



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
Heidi Gudde, Director
360-354-5532

PLANNING COMMISSION MEETING MINUTES

7:00 PM November 9, 2023
City Hall Annex

1. CALL TO ORDER

2. ROLL CALL

Present: Khush Brar, Tim Faber, Darren Johnson, Jim Kaemingk, Hollie Lyons and Blair Scott

Absent: None

Staff Present: Gudde, Planning Director and Samec, Planner

3. APPROVAL OF MINUTES

A. October 26, 2023 Scott / Faber / 2nd 4-0

4. DECLARATION OF CONFLICT

None of the Commissioners reported any ex-parte contact or conflict of interest.

5. PUBLIC HEARING

A. Weg Annexation – Annx #23-01, 8634 Double Ditch Road

Gudde addressed the Commission and gave a brief overview of the application and annexation process.

Gudde stated that the item before the Commission this evening is concerning the annexation of approximately 45.11 acres at the northwest edge of the city. This area is part of the City's Urban Growth Area and is slated to be added to the city as residentially zoned property.

The TRC report highlights the following:

Upon annexation, the property will be zoned as Residential Mixed Density (RMD) as pre-determined by the Pepin Creek Sub-area Plan. This zoning designation and the associated development standards are described in Lynden Municipal Code (LMC) 19.16. It will allow flexible use of density as it permits both single-family and duplex housing types on a range of lot sizes with attached (zero lot line) units on lots as small as 4,000 square feet. The minimum density required within the RMD zoning in the Pepin Creek Subarea is 5 units per acre and the maximum permitted is 8 units per acre.

Across the city there are, or are slated to be, approximately 263 single family residential lots available and approximately 477 multi-family units, which include the recent projects of Lions Gate PRD, Kamm Creek PRD, Kode Kamp Vista, Cascade Flats, Towns Edge Apartments, City Gate Mixed Use and Riverwalk.

There are a number of small subdivisions representing infill projects throughout the city that will also supply additional single family home lots. Together these numbers represent about four years' worth of residential construction as the city has seen an average of 77 single-family units and an average of 80 attached multi-family units annually.

It should be noted that there is often a significant delay between the annexation of property and the provision of services and development of property. Additionally, due to the complexity of design and development within the Pepin Creek Sub-Area, time will be needed to address stormwater challenges and accommodate significant infrastructure improvements.

This annexation does not include a development proposal and any future development of the site will require a new application and review process.

Policy 2E of the Comprehensive Plan reads as follows: "The City of Lynden will maintain a lot inventory, or land supply, sufficient for five years of growth, at the densities designated through the Comprehensive Plan. The City will also focus on the Boundary Review Board criteria for the recommendation of future annexations as well the issues of capital improvements and financing. Where the establishment of a logical boundary may cause the City to exceed the necessary acreage for the adopted land supply, the City will phase the zoning for development in order to maintain the five year supply of land zoned appropriately for development.

It is also important that the Commission's review of the annexation considers the following:

1. Whether the City shall accept, reject or geographically modify the proposed annexation area; and
2. Whether the City shall require simultaneous adoption of a proposed zoning regulation consistent with the City Comprehensive Plan and applicable sub-area plan; and
3. If such a proposal has been prepared and filed in the area to be annexed as provided for in RCW 35A.14.330 and RCW 35A.14.340; and
4. Whether it shall require the assumption of indebtedness by the area to be annexed.

Heather Mussard, Northwest Surveying and GPS, Project Applicant

Mussard stated that they are representing Richard and Carol Weg. The Weg's have 45-acres in the UGA that abut the city limits. To date, the Weg's have no plans to develop the property. Mussard stated that the applicants are in agreement with the TRC Report.

The Commission asked about the Pepin Creek Sub-Area Plan specifically regarding the scope, the proposed increase in traffic once development takes place, the increase in population in that area and what the ditches will look like. Gudde stated that currently the City is working on getting federal grants for the design. Due to the complexity of design and development within the Pepin Creek Sub-Area, time will be needed to address stormwater challenges and accommodate significant infrastructure improvements before development occurs. As a reminder, the Planning Commission and City Council will see development plans and applications as they come forward which will provide a better understanding of the plans and required improvements.

There was brief discussion regarding that Double Ditch will look like once the creek is relocated to the east. That portion of Double Ditch will no longer be fish bearing and will become stormwater pipes which can be overlaid and improved to sidewalks and bike lanes.

There was also brief discussion regarding the increase in population that will come from this area being developed vs. having enough room in the schools. Gudde stated that the school district is always aware of growth plans within the UGA and City and calculates student generation rates. The school district has its own planning committee that decides how to approach growth and other important plans.

Faber stated that nothing happens overnight. A lot of time and planning goes into development, and it is good to see the residential construction numbers as outlined in the TRC Report. Gudde stated, as noted in Policy 2E of the Comprehensive Plan, "The City of Lynden will maintain a lot inventory, or land supply, sufficient for five years of growth, at the densities designated through the Comprehensive Plan. The City is also required to meet mandates to help with the housing crisis.

Johnson motioned to close the public hearing. Seconded by Kaemingk and the motion passed, 6-0.

The Commission reviewed the analysis for annexation:

1. Whether the City shall accept, reject or geographically modify the proposed annexation area?
2. Whether the City shall require simultaneous adoption of a proposed zoning regulation consistent with the City Comprehensive Plan and applicable sub-area plan?
3. If such a proposal has been prepared and filed in the area to be annexed as provided for in RCW 35A.14.330 and RCW 35A.14.340?

4. Whether it shall require the assumption of indebtedness by the area to be annexed?

The Commission also reviewed the 6 criteria listed under 17.09.040 (C).

1. The development is consistent with the comprehensive plan and meets the applicable requirements and intent of this code. **Yes, this area is included in the UGA for future growth.**

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. **N/A**

3. The development adequately mitigates impacts identified under Titles 16 through 19. **Yes.**

4. The development is beneficial to the public health, safety and welfare and is in the public interest. **Yes.**

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. **N/A.**

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. **N/A.**

No further comments from the Commission.

Kaemingk motioned to recommend to the City Council the annexation of the Weg Property as represented in Annexation Application #23-01, subject to the Technical Review Committee Report dated November 3, 2023. Seconded by Scott, and the motion passed 6-0.

No December meeting.

6. ADJOURNMENT

Motion to adjourn by Johnson / Second by Kaemingk. Meeting adjourned at 8:30 PM