

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	November 4, 2019	
Name of Agenda Item:	Resolution 1011 Decommissioning of ADUs	
Section of Agenda:	New Business	
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 checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
Attachments:		
Resolution 1011, Exhibit A - Covenant to Decommission, see also CDC Minutes of 10-15-19 within this agenda package		
Summary Statement:		
<p>Recently the City of Lynden began charging an Ambulance Fee on residential properties that have accessory dwelling units (ADUs). This was done in recognition of the impact that an additional living unit, although accessory, can have on the City's resources. The fee is roughly \$72 annually (or \$6 monthly). This is the only additional fee that the City currently charges to accessory units.</p> <p>In response, a few of the properties contacted the City to dispute the fee because they no longer utilize the ADU on their property as a dwelling unit.</p> <p>As you may recall, any single-family residence is eligible to have an ADU. ADU's must meet specific design criteria including limitations in size as outlined in Lynden Municipal Code 19.20. Property owners must record a covenant with the City which states they will adhere to code requirements. The covenant also provides proof that the ADU was established legally and can continue to operate.</p> <p>The attached resolution creates a policy to decommission these units if a property owner desires to remove the ADU and the associated covenant.</p> <p>Notably the pending 2020 City Budget also includes a Planning Department fee addendum which dictates that a \$100 fee would be collected by the City for both covenants to establish and covenants to decommission. This fee will be collected for the first as of January 1, 2020. With the approval of this resolution property owners will have the opportunity to file for ADU decommissioning without this fee for the rest of 2019.</p>		
Recommended Action:		
Motion to approve Resolution 1011 indicating the City's policy on the decommissioning of accessory dwelling units (ADUs) and authorizing the Mayor's signature on the document.		