

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	March 6, 2023	
Name of Agenda Item:	Ord 23-1665 (previously advertised as Ord 1654) – Amending LMC 17 and 19 re Community Residential Facilities, CUPs, and STRs	
Section of Agenda:	Public Hearing	
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:	Draft Ord 23-1665, Redline versions, Summary of changes between PC recommendation and CDC recommendation, School buffer map, Planning Commission meeting minutes of 12/15/22	
Summary Statement:	<p>Important: This ordinance was advertised as number 1654 but has been reassigned to 23-1665. The City Council is considering the adoption of comprehensive zoning regulations governing Community Residential Facilities. In this case the term “Community Residential Facility” broadly means a residence or facility where unrelated individuals live together temporarily or permanently while utilizing common support and services. Several actions have led the City to examine this issue. In 2021 the State passed House Bill 1220 that affects how the city is allowed to regulate certain housing types that aim to address homelessness. In 2022, the issue came into sharper focus when proposed actions by a non-profit would have placed 2 group homes for men leaving prisons within close proximity of elementary schools. Research and review into this issue has been extensive. In the meantime, the City Council adopted interim zoning regulations that limited proximity to schools and similar residential facilities.</p> <p>Staff is now presenting the final ordinance on this issue. It should be noted that in addition to regulations for residential facilities, the proposal updates code pertaining to Conditional Use and Home Occupation Permits, and Short-term Rentals. Also, work on housing issues will continue. Staff is currently coordinating with Whatcom County to assess the regional housing need, including the need for emergency housing and shelters. Results will be reflected in the City’s Comprehensive Plan.</p> <p>On December 15, 2022, the Planning Commission held a public hearing on the ordinance and recommended approval with the condition that length of stay at bed and breakfasts be treated equally to length of stays at short-term rentals. Following this conclusion, the Community Development Committee drafted alternate recommendations that did not alter language related to Community Residential Facilities but tightened regulations on short-term rentals. Details of these alternate regulations have been included in the agenda packet for discussion.</p>	
Recommended Action:	Motion to approve Ord 23-1665 as recommended by the Community Development Committee and authorize the Mayor’s signature on the document.	