



## PLANNING COMMISSION MEETING MINUTES

7:30 PM September 12, 2019  
City Hall Annex

### 1. CALL TO ORDER

### 2. ROLL CALL

Present: Diane Veltkamp, Gerald Veltkamp, Blair Scott, Lynn Templeton, Tim Faber and Bryan Korthuis

Absent with notice: Brett Kok

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

### 3. APPROVAL OF MINUTES

#### A. July 11, 2019

Templeton motioned to approve the July 11, 2019, Planning Commission Minutes as submitted. Seconded by Faber and the motion passed 5-0.

#### B. July 25, 2019

Templeton motioned to approve the July 25, 2019, Planning Commission Minutes as submitted. Seconded by Faber and the motion passed 5-0.

### 4. PUBLIC HEARING

#### A. CUP #19-02, Ellis Airbnb, 1808 Pine Circle, Lynden

Chairperson Veltkamp opened the public hearing.

Gudde addressed her memo dated September 6, 2019 and stated that the pending CUP application has been submitted by the Ellis family. The residence is located at 1808 Pine Circle. As shown in the attached floor plan, their home currently includes a living area which is relatively separated from the main home. As such, the applicant is not proposing to make physical changes to the home except for the addition to the existing driveway in order to accommodate parking for the short-term rental. Consistent with code, the property owner is intending to remain onsite when the property is being used as a short-term rental.

The vicinity of the proposed establishment is the Pine Street neighborhood and specifically Pine Circle. Here there are a number of abutting neighbors. Some of these neighbors

have expressed concerns related to the impacts of the short-term rental. As such, staff has noted some potential mitigation which the Planning Commission could consider during the review of this application

Ben Ellis, 1808 Pine Circle, Lynden

Ellis stated that their intention is to offer a hospitable NW experience to the area. Small scale experience so that people do not have to go to Bellingham.

Faber asked if the additional parking stall that Heidi spoke of is already paved? Ellis replied that the Airbnb will utilize the third parking area located within their existing driveway.

The unit contains a full size kitchen, bathroom, one bedroom and a small living area. Ellis anticipates that there will be no more than 3 guests at one time.

Templeton noted that the code allows for two signs. Will you be installing a sign? Ellis replied, no. Ellis does not want to bring commercial attention to the use.

D. Veltkamp addressed the aerial photo that shows the existing driveways and asked if there was room for a third car?

Ellis replied, that if needed, they can street park one of their own vehicles. The Commission asked if there was space to park in front of the home? Ellis replied, due to the curve on the street there is not room directly in front of our home. Most of the time, street parking takes place across the street or further down on Pine Circle.

In Opposition

Pam Clouse, 1806 Pine Street, Lynden

Parking is a very big concern. The Ellis' have a very narrow frontage. They do park 3 cars and often they have to park in front of other people's homes. The street is congested, and traffic is horrendous on Pine. There are several children in the area and she is concerned for safety. There are many widowers who live in the area, we are concerned for strangers that will come and go through the Airbnb. The Airbnb will change the dynamic of the neighborhood. Would hate to see commercial tourism in the neighborhood.

Elizabeth Sturdivant, 1809 Pine Circle

Traffic is an extreme problem on Pine Circle. At times there are as many as 38 cars park on the street. Post office boxes are often blocked by parked cars. There are 4 elderly widowers on the block and safety is a concern. We do not need more activity or people on our street other than those that we know.

James Marr, 1818 Pine Circle, Lynden

Edward is not directly impacted. Would like to thank Ellis for being considerate with his street parking. The real issue is how the mailboxes are located. It takes up at least two

stalls and complicates the situation. Not against the Ellis' having an Airbnb, however, would like to note that the mailbox area in particular is dangerous with regards to traffic and vision.

Gudde stated that the driveway measures 33-feet wide at the narrowest point.

Ellis addressed the concern regarding the mailboxes. Can we look into the possibility of moving the mailboxes to a better location?

Ellis heard the concerns that there are extreme parking issues. Ellis would not agree that it is extreme. Yes, people do park on the street but it is not an extreme problem. Ellis did mention that he is sensitive to the neighbors and when he does park on the street he does his best to park in an area that has tall cedars so that his car is screened from houses.

Ellis stated that yes, there are children in the area. We have 4 of our own and of course we want them to be safe.

Ellis also mention that regarding Airbnb rules, we set the parameters, and the house rules and will police that very closely. We have a family of our own and will not let just anyone come in to our home. I do not intend to set low rates, I will set higher rates to avoid renting to people with low expectations rather we prefer to rent to people with higher standards. We want the area to continue to be safe.

D. Veltkamp asked if the Ellis' were proposing any stay limitations? Ellis replied, I will have to research the specifics on that. Much of the time they will be short stays. A week at the most. In addition, the unit will never be rented out when we are on vacation.

D. Veltkamp stated that the code requires a separate telephone for the unit. Do you have a land line? Ellis stated that they are in the process of setting up the land line.

Gudde addressed the Commission and state that the Lynden code does mention transient accommodations which are set for 2 weeks or less.

D. Veltkamp asked about screening. Ellis replied that there is nothing separating the front yards of our home from 1810 Pine Circle. Ellis has not heard any objections from that neighbor. Happy to have discussion with them if necessary. Gudde stated, if any complaints come from the adjacent neighbor we can look into the concern.

Faber asked if the Home rules would allow use of the backyard. Ellis replied, yes, there is a small back deck that serves the Airbnb.

D. Veltkamp asked if neighbors have windows that look into your backyard? Ellis replied that there is a fence that separates the backyards.

**Scott motioned to close the public hearing. Seconded by G. Veltkamp, and the motion passed 5-0.**

Templeton asks himself, is this zoned appropriately? Yes. Has the applicant followed the process? Yes. Has the criteria been adequately addressed? Yes. Is the applicant in violation of the code? No.

There was discussion regarding the amount of parking required for single family homes, duplex units and accessory dwelling units. It appears as if parking has been met.

D. Veltkamp noted the concerns that were brought up this evening. Parking, traffic and mitigation of the existing neighbors.

The Commission reviewed the 8 criteria outlined in 19.49.020.

Scott stated that a question we should ask is how would you feel if this happened in your neighborhood? Scotts concern would be the security and safety of the neighborhood.

Templeton stated that he may have reservations, however it is legal. Templeton understands the parking concerns. He has neighbors that park on the street, and it somewhat bothers him but it is legal.

Korthuis agrees with Templeton. If the driveway is 30-feet wide, you should be able to park three vehicles in that location, which meets code. The streets are designed to handle the traffic, there is not a huge impact.

Faber, the proposed use is not a whole lot different than what is exiting. The Ellis' have an existing ADU. People who typically use Airbnb are higher quality, on vacation, visiting relatives, not looking for trouble.

The traffic in the area is a problem for everyone, not caused only be the Ellis family.

Faber stated that adequate buffering should be revised after a year to see if there have been any complaints. If the neighbor next door was concerned they had the opportunity to say something.

G. Veltkamp nothing to add.

D. Veltkamp asked, being that the mailbox is not well located, is there anyway it could be relocated? Gudde stated we can look into the process of finding a better location and if it is an option.

Faber asked if that should be a requirement of the Ellis' to look into or the City? Gudde replied that the City should be the one to look into the possibility.

**Faber motioned to recommend approval of the Ellis Airbnb, CUP #19-02, as presented, and further subject to the following condition, that there be a 1-year review in relation to providing screening on the north property line. Seconded by Scott, and the motion passed 5-0.**

## **5. COMMISSIONERS CORNER**

Pepin Creek Update regarding various scenarios under discussion.

Faber and G. Veltkamp will be absent at the October 10, 2019 meeting.

## **6. ADJOURNMENT**

**Motion to adjourn by Scott / Second by Templeton. Meeting adjourned at 9:00 pm.**