

CITY OF LYNDEN
PLANNING COMMISSION RESOLUTION #20-08

**A resolution of recommendation for the approval of the
Kamm Creek Master Planned Residential Development**

WHEREAS, Bob Libolt, on behalf of Kamm Creek Investments LLC, hereinafter called the "Proponent," submitted a complete application to the City of Lynden, hereinafter called "the City," for the development of approximately 20 acres into a master planned residential development (MPRD) to be located 8585 Northwood Road, in Lynden.

WHEREAS, Chapter 19.29 of the Lynden Municipal Code (LMC) permits the development of property within the RS-100 zone as a planned residential development; and

WHEREAS, The primary purpose of a Master Planned Residential Development (MPRD) is to promote creativity in site layout and design by allowing flexibility in the application of the standard zoning requirements and development standards; and

WHEREAS, the application for the MPRD approval was determined to be complete on August 28, 2020, and the notice of application was published in the Lynden Tribune on September 2, 2020; and

WHEREAS, the Proponent has provided the City the receipts for the certified mailing of all required notices to all property owners within three hundred feet of the subject property together with the affidavits of posting said notices; and

WHEREAS, The proposal was reviewed under the State Environmental Policy Act and on August 28, 2020 a Mitigated Determination of Non-Significance was issued for the project, and

WHEREAS, the Lynden Planning Commission held a virtual public hearing on October 8, 2020, to accept public testimony on the proposed master planned residential development application, and that meeting was duly recorded; and

WHEREAS, the City's Technical Review Committee has reviewed the request for the development of property and has provided comments and recommendations to the Planning Commission in a report dated October 2, 2020,

WHEREAS, the Lynden Planning Commission has reviewed the request and has made the following findings of fact for recommending to the City Council the Master Planned Residential Development application:

1. The development is consistent with the Comprehensive Plan and meets the applicable requirements and intent of the Lynden Municipal Code.
2. The development makes adequate provisions for open space, drainage ways, streets and other public ways, transit stops, water supply, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds.
3. The development adequately mitigates impacts identified under Titles 16-19.

4. The development is beneficial to the public health, safety and welfare and is in the public interest.
5. The development does not lower the level of service of transportation and / or neighborhood park facilities below the minimum standards established within the Comprehensive Plan, and fully complies with Chapter 17.15 of the City Code.
6. The area, location and features of land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.

NOW THEREFORE, BE IT RESOLVED by the Lynden Planning Commission to recommend approval of the **Kamm Creek Master Planned Residential Development** by a vote of 5-0, to the Lynden City Council, subject to the Technical Review Committee Report dated October 2, 2020, and further subject to the following conditions:

1. **Setbacks recommended in the October 2, 2020 TRC Report #3 are also recommended by the Planning Commission except that a 15-foot side setback be used for the street side of Lot 11.**
2. **Lot coverage not to exceed 40 percent as recommended in the October 2, 2020 TRC report.**
3. **The Commission recommended MPRD Deviations specifically as follows:**
 - **A 24-foot setback from property line to face of garage doors (from the required 25-foot) as it satisfies criteria 2 of LMC 19.29.060(J).**
 - **An exception to the requirement for a 25-foot PRD Perimeter on lots 11 and 27. The side yard for lot 11 will be 15-feet and the side setback for lot 27 will be 7-feet. These deviations supported by criteria 3 of LMC 19.29.060(J).**
 - **To provide sidewalk on only one side of the street within the development and allow the use of the City's private street standard. Specifically, a street that is 30-feet curb to curb, parking on one side, and sidewalks on one side of the street. This deviation satisfies criteria 2 of LMC 19.29.060(J).**
 - **Over critical areas and their associated buffers the road width may be reduced from 30-feet to 24-feet as it satisfies criteria 2 of LMC 19.29.060(J).**

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their regular meeting held on the 8th day of October 2020.

Diane Veltkamp, Chairperson,
Lynden Planning Commission

Heidi Gudde,
Planning Director