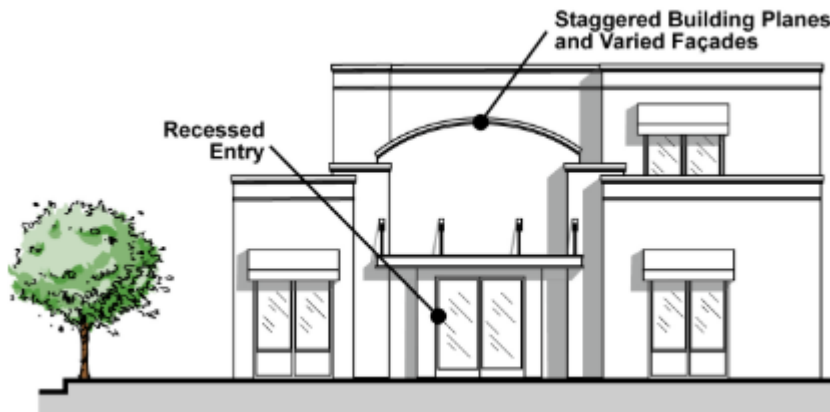


19.23.080 Commercial Design Standards

~~F. Design Guidelines: All large format retail commercial buildings, those listed in LMC 19.23.060 and developments utilizing the provisions of the mixed-use centers overlay, unless exempted per LMC 19.23.050(D), must meet the following site and building design standards described below, as part of compliance with the city's design review design requirements outlined below.~~

A. Section I - Aesthetic Character Architecture

Intent: Buildings ~~should~~ must contribute to an offer attractive streetscape in scale and form. Facades must include variations and features which enhance visual interest. First floors and entryways must establish and inviting pedestrian scale features, spaces and amenities that make it easier and safer to walk and orient oneself to destinations, especially those with disabilities, children and the elderly. ~~reflect the character of the community.~~



Example of building features expected in commercial design. Covered entryway, storefront windows, varied rooflines, and façade features and articulation.

1. Building Scale and Transition to the Pedestrian Environment.

a. Scale. The use of porticos and other features to reduce the height of the front of the building to a pedestrian scale is required.

i. Ground floor facades that front public streets or primary parking areas shall have porticos, arcades, covered entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.

ii. Unenclosed, open-air porticos, arcades, or structural pedestrian covers may encroach into the front and side setbacks by as much as half of the minimum required setback.

b. Entryway Cover.

i. All entrances that front public streets or primary parking areas shall provide a minimum of 20 square feet of cover from the weather.

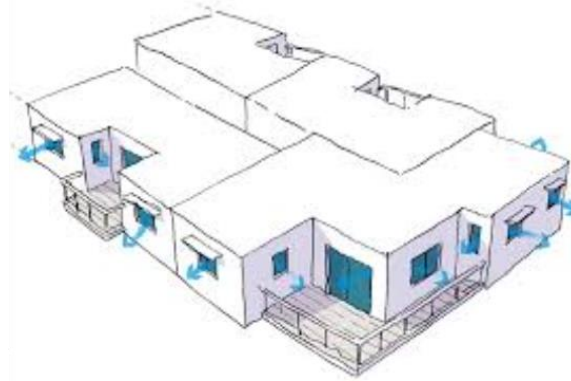
- ii. All entrances intended for customers, regardless of their location, shall provide a minimum of 20 square feet of cover from the weather.
- c. Entryway Design. The required portico feature should include design elements and variations which give support the character of the building as well as enhance the pedestrian scale. Each building on a site shall have clearly defined, visible entrances. Primary entrances must feature no less than three (3) of the following design elements:
 - i. Arcade, plaza or portico.
 - ii. Raised parapets over entries.
 - iii. Arched elements.
 - iv. Display windows.
 - v. Outdoor patio space with pedestrian seating.
 - vi. Peaked roof forms.
 - vii. Recesses or projections.
 - i-viii. Decorative lighting.

Examples of covered entries.



- d. Multi-business Building. Where additional businesses will be located in the principal building, each business shall have at least one exterior customer entrance that conforms to the above requirements.
- a-e. Adjoining Sidewalks. Entry ways may not exit directly onto a travel lane or parking aisle. Pedestrian traffic must be directed to pedestrian walkways.

2. Facades and Exterior Walls. Intent: Facades must be articulated to visually reduce scale and avoid walls which present a the potential of uniform and impersonal imposing appearance of large, retail or residential buildings. Facades must provide features which add visual interest, that is consistent with the community's identity, character, and scale. All commercial and mixed-use projects must meet the following standards.



Building façade with generous articulation / modulation.

- a. a.—Articulation. Facades greater than one hundred feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade. The cumulative length of the recess or projection must be a minimum of twenty percent of the length of the ~~façade, but~~ façade but should not be more than sixty percent of the façade length. Projections associated with this standard may encroach into the building setback by up to two (2) feet.
- ~~i. b. The use of porticos and other features to reduce the height of the front of the building to a pedestrian scale is required. Ground floor facades that face public streets shall have arcades, entry areas, awnings or other such features along no less than sixty percent of their horizontal length. Display windows are encouraged as a design feature at entrances (see Section II.C.3).~~
- ~~c. The use of porticos and other features to reduce the height of the front of the building to a pedestrian scale is required.~~
- ~~b. Detail Features. Intent: Buildings should have architectural features and patterns that provide visual interest, accommodate the scale of pedestrians at the ground level, provide architectural transitions such as a stepped approach to reaching the full height of the building, and recognize local character. The elements in the following standards should be integral parts of the building's architecture, and not superficially applied trim or graphics, or paint. Additional guidelines may be found in the cCity of Lynden Design Review GuidelinesDesign Guidelines.~~

- b. Landscape Enhancement. Facades that include primary entrance(s) or front a public street or the primary parking area and are greater than one hundred feet in length, measured horizontally, shall incorporate landscape enhancements along the façade of the building.
- a. Area must be created at a ratio of fifty (50) square feet of landscape for every one hundred (100) linear feet of façade.
 - b. Enhancements may be ground level or raised beds / planters but must installed in such a way as to be permanent features.
 - c. The minimum landscape area may be met by the cumulative total of multiple landscape beds or planters but shall not include the landscape required per parking lot standards.
- c. Openings. Doors and windows must make up at least forty (40) percent of total linear length of façades which front public streets or primary parking areas. This requirement is applicable to every floor of a multi-story building.
- d. Façade Patterns. Building facades must have architectural features and patterns that provide visual interest including a repeating pattern that shall ~~include~~ incorporate no less than three (3) of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty feet, either horizontally or vertically. Elements include:
- i. color change,
 - ii. texture change,
 - iii. material module change,
and
 - iv. expression of architectural or structural bay through a change in plane no less than twelve inches in width, such as an offset, reveal, or projecting rib.



Facade with repeating pattern.

Consider adding more elements to this list so that designers can incorporate three. Perhaps a series of windows or decorative light fixtures.

~~a. b. Building materials may not include unfinished CMU blocks. This does not prohibit the use of ground face, scored, or split face architectural CMU blocks.~~

~~e.e. Architectural e. Details.~~ The use of a combination of structural architectural detail elements is required. Structures that are required to complete the design review process must include a minimum of three (3) of the following elements. These elements may include, but are not limited to, the following:



Example: **Architectural details** include timber accents, masonry materials, and gable detail.

- ~~i. Display windows on the primary ground floor façade a minimum of forty (40) percent of the linear distance of the façade.~~
- ~~ii. i. Two or more Roof line features with a steep pitch of 8/12 or greater. and g~~
- ~~iii. Gables, or a façade replicating gables, with decorative bracing, timbers, venting, scroll work, feature windows, or decorative textural patterns. that appearance.~~
- ~~iv. Broad roof overhangs a minimum of 3 feet or greater.~~
- ~~v. Timber accents.~~
- ~~i.vi. Arched elements.~~
 - ~~ii. Decorative gable ends, stepped with ornamental detail.~~
 - ~~iii. Narrow and vertical emphasis on fenestration. Windows are often highlighted in a contrasting color and are multi-paned.~~
- ~~ii.vii. iv. Quoins, or corbels, and corbelling.~~
- ~~iii.viii. v. Cornice details.~~
- ~~iv.ix. vi. Use of brick masonry materials as horizontal bands, accent facades, or columns.~~

~~x. vii. — Use of color to highlight ornamentation. Repetitious use of window fenestration.~~

~~v. xi. Repetitious use of wall mounted lighting fixtures.~~

3. ~~Rooflines. — Intent:~~ Variations in roof lines ~~should be used to~~ add interest and ~~to~~ reduce the scale of the buildings.

- a. ~~Roofline Variation. Buildings with a footprint of 5,000 square feet or larger must include at least two different rooflines or heights. Height variables may be accomplished by parapets however, elevator shafts or rooftop mechanical rooms or screening features cannot be counted as a roofline variable. Rooflines should be varied with a change in height every one-hundred linear feet in building length. Parapets, mansard roofs, gable roofs, hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view.~~
- b. ~~Parapets. The average height of parapets or other roof treatments shall not exceed fifteen percent of the height of the supporting wall and such parapets may not exceed one-third of the height of the supporting wall at any time. Parapets shall feature three dimensional cornice treatments. Parapets and facades of varying heights and widths to approximate the appearance of several smaller buildings or storefronts are encouraged.~~



Example of variable rooflines and high quality building materials.

4. ~~Exterior~~ Materials and Colors. ~~Intent:~~ Exterior building materials and colors comprise a significant part of the visual impact of a building and should be reflective of the community's character, and surrounding neighborhood.

- a. ~~a. —~~ Materials. Predominant exterior building materials shall be high quality materials that are easily maintainable, and graffiti resistant. Material suggestions include without limitation; brick, wood or fiber cement siding, architectural metal panels, and tinted and textured concrete masonry units.

b. Variation. All facades facing public streets and primary parking areas must include at least two different materials.

c.

a.

b. Color. The use of metallic colors, ~~black~~ or fluorescent colors as a building's primary color is prohibited.

~~b-d.~~ e. — Prohibited Materials. Predominant exterior materials shall not include the following items, unless they are manufactured to meet the other design criteria: unfinished concrete blocks, and smooth faced tilt-up concrete panels, ~~and pre-fabricated steel panels.~~

Materials: Examples of smooth and textured concrete block walls.



Materials: Examples of smooth and textured tilt-up concrete walls.



5. Back and Side Facades. ~~Intent: All facades of a building which are visible from adjoining properties and/or public streets must be attractive and include elements from the preceding sections.~~

a. a. — Materials and Pattern. The side and rear of a building visible from any public street ~~or adjoining property~~ must incorporate ~~at least one~~

~~design element from Sections A and B above. the materials and façade patterns utilized on the primary façade(s).~~

- ~~b. Pedestrian Areas. All areas accessed by pedestrians, including employee entrances and loading areas must be lit in such a way as to provide safety without spreading light beyond the boundary of the parcel.~~

6. Building Signage.

- ~~a. Sign Placement. Architecture must be designed in such a way as to anticipate signage. Façade designs must indicate areas where signs are anticipated.~~

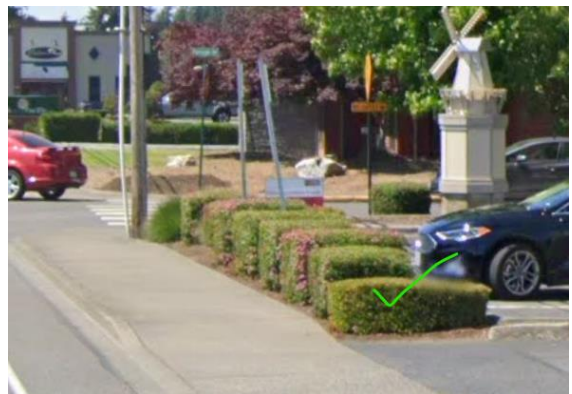
~~B. Section II—Site Design.~~

~~A. 7.—Entrances. Intent: Multiple building entrances reduce walking distances from cars, facilitate pedestrian and bicycle access and provide convenience. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. It is desirable for large retail buildings to feature multiple entrances.~~

- ~~a. a.—All entrances shall be architecturally prominent and clearly visible from the abutting public street. Large format retail stores must locate public entrances on all sides that include public parking located on at least two sides of the building unless the Design Review BoardCommunity Development Director determines it is unsafe or infeasible to do so.~~

~~B.A. 8.—Parking Lot Orientation. Intent: Parking lots should not overpower the visual impact of any site. They should provide safe, convenient and efficient access for vehicles and pedestrians. Bus stops, drop-off/pick-up locations, and loading areas must be considered as integral parts of the site configuration.~~

- ~~a. Large parking lots should be visibly and functionally segmented into several smaller lots with the use of landscaping, and pedestrian walkways.~~
1. A minimum setback of three feet is required between any property line and the surface of a parking stall. This setback must be lawn or landscaped area. This does not apply to shared drive aisles or loading areas.



2. ~~b.~~—At least one pedestrian walkway shall be provided within the parking lot from each abutting street to the pedestrian walkway abutting the building.
3. ~~c.~~—Parking lot landscaping shall meet or exceed the requirements of Section 19.61.100 of the Lynden Municipal Code.
4. ~~d.~~—Retail stores ~~of fifty thousand square feet or more~~ that provide customers with shopping carts must also provide outdoor cart corrals. Corrals must be located throughout the parking areas in convenient and sufficient numbers and must be easily accessible. Corrals shall not be established or added to required landscape areas but may utilize required parking stalls if deemed necessary.
5. ~~e.~~—All lighting in the parking lot shall be directed downward to minimize glare on neighboring properties.
6. ~~f.~~—Inclusion of bicycle parking capable of accommodating two or more bicycles, is required for every Mixed-Use Center, every restaurant, and every retail store greater than ~~fifty ten~~ thousand square feet. Bicycle parking must be located so that it does not impede pedestrian walkways when bicycles are present.

~~C.B.~~ 9.—Pedestrian Flows. Intent: Pedestrian accessibility provides multi-modal access to nearby neighborhoods, reducing traffic impacts and enabling the development to project a friendlier more inviting image.

- ~~a.~~—~~Pedestrian walkways must be anchored by special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls and other architectural elements that define circulation ways and outdoor spaces.~~
- ~~b.~~—~~Continuous internal pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to the customer and residential entrances of all buildings on the site. Pedestrian walkways that traverse the parking lot may be five feet in width. Walkways shall connect pedestrian activity such as, but not limited to transit stops, street crossings, buildings and store entry points, and central features and community spaces. Walkways shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than fifty percent of their length.~~
- ~~c.~~—~~All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Pedestrian walkways must also be protected from the driving lanes by curb stops, bollards, or other features that restrict vehicular access, while continuing to provide access for shopping carts.~~

~~d.—No parking stall shall be located further than one hundred thirty feet from an internal pedestrian walkway.~~

1. ~~Ea.~~ Sidewalks along primary facades.

a. ~~i.—~~ Sidewalks, no less than eight feet in width, shall be provided along the full length of commercial buildings along any façade featuring a customer entrance and along any façade abutting public primary parking areas. Landscape areas may replace this sidewalk requirement where continuation of a sidewalk would not provide connection to parking, amenities, or adjacent properties.

b. ~~ii.—~~ Sidewalks, no less than seven feet in width, shall be provided along the full length of residential building developed utilizing the provisions of the Mixed-Use Centers overlay.

c. ~~iii.—~~ All sidewalks along building facades shall be located at least six feet from the façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade.

~~f.—Internal pedestrian walkways provided in conformance with the section above, shall provide weather protection features such as awnings or arcades within thirty feet of all customer entrances. The extent of the covered area should be proportionate to the height of the building (i.e. the taller the building, the wider the covered pedestrian area).~~

2. ~~Gb.~~ Merchandise Displays. In no instance shall outdoor displays of merchandise or shopping cart storage impede the pedestrian movement at the entrance of the store.

C. 40.—Landscape. Landscape installation is required per LMC 19.61.090 and LMC 19.61.100.

D. Outdoor Storage, Trash Collection and Loading Areas.

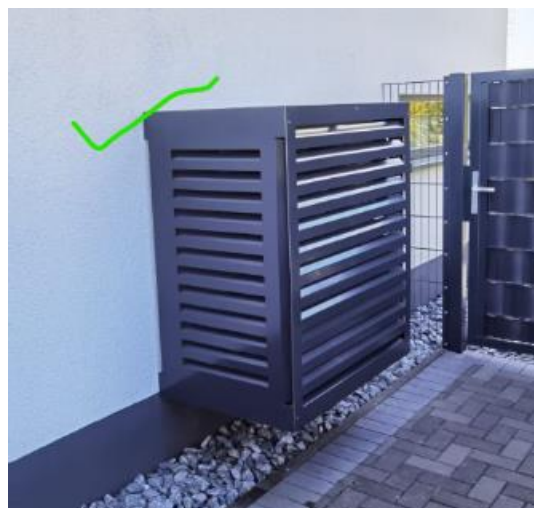
Intent: Loading areas and outdoor storage areas exert visual and noise impact on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, must be screened, recessed, or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate, or difficult to maintain screening materials can exacerbate the problem.

1. ~~a.—~~ Areas for permanent outdoor storage, trash collection or compaction, loading, or other such uses shall be screened from the public and private rights-of-way.

2. ~~b.—~~ Storage areas shall not be constructed over required parking spaces unless the property owner demonstrates to the Community Development Department that the site exceeds the required parking counts per LMC 19.51.040. No areas for outdoor storage, trash collection or compaction, loading or other such uses that exceed eight hundred square feet shall be located within twenty feet of any public

~~street or sidewalk or internal pedestrian walkway that is used by the general public.~~

3. ~~c.~~—Loading docks, truck parking, outdoor storage, HVAC equipment, trash and recycling dumpsters and compactors, and other service functions shall be incorporated into the overall design of the building and the site so that the visual and acoustic impacts of the functions are fully contained and out of view from primary parking areas, adjacent properties and public streets. ~~Public access to these areas should be restricted.~~
4. ~~d.~~—Use of portable, metal storage containers ~~or truck trailers~~ as a permanent storage solution is not permitted unless the containers are screened from view of public and private streets. Temporary use, less than three months per calendar year, of these storage methods is permitted.
5. ~~e.~~—Non-enclosed areas for the sale of seasonal inventory shall be clearly defined. ~~and may not~~ These areas may infringe on ~~any~~ required parking for three or fewer months and shall not impede ~~or~~ pedestrian walkways.
6. Materials, colors and design of any screening walls and/or fences shall conform to those used as predominant materials and colors on the building. Chain link with slats, tarps, banners or privacy tape is not permitted as a screening option however chain link fence combine with a landscape hedge is allowed.
- ~~5-7.~~ Wall-mounted mechanical equipment including, but not limited to, heat pumps, air conditioning units, condensers, or exhaust systems must be screened or located so as not to be visible from public streets, shared access easements, or primary parking areas. Landscaping cannot be considered an adequate visual barrier if any portion of a wall-mounted piece of equipment exceeds eight (8) feet in height. A physical wall-mounted or free-standing screen or cover must be used.



8. All ground-mounted or roof-mounted mechanical equipment must be screened from view when observed from adjacent public streets.
 - a. Screens used on rooftop equipment must coordinate with the materials, colors, and architectural style of the building.
 - b. Ground-mounted equipment may be screened with fencing, screens, or evergreen landscaping.



Screening of rooftop equipment required so as not to be visible from adjacent roadways

- E. Site Lighting. Intent: The goal of site lighting is to provide appropriate and sufficient lighting for building security as well as pedestrian and vehicle safety while minimizing light spill-off into other properties. Lighting should also be used to highlight building entrances and architectural features.
 1. Shielded light sources. All lighting must be shielded from the sky and adjacent properties either through exterior shields or through optics within the fixture.
 2. All entrances and address numerals must be illuminated.
 3. No light is permitted to spill over property lines so as to cause a nuisance to adjacent property owners or to interfere with passing drivers or pedestrians.

E.F. 11.—Signage.

Intent: Signage should enhance the character of the building and should help the public find their way to where they need to go. Signage should be attractive, well-lit and consistent with the design of the building and surrounding neighborhood.

- a. ~~Building signage should be proportionate to the size of the wall.~~
- b. ~~Exposed neon tubing is not permitted.~~
- c. ~~Sign design review,~~ and installation must be consistent with standards of LMC 19.33.

19.23.090 Special conditions for Mixed-Use Center Projects.

In addition to those requirements described in LMC 19.23.080 those projects which utilize the provisions of the Mixed-Use Centers are subject to the regulations described below.

A. Site Design

1. Pedestrian Flows. Intent: Parking areas and outdoor recreation / open spaces within mixed-use project must be accessible and safe while providing excellent pedestrian connection. Connections should facilitate pedestrian access to on-site and nearby commercial services.
 - a. Pedestrian walkways must be anchored by special design features such as towers, arcades, porticos, sculptural art, water features, planter walls or other architectural elements that define circulation ways and outdoor spaces. An anchor feature and repetitious elements of this feature must create a theme which appears at building entrances, the on-site residential amenities within the designated open space, and the flex space.
 - b. Continuous internal pedestrian walkways, no less than six feet in width, shall be provided from the public sidewalk or right-of-way to the customer and residential entrances of all buildings on the site. Secondary pedestrian walkways that traverse the parking lot may be five feet in width. Walkways shall connect pedestrian activity such as, but not limited to transit stops, street crossings, buildings and store entry points, and central features and community spaces.

Example of continuous internal pedestrian walkway from entrance of building to public sidewalk.



- c. On-site walkways shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than fifty percent of their length.
- d. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety

and comfort, as well as the attractiveness of the walkways. Pedestrian walkways must also be protected from the driving lanes by curb stops, bollards, or other features that restrict vehicular access, while continuing to provide access for shopping carts.

- e. Internal pedestrian walkways provided in conformance with the section above, shall provide weather protection features such as awnings or arcades within thirty feet of all customer or resident entrances.

2. Landscape / Screening buffer between public sidewalks and residential windows on Mixed-Use projects.

- a. When residential units are located on the first floor of a mixed-use building landscape areas, a minimum of six (6) feet wide, are required between any public or private sidewalk and the façade of the building if the façade includes windows. This landscape area may be replaced by residential patio space if the space is enclosed by a wall or fence not less than forty-two (42) inches in height.
- a.b. This landscape / screening buffer standard is reduced to three (3) feet for Small-Scale Mixed-Use projects.



Landscape area is required between 1st floor residential units and sidewalks.

3. Lighting.

- a. In addition to site lighting of parking areas, pedestrian scale light fixtures are required along pedestrian spaces and walkways which connect the site to adjoining public streets as well as those walkways connecting building entrances to open space amenities and flex spaces.
- b. Pedestrian scale fixtures are light poles no more than fifteen (15) feet in height or bollards.

c. Spacing must be such that pathways maintain a consistent level of light coverage.

d. All pedestrian lighting must be directed downward to prevent unnecessary light spill into the night sky.



Lighting at pedestrian scale vs. vehicular / roadway scale.

19.23.100 Special conditions for automobile service stations.

The purpose of this section is to promote the health, safety and general welfare in the city by establishing standards for the site design and the operation of vehicular service stations. The need for such standards is created by the high volume of traffic and the frequency with which vehicles enter and leave the sites. By establishing these standards, it is intended that the smooth flow of traffic will be facilitated and greater safety will be provided for the residents of Lynden, automobile passengers, and pedestrians.

- A. Code Compliance: All service stations shall be in conformance and compliance with all federal, state and local statutes, laws and ordinances.
- B. Traffic Study: A traffic impact analysis will be required for any new fueling station and the expansion of existing fueling stations.
- C. Development Standards: Development standards and criteria of the zoning district/subzone shall apply unless otherwise noted in this section.
 - 1. Minimum lot size shall be fourteen thousand four hundred square feet.
 - 2. Ingress and egress must conform to the requirements of the city of Lynden Engineering Design and Development Manual.
 - 3. On-site lighting shall be located, directed, and/or shielded in a manner which reduces light glare or spill onto adjacent properties or rights-of-way.
 - 4. Separate public restrooms shall be provided for male and female and shall be barrier-free in conformance with WAC 51-20.

5. A dumpster enclosure containing a dumpster shall be located strategically on the site in sufficient size and/or number to reduce off-site litter.
6. Trash receptacles shall be located strategically and in sufficient number to reduce off-site litter.
7. All portions of a service station site not utilized for landscaping or for other open space shall be paved. All perimeters shall be landscaped.
- ~~8. No gasoline service station shall be located less than three hundred feet from any park, playground, church, school or public place of assemble. No service station shall be located closer than six hundred feet from the nearest property line of another service station unless the station is an accessory to a planned development or shopping center.~~

D. Operational Standards:

1. No operation, service, or activity shall be permitted which would constitute a legal nuisance.
- ~~2. A formal litter control program, as approved by the city, shall be implemented.~~
3. Accessory truck, trailer and vehicle rental or sales shall be permitted where allowed by zoning.
4. Fire Department permits and inspections are required related to the storage of hazardous material. If deemed necessary, Aa policy manual for the management of hazardous material incidents is to be may be required by the Fire Department submitted to the city for review and approval prior to occupancy of the facility.

19.23.110 Mixed-use centers overlay.

- A. Purpose. The primary purpose of mixed-use projects using the mixed-use centers overlay is to:
1. Provide for a compatible mix of multifamily housing, neighborhood commercial businesses, and semi-public open spaces;
 2. Foster a development pattern offering direct, convenient pedestrian, bicycle, and vehicular access between residences and businesses;
 3. Promote a compact growth pattern to efficiently use developable land, and to enable the cost-effective extension of utilities, services, and streets; frequent transit service; and to help sustain neighborhood businesses;
 4. Foster the development of mixed-use areas that are arranged, scaled, and designed to be compatible with surrounding land uses and which provide sensitive transitions between different land uses;
 5. Ensure that buildings and other development components are arranged, and designed, and oriented to facilitate pedestrian access.
- B. Establishment, Scope, and Criteria for Approval of a Mixed-Use Overlay Assignment.

Mixed-use overlay is established in Chapter 2 of the city of Lynden Comprehensive Plan. Locations of the overlay are identified within the city of Lynden Comprehensive Plan land use element according to the criteria described below.

The Mixed-use overlay is assigned to key locations within the city of Lynden which are within one quarter of a mile of existing commercial centers.

Properties are eligible to utilize the provisions within the mixed-use overlay when the following criteria are met:

1. Sub-Area: Properties located within the West Lynden Commerce Subarea are not eligible for mixed-use overlay provisions.
 2. Zoning: The property zoned Commercial Services - Local (CSL) or Commercial Services - Regional (CSR).
 3. Scale: The property or contiguous group of subject properties applying to construct a project using the provisions of the mixed-use overlay at least one acre in size.
 4. Location: The subject property(s) is within walking distance of a qualifying commercial center.
 - a. Walking distance is one quarter mile or less as measured from the edge of the subject property to the geometric center of the qualifying commercial center following a walkable path.
 - b. Qualifying Commercial Centers are identified in the land use element of the city's comprehensive plan. These centers have at least seventeen thousand square feet of gross floor area dedicated to general retail uses and at least six tenants which provide goods or services to the general public.
 - c. New commercial centers can be added to the city's list of qualifying commercial centers through an amendment to the land use element of the city's comprehensive plan.
- C. Small Scale Mixed-Use within the Historic Business District (HBD) and Commercial Services - Local (CSL) Zones of the Central Lynden and the South Historic Business District (SHBD) sub-areas.
1. Applicability within the Historic Business District (HBD).
 - a. Properties within the HBD that do not meet the criteria to utilize mixed-use center provisions due to the scale of the property/development site are permitted to establish residential uses on upper stories.
 - b. Ground level space is limited to commercial (nonresidential) uses permitted within the HBD except that up to forty percent of the ground level may be utilized for Type A and Type B adaptable residential dwelling units as defined by the International Building Code in order to facilitate the creation of accessible units for individuals with disabilities.

- i. Commercial space used to fulfill the commercial component must equal sixty percent of the gross ground floor(s) of the building(s) constructed.
 - ii. The minimum area dedicated to the commercial component shall not include parking garage, mechanical rooms, riser rooms, or storage facilities. Refer to LMC 19.23.020 for permitted mixed-use overlay commercial uses and special requirements regarding storage facilities.
- 2. Applicability within the Central Lynden and SHBD Sub-areas. The CSL zones of the Central Lynden and SHBD subareas include properties that have traditionally included a wide variety of uses. These sub-areas, as a whole, represent a mixed-use district. To continue to facilitate this mixed-use identity, properties located in the Central Lynden and SHBD sub-areas that are zoned CSL but are not within the Historic Business District (HBD) and do not qualify for mixed-use centers provisions due to the scale of the property are permitted to establish new residential uses in the following situations:
 - a. Mixed Use within a Single Building. Residential units are permitted in the CSL zone, in the Central Lynden and SHBD subareas, on the upper floors of a building which features commercial space on the first floor but overall building height is typically limited to thirty-two feet unless a Conditional Use Permit is granted to allow building height to reach 48 feet. Conditional Use proposals for additional height should demonstrate consistent scale with other nearby structures and address potential impacts of the additional height.
 - b. Conversion of an Existing House.
 - i. A second residential attached unit is permitted within or by adding onto structures that were constructed as single-family homes prior to 1992. All renovations and additions are subject to building permit approval. Additional units may also require utility upgrades.
 - ii. If the net lot area is eight thousand square feet or greater, up to three attached units are permitted through the renovation of an existing structure subject to the standards and design criteria listed in this sub-section. This provision is only applicable for parcels that, as of 2023, due to their scale do not qualify for the mixed-use centers overlay.
 - c. New Construction.
 - i. New duplex structures are permitted on CSL zoned properties within the Central Lynden and SHBD sub-areas subject to the design criteria listed in this sub-section.
 - ii. If the net lot area is eight thousand square feet or greater, up to three attached units are permitted as new construction subject to the standards and design criteria listed in this sub-section. This provision is only applicable for parcels that, as of 2023, due to their scale do not qualify for the mixed-use centers overlay.

3. Design Standards for Small Scale Mixed-Use within the Central Lynden and South Historic Business District Subareas: Commercial Services-Local (CSL) Zone

Max Lot Coverage	Max Height of a Building that includes Residential Units	Maximum Building Stories	Front Setback	Rear Setback	Side Setback
60%	32 feet (48 feet with a CUP)	3 floors	15 feet	20 feet	7 feet

- a. Design Review: New multifamily residential construction within the CSL zones in the Central Lynden and SHBD sub-areas require design review ~~board~~ approval when exterior changes are proposed. In addition to the city's design ~~guidelines-standards~~, the following criteria must be met:
 - i. New construction must match the scale of the surrounding structures. Applicants must supply images of adjacent structures when submitting an application to the design review board.
 - ii. Although multiple units are accommodated, the architectural styles of new construction must mimic that of a single-family home if the adjoining properties were constructed as single-family homes.
 - iii. Garage access, if proposed, must be from the alley if alley access is available so as to limit garage doors along street frontages.
 - iv. Front entry must be shared between units or distributed to different facades of the building so as to appear as a single-family home.
- b. Residential parking standards within the CSL zones of the Central Lynden and SHBD sub-areas: Two parking spaces are required for the first residential unit, one space per every additional unit.

D. Separation of Uses/Transition Buffers.

To ensure that different land uses are adequately separated, landscape buffers shall be instituted as detailed in LMC 19.61.090. Additionally, setbacks immediately adjacent to residentially zoned properties increase in association with greater building heights as described within this subsection.

E. Mixed-Use Overlay Development Standards

1. A project developing within a Mixed-Use Overlay, that is not meet the description of Small Scale Mixed-Use as described in LMC 19.23.110(C), is subject to the following development standards:

Flex Semi-public Open Space	Space: or	Residential Recreation	Multi-Family Housing	Max building stories	Max Residenti	Max Commercial Bldg Height
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Neighborhood Commercial Requirement	al Open Space	and Parking		al Bldg Height	
20% of net lot area as flex space or 60% of cumulative first floor area as commercial use. See LMC 19.23.110(H).	10% of net lot area	70% of lot area	4 floors	52 feet (60 feet with a CUP)	48 feet

2. The maximum height of residential building may be increased to up to 60 feet through the successful approval of a Conditional Use Permit. Additional height proposals must demonstrate how the extra height is appropriate to the scale of the site and how it is mitigated to be cohesive with other buildings on the site and the surrounding land uses. A stepped-back façade or additional architectural articulation may be required.
3. Setbacks: If an adjacent property has a residential zoning, the setbacks along that property line must be a minimum of 20 feet or half of the proposed mixed-use overlay building height, whichever is greater.
Setbacks from adjacent properties with commercial, industrial, or public use zoning must be a minimum of 15 feet.
Setbacks from street frontage must be consistent with the front setbacks of the underlying CSL or CSR zoning.
4. Building articulation and façade treatment. Refer to LMC [19.23.080](#) and [19.23.090](#) for specific design requirements affecting building articulation and façade treatments.

F. Shared Parking Opportunities in Mixed-Use Commercial Centers

A mix of non-residential and residential uses provide an opportunity to share parking resources as peak demand times for these uses vary.

1. Parking for residential uses must be provided consistent with LMC 19.51 or as established through a Planned Residential Development contract.
2. Parking for non-residential uses may be reduced by 25% when developed in conjunction with the Mixed-Use Center provisions on a shared site.
3. Mobile or seasonal commercial uses such as food trucks or fruit stands that are set up within semi-public flex spaces are not required to provide parking in association with their use.
4. Parking counts may be further reduced from the allowance described in this section only if a parking study demonstrates feasibility. In order for a parking study to be considered, the following standards apply:
 - i. The parking study must be prepared by a professional engineer using industry accepted practices and methodologies.

- ii. The study shall use acceptable data sources and the data shall be comparable with the uses and intensities proposed for the proposed development activity.
- iii. If the director determines that the independent parking study more accurately captures the parking need, he or she may adjust the parking requirement in accordance with said study.
- iv. If the director determines, in his or her sole discretion, that the independent fee calculation study is not accurate, reliable, or sufficient, the director may reject the said study and requirement parking capacity consistent with that outlined in LMC 19.51.
- v. The director may require the applicant to submit additional or different documentation for consideration at any time. If the director decides that third-party engineers are needed to review the calculation and related documentation, the applicant shall pay for the reasonable cost of a review by such engineers.
- vi. Determinations made by the Planning Director pursuant to this section may be appealed to the Hearing Examiner subject to the procedures set forth in LMC 17.11.

G. Residential Open Space Requirements

Shared open space is required when residential components are introduced to a commercial property through the Mixed-Use Centers Overlay. The open space must include functional amenities that provide outdoor recreational / leisure spaces such as playgrounds, picnic or patio areas, sports courts, off-leash dog areas, or similar. These community open spaces will be reviewed and approved by the Technical Review Committee (TRC) through the Design Review ~~Board~~ (DRB) approval process. The ~~DRB-TRC~~ will review for the following criteria:

- 1. Minimum size of the open space is ten percent (10%) of the net lot area. Net lot area, in this case, is calculated by removing the area dedicated to public right-of-way, critical areas and protected critical area buffers from the gross lot area.
- 2. The minimum open space calculation cannot indoor common areas such as party rooms. Shared, outdoor patios or balconies may be included in the open space calculation but private patios or balconies that are specific to a residential unit may not be included.
- 3. Inclusion of critical areas in the open space requirement only equal to the space dedicated to a recreational trail or other accessible amenity that has been established via the appropriate permitting process. Proposed improvements for active use within a critical area and/or its buffer are subject to critical area review (LMC 16.16.150).
- 4. The recreational portions of the open space must be readily accessible and visible to residents. This can include trails, playground, dog park, courts, or similar functional space that is proportionally scaled to the number of residents who will be using the amenity.

5. Open spaces may be gated or otherwise restricted so that only residents can access.
6. Lighting and landscape must be utilized to create safe and attractive spaces.

H. Required Commercial Area or Flex Space

A priority of the Mixed-Use Centers Overlay is to facilitate pedestrian-oriented development and street-level activity. This serves to benefit residents within the development, nearby businesses, and the greater Lynden community.

Commercial properties which utilize the provisions of the Mixed-Use Centers Overlay must include neighborhood-oriented commercial uses or reserve space on site called Flex Space.

1. Required interior commercial component.
 - a. If an interior commercial space will be used to fulfill the commercial component, it must equal sixty percent (60%) of the gross ground floor(s) of the building(s) constructed.
 - b. The minimum area dedicated to the commercial component shall not include parking garage, mechanical rooms, riser rooms, or storage facilities. Refer to LMC 19.23.020 for permitted Mixed-Use Overlay commercial uses and special requirements regarding storage facilities.
2. Flex space. If interior commercial uses are not established prior to, or simultaneously with residential components of the Mixed-Use Centers Overlay the project must reserve a portion of the property as Flex Space as described in this section.
 - a. Flex space must equal twenty percent (20%) of the net lot area. Net lot area, in this case, is calculated by removing the area dedicated to public right-of-way, critical areas and protected critical area buffers from the gross lot area.
 - b. A public access easement must be recorded which addresses policing and posting of permitted hours of access.
 - c. A pedestrian oriented plaza or irrigated lawn areas that are visible and easily accessible to the public as well as onsite residents.
 - d. Outdoor seating.
 - i. At least one sitting space for each two hundred fifty (250) square feet of flex space shall be included in the plaza or lawn areas.
 - ii. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30").
 - iii. Half of the seating must be located in areas that would experience seasonal shade.
 - e. Trash receptacles must be provided in pedestrian areas. These are to be maintained by the property management / owner / association

- f. Trees and landscape. Trees in proportion to on-site plaza and sidewalk space at a minimum of one tree per eight hundred (800) square feet, at least two (2") caliper when planted.
- g. Accommodations for outdoor vending and food trucks must be included. This includes water and electrical hook-up locations.
- h. Stormwater facilities or critical area buffers that prevent pedestrian access may be included under the following provisions:
 - i. Inaccessible areas shall encompass no more than forty percent (40%) of the required semi-public area.
 - ii. Inaccessible areas must act as amenities to the accessible portion of the required area by being visually appealing, providing landscape variety or natural habitat in a way that enhances the pedestrian experience within the remainder of the semi-public area.
- i. Additionally, privately-owned public spaces shall include at least three (3) of the six (6) following elements:
 - i. Covered seating options;
 - ii. Water features or public art;
 - iii. Outdoor dining areas; and
 - iv. Decorative pedestrian lighting;
 - v. Children's play structures. This may include interactive sculpture, or traditional playground equipment;
 - vi. Other amenities not listed above that provide a public benefit.

Examples of flex space.





- I. **Flex Space Conversion.** The portion of the property designated as flex space semi-public open space may be converted into commercial use. When this occurs, shared parking provisions described in LMC 19.23.110(F) may be utilized. Pedestrian connections must be maintained from the residential structures to any commercial use. Design must be consistent with LMC [19.23.080 and](#) 19.23.090 and is the development is subject to Design Review.