

ORIGINAL

CITY OF LYNDEN  
PLANNING COMMISSION RESOLUTION #24-03

**A resolution of recommendation for approval of an amendment to LMC 19.33 regarding the sign code and LMC 17.01.030 regarding sign-related definitions**

WHEREAS, the City's current sign code is contained in Lynden Municipal Code Chapter 19.33; and

WHEREAS, LMC Chapter 17.01.030 also contains sign-related definitions.

WHEREAS, the City's current sign code was adopted in 1997; and

WHEREAS, since that time, there have been many state and federal court decisions that have clarified how municipalities may regulate signs; and

WHEREAS, more specifically, as with any law implicating an important civil right like freedom of expression, municipalities cannot selectively enforce their regulations against only certain types of signs; and

WHEREAS, a sign code must avoid content based regulations, standards and discrimination and that there be no intent by government to censor based on subject matter or message; and

WHEREAS, in light of these developments in the case law, it is necessary to revise the current sign code contained in LMC Chapter 19.33; and

WHEREAS, to ensure consistency with the revised sign code, it is necessary to also revise the sign-related definitions contained in LMC 17.01.030; and

WHEREAS, the Lynden Planning Commission held a public hearing on May 9, 2024, to accept public testimony on the proposed Amendment to Lynden Municipal Code (LMC) 19.22 and 17.01.030, and that meeting was duly recorded;

WHEREAS, LMC 19.33 and LMC 17.01.030 have been updated to better clarify the proposed changes as shown in **Exhibit A**.

**NOW THEREFORE, BE IT RESOLVED** by the Lynden Planning Commission to recommend approval of the amendment outlined in Exhibit A by a vote of 4-0, to the City Council concerning LMC 19.33 and LMC 17.01.030 regarding the sign code and sign related definitions.

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their meeting held the 9<sup>th</sup> day of May 2024.

  
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Tim Faber, Chair  
Lynden Planning Commission

  
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Heidi Gudde, Director  
Community Development Department