

**Note to the reviewer:**

*Black text = existing code standard. Many of the City's standards are repeated in each of the zoning categories and will be consolidated in this new chapter. Some standards exist only in specific zoning categories and are noted in parentheses – these notes will be removed prior to final adoption. The proposed standards will apply to all residential construction unless otherwise specified.*

*Green text = new code standard*

*Red text = modification to an existing standard*

**Chapter 19.22 - Residential Design Standards****19.22.010 Establishment, Relief, and Purpose**

A. Establishment and Relief. There is established therein residential design standards and regulation by which residential structures may be permitted and maintained.

1. Relief from the required standards must be sought through the variance process.
2. Variance requests which relate specifically to site design development standards described in Section 19.22.020 shall be submitted to the Board of Adjustment consistent with Section 19.47.
3. Variance requests which relate specifically to the residential design criteria described in Section 19.22.030 through 19.22.050.

B. Purpose.

1. The essential purpose of the residential design standards to ensure that new developments meet and maintain a number of objectives that strive to promote orderly community growth and protect and enhance property values for the community as a whole.
  - a. To soften and enhance the built environment using yards and green space, to incorporate inviting pedestrian scale elements into all residential construction, and to provide adequate parking areas.
  - b. To create high-quality communities that have variation of architectural style and durable materials. ~~To reduce the visual impact of the garage and accessory structures and emphasize the pedestrian environment.~~
  - c. To reduce the visual impact of the garage and accessory structures and emphasize the pedestrian environment.
  - d. To enhance the aesthetics of communities through the installation of landscape and the screening of undesirable elements. Also, to enhance safety and function of residential properties through appropriate exterior lighting, addressing, and fencing.

2. Residential design standards also seek to encourage low impact design (LID) techniques such as rain gardens, xeriscape, or pervious pavement to minimize adverse impacts on the natural environment.

**19.22.020 Site Design – Setbacks, Yards, Building Orientation, and Pedestrian Connections**

Objective – To soften and enhance the built environment using yards and green space, to incorporate inviting pedestrian scale elements into all residential construction, and to provide adequate parking areas.

**A. Lot coverage**

1. Lot coverage is limited by zoning category.
2. Lot coverage may be increased by one percent for each ten percent of the required off-street parking that is located beneath portions of the multiple-family dwelling units which are intended to be occupied by residents or used as hallways or meeting rooms.

**B. Building Orientation**

1. On corner lots, the primary pedestrian entrance to the building shall be from the designated front yard. However, the primary pedestrian entrance and address may be oriented to the designated side yard if both side yard setbacks are fifteen feet from property line to living area.
2. The side yard used for a driveway shall not be less than ten feet in width.
3. All dwellings shall be oriented on the lot, so that the primary pedestrian entrance ~~faces~~ is obvious from the street or access easement which serves as its primary point of access.

**C. Setbacks. Minimum setbacks are outlined in each zoning category. Standards related to setbacks are considered**

1. All setbacks are measured from the property line to the foundation.
2. Eaves and cantilever bay windows may encroach into the setback a maximum of two feet.
3. Structural permits with setbacks submitted prior to April 1, 2019 are considered conforming and not subject to LMC 19.35.030.
4. Additional fire protection may be required for structures located within 10 feet of each other.
5. It is the property owner's responsibility to have the property lines clearly marked for inspection.
6. On corner lots in the RS-72 zone, one of the corners may be considered as a side yard, provided that the yard considered as a side yard shall not be less than ten feet.
7. On corner lots in all other residential zones, the side yard setback adjacent to the street must be a minimum of fifteen feet.

**A. Garage Setbacks from Property Lines**

1. On any lot, the minimum distance between the garage door and the property line or access easement parallel to the garage door must be 25 feet.

2. In RS-84 and RS-100 zones an attached garage may be built as close as seven feet to the side property line provided the living area side setbacks total twenty-~~two~~ feet from the ~~furthest projection~~ building foundation to the property line.
3. In RS-72 and RMD zones an attached garage may be built as close as seven feet to the side property line provided the living area side setbacks total ~~fifteen~~ seventeen feet from the building foundation to the property line.

#### D. Pedestrian Connection

1. Sidewalk connections must be provided in all residential zones.
2. In all RM zones, primary sidewalks must be a minimum of 5 feet clear width without encroachment of vehicle overhang.
3. In RM zones sites must include pedestrian walkways which provide connection to common green spaces and public sidewalks. Cross walks provided as needed in parking areas and along streets.

### 19.22.030 Residential Architecture and Attached Garages

Objective – To create high-quality communities that have variation of architectural style and durable materials. To reduce the visual impact of the garage and accessory structures and emphasize the pedestrian environment.

#### A. Residential Structure

1. All dwellings must be placed on a permanent foundation and the space between the foundation and the bottom of the home must be enclosed by concrete or approved concrete products.
2. Eaves and gable ends must be a minimum of twelve inches. This is not applicable to re-roofing or additions to existing structures.

#### B. Building Height.

1. Building height is regulated by zoning category.
2. On lots greater than ten thousand square feet in size, the height of a residential structure may be increased one foot for every two feet in increased setback distance beyond the minimum setback on both side yards and the front yard, to a maximum height increase of five feet, or total height of thirty-seven feet.

#### C. Roofs

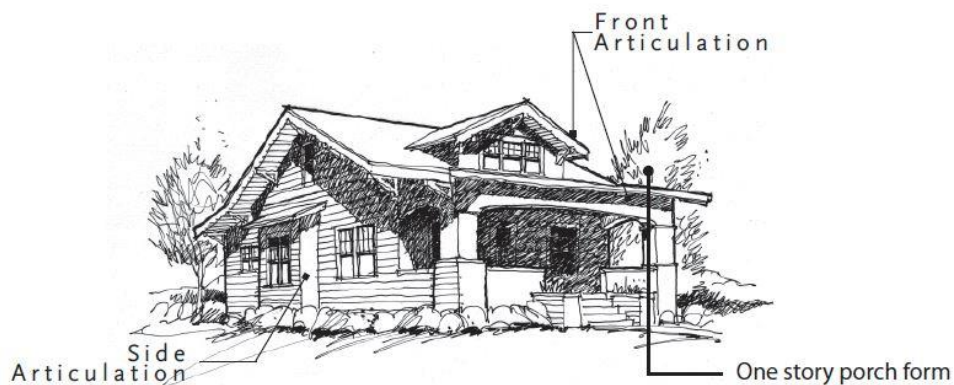
1. Roofing materials shall be wood shingle or shake, composition, asphalt laminate, clay or architectural metal.
2. Exposed fastener corrugated metal or corrugated fiberglass roofing is not permitted.

3. Using a membrane roof or built up roofing (BUR) for the primary roofing material is not permitted.
4. The primary roof line must have a minimum of a 4:12 pitch. This is not applicable to re-roofing or additions to existing structures.

#### D. Building Elevations and Finishes

##### 1. Residential Elevations

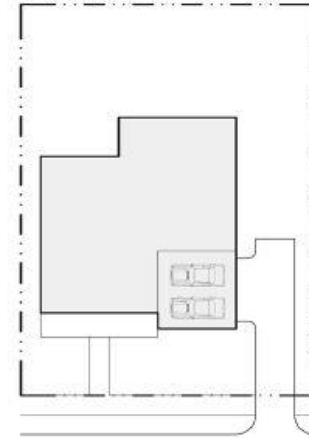
- a. The same architectural elevation shall be separated by a minimum of two other homes.
- b. An articulation is an architectural element such as a one-story porch or bay window. One such element shall be used on all sides of the building that face toward a public street, shared access easement, or common green. The articulation shall be offset a minimum of 12". A garage setback shall not count as an articulation.



2. Garage Elevations. To promote an attractive, pedestrian-friendly streetscape, attached garages accessed from the front, with garage doors oriented toward the street are subject to the following standards:
  - c. At the ground level, the garage façade shall not extend forward of the home's living space by more than 12 feet.
  - d. The lineal frontage of the building elevation which can be occupied by garage doors is limited. ~~For the purposed of this section, a set of garage doors serves one dwelling unit and mean one double garage door or two single garage doors separated by less than five feet.~~
    1. In RS zones, no more than 50 percent of the building elevation can be garage doors.
    2. In RMD and RM zones, no more than 60 percent of the total first floor building elevation length can be garage doors.

### 3. Exterior Finishes

- a. The exterior of the home must be finished with a minimum of two types of materials or variation in reveals.
- b. Exposed fastener metal siding is prohibited on residential buildings.
- c. Exposed ends of stone and masonry façades are not permitted and must be finished with trim or end caps.
- d. All garage sides that are visible from streets or shared access easements shall provide architectural details and trim consistent with the design of the home. (graphic)
- e. In RS zones, attached garages or attached carports which provide a third covered or enclosed space must be offset a minimum of 2 feet from the first two covered or enclosed spaces.



**Side Loaded Garage**

### E. Porches, Stoops, Decks, and Patios

#### 1. Porches and stoops.

- a. Architecture of the primary pedestrian entrances must include cover from the elements. Eave overhang alone does not constitute cover.
- b. Steps used to access front porches or stoops must be complimentary to the primary structure through the use of coordination materials or architectural elements.
- c. Stairs with open risers are not permitted on front porches or stoops.

#### 2. Decks and patios

- a. Uncovered wood decks and raised concrete patios not over twenty-four inches above grade at any point may be permitted within eighteen feet of the rear property line and five feet of the side property line.
- b. Roof Structures covering decks or patios are permitted within the rear setback provided that the structure:
  1. Remains open on three sides;
  2. Does not come within eighteen feet of the rear property line;
  3. Does not encroach more than 2 feet into the side yard setbacks of the underlying zone; and,
  4. The addition does not exceed the permitted lot coverage.

- c. Deck or patio privacy screening or fencing which is located more than 6 feet from the property line, shall not be higher than may be up to eighty-four inches in height above the lowest grade. Privacy screening of a deck or patio which is located on a property line is subject to maximum fence height of 6 feet above grade.

### 19.22.040 Detached Garages and Accessory Structures

Objective – To reduce the visual impact of the garage and accessory structures and emphasize the pedestrian environment.

To be considered a "detached" structure, the minimum distance between two structures shall be six feet measured from foundation to foundation with no projections greater than ~~twenty-four~~<sup>eighteen</sup> inches. Additional fire protection may be required for structures located within 10 feet of each other.

#### A. General Requirements

1. ~~Carpports, cabanas, awnings and all other~~All accessory structures, whether defined in this title or not, ~~which are situated upon a manufactured home space or lot~~ shall conform to the requirements of the International Building Code. ~~Such additions and structures shall be considered as a portion of the manufactured home for determining the extent of lot coverage, setback lines and all other requirements for manufactured homes in like manner as if such additions and structures were a part of such home.~~ (Currently appears in MH bulk standards)
2. Architectural style of a detached garage, shop, or shed must match the style of the primary structure. However, agriculturally themed structures such the roofline of a traditional barn may be permitted. Also, this standard is not applicable to greenhouses or open-sided structures intended only to cover recreational vehicles.
3. All accessory structures, including carports, must utilize roofing material which is compatible with the primary structure.
4. Any structure intended to be established and remain for more than 72 hours and, as outlined in LMC 15.04.010, exceeds 120 square feet in area must obtain a building permit.

#### B. Accessory Structure Setbacks

1. A detached accessory structure or garden shed may not be built closer than six feet to the side or rear property line including property lines abutting alleys with a maximum eave of 24 inches.
2. Accessory structures on corner lots shall not be permitted nearer than fifteen feet to the side property line adjacent to the street.
3. Garages accessed from alleys with garage doors facing the alley must be setback a minimum of 21 feet in all RM zones and setback 25 feet in all RS zones.

#### C. Accessory Structure Height

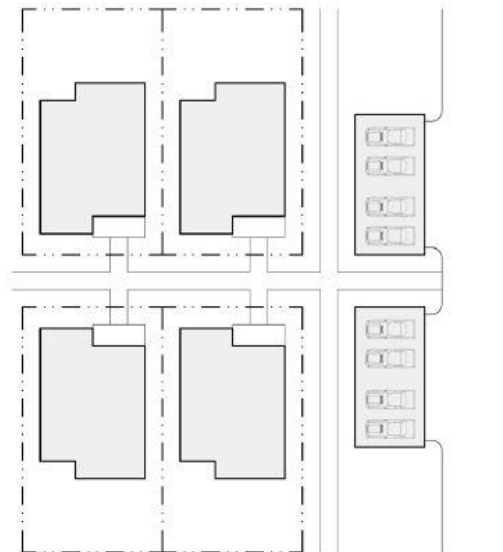
1. The maximum height for all accessory structures shall be twelve feet, except for detached garages, shops, and detached accessory dwelling units (ADU) as noted below.
2. The maximum height of any detached garage that is serving as the primary garage, a secondary garage, shop with an overhead door, or detached ADU shall be eighteen feet, provided however that
  - a. The setback shall be a minimum of six feet from the side and rear property line,



- b. Structures serving as secondary garages or shops are set behind the rear line of the house,
- c. The roof pitch and siding shall be consistent with the primary structure on the lot,
- d. There is no living space within the building except as permitted with a legal accessory dwelling unit (ADU) and larger setbacks as outlined in Chapter 19.20, and
- e. The height of the building does not exceed the height of the primary structure.
- f. ~~The maximum height of any secondary garage or shop shall be eighteen feet, provided however that the structure is set behind the rear line of the house, the roof has a minimum 4:12 pitch, there is no living space within the building and the height of the building does not exceed the height of the primary structure~~

#### D. Accessory Structure Area

1. In MH zones, no detached garage shall exceed one thousand square feet of inside floor area or exceed square footage of the primary structure.
2. In RS zones, no detached garage or accessory building footprint shall exceed one thousand square feet or ten percent of the lot area, whichever is greater; provided however, that the floor area of the accessory building does not exceed the floor area of the primary residence or three thousand square feet, whichever is more restrictive
3. ~~Shared attached garages and carports are permitted in RM zones and within the Pepin Creek Senior Overlay. Shared garages shall have a maximum of 4 parking stalls and not exceed 44 feet in width. (see graphic)~~
4. Detached carports are permitted to accommodate for no more than ~~three-four~~ vehicles and are limited to a maximum of 44 feet in width, but only if the lot does not have garages.



Shared Garage

~~Private garages for not more than three vehicles. (Currently appears in MH Accessory permitted uses)~~

### 19.22.050 Landscape, Fences, Screening, and Lighting

Objective – To enhance the aesthetics of communities through the installation of landscape and the screening of undesirable elements. Also, to enhance safety and function of residential properties through appropriate exterior lighting, addressing, and fencing.

#### A. Landscape, Fences and Screening

1. Landscape. Refer to Chapter 19.61 for full description of Residential Landscape Requirements

2. Fences.

a. Fences shall not be built closer than three feet to the property owner's side of the sidewalk for front yards and for street side yards on corner lots. If there is no curb and/or sidewalk, the fence shall be set back a minimum of three feet from the front property line and the street side property line on corner lots. When solid privacy fencing is installed, landscape material, such as groundcover, shrubs, or hedge material must be planted and maintained within this 3 foot setback.

b. Refer to Chapter 19.63 for full description of Residential Fence Standards.

3. Screening

a. In RS zones, trash and recycling containers shall be stored in side or rear yards or within enclosed garages.

b. In RM zones, trash and recycling containers shall be stored in side or rear yards, or within enclosed garages, or in screened enclosures as approved by the Design Review Board during site plan review.

c. Except for public utilities, mechanical equipment shall not be located in front yards.

d. All mechanical equipment, including roof mounted, must be screened so as not be to visible from the street, shared access easement, and common green spaces. Screening can be accomplished by fencing, architectural screening, or evergreen landscape material. Equipment to be screened includes, but is not limited to, heating and air conditioning units, venting associated with commercial grade cooking facilities, and any mechanical equipment associated with pools or hot tubs.

e. In RS zones, the base of exterior mechanical equipment must not exceed the height of the finished floor elevation.

e-f. Recreational vehicles may only be stored on RS zoned properties consistent with LMC 19.15.030.

#### B. Street trees

1. Street trees are required at the time of plat as outlined in Chapter 18. Additionally, the installation or replacement of street trees may be required to this standard when

building permits are sought for additions, decks, remodeling, or the construction of accessory structures.

2. Street trees must be from the City's approved street tree list.
3. Street trees located under utility lines must be species which will not conflict with overhead lines even when reaching maturity.
4. Street trees must be installed with root barrier protection as specified in the Engineering Design Standards.
5. Street trees shall be a minimum caliper of 1 1/2" at the time of installation except that small trees used under overhead lines shall be a minimum a caliper of 1". Refer to the City of Lynden Engineering Design Standards for a full description of street tree requirements.

#### C. Lighting

1. All front entry ways shall have an exterior light.
2. In multi-family housing projects exterior lighting must be installed with a timer or sensors so that it operates automatically regardless of occupancy.
3. Light that is broadcast beyond the intended area and illuminates neighboring windows or beyond the lot boundary is not permitted.

D. Addressing. To facilitate first responders in the event of an emergency, address numerals on all residential structures must be located near exterior lighting and in an area which is plainly visible when approached from the primary access point.

#### E. Front and Side Yard Uses

1. Front yards shall be used for ornamental purposes only.
  - a. No storage sheds, portable storage tents, temporary canopies or other similar structures may be located within the front yard; provided however that portable canopies or tent structures may be used during events or yard sales but must be removed within seventy-two hours of the sale or other event.
  - b. Parking of vehicles or utility trailers on lawn or landscape areas of a front yard or a side yard adjacent to a public right-of-way is not permitted.
2. Front yards may be used for low impact development (LID) infiltration best management practices (BMPs).
3. Front yard setbacks may not be used for the storage of boats, campers, or any recreational vehicle. Refer to 19.31.020.
4. To reduce the visual impact of parking areas in RM zones, including RMD, a minimum of 50 square feet of landscaped area per unit must be located between the façade of the structure and the nearest public right-of-way unless otherwise approved by the Design Review Board. This applies to both side and front yards.

~~No fences, growth or other obstruction over three feet in height above the curb grade shall be allowed within the clear vision triangle.~~

## Update to Chapter 19.31 – Residential Property Use Restrictions

### 19.31.020 - Single-family dwelling unit regulations.

- A. Outside storage.
1. Inoperable vehicles shall not be stored on the premises longer than thirty days unless parked within an enclosed structure. Minor automotive repair on vehicles other than those registered to the occupant of the house is strictly prohibited. Automobile wrecking is also strictly prohibited.
  2. A reasonable quantity of materials normally accessory to the primary residential use may be stored on the premises in areas other than the required setback areas and open space. There shall be no outside storage of any other materials. Materials that attract rodents and other pests may not be stored on site unless properly enclosed.
  3. As per Chapter 8.04 of the Lynden Municipal Code, regular garbage/recycle pick-up is required. Garbage and recycling containers must be stored securely so as to avoid dispersal of materials on the property or neighboring properties.
- B. Recreational Vehicles: Trailers or Motor Homes and Boats.
1. One trailer or one motor home and/or one boat may be stored on the premises if such storage is not detrimental to surrounding properties. The zoning official shall consider whether the storage:
    - a. Is properly screened from neighboring properties either by landscaping, fencing or the erection of an approved storage facility;
    - ~~a-b.~~ Shall not be covered or screened by utility tarps;
    - ~~b-c.~~ Is on a lot greater than or equal to ten thousand square feet;
    - ~~c-d.~~ Has ingress and egress without crossing a neighbor's property.
  2. Trailers, trailer houses, campers, mobile homes, or motor homes shall not be used as living quarters at any time unless located in a duly authorized mobile home park or properly zoned area.
- C. Animals. No more than three of any species of common household pets, four months of age or older, shall be allowed per dwelling unit.

## Update to Chapter 19.61.080 – Landscape Requirements

19.61.080 ~~-- Residential~~ Landscape requirements ~~for front yards.~~

Objective – To enhance the aesthetics of communities through the installation of landscape and the screening undesirable elements. Also, to enhance safety and function of residential properties through appropriate maintenance of landscape plantings.

### A. Detached Residential Single Family (RS) Landscape Requirements

1. Property owners may landscape ~~as close as three feet to the owner's side of the sidewalk on any city street which has an overall right-of-way of more than sixty feet in any residential zone, providing however that grass may be planted within that three foot area.~~ adjacent to sidewalks on any city street provided that at no time the landscape encroaches into the path of the sidewalk which would impede pedestrian movement or create unsafe conditions. It is the property owner's responsibility to maintain the landscape in this manner.
2. Hedges. To facilitate visibility along streets and sidewalks, ~~front yard~~ hedges which fully block visibility must not be planted ~~come~~ within 3 feet of the sidewalk. View triangles, which protect sight distance, at street intersections may require additional height restrictions.
3. Street trees are required at the time of plat as outlined in Chapter 18.14. Additionally, the installation or replacement of street trees may be required to this standard when building permits are sought for additions, decks, remodeling, or the construction of accessory structures.
4. All plantings on city property are subject to removal by the property owner at the City's discretion and property owner's expense. In the case that the property owner does not remove the planting, the removal will be done by the City and the property owner will be billed.

### B. Multi-Family Residential (RM) and Attached Single Family Landscape Requirements

~~(currently in Chapter 19.17.110) In addition to the landscaping requirements of Chapter 19.61 of this title, a~~ All proposed multi-family and attached single-family development greater than two attached units in these zones shall comply with the following standards. Variances, in accordance with the process set forth in Chapter 17.17 LMC, may be authorized by the planning director where factors such as but not limited to, topography, other site constraints prevent strict compliance.

1. All public streets will be required to include street trees between the curb and sidewalk, unless a variance to the street section standard and design is granted.
2. Entry areas, access easements, and driveways shall be landscaped to create a feeling of identification and continuity of plant materials related to the plantings around the buildings and parking areas. The primary entrances to the multi-family development, defined for this section as the entrances from public roadways, shall have landscaped

areas on either side of the entrance. This landscape area shall be a triangle beginning at a point where the back of the sidewalk and the driveway intersect and running a distance of twenty feet parallel with the street, and fifteen feet from the back of the sidewalk along the driveway, and diagonally connecting the two lines. These areas may be utilized as rain gardens.

3. Plant choices should include those plants that are native to the region, have minimal maintenance requirements and high survival rates. Large, more mature plant materials are encouraged to ensure that some immediate effect on the project's appearance will be attained within two years of planting. The following sizes and spacing are suggested and/or required for plant materials at time of installation.
  - a. Street trees shall have a minimum caliper size of two inches. Trees located along drives and in the street side of planting areas adjacent to parking areas or buildings shall have a minimum caliper size of one and one-half inches. Trees located elsewhere are to have a minimum caliper size of one inch and equivalent to a fifteen-gallon container size.
  - b. At the time of installation, shrubs must be a variety of sizes (one to five gallon pots) and upright shrubs must have a minimum height and spread of eighteen to thirty-six inches. Spreading shrubs should have a minimum of twelve to eighteen inches (smaller shrub sizes may be approved where it is more appropriate within the particular landscape plan). Hedge material must have a minimum height of four feet at the time of planting.
  - c. Ground covers planted from flats shall have a maximum spacing of twelve inches on center or, when planted from one gallon pots, a maximum spacing of twenty-four inches on center.
4. Earth berms and rain gardens are convenient devices for providing variation in the ground plane and for screening interior portions of the site. The bermed areas should be as long, as gradual and as graceful as space will allow. Maximum slopes for bermed areas should not exceed 4:1.
5. Building foundation plantings are required around all areas of the building except immediately adjacent to entries or garage doors. Sidewalks shall not be included within these areas. Installation of plant material is required and must be appropriate to the scale of the building. Area required is as follows:
  - a. Buildings containing 2-4 units must provide a planting area a minimum of 4 feet in width. Required area of foundation planting may be averaged, but in no case may the width be less than 2 feet.
  - b. Buildings containing more than 4 units must provide a planting area a minimum of 6 feet in width. Required area of foundation planting may be averaged, but in no case may the width be less than 3 feet.

**Update to Chapter 18.14.130 – Street Trees and Planting Strips**

- A. Street trees shall be provided by the subdivider in all subdivisions within the dedicated public utility easements adjacent to the street; preferably between the curb and the sidewalk.
1. In RS zones, there shall be a minimum of one tree per lot with a maximum of ~~one hundred~~ ~~seventy-five~~ 50 feet between trees, and
  2. In RM zones one street tree is required for every ~~50~~ ~~75~~ linear feet of street frontage. Distance may be averaged due to driveways and sight distance requirements.
  3. Street trees shall be a minimum caliper of 1 1/2" at the time of installation, small trees used under powerlines shall be a minimum a caliper of 1".
- 1.4. Street trees shall be selected, installed, and maintained in accordance with the standard City of Lynden engineering specifications. Trees shall be placed on the property with consideration of potential driveway cuts and utility services.
- B. Establishment of street trees and planting strips shall be per an approved site plan in conformance with design and bonding standards as set forth in LMC 19.61.
- C. Maintenance of street trees and planting strips shall be the responsibility of the adjoining property owner and shall be done in accordance with the city's engineering design and development standards