



COMMUNITY DEVELOPMENT COMMITTEE

MINUTES

4:00 PM January 21, 2026
2nd Floor Conference Room, City Hall

1. ROLL CALL

Council Members: Gary Bode, Brent Lenssen, Kyle Strengtholt

City Staff: John Williams, Heidi Gudde

Guests: David VanderYacht

2. APPROVAL OF MINUTES

Community Development Committee November 19, 2025, Meeting Minutes approved as presented.

3. DISCUSSION ITEMS

- a. **Development Regulations per WA Legislation** – Ord 26-1726 and future changes. Council approved amendments to Lynden Municipal Code that were made in response to WA Legislation on 1/20/26. These represent the first of two ordinances expected to catch up on requirements imposed by the State. Many of the changes still needed were described in the comment letter from the Dept of Commerce (DOC) after their review of the first amendments. DOC also included suggested changes but staff will be researching the specifics of the State code to determine exactly what is required so Council can make an informed decision on these.

Conclusions: Additional amendments expected. CDC offered to discuss draft changes at upcoming meetings as needed. Final version will go to Planning Commission for recommendation before Council later this year.

- b. **Fee Vesting Discussion**. Gudde gave an overview of when, per City code, impact fees and permit fees are due to the city. This discussion arose because the recent School Impact Fee ordinance was written to vest applications to the rate in place at the time of building permit submittal. This is different, Gudde explained, from our other fees that continue to adjust until a permit is issued. Issuance is considered to be when the applicant pays all the final fees and is issued a permit document. Lenient expiration policies within the City have lead to some permits

languishing in the building division – ready to be constructed – but not issued. While this prevents the need for the applicant to resubmit it doesn't hold fee rates.

Lenssen asked about the impact fees that are split with half due at the time of plat and half due at the time of permit. What rate is used when the second half is paid. Gudde understood that it was usually the second half of the same rate that was charged but noted that those fees that are split – Park Fees and Fire Fees – have had relatively stagnant rates so she could not recall a project that had one rate at the time of plat but another rate at the time of build.

Related to the timing of fees the group also discussed the payment of utility connection charges – called FCIs in Lynden. Williams noted that pending legislation would require the City to establish a process to defer utility connection fees – shifting it from the time of permit issuance to the time of final occupancy. The city, per State requirements, already has a deferral process available for impact fees. This process is limited to residential construction. Although it was created more than 5 years ago it has never been utilized.

Bode asked about the frequency of a permit being issued but then not constructed due to financial constraints. Gudde related that if a project is abandoned for financial reasons then it usually happens before the permit is picked up – because that's when the largest amount of fees are due.

Conclusions: Committee agreed that existing impact and building fees should continue to adjust/index for those permits that in review or are ready to issue but do not get picked up.

Timing on impact fees that are divided in half - CDC concluded that half of whatever the current fee is at the time of plat and half of the rate in place at the time of building issuance. Code could be clarified to ensure that this is applied consistently.

Council to consider the timing of impact fees when new fees are added or take a significant jump.

- c. **Pepin Subarea Layout.** The CDC had a follow-up discussion after the City Council meeting discussion on the easement proposal for Mt. View Summit which would require crossing a city-owned piece of property in order to align with the Sunrise Drive intersection.

A graphic of the concepts proposed for the subarea was compiled by the Com Dev department to give a better idea of the potential vehicular and pedestrian network as well as the type of housing units under consideration.

The group concluded that traffic calming could be used within the Mt View community if cut-through traffic became a problem – which was a concern of the Council.

The group talked about the zoning categories in place within the subarea and the housing types under consideration there which currently includes single family homes, cottages, and townhomes. The group discussed the use of zero lot line standards.

4. INFORMATIONAL ITEMS

- a. Development Report – Year End 2025. Discussed end of year numbers including the difference between numbers of new construction vs. total construction. Discussed upcoming developments and potential counts for new residential construction in the next year or two.

Next Meeting Date: February 18, 2026