



## COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

4:00 PM October 15, 2019  
2<sup>nd</sup> Floor Conference Room, City Hall

### 1. ROLL CALL

**Council:** Gerald Kuiken, Kyle Strengholt,

**Staff:** Heidi Gudde, Dave Timmer

**Community:** Nikki Turner, Kathy Stanford, Jeff McKenzie (joined at 4:30)

### 2. MINUTES

9-18-19 Minutes - approved as presented

### 3. DISCUSSION ITEMS

#### a. Residential Use Restrictions - RV Storage

Dave Timmer gave an introduction to the issue and summarized the changes that he has proposed to LMC 19.31 based on the feedback from a previous CDC meeting.

Changes summarized:

- Time limitations for storage, previously identified as the summer months, to be removed.
- Revision addresses the way that RV's are stored rather than blanket allowance for storage or a complete prohibition. RV's to be in good condition, screened when needed, etc.
- Examples provided. DT noted many cities permit RV storage but address how they should be stored and quite a few limit the size of the vehicle that can be stored on a residential lot. Addressing the size of the vehicle gets to the issue of appropriate scale. Very large RV's can dominate a streetscape but smaller RV's are less obtrusive.

Discussion:

- More RV's seem to be present in town and RV's seem to be larger than they used to be.

- CDC confirmed that front yard storage can be done well and discussed how code was drafted to note the conditions required when they are located in front yards.
- Discussion of size limitations for RV's stored in front yards and classifications of vehicles. Generally, 30 feet was agreed that it would fit in most driveways. Never allowed to encroach into sidewalks.
- KS suggested that B2 should indicate that all of the criteria must be met when storing in the front yard. Discussion of appropriate screening options for RV's in the front yard. The group noted that fences cannot be used to screen in front yards due to height restrictions.
- SK noted that some areas should be noted as "shall" or "must" rather than just considered.
- Jeff McKenzie joined the meeting at 4:30 to talk about his experience in Lynden as a new resident. Feeling that RV's parked in yards and streets makes the City look cluttered.
- McKenzie suggested that when the City moves toward enforcement it makes sense to suggest storage options to those who are getting enforcement notices.

Conclusions: Dave Timmer to clarify regulations about storing RV's code and bring to CDC at the next meeting in November. Draft to be distributed to those who are interested ahead of the CDC meeting. HG noted that final changes to code not likely to get to public hearing with the Planning Commission until January or February of 2020.

b. Process for Decommissioning of ADU's

Gudde summarized the issue noting that a new ambulance fee on ADU's has stimulated at least 3 property owners to come forward to say they do not use their ADU. They are requesting they not be charged the fee.

Legal Counsel has provided guidance on some options for the decommissioning of ADU's. The method which avoids compliance issues (illegal ADU's) later involves making physical changes to the home to 'remove' the ADU function.

BL questioned if the ambulance fee is causing more issues than it's worth.

The group noted that the cost of removing the ADU would discourage residents from removing the fee. The fee is relatively low as compared to the cost of removal.

HG noted that having a legal ADU adds to the value of a property and allows home owners to list their homes as having a secondary living unit. A highly desirable feature. It can also provide additional income in that ADU's may be rented out.

Continue to bill the units until they demonstrate that the ADU is not present.

Inspection to demonstrate that the ADU is not present.

Covenant to remove the fee **or** a Fire inspection fee should be charged. Staff is suggesting a fee of \$100 to record a covenant and \$100 to decommission.

Conclusions:

Owners who wish to decommission their ADU's must:

- (1.) Remove the cooking facilities from the ADU and remodel the area so that cooking facilities are not easily put back in (just removing a stove for example is not adequate).
- (2.) Then they must schedule a fire inspection to verify the removal of the cooking facilities.
- (3.) And then file a covenant with the City which states that the previously recorded ADU has been removed. (Beginning January 1, 2020 there will be a fee of \$100 associated with this process.). This covenant must be recorded at the County.

c. Impact Fee Deferral per RCW 82.02, LMC Chapter 3.46 Clean-up

Gudde provided an overview on this State mandated program which was meant to provide economic recovery to the building industry (in 2015).

CDC was reluctant to push impact fees, potentially, to home buyers. The group was very concerned also that lot/home buyers would not be aware that impact fees were still pending.

They suggested that lot description, sales listing, or even a lot posting must include the fact that fees are still due. As drafted, an applicant seeking a deferral must grant and record a lien against the property in favor of the municipality in the amount of the deferred impact fee.

As the program is State mandated and was meant to be in place by September 1, 2016 staff will continue to move it forward. The State has begun surveying the implementation and the use of impact fee deferral programs. Gudde has reported to the state the developers are able to defer half of park and fire fees from the time of plat to the time of permit. However, she noted this does not meet the standards of the mandate.

Staff is also using this amendment to clarify issues related to impact fee credits and removing specific fees from code so that they can be referenced to the budget or a unified fee schedule rather than codified at a specific amount.

Item is going to the Public Works Committee in November. This gives the Committee the opportunity to think about the issue before moving forward. It will generally correspond with the budget process.

#### **4. INFORMATIONAL ITEMS**

- a. Development Reports were included in the packages but not discussed.
- b. Wayfinding Signs: Logos re-worked with some satisfaction. SK noted that the Planning Dept had sorted through the proposed sign menu to reduce the number of signs such as those in close proximity to each other or locations that were already well-signed. Also, pedestrian kiosks and signs pointing to municipal services removed to reduce costs. Interlocal agreement expected to be sent out soon which will detail what sort of commitment the City is making to the program.
- c. Downtown Expansion: CDC discussed the possibility of expanding the "downtown core" to Grover Street.
- d. Downtown Parking: Water treatment plant now removed and there may be some expectations from the Downtown merchants that parking would be available there. However, the construction (demolition) scope did not include improving the lot to a compacted gravel (or otherwise) parking surface. The lot has not been improved. Council members noted that the 'gravel' that's there now is broken concrete and not suitable for parking. It's likely this will become an issue for the public works department to address.

**Next Meeting Date: November 20, 2019**

DRAFT