

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	January 4, 2021	
<b>Name of Agenda Item:</b>	Conditional Use Permit – Dillard Short Term Rental	
<b>Section of Agenda:</b>	New Business	
<b>Department:</b>	Planning Department	
<b>Council Committee Review:</b>	<input 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: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Planning Commission Resolution and Meeting Minutes from Dec. 10, 2020, TRC Report, Application Package		
<b>Summary Statement:</b>		
<p>The City of Lynden’s zoning code provides residents, who meet specific performance criteria, the opportunity to use their homes as short-term vacation rentals. These are regulated per the City’s code section on Bed and Breakfast Establishments (LMC 19.49.030). Prior to operation, the homeowner must be granted a Conditional Use Permit (CUP) because a short-term rental may have an impact on the surrounding properties.</p> <p>The pending CUP application has been submitted by David and Kathleen Dillard; who’s property is located at 422 Woodcreek Drive. 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. With this CUP proposal they are seeking to make the short-term vacation rental a legal option for the space. Consistent with code, the property owner is intending to remain onsite when the property is being used as a short-term rental.</p> <p>On December 10, 2020 the Planning Commission recommended approval of the Conditional Use Permit. They conditioned their recommendation on an annual review of the Conditional Use Permit.</p> <p>Staff also recommends approval but, after feedback from 2 neighbors along this street, staff additionally recommends that the Dillards install a 6’ privacy fence on the north property line between the homes (48 feet of fencing). This is 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. Staff asserts that the parking demand will remain regardless of if the ADU is used for short- or long-term rental.</p>		
<b>Recommended Action:</b>		
Motion to approve Conditional Use Permit 20-03 allowing a short-term rental at 422 Woodcreek Drive (with or without the condition to install 48 feet for privacy fencing on the north property line) and authorize the Mayor’s signature on the Finding of Fact and Conclusions of Law.		