

# CITY OF LYNDEN

PLANNING DEPARTMENT  
Heidi Gudde, Planning Director  
(360) 354 - 5532



## Planning Department Memorandum

**To:** Planning Commission

**From:** Dave Timmer

**Meeting Date:** November 21, 2019

**Re:** Comprehensive Plan Amendment – Future Land Use Map

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The City of Lynden amended the Comprehensive Plan in December of 2018 to reflect the creation of the Pepin Creek Sub-Area.

At that time the Future Land Use Map was also amended to reflect the arrangement of low and medium residential development proposed within the Sub-Area Plan Draft.

Since that time the zoning layout of the Pepin Creek Sub-Area has been altered as reflected in the revised plan. The proposed amendment to the Comprehensive Plan is meant to correspond with these revisions.



# City of Lynden

## Comprehensive Plan Amendment Approval Process

- Pre-application Meeting (MANDATORY)**  
Applicant or agent meets with the Technical Review Committee for a “feasibility review” and to discuss fees, time frames for the request, and early issues with the project.
- Application Review and Determination of Completeness**  
City staff reviews all application materials, makes a determination of completeness, and notifies the applicant within 14 days.
- Publication of Legal Notice of Application and Proposed Request**  
City staff is responsible for publishing a legal notice of application and public hearing on the proposed request. Legal notices of application must be published at least 14 days prior to the public hearing.
- Certified Mailing to Surrounding Property Owners for all map amendments**  
The proponent or applicant is responsible for notifying surrounding property owners within 300 feet of the project proposal. Property owners must be given at least 14 days written notice by certified or registered mail. In addition to the mailing, three copies of the legal notice must be posted within 300 feet of the project. A notarized affidavit of the postings and receipts for the certified mailings must be turned over to the Planning Department at least 10 days prior to the hearing date.
- Technical Review Committee (TRC) Report and Recommendations**  
The TRC is notified of the application and reviews it for compliance with City plans and regulations, coordinates necessary permit reviews and identifies the development’s environmental impacts. The TRC consists of representatives from Fire, Parks, Public Works, Planning, and the Administration Department. The applicant is mailed a copy of the report, and it is also forwarded to the Planning Commission as part of the record for the hearing.
- SEPA Determination and Publication of Legal Notice**  
All development permits require a SEPA checklist, except short plats and other projects exempted by WAC 197-11 and LMC 16.05.070. City staff will be able to advise whether or not this is required for your project.
- Public Hearing at Planning Commission (Typically scheduled in September - October)**  
The Planning Commission makes its recommendation for approval or denial after reviewing and considering the amendment materials, the TRC report, and any written or oral testimony in reference to the request. The Commission then forwards its resolution outlining the decision, its findings, conclusions and recommendations to the City Council for consideration.
- Public Hearing at City Council (Typically scheduled in November – December)**  
The City Council makes a final decision on the proposed amendment to the Comprehensive Plan. Their decision is made by ordinance and signed by the Mayor. Their decision can be made by motion, resolution or ordinance as appropriate. The Council may also issue Findings of Facts and Conclusions of Law, outlining their decision.
- Publication of Legal Notice of Decision**  
City staff is responsible for publishing a legal notice of final decision on the amendment. This legal notice, along with a copy of the Planning Commission resolution is mailed to the applicant, specifying any conditions of the decision.



# City of Lynden

## *Comprehensive Plan Amendment Application Requirements*

1. *Completed application form for the comprehensive plan amendment request.*
2. *All applicable fees.*
3. *Section of Comprehensive Plan to be amended.*
4. *SEPA Checklist*

**For all map amendments please include the following additional information:**

5. *Property site map showing the following (for map amendments only):*
  - a. *property dimensions and size*
  - b. *street and alley dimensions*
  - c. *other existing physical features*
  - d. *north point and scale*
  - e. *size and location of all utilities*
6. *Area map showing the following*
  - a. *adjacent properties*
  - b. *zoning of adjacent properties if different than site zoning*
  - c. *nearby structures and buildings*
  - d. *streets/highways*
  - e. *watercourses and critical areas*
  - f. *easements*
7. *Legal description of the property.*
8. *Names and addresses of all persons, firms and corporations holding interest in the property.*
9. *Critical Areas Ordinance Checklist.*



# City of Lynden

## *Comprehensive Plan Amendment Application*

### I. APPLICANT INFORMATION

Name: **Dave Timmer, City Planner, COL Planning Dept**

Address: **300 4<sup>th</sup> St, Lynden WA**

Telephone Number: **360-354-5532** Fax Number: \_\_\_\_\_

E-mail Address: **timmerd@lyndenwa.org**

### II. CHECK THE APPROPRIATE BOXES

Comprehensive Plan Map Amendment

Comprehensive Text Amendment

### III. SUMMARIZE THE CHANGES YOU ARE PROPOSING:

The City of Lynden is proposing revisions to its Future Land Use Map, specifically in regard to the Pepin Creek Subarea, thereby amending its Comprehensive Plan. The revisions adjust the locations of Medium Density Residential and Low Density Residential that were established in the 2018 CPA to reflect proposed changes to the Pepin Creek Subarea that have occurred as the Pepin Creek Subarea planning efforts have moved forward.

Additionally, the city is proposing a change to Table 2.3 Future Land Use and Zoning Designations in the Land Use Element chapter of the Comprehensive Plan. This change would add the RM-PC zoning designation and description to the RM (Medium Density Residential) category of that table.

### IV. FOR MAP AMENDMENTS:

A. Tax Parcel Number(s): **NA**

Site Address: \_\_\_\_\_

Total Acreage: \_\_\_\_\_

Property Owner(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

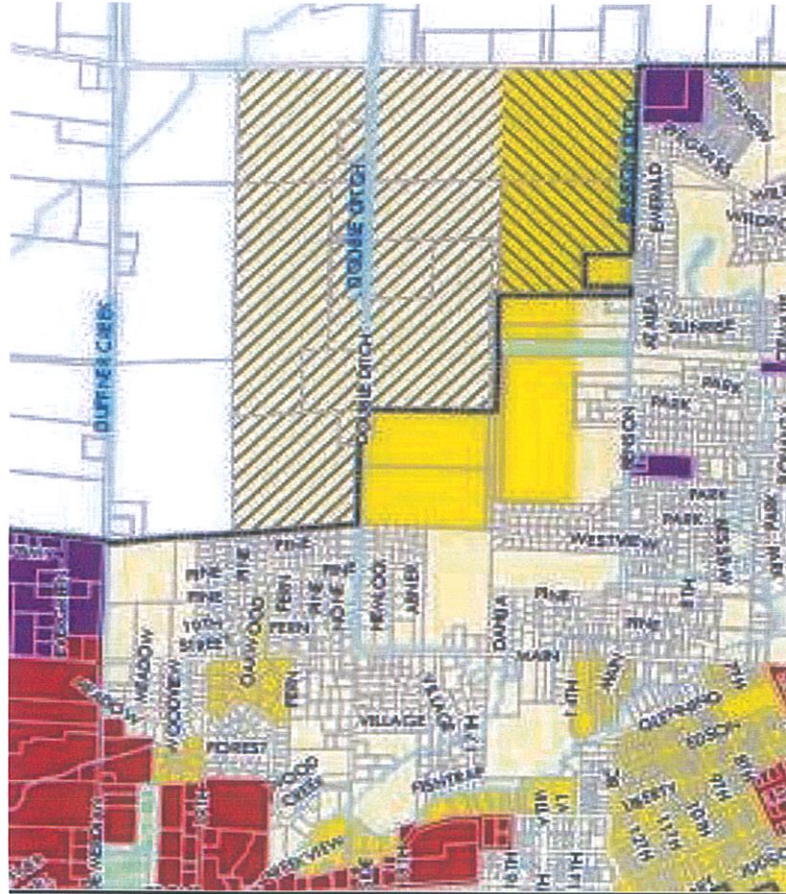
City, State & Zip Code: \_\_\_\_\_

Phone Number: (     ) \_\_\_\_\_

Please attach additional sheets if more than one parcel is involved

*Existing Comprehensive Plan Designation:*

**For Pepin Creek Subarea:** The adopted 2018 CPA changed the Future Land Use map for the Pepin Creek Subarea to look like this:



B. *Existing Zoning Designation:*

**Pepin Creek Subarea:**

County jurisdiction (in Lynden UGA but not city limits): zone AG

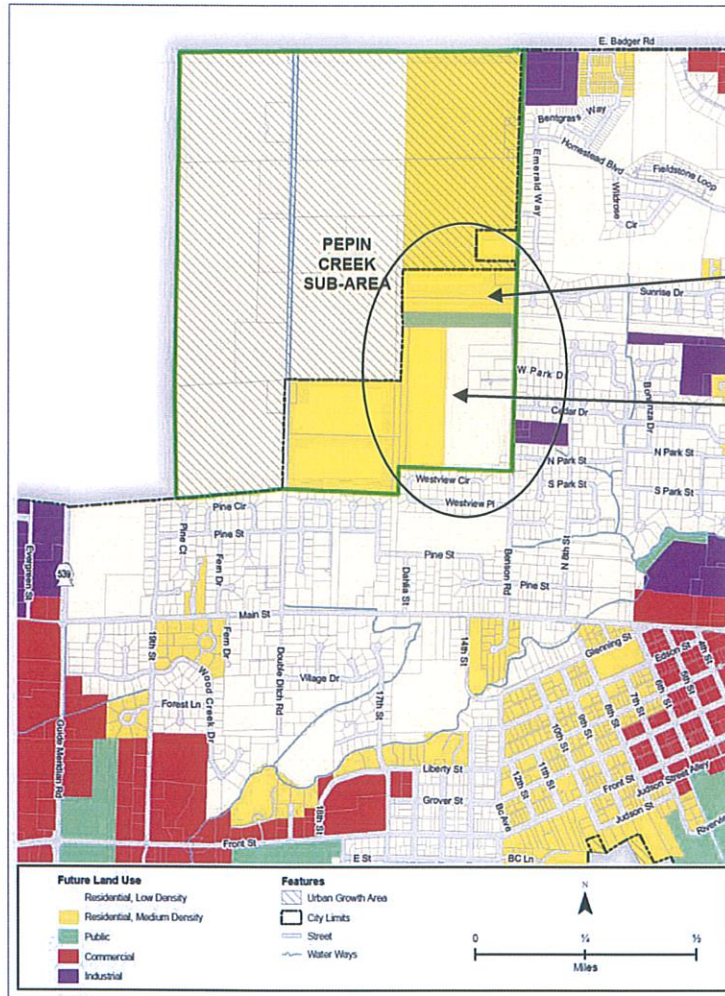
The portion in the City Limits is zoned: Residential Mixed Density and some RS-100. The forthcoming Subarea plan is proposing adjusting this zoning.

C. *Proposed Comprehensive Plan Designation:*

**Pepin Creek Subarea:**

This proposal simply rearranges the Low Density Residential and Medium Density Residential locations within the Pepin Creek Subarea

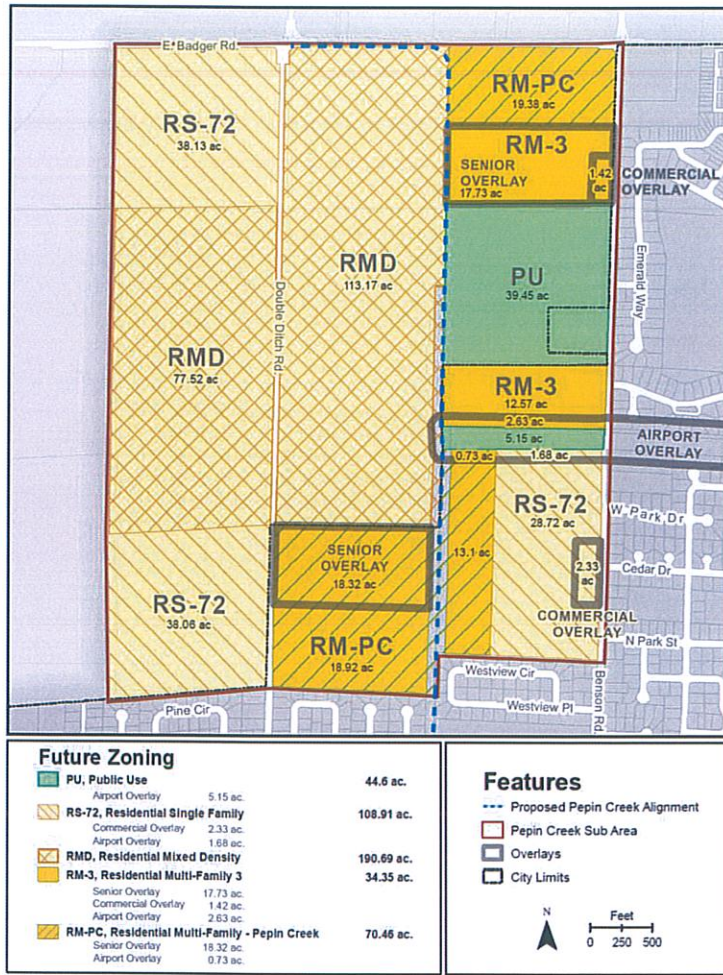
in two locations. These changes are a result of City Council review of the Pepin Creek Subarea over the past year as further information regarding the cost of development and growth planning have occurred. The proposed arrangement is:



The above arrow/circle indicates the location of the proposed change. It creates a larger buffer of Low Density Residential around the existing large single family lots off Benson Rd and increases the Medium Density Residential on the 2 parcels north of the Airport buffer.

D. *Proposed Zoning Designation:*

**Pepin Creek Subarea:**



E. *The present use of the property is:*

**Pepin Creek Subarea:**

Primarily agricultural use (dairy, pasture, field crops, blueberries).  
Some farmhouse structures throughout and single family residential along Benson.

F. *The intended future use of the property is:*

**Pepin Creek Subarea:**

Residential neighborhoods, park and multimodal trail, potential small-scale commercial.

G. *Surrounding land uses are:*

**Pepin Creek Subarea**

**Existing residential neighborhoods to the east and south. County agriculture to the west and north.**

V. *For Text Amendments*

*Identify the section(s) of the Comprehensive Plan that you are proposing to amend, and provide the proposed wording (attach additional sheets as needed):*

**Lynden Comprehensive Plan Table 2.3 Future Land Use and Zoning Designations** (proposed changes redlined and highlighted)

<b>Future Land Use (FLU)</b>	<b>Description</b>	<b>Zoning</b>	<b>Description</b>	<b>Existing Acreage in City Limits</b>
<b>AG (Agriculture)</b>	Reserved for agricultural land uses within the City and Urban Growth Area until other land uses are planned with the necessary extension of streets and public utilities.	A-1	Zoned for agricultural land uses within the City and Urban Growth Area until other land uses are planned with the necessary extension of streets and public utilities.	-
<b>RL (Low Density Residential)</b>	Maintains stable, low-density, largely single-family neighborhoods, while providing a range of housing types and prices.	RS-100	Requires a minimum lot area of 10,000 sq. ft. and allows for 4 D.U./acre.	1,935.0
		RS-84	Requires a minimum lot area of 8,400 sq. ft. and allows for 4.5 D.U./acre.	
		RS-72	Requires a minimum lot size of 7,200 sq. ft. and allows for 5 D.U./acre.	



Future Land Use (FLU)	Description	Zoning	Description	Existing Acreage in City Limits
		RMD	A zoning designation that allows up to a maximum of 8 units/acre and encourages the integration of single family and duplex multi-family homes within neighborhoods.	
<b>RM (Medium Density Residential)</b>	Provides higher density housing options and a range of housing types to accommodate future growth.	RM-1	Up to 2 units/building, with a development density of 8 D.U./acre.	441.5
		RM-2	Up to 4 units/building, with a development density of 12 D.U./acre.	
		RM-3	Up to 12 units/building, with a development density of 16 D.U./acre.	
		RM-4	Up to 50 units/building, with a development density of 24 D.U./acre.	
		RM-PC	Maximum development density (without Senior Overlay activation) is 12 D.U./acre	
		MH	The primary use is modular and mobile homes, but also includes mobile home parks that meet or exceed the minimum requirements of RS-72 zone.	
		TR	Provides and regulates buildings and/or structures where travel trailers and recreational vehicles are permitted. This zone may also be used for travel trailer and recreational vehicle camping, tent camping and camping cabins.	

Future Land Use (FLU)	Description	Zoning	Description	Existing Acreage in City Limits
		HBD	This is the zone of the City's original economic activity. It is an active mix of professional offices and residences, personal services and small retail.	
<b>COM (Commercial)</b>	Provides for commercial activity and employment growth including office and retail uses.	CSL	Local scale retail development (stores less than 65,000 square feet), medical, professional and financial services.	482.4
		CSR	Primary location for businesses that support both the local and regional trade through the development of large format retail and regional commercial stores.	
		ID	This industrial zone permits a variety of industrial uses, controlled primarily by performance standards.	
<b>IND (Industrial)</b>	Provides employment growth for industrial and some commercial uses.	IBZ	A light industrial zone that permits a mixture of industrial and commercial uses.	331.8
		PU	Regulates public and quasi-public areas such as parks, open space areas, public buildings, and the Northwest Washington Fairgrounds.	
<b>PUB (Public)</b>	Provides public land needed to supply public facilities, services, and public open space.			183.7

The proposed change adds the RM-PC zoning category to the RM (Medium Density Residential) section of this table. Additionally, it changes the description of the RMD zone to only include duplexes as the “integration of single family and duplex homes.” This change to the RMD description reflects an adopted change to the RMD code which no longer allows more than a duplex to be built in that zone. This proposed change does not adjust the “Existing Acreage” column as those changes are more appropriate for when the global Comp Plan update occurs in 2024.

*VI. For All Amendments:*

- A. Describe how the proposed amendment to the plan is supported by or consistent with the existing goals and policies of the comprehensive plan and the State Growth Management Act?*

**Pepin Creek Subarea:**

This proposed amendment is the result of the continued planning efforts for the Pepin Creek subarea. The creation of the Pepin Creek Subarea is the result of an intensive planning process to establish zoning designations and design standards for this area prior to development occurring. This proposal adjusts Future Land Use designations within the subarea to reflect the subarea planning efforts.

- B. Have circumstances changed sufficiently since the adoption of the comprehensive plan to justify the proposed change? If so, the circumstances that have changed should be described in sufficient detail so that a finding of changed circumstances can be made and a decision as to appropriateness of the proposed plan amendment can be reached.*

**Pepin Creek Subarea:**

The addition of the 155 acres to the UGA, which occurred with the 2016 update, prompted the City to more intensively study how residential development will occur in this area. Simultaneously, the Pepin Creek relocation project has gained momentum and needs to occur in conjunction with development.

Therefore, the City decided to formally plan the development of this area. The result is the Pepin Creek Subarea, which guides how development will occur in this subarea. In 2018, the City amended portions of the Comp Plan to plan for the proposed densities as determined by the Pepin Creek Subarea plan. Since then, planning efforts have continued and minor adjustments to those proposed densities have been made.

This proposal adjusts Future Land Use designations within the subarea to reflect the ongoing subarea planning efforts and the ongoing adjustments to that plan.

*C. Have the underlying assumptions found in the comprehensive plan upon which the land use designation, density or other provisions are based changed, or is new information available which was not considered at the time the plan was adopted? If so, the changed assumptions or new information should be described in sufficient detail to enable the Planning Commission and City Council to find that the land use designation or other sections of the plan should be changed. Examples of the underlying assumptions include expected population growth, utility or roadway capacities, available land supply, or demand for land with the existing or proposed land use designation.*

**No, the underlying assumptions have not changed. The Pepin Creek Subarea Plan, including the creation of the PCSA, helps to guide future residential growth in that location so that Lynden's character can be maintained while this growth occurs. This proposed amendment rearranges future land use allocations within the subarea designed to accommodate appropriate housing density and protect existing neighborhood character.**

*D. Does the proposed amendment promote a more desirable land use pattern for the community as stated in the goals and policies in the comprehensive plan? Are there environmental constraints (such as wetlands, steep slopes, significant stands of trees, etc.) present on the site to such a degree that development of the site is economically or physically unfeasible under the existing land use designation? If so, a description of the qualities of the proposed plan amendment that would make the land use pattern more desirable and/or would result in less environmental impact should be provided in sufficient detail to enable the Planning Commission and City Council to find that the proposed amendment is in the community's long term best interest.*

**Pepin Creek Subarea:**

**In 2018, the City established, through a Comp Plan Amendment, a new Subarea in the City, the Pepin Creek Subarea. The creation of the Pepin Creek Subarea was the result of an intensive planning effort to promote desirable, attractive neighborhood development in this area as this subarea has been planned to accommodate a large percentage of Lynden's residential growth over the next 20 years.**

**Pepin Creek, which currently flows as two roadside ditches along Double Ditch Road, is expected to be relocated within the subarea to improve stream habitat, increase flood capacity and to allow for improvements to Double Ditch Road. Relocating Pepin Creek is an extremely complicated**

effort, the extent of which continues to be researched and refined. Refinements over the past year have resulted in a need to make housekeeping-type changes to the proposed zoning and future land use within the Pepin Creek Subarea. This includes a desire by policy makers to balance the need to accommodate projected growth, to protect existing land uses, and to work toward financing the relocation of Pepin Creek in order to allow residential development to occur. This Comp Plan Amendment proposal is those housekeeping changes which essentially rearranges proposed density within the subarea.

*E. What impacts would the proposed amendment to the plan have on the current use of other properties in the vicinity? What measures should be taken to ensure compatibility with the uses of other property in the area?*

The adjustments proposed are the result of continued planning efforts which will guide the development of the subarea. The proposed amendment adjusts locations of future residential densities based on the desire to accommodate residential growth pressure and to finance needed infrastructure within the Pepin Creek Subarea.

Growth pressure and associated development will have an impact. The Pepin Creek Subarea Plan provides guidelines for the development of residential neighborhoods, recreational opportunities, strong roadway connections to help alleviate negative impacts and to connect the neighborhoods into the fabric of this growing city. Furthermore, the proposed creek relocation project improves fish habitat and allows for the eventual upgrade of Double Ditch and Benson Roads, which are substandard regional roads.

*F. How will the public interest be served by this amendment?*

At the present time, Lynden is seeing strong pressure to add housing. While the City could take a hands-off approach, it has decided that it is in the best interest of the public to plan ahead. Therefore, it has created the Pepin Creek Subarea, and put significant resources toward relocating Pepin Creek and developing a Subarea Plan that will guide development and set design standards for the Subarea. It is expected that this development will occur over the next 2 decades, development will be linked by the planning efforts that are occurring as part of this plan. This proposal reflects those planning efforts.

*By signing this application, I certify that all the information submitted is true and correct. I also understand that no final approval will be issued until all final review costs are paid in full.*

*Applicant's Signature:*  *Date:* \_\_\_\_\_

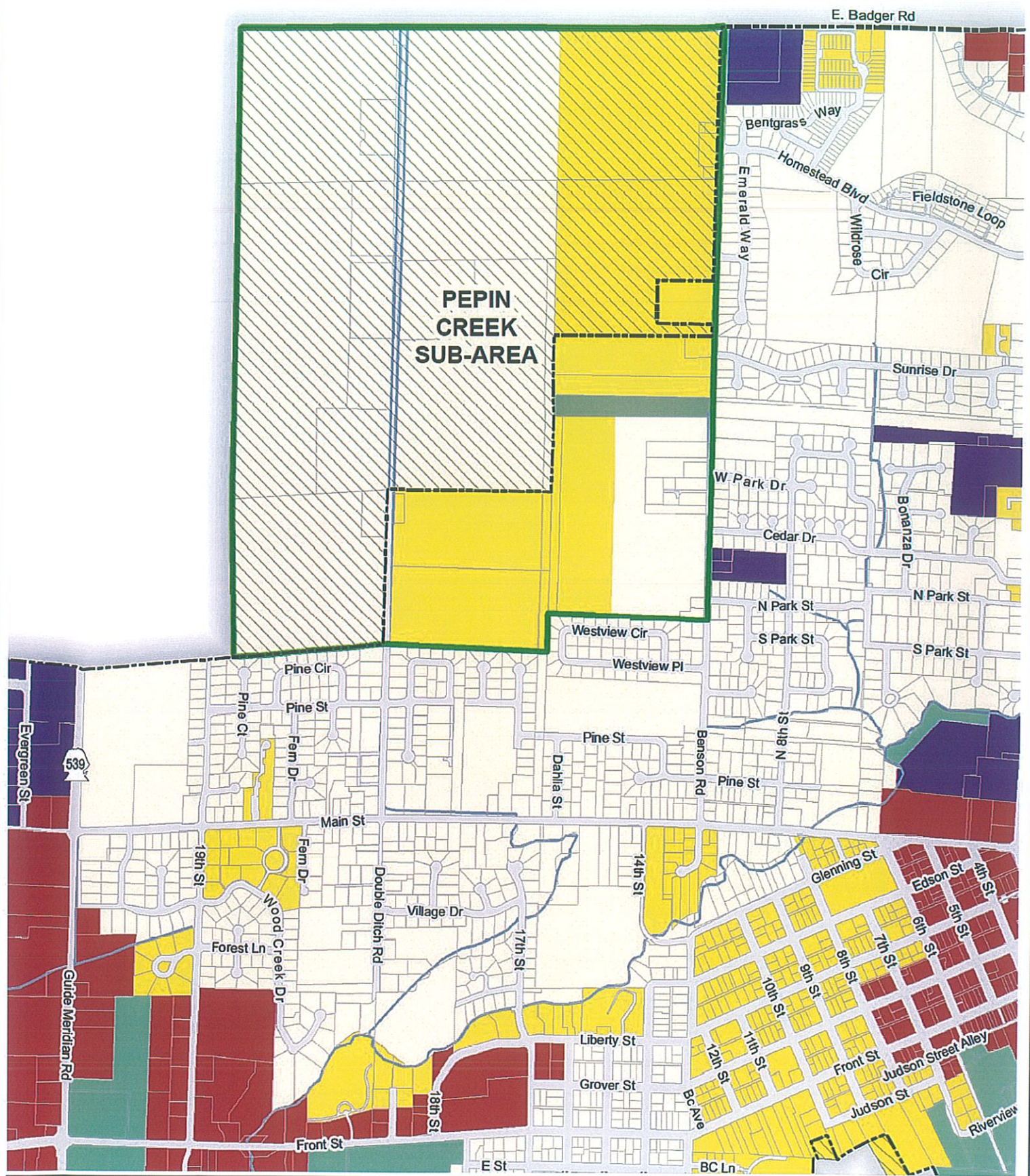
*Property Owner's Signature:* \_\_\_\_\_ *Date:* \_\_\_\_\_

*Pre-application meeting date:* \_\_\_\_\_

*(Applications will not be accepted without a pre-application meeting)*

*Fee's (CPA \$350.00 or Final Review Cost) date paid:* \_\_\_\_\_ *receipt #* \_\_\_\_\_

# PEPIN CREEK SUB-AREA



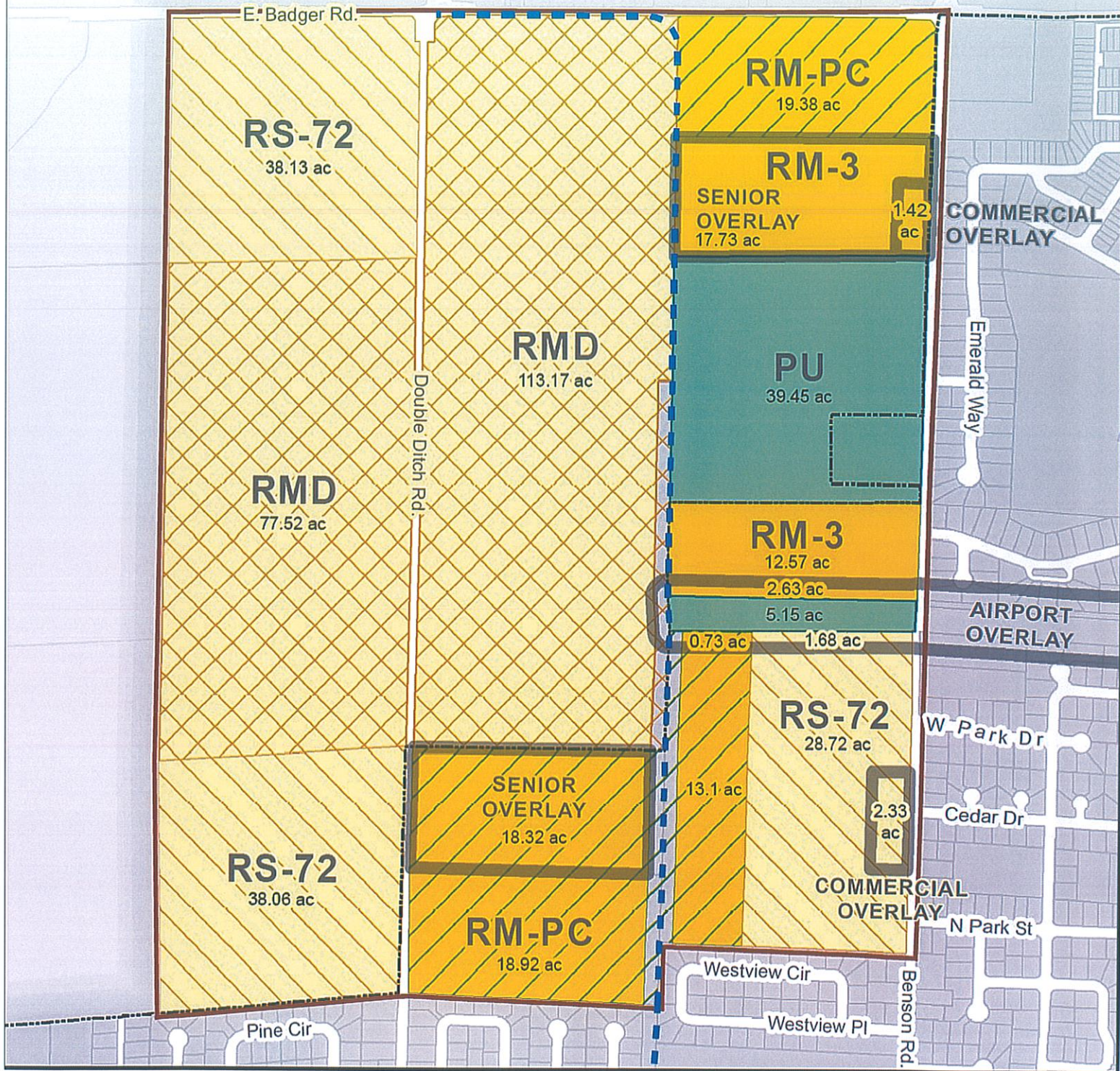
### Future Land Use

- Residential, Low Density
- Residential, Medium Density
- Public
- Commercial
- Industrial

### Features

- Urban Growth Area
- City Limits
- Street
- Water Ways





### Future Zoning

	<b>PU, Public Use</b>	44.6 ac.
	Airport Overlay	5.15 ac.
	<b>RS-72, Residential Single Family</b>	108.91 ac.
	Commercial Overlay	2.33 ac.
	Airport Overlay	1.68 ac.
	<b>RMD, Residential Mixed Density</b>	190.69 ac.
	<b>RM-3, Residential Multi-Family 3</b>	34.35 ac.
	Senior Overlay	17.73 ac.
	Commercial Overlay	1.42 ac.
	Airport Overlay	2.63 ac.
	<b>RM-PC, Residential Multi-Family - Pepin Creek</b>	70.46 ac.
	Senior Overlay	18.32 ac.
	Airport Overlay	0.73 ac.

### Features

- Proposed Pepin Creek Alignment
- Pepin Creek Sub Area
- Overlays
- City Limits

