zoom.us/j/86574749119>  
Call into Webinar: 253-215-8782 | Webinar ID: 865 7474 9119**

The Committee of the Whole is providing opportunities for public comment by submitting a written comment or by joining the meeting webinar (via computer or phone) or in person to provide oral public comment.

### **HOW TO PARTICIPATE WITH ORAL COMMENTS:**

Sign up here <https://app.waitwhile.com/welcome/comment-sign-up> between 9:00 a.m. and 5:00 p.m. on the day of the meeting to provide Oral Comments during the meeting.

If you are attending the meeting in person, there is a sign in sheet located near the entrance to the Council Chambers. Simply fill the form out and the Deputy Mayor will call your name at the appropriate time. Oral comments are limited to 3:00 minutes per speaker.

If you are attending the meeting via Zoom, in order to address the Committee during the Public Comment section of the agenda, please use the “raise hand” feature at the bottom of the screen. Oral comments are limited to 3:00 minutes per speaker. Individuals wishing to speak to agenda items will be called to speak first in the order they have signed up. The City Clerk will call your name and allow you to speak. Please state your name and whether you are a resident of Lake Forest Park. The meeting is being recorded.

### **HOW TO SUBMIT WRITTEN COMMENTS:**

<https://www.cityofflp.com/615/Hybrid-City-Council-Meetings> (use CTRL+CLICK to open this link)

Written comments for public hearings will be submitted to the Committee if received by 5:00 p.m. on the date of the meeting; otherwise, they will be provided to the Committee the next day. Because the City has implemented oral comments, written comments are no longer being read under Citizen Comments.

Meetings are shown on the city’s website and on Comcast channel 21 for subscribers within the Lake Forest Park city limits.

## **AGENDA**

### **1. CALL TO ORDER**

### **2. CITIZEN COMMENTS**

*This portion of the agenda is set aside for the public to address the Council on agenda items or any other topic. The Council may direct staff to follow up on items brought up by the public. **Comments are limited to a three (3) minute time limit.***

### **3. DISCUSSION ITEMS**

**A.** Possible Council Retreat discussion items.

**B.** Ordinance 23-1263/Creating a new Chapter 12.50 of the Lake Forest Park Municipal Code, Retaining Walls

### **4. ADJOURN**

### **FUTURE SCHEDULE**

--Thursday, February 9, 2023 City Council Work Session Meeting 6 pm – *hybrid meeting (Zoom and City Hall)*

--Thursday, February 9, 2023 City Council Regular Meeting 7 pm – *hybrid meeting (Zoom and City Hall)*

--Thursday, February 16, 2023 City Council Budget and Finance Committee Meeting 6 pm – *hybrid meeting (Zoom and City Hall)*

--Monday, February 20, 2023 City Hall closed in observance of Presidents Day

--Thursday, February 23, 2023 City Council Regular Meeting 7 pm – *hybrid meeting (Zoom and City Hall)*

*Any person requiring a disability accommodation should contact city hall at 206-368-5440 by 4:00 p.m. on the day of the meeting for more information.*



# CITY OF LAKE FOREST PARK

## CITY COUNCIL

## AGENDA COVER SHEET

<b>Meeting Date</b>	February 6, 2023
<b>Originating Department</b>	Planning
<b>Contact Person</b>	Steve Bennett, Planning Director and Kim Adams Pratt, City Attorney
<b>Title</b>	Ordinance 23-1263/Creating a new Chapter 12.50 of the Lake Forest Park Municipal Code, Retaining Walls

### Legislative History

- First Presentation January 26, 2023 Regular Meeting
- Second Presentation February 6, 2023 Committee of the Whole

### Attachments:

1. Draft Ordinance 23-1263 creating Chapter 12.50 of the Lake Forest Park Municipal Code, Retaining Walls
2. Draft Retaining Wall Design Guidelines

### Executive Summary

This ordinance (Attachment 1) would establish criteria regulating the method of construction and the appearance of retaining walls that are built within or adjacent to publicly-owned right-of-way that support or protect public transportation infrastructure.

### Background

Large scale, retaining walls in or adjacent to publicly owned rights-of-way become de facto landmarks identifying the community they are located in. It is imperative that such significant, recognizable features integrate with and support the community identity. This ordinance would adopt by reference a proposed set of design guidelines (Attachment 2) that would provide visual examples of the types of architectural treatments that would be acceptable along with an alternative allowing use of vegetation to mitigate the visual impact of retaining walls. As currently drafted, the Public Works Director would make the decision on compliance with the regulations and design guidelines.

Fiscal & Policy Implications

Adoption of this ordinance would add review criteria and additional staff review time for a limited number of right-of-way permit applications involving public transportation improvements.

Alternatives

Options	Results
<ul style="list-style-type: none"><li>Adopt ordinance</li></ul>	City has more control over the appearance of large retaining walls being built in the right-of-way
<ul style="list-style-type: none"><li>No action</li></ul>	City does not increase regulatory control over the appearance of large retaining wall projects being built in the right-of-way

Staff Recommendation

Review draft ordinance and design guidelines, provide guidance to the Administration on desired changes to either document, and consider setting a date for a public hearing on the ordinance at a future Council meeting.

**ORDINANCE NO. 23-1263****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, CREATING CHAPTER 12.50 OF THE LAKE FOREST PARK MUNICIPAL CODE, RETAINING WALLS; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, large scale retaining walls in or adjacent to publicly owned rights-of-way become de facto landmarks identifying the City of Lake Forest Park (the “City”); and

**WHEREAS**, it is imperative that such significant, recognizable features integrate with and support the community identity in the City; and

**WHEREAS**, chapter 12.50 of the Lake Forest Park Municipal Code (“LFPMC”) would establish regulations for retaining walls in or adjacent to publicly owned right-of-way;

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

Section 1. ADOPTION. The City Council of the City of Lake Forest Park hereby creates chapter 12.50 LFPMC, Retaining Walls, as follows:

**LFPMC 12.50.010 Retaining Walls**

A. Retaining walls located within the right-of-way shall be installed to benefit the general public, by supporting or protecting public transportation infrastructure and shall not be for private development gain.

B. Walls located on private property or right-of-way that support or protect public transportation infrastructure shall meet the minimum requirements set forth in the latest edition of the WSDOT Design Manual, Bridge Design Manual, and the International Building Code. The Public Works Director may require a third-party structural review prior to approval of the wall. Easements may be required for the maintenance, operation, and replacement of the wall.

C. The wall type shall be approved by the Public Works Director, who may take into account long term maintenance requirements, constructability, and recommendations from the applicants’ or third-party engineers.

1. Rockeries that are load bearing or over four feet in height are not an acceptable retaining wall type. Timber laggings are not considered a permanent structure when building solid pile walls and shall require a reinforced concrete finish.

2. Concrete walls that are prone to graffiti shall be coated with a moisture barrier and anti-graffiti paint.

3. An architectural finish or engineered block shall be used that integrates with and supports the community identity of the City namely Pacific Northwest showing a strong relationship to the surrounding natural environment including native trees, flora, and fauna of the region. The architectural finishes included in the Retaining Wall Design Guidelines dated \_\_\_\_\_, are deemed to satisfy this requirement. The architectural finish or engineering block must be approved by the Public Works Director.

D. Private and public retaining walls shall not be built integrally. Total structural isolation is required for adjacent walls.

Section 2. SEVERABILITY. Should any portion of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. EFFECTIVE DATE. This ordinance shall take effect five (5) days after passage and publication.

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

APPROVED:

\_\_\_\_\_

Jeff Johnson  
Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_

Matthew McLean  
City Clerk

APPROVED AS TO FORM:

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Kim Adams Pratt  
City Attorney

Introduced:  
Adopted:  
Posted:  
Published:  
Effective:

DRAFT

Retaining Wall Design Guidelines

INTENT

These provisions are intended to mitigate the impact of large, monotonous retaining walls in the right-of-way by requiring architectural and landscaping treatments that reduce the harshness of such walls and reflect the community identity.

PROVISIONS

- 1. The architectural finish of retaining walls shall depict artistic images having a strong relationship to the Pacific Northwest and the surrounding natural environment including native trees, flora, and fauna of the region. (see examples in Figures 1 and 2)

FIGURE 1



FIGURE 2





2. The architectural finish can deviate from the requirements of Provision 1 if landscaping and vegetation are incorporated which effectively break up the monotony of the wall finish such as in the examples in Figures 3 and 4 below.

FIGURE 3



FIGURE 4

