

CITY OF LYNDEN
PLANNING COMMISSION RESOLUTION #24-01

**A resolution of recommendation for approval of an amendment to LMC 19.20
regarding Accessory Dwelling Units**

WHEREAS, on December 28, 2024, the City of Lynden received an application from Jamie and Rachel Vos requesting to update the Lynden Municipal Code Chapter 19.20 regarding Accessory Dwelling Units (ADUs), and

WHEREAS, this text amendment would ease potential barriers for residents in establishing legal ADUs on residential properties in the city by allowing both a detached ADU and an attached ADU in association with single-family dwelling units. The amendment would also allow for increase size and height of detached ADUs; and

WHEREAS, this text amendment benefits the applicant personally, it also responds to recent State legislation as described in HB1337. This 2023 legislation requires the City of Lynden to adopt specific updates regarding Accessory Dwelling Units by December 31, 2025; and

WHEREAS, the City had intended to address the ADU provisions as required by HB 1337 within the next eighteen months in coordination with the Periodic Update of the Comprehensive Plan; and

WHEREAS, ahead of the State deadline, this text amendment request is being brought forward by a private property owner and, if approved, would bring the city's development standards into compliance with HB 1337 more than a year and a half ahead of the State's compliance deadline; and

WHEREAS, this proposed zoning text amendment to Lynden Municipal Code (LMC) Chapter 19.20, as shown in **Exhibit A**, makes the required update to Accessory Dwelling Units.

WHEREAS, the city's Technical Review Committee has reviewed the text amendment request and has provided comments and recommendations to the Planning Commission in a report dated February 16, 2024, and

WHEREAS, the Lynden Planning Commission held a public hearing on February 22, 2024, and accepted public testimony on the proposed amendment to LMC Chapter 19.20, and that meeting was duly recorded; and

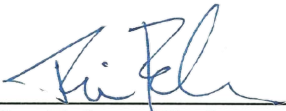
WHEREAS, the Lynden Planning Commission has reviewed the zoning text amendment request and found that it meets the required updates as outlined in HB1337, and

NOW THEREFORE, BE IT RESOLVED by the Lynden Planning Commission to recommend approval by a vote of 4-0, to the City Council of Zoning Text Amendment #24-01, regarding Accessory Dwelling Units found under LMC 19.20, subject to the

Technical Review Committee Report dated February 16, 2024, including a proposed delay to the following revisions:

1. Owner occupancy requirement to remain in place until January 1, 2026.
2. Assessment of impact fees on ADUs in the amount of 50% of that assessed to a single-family home begin on January 1, 2026. (RCW 36.70A.680 limits impact fee assessment to no more than 50% of the impact fees that would be imposed on the primary residence).

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their meeting held the 22nd day of February 2024.



Tim Faber, Chairperson,
Lynden Planning Commission



Heidi Gudde, AICP
Community Development Director