

**LYNDEN CITY COUNCIL  
LYNDEN CITY HALL ANNEX  
(205 4<sup>th</sup> Street)  
REGULAR SESSION**

**7:00 P.M.  
NOVEMBER 3, 2008  
AGENDA**

**I CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES**

**APPROVAL OF PAYROLL**

**ITEMS FROM THE AUDIENCE**

A. SCHEDULED - None

B. UNSCHEDULED (20 Minutes)

During this portion of the meeting, audience members may address the Council on any issue other than those scheduled for a public hearing or those on which the public hearing has been closed. For the record, prior to commenting please state your name, address, and topic. Please keep comments under 4 minutes.

**II PUBLIC HEARINGS**

A. COMPREHENSIVE PLAN AMENDMENT AND REZONE - 08-01 - MAIN STREET

B. SIZE RESTRICTIONS FOR BIG BOX STORES

C. REAL ESTATE PROPERTY TAX - ORDINANCE NO. 1339

**III NEW BUSINESS**

A. SET TIME AND LOCATION FOR THE NOVEMBER 10, 2008 AND NOVEMBER 24, 2008 SPECIAL BUDGET WORK SESSIONS

B. PUGET SOUND ENERGY DISTRIBUTION SUBSTATION - CUP # 08-03

**IV EXECUTIVE SESSION**

**V ADJOURNMENT**

**CITY OF LYNDEN**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE:** November 3, 2008

AGENDA ITEM: Public Hearing for CPA/RZ #08-01, Main Street		AGENDA SECTION: <b>Public Hearings</b>
PREPARED BY: Amy Harksell, Planning Director	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm. Dev. <input type="checkbox"/> Legislative	AGENDA NO.:  <b>II. A</b>
ATTACHMENTS: TRC report, application materials, Planning Commission minutes and resolution	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

On June 2, 2008, Rick Alexander submitted an application for a Comprehensive Plan Amendment and Rezone requesting to change the comprehensive plan designation from Industrial to Commercial and to rezone the property from I-1(Industrial) to CS-1 (Commercial Shopping) at 100, 104, 110 and 114 Main Street.

The Planning Commission held a public hearing on the request on September 18, 2008 and has recommended approval of both the comprehensive plan amendment and rezone. Being that this is a legislative matter the City Council has the opportunity to hold another public hearing on the application.

Once the Council takes action, a final ordinance and notice to the Washington State Department of Community, Trade and Economic Development will be completed and brought back to the City Council for final approval in December.

<p><b>RECOMMENDED ACTION:</b></p> <p>Motion to approve CPA/RZ #08-01, as recommended by the Planning Commission and direct staff to complete the required ordinance and notice to The Department of Community, Trade and Economic Development.</p>
<p><b>COUNCIL ACTION:</b></p>

**CITY OF LYNDEN**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE:** **November 3, 2008**

AGENDA ITEM: Size restrictions on Big Box Stores		AGENDA SECTION: <b>Public Hearing</b>
PREPARED BY:  Amy Harksell, AICP Planning Director	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm. Dev. <input type="checkbox"/> Quasi Judicial.	AGENDA NO.:  <b>II. B</b>
ATTACHMENTS: Recommendation from Zoning Review Committee, correspondence, Planning Commission minutes and resolution	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The City entered into a contract with Pitney Bowes MapInfo in March of this year to analyze the retail market area for Lynden. The firm has identified the City's local and regional trade areas, completed a field analysis, and compiled the demographic, lifestyle, and retail expenditure data for the trade area. The study also provided the City with a list of potential retailers whose demographic and psychographic preferences matched the community.

The Zoning Review Committee discussed the results of the study and how to best approach increasing the availability of goods and services within the city. The question of whether the size limitation for general retail sales should be removed has been the subject of debate and discussion. The Zoning Review Committee prepared a recommendation based on information in the following pages, and sent that forward to the Planning Commission for a public hearing.

The Commission held their public hearing on October 9 and heard from a property owner and Gary Vis. Their minutes and resolution are included in the package for the Council's consideration.

The staff and the Zoning Review Committee are seeking answers or direction from the Council on the following questions:

1. Should the City lift the size limit of 65,000 on general retail stores?
2. If the answer is yes, should there be any size limit on general retail stores?
3. If that answer is yes, the ZRC is discussing a limit between 180,000 and 250,000 square feet, does the City Council have further input on the size limit?

If the answer to the first question is yes, staff and the ZRC will work to define the design guidelines, and other requirements for larger format retail stores. Those recommendations will be packaged with other changes that will be brought before the Planning Commission and City Council at a later time.

RECOMMENDED ACTION:
COUNCIL ACTION:

**CITY OF LYNDEN**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: November 3, 2008**

<b>AGENDA ITEM:</b> Set Time and Location for November 10, 2008 and November 24, 2008 Budget Workshops		<b>AGENDA SECTION:</b>  New Business
<b>PREPARED BY:</b> Bill Verwolf, City Administrator	<b>COUNCIL REVIEW:</b> <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input checked="" type="checkbox"/> Not Reviewed	<b>AGENDA NO.:</b>  III-A
<b>ATTACHMENTS:</b>	<b>LEGAL REVIEW COMPLETED:</b> <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	<b>APPROVED BY:</b>

The Lynden City Council will be holding Budget Workshops during Special Council Meetings on November 10, 2008 and November 24, 2007. The purpose of this item is to determine the location and time of the workshops.

<b>RECOMMENDED ACTION:</b> A motion that the Special Council Meetings scheduled for November 10, 2008 and November 24, 2008 be held at 7:00 P.M. at the City Hall Annex, located at 205 4 <sup>th</sup> Street, Lynden, WA 98264.
<b>COUNCIL ACTION:</b>

**CITY OF LYNDEN**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE:** **November 3, 2008**

<b>AGENDA ITEM:</b> Consideration of Approval for CUP #08-03 – Puget Sound Energy		<b>AGENDA SECTION:</b> <b>New Business</b>
<b>PREPARED BY:</b>  Amy Harksell, AICP Planning Director	<b>COUNCIL REVIEW:</b> <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Com. Dev. <input checked="" type="checkbox"/> Quasi Judicial	<b>AGENDA NO.:</b>  <p align="center"><b>III. B</b></p>
<b>ATTACHMENTS:</b> TRC Report, Application materials, Planning Commission minutes, Planning Commission resolution and draft Findings of fact	<b>LEGAL REVIEW COMPLETED:</b> <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	<b>APPROVED BY:</b>

Puget Sound Energy requested a conditional use permit for the construction of an energy distribution substation at 2052 Main Street. This use requires a conditional use permit. The Planning Commission held a public hearing on October 9 to consider the application. No one spoke in opposition to the application, and the Planning Commission recommended approval.

Complete building and engineering plans will be submitted prior to construction on the site, and Puget Sound Energy will be paying the Main Street costs for their frontage. The TRC report and the Planning Commission resolution have been incorporated into the draft findings of fact included in the Council’s package.

<b>RECOMMENDED ACTION:</b> Motion to approve Conditional Use Permit 08-03 for Puget Sound Energy as recommended by the Planning Commission and authorize the Mayor’s signature on the attached findings of fact.
<b>COUNCIL ACTION:</b>