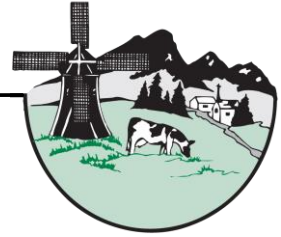


# CITY OF LYNDEN

PLANNING DEPARTMENT  
360-354-5532



## PLANNING COMMISSION MEETING MINUTES

7:30 PM March 12, 2020  
City Hall Annex

### 1. CALL TO ORDER

### 2. ROLL CALL

Present: Tim Faber, Lynn Templeton, Blair Scott and Nikki Turner.

Absent with notice: Diane Veltkamp, Bryan Korthuis and Gerald Veltkamp

Staff Present: Gudde, Planning Director and Samec, City Planner.

### 3. APPROVAL OF MINUTES

#### A. February 27, 2020

Turner motioned to approve the February 27, 2020, Planning Commission Minutes as submitted. Seconded by Templeton and the motion passed 3-1, with Templeton in opposition.

Templeton addressed page 4 of the minutes, last sentence *“much of this discussion was difficult to portray via written notes. An audio recording of this meeting is available of the City website.”* Templeton stated that he was disappointed that the discussion was not part of the written record as it was important information. Gudde replied, that the audio from every Planning Commission meeting is available and on the website. At any time, the PC, CC and public can here the full meeting. Martin noted that recreating word by word minutes for a meeting that is 3 hours long is time consuming, however, Staff will add more detail to this section of the minutes to better capture what was said. As Gudde mentioned, Staff is happy to send you a link of the meeting.

Scott stated that it is also important to note why a Commissioner voted in opposition. It helps to better understand their reasoning. Martin replied, then all of the votes in favor would need that same attention. Martin indicated that Staff will work to provide more details in the future.

### 4. APPROVAL OF FINDINGS - February 27, 2020, PRDa, RB Development

Templeton motioned to approve the February 27, 2020, Planning Commission Resolution #19-03, for the RB Development PRD Amendment as submitted. Seconded by Turner and the motion passed 4-0.

Discussion: Gudde noted that the Commissioners will find the legal conclusions of Carmichael Clark’s research into the transfer of units within a PRD. For a quick synopsis jump to the ‘Conclusions’ on the last page. You will see that their research showed that the City has an obligation to uphold the unit transfer because the shifting of units in this manner was expressly permitted in both the code (at the time the PRD was written) and the development contract. Later, in 2006, the code was changed to prohibit the transfer of units. City Council has this record as well as the legal conclusions in their packages for Monday night’s Council meeting.

## **5. PUBLIC HEARING – Legislative Item**

### **A. Amendment to Lynden Municipal Code 19.26 – Medical Services Overlay**

Faber opened the public hearing.

Gudde addressed her Executive Summary dated March 12, 2020.

In 2007 the City of Lynden adopted development standards that allowed for the creation of a zoning overlay specific to the needs of a medical campus. These provisions appear in Lynden Municipal Code (LMC) 19.26. For reference, this zoning overlay can be described as a floating zoning category, with its own specific permitted uses and development standards, that can, with approval, be pinned to a specific area / property. Other overlays, like our Airport Overlay, are specific to a described area of the City.

While the Medical Services overlay was created with a specific west Lynden property in mind, the development of a medical campus in this area has not been realized. Now, other locations within the City are being considered which may be appropriate for medical uses but do not fit the minimum size criteria indicated in LMC 19.26.030.

Wishing to facilitate medical services within the community; and recognizing the existing medical services overlay does not address the potential of smaller eligible sites throughout the City; and anticipating no detrimental impacts which could not be mitigated by site design; the City has initiated a code amendment which would reduce the minimum size for a development using the Medical Services Overlay from 8 acres to 5 acres. The amendment also provides the opportunity to clarify the language found in 19.26.090 related to Transportation Management. Specifically, the code refers to an economic development credit. This credit, adopted in 2005, is applicable only to a specific area in the West Lynden Sub-Area and should not be assumed to apply to all properties seeking the Medical Services Overlay.

All developments proposing to utilize the Medical Services Overlay would still be subject to the approval process described in 19.26.060 and 19.26.080. In January the Planning Department's Council Committee reviewed the revision and was supportive of moving it forward to the Planning Commission for a Public Hearing.

Speaking in Favor:

Misty Parris, VP of Operations, PeaceHealth Medical Group, 4545 Cordata Pkwy, Bellingham  
Parris submitted a letter supporting the zoning amendment and asked that the City Council approve the application. Approval of the amendment will provide PeaceHealth the flexibility to best serve its patients.

Scott asked if PeaceHealth is seriously considering coming to Lynden? Parris replied, yes, we are very serious and have already contracted with an architect.

Speaking in Opposition: None.

### **Planning Commission Discussion:**

The Commission agreed that this would be good for the community.

Templeton noted that he has never heard of an Economic Development Credit and asked if Staff could explain. Gudde replied, that Resolution 709, established and signed in February 2005 offers incentives for businesses to come to Lynden. For some properties in West Lynden, it provides a reduction in Transportation Impact Fees.

The Commission had no further questions.

**Faber motioned to close the public hearing. Seconded by G. Veltkamp and the motion passed, 4-0.**

**Scott motioned to recommend to the Council the approval of the amendment to Lynden Municipal Code Chapter 19.26.030 regarding the minimum size for a development using that Medical Services Overlay, and 19.26.090 clarifying language regarding development credits. Seconded by Turner, and the motion passed 4-0.**

## **6. COMMISSIONERS CORNER**

The following Planning Commission meetings have been cancelled: March 26th and April 9th. The next scheduled meeting is on April 23rd.

There will be an upcoming Joint Planning Commission Meeting and Community Development Committee Meeting on April 22, 2020. Gudde stated that the topic of meeting is regarding a Hearings Examiner. City Attorney, Bob Carmichael will be there to explain the details and it will be beneficial to hear the details from him first hand.

## **7. ADJOURNMENT**

**Motion to adjourn by Scott / Second by Turner. Meeting adjourned at 8:15 pm.**