

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	June 7, 2021	
Name of Agenda Item:	Amending LMC Titles 16 and 19 regarding SEPA thresholds and minimum density	
Section of Agenda:	Public Hearing	
Department:	Planning Department	
Council Committee Review:	<input checked="" type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:		
Proposed amendment to LMC 16 and LMC 19. Corresponding PC Minutes of 3-25-21. See minutes of 5-19-21 CDC meeting also in this meetings package.		
Summary Statement:		
<p>On March 1, 2021 the City Council adopted a Resolution of Intent (Reso 1031) which outlines the path forward to lifting the moratorium on the Pepin Creek Sub-Area and implement the infrastructure associated with the Pepin Lite Plan. Next steps include the establishment of a fair allocation of costs for the infrastructure projects specific to Pepin Lite. The mechanism that showed the most merit is the use of Transportation Impact Fees (TIF) administered in the form of a SEPA mitigation fee.</p> <p>It is critical that the City’s code supports this fee structure and eliminates exceptions so that funds are collected at an expected rate. The attached code amendment has been drafted to implement the SEPA mitigation fee as outlined in the Council’s Resolution of Intent. The amendment:</p> <ul style="list-style-type: none"> • Lowers the SEPA threshold so that short plats within the Pepin Creek Sub-Area are no longer exempt from SEPA review. • Implements a minimum density requirement. This ensures that property is developed at an expected density and fees are collected at an expected rate so that infrastructure costs can be covered. • Removes the text related to Senior Housing Overlay as this was not implemented and is unnecessary. • Specifically references the Pepin Creek Sub-Area Plan as part of SEPA substantive authority in LMC 16.05.160. <p>The Planning Commission held a public hearing on March 25th which concluded with a recommendation for approval. <u>The issue of minimum density was then discussed at a May 19th CDC meeting. Recognizing that some properties may be constrained by wetlands but also noting the need to fund infrastructure through development, staff subsequently created language which clarifies how minimum and maximum densities will be calculated. This appears in the attached a proposed Sec. 19.11.030. The addition strives to strike a balance between using gross and net acreage to calculate densities.</u> If the Council takes action on this item staff will bring a corresponding ordinance to a subsequent meeting.</p>		
Recommended Action:		
Motion to recommend the amendment to Lynden Municipal Code Titles 16 and 19 as presented including the clarifying language, proposed as LMC 19.11.030, regarding how to calculate minimum and maximum densities.		