

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	February 16, 2021	
Name of Agenda Item:	Reconsideration of Conditional Use Permit – Dillard Short Term Rental	
Section of Agenda:	New Business	
Department:	Planning Department	
Council Committee Review:	Legal Review:	
<input type="checkbox"/> Community Development	<input type="checkbox"/> Public Safety	<input checked="" type="checkbox"/> Yes - Reviewed
<input type="checkbox"/> Finance	<input type="checkbox"/> Public Works	<input type="checkbox"/> No - Not Reviewed
<input type="checkbox"/> Parks	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Review Not Required
Attachments:		
Request for Reconsideration of Council conditions place on Conditional Use Permit 20-03		
Summary Statement:		
<p>On Jan. 4, 2021 the City Council approved a Conditional Use Permit (CUP) for applicants David and Kathleen Dillard to operate a short-term rental (vacation rental) out of their home at 422 Woodcreek Dr. The Dillard's already have a legal Accessory Dwelling Unit (ADU), located in the basement floor of their residence. This ADU has been used as a rental. The CUP proposal sought to make the short-term rental a legal option for this space.</p> <p>On Dec. 10, 2020 the Planning Commission recommended approval of the CUP. They conditioned their recommendation on an annual review of the Permit. Staff also recommended approval but, after public comment from 2 neighbors along this street, staff additionally recommended that the Dillard's install a 6' privacy fence on the north property line between the homes (48 feet of fencing) due to parking pressures placed on the residence by the ADU rental which causes both the north and south driveways of the Dillard residence to act as parking areas and impacts the privacy of the adjacent neighbor to the north.</p> <p>Council approved the short-term rental with the condition to install privacy fencing. The Dillard's have since requested in writing that Council reconsider the condition of the fence. At this time Council has the option of:</p> <ul style="list-style-type: none">• Denying the request for reconsideration, or• Reconsidering the issue immediately or at another date. <p>It is important to note that new testimony or information cannot be submitted without a fair opportunity for the public to also be notified and submit testimony and / or information.</p> <p>Staff continues to assert that fence is an appropriate condition to aid in mitigating the impacts of a commercial operation in a residential neighborhood especially as the neighborhood is already familiar with the parking situation related to a rental of the ADU at the Dillard home. Public comment regarding the issue did not call for a denial of the request but simply that considerations to be made.</p>		
Recommended Action:		
Motion to deny the request for reconsideration of the fence condition placed on CUP #20-03.		