

# CITY OF LYNDEN

PLANNING DEPARTMENT  
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## 2022 Comprehensive Plan Amendment, Proposal Narrative

### Mixed Use Development Updates

Proposed by: *City of Lynden Planning Department*

#### **Introduction:**

The City is proposing several updates to the Lynden Municipal Code that are seeking to foster the appropriate development of mixed-use areas (Residential/Commercial) within the City. These updates will change the current mixed-use allowance (60:40 GFA ratio as determined in LMC 19.23.020) to a mixed-use overlay that can be activated within commercial zones under established criteria. These updates to the City's development code also necessitate amendments to the City's Comprehensive Plan, specifically the Comp Plan maps - the Zoning Map, the Future Land Use Map, and the City's Subarea Map. A related text amendment will update language to reflect changes to the City's subareas.

#### **Background:**

In December 2021, City Council passed Ordinance No. 1642 which established a moratorium on residential development within the City's CSL zone. This moratorium was a reaction to somewhat unsuccessful results being witnessed on mixed use development projects undertaken in the City's CSL zone. Achieved mixed use development has been focused on maximizing residential units, which it has done, but has struggled to develop effective commercial space. With the moratorium, Council tasked staff to consider a new model for mixed use development that still supports residential use but, effectively, promotes more cooperative commercial uses for that residential development.

Since Ordinance 1642 was adopted, staff has worked with relevant interest groups, property owners, and policy makers to propose a new mixed-use overlay (LMC 19.23.110 Mixed Use Overlay) to the existing Chapter 19 of the Lynden Municipal Code. Discussion regarding the new overlay resulted in supplementary updates to other LMC sections, a change to Lynden's defined subareas, zoning changes for certain commercial zoned properties, changes to the City's Future Land Use map, and related code housekeeping updates.

#### **Proposed Code Updates:**

The full list of proposed code updates is listed below:

- LMC 18.22 Manufactured Home Park Subdivision Standards: Updates to "Siting Criteria" to allow increased density, and landscaping requirements.
- LMC 19.11 Districts Established: Housekeeping updates and the reduction of RM4 maximum density.
- LMC 19.17 Multifamily Zones: Housekeeping updates and added requirements for open space / residential amenities for developments of 8 or more units.

- LMC 19.19 Manufactured Home Zone: Increased density allowances, prohibit site-built homes within MH park.
- LMC 19.22 Design Standards: Housekeeping updates. Note the proposed deletion of the minimum pitch requirement.
- LMC 19.23 Commercial Zoning: Removed the existing mixed-use allowances (60:40 and North Lynden Subarea), strengthen site design requirements, and added the Mixed Use Center Overlay (19.23.110), small-scale downtown Mixed Use, and the related zoning language to support that overlay.
- LMC 19.29 Planned Residential Development: Housekeeping updates
- LMC 19.45 Design Review: Housekeeping updates and removed the city-wide Dutch themed architecture to HBD only (or to recognize historic architecture of downtown).
- LMC 19.51 Off-street Parking: Significant rewrite for clarifying items. Increased requirements for large MF projects, standard parking size of 9 x 19.
- LMC 19.63 Fence Permits: Housekeeping updates

The proposed redlined updates to the LMC chapters are separately attached in this application.

The new Mixed-Use Overlay being proposed (LMC 19.23.110) and supporting updates resulting from the corresponding discussion, have necessitated related amendments to the Comprehensive Plan – the Zoning Map, Future Land Use Map, Subarea Map, and a corresponding text update to the subarea descriptions.

### **2022 Comprehensive Plan Map Updates:**

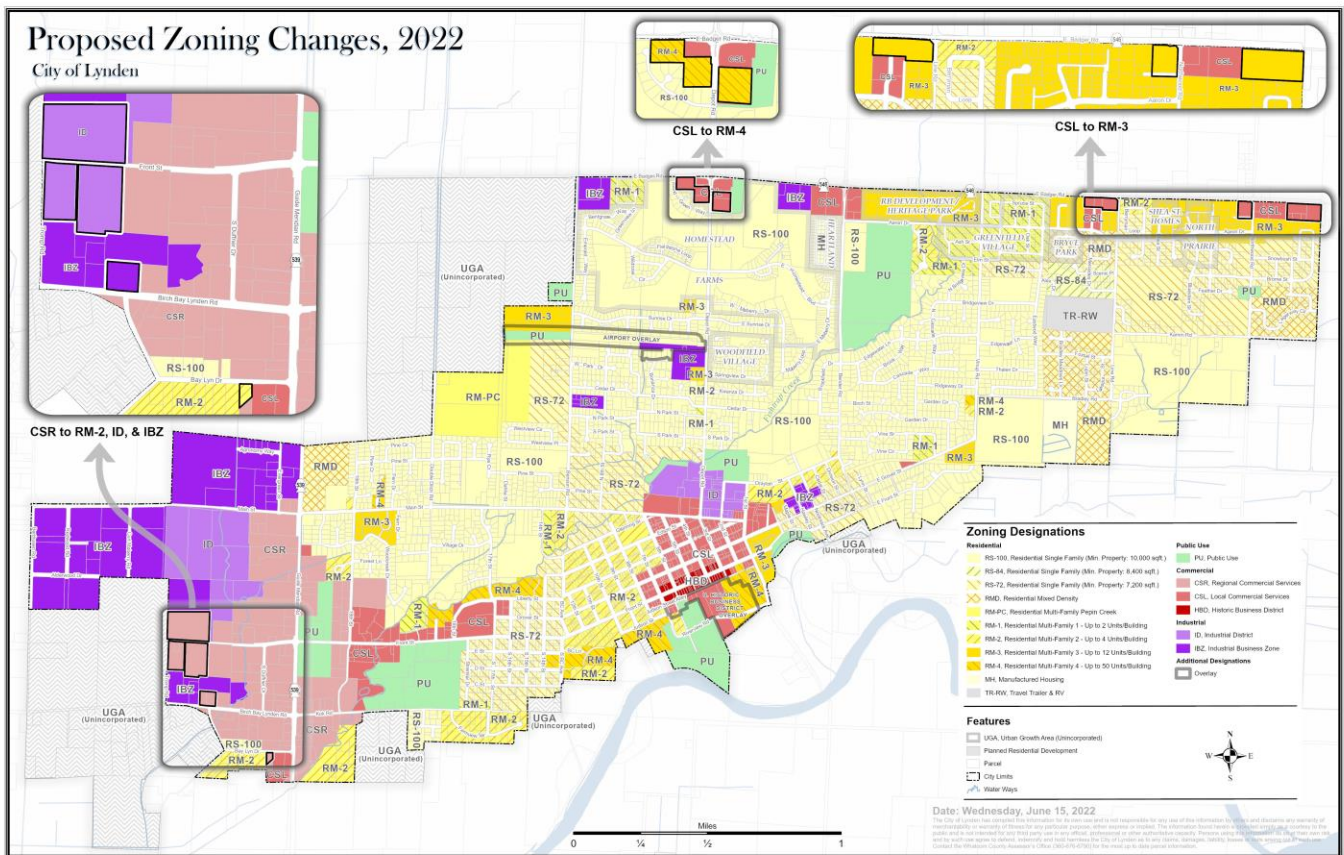
**Zoning Map:** The Mixed-Use Overlay focuses residential development within commercial zones on those parcels that meet established criteria: more than 1 acre and close (within ¼ mile) to designated commercial centers. The discussion surrounding these criteria brought up rezone questions for commercial zoned parcels across the city that will not meet the criteria for a mixed-use project. The commercial zoned parcels which are proposed to be rezoned to residential land uses (specifically RM3) are minimally commercially viable and, therefore, should be rezoned to appropriate new designations (either multifamily or industrial).

**East Lynden Subarea:** Six (6) East Lynden Subarea parcels that front Badger Road are proposed to amend their land use designation from Commercial to Residential – specifically rezoned from CSL to RM-3. These parcels are not eligible for the Mixed-Use Overlay due to size or distance from an established Commercial Center. The location on the edge of town with limited access from Badger Road, make them largely non-viable for successful commercial enterprise.

**North Lynden Subarea:** Four (4) North Lynden Subarea parcels, 3 which are currently built out with multifamily buildings, the 4<sup>th</sup> which is going through the permit process for 46 new units, are proposed to be rezoned from CSL to RM4. These were permitted in the CSL under a 2015 Ordinance 1477 that allowed multifamily development on these CSL parcels around the intersection of Depot Rd and Badger, with limited commercial protection right at the corner. Subsequently, they have been built out at high density (RM4 standards). It makes sense to align their built-out use with the zoning category in which they fit – RM4.

West Lynden Subarea: Seven (7) commercial West Lynden parcels which are currently zoned CSR are proposed to be changed to Industrial and Residential classifications. Six of those parcels are near W Front and Tromp Rd and are surrounded by industrial type uses. These are proposed to be reclassified as Industrial, specifically zoned to IBZ. One parcel south of Bay Lyn Road is currently zoned CSR and is proposed to be reclassified as Residential to align with its current residential use, and specifically rezoned to RM2 to align with the neighboring RM2 parcels to the west. These parcels are not eligible for the Mixed-Use Overlay due to size or location. \*Take note, Lynden Door, Inc is concurrently proposing a land use change and rezone to their property north of W Front St.

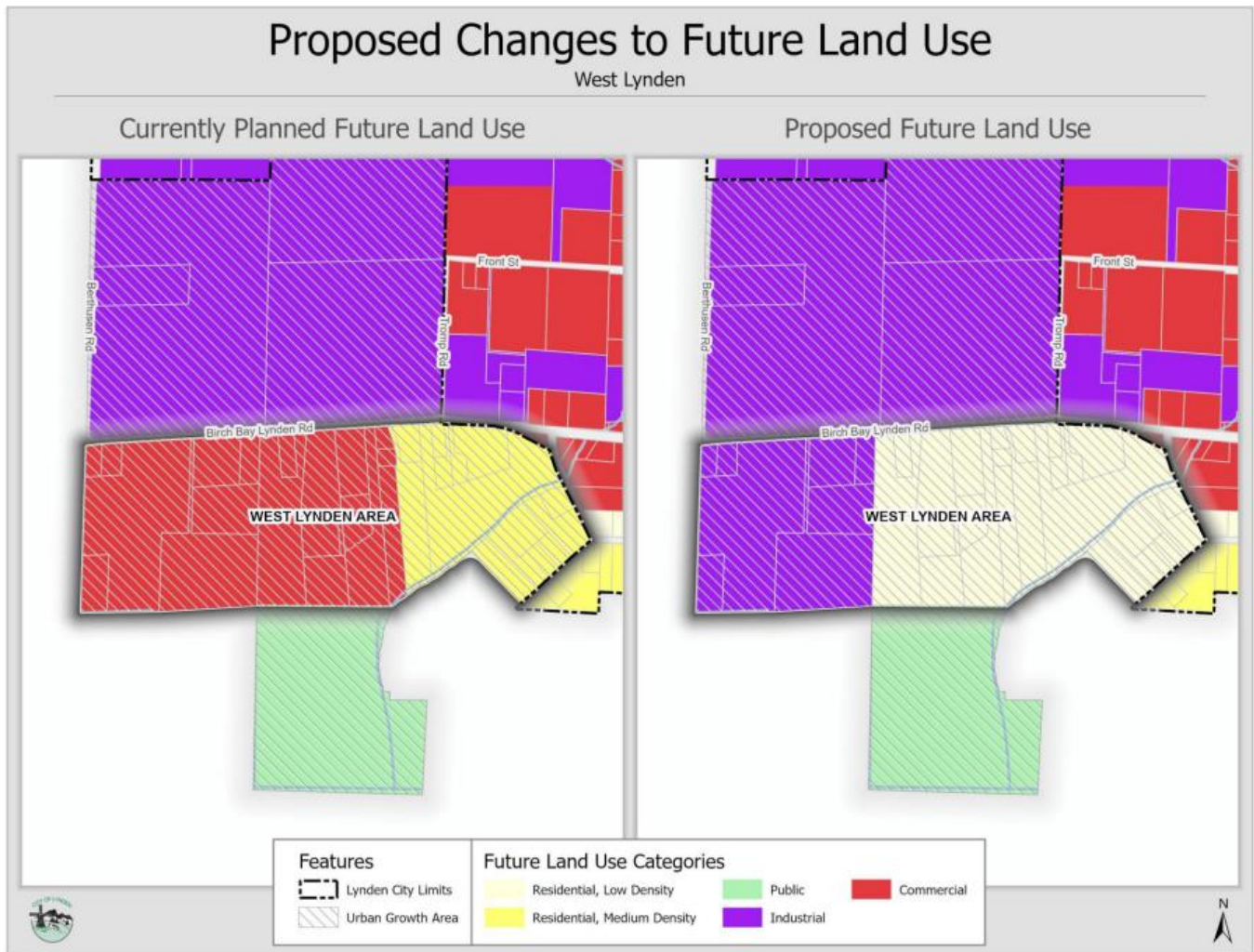
See the attached Proposed Zoning Changes, 2022 map and Table 1 showing the affected parcels.



**Future Land Use Map:** Residents in the unincorporated UGA west of the City Limits have recently requested the initiation of annexation. This request, as well as persistent interest in viable industrial land, along with the move to accommodate higher density residential near established commercial centers, began a closer look at what some of those future annexation parcels would be zoned when they come into the city. The City's Future Land Use map indicates commercial and

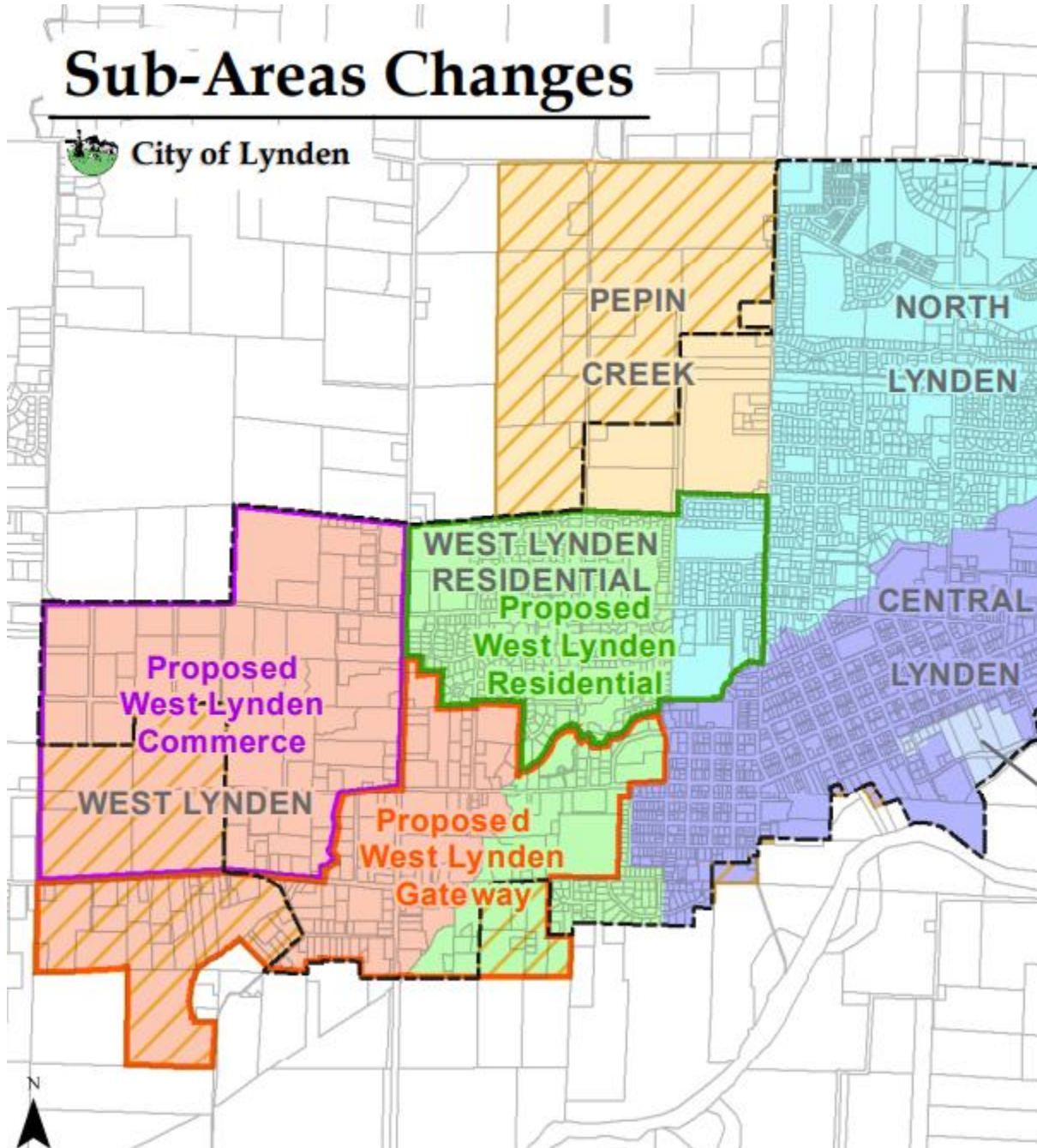
multifamily zoning for parcels south of Birch Bay Lynden Road. Those properties will be difficult to redevelop and the demand for commercial property is lacking. As such, the City is proposing redesignation of the eastern parcels to Low Density Residential and Industrial for the western parcels. North of the Birch Bay Lynden Road will remain Industrial, as is designated on the current Future Land Use Map.

See Future Land Use map changes below for their location and the proposed change.



**Lynden Subareas: Map and Text Amendment:** The City is proposing changes to the City’s subarea boundaries in west Lynden – these include altering the boundaries of the West Lynden Residential subarea, adding a new subarea (West Lynden Gateway), and changing the West Lynden subarea to a newly designated West Lynden Commerce subarea. The West Lynden Commerce Subarea will be ineligible for the Mixed-Use Overlay. The text amendment reflects these changes and updates the subarea descriptions in Chapter 2.5.5 of the Lynden Comprehensive Plan.

See the attached Revision to West Lynden Subareas map for and the attached text amendment proposal.



**CPA Application Narrative Questions (Section VI of application):**

- 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?*

The GMA establishes 13 goals that set the standard for City Comprehensive Plans and the subsequent accommodations for projected growth. Lynden, like most western Washington cities, has seen significant growth over the past couple decades. The proposed Mixed-Use overlay, and the corresponding Comp Plan Amendments, are a managed effort to accommodate more residential (multifamily) development in areas of the city with already established commercial centers. As the proposed LMC 19.23.110(A) states, the purpose of the Mixed-Use Overlay is to accommodate mixed use projects that are efficient, compact, and compatible with surrounding uses.

The corresponding Comprehensive Plan Amendments (Land Use and Zoning Changes, Subarea Changes, and shifting Future Land Use designations) work to support the viability of the proposed Mixed-Use Overlay.

- 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.*

Yes, much has changed since the adoption of the 2016 Comp Plan. Housing costs continue to rise, demand for families renting multifamily space (larger units for longer period of time) has increased, commercial/retail space tends to be in less demand, industrial property is in demand, much of the city's outlying multifamily zones (ie. RM3 zones in East Lynden) have been built out, and the city (except in the HBD) has seen several unsuccessful mixed use building projects (using the traditional CSL 60:40 ratio). These projects have produced a relatively segregated, or vacant, commercial product that provides little service or amenity to the surrounding residential uses.

The proposed Mixed-Use Overlay takes a focused approach on accommodating mixed use projects in areas of the city where active commercial/retail uses already exist, permitting commercial uses intended to serve the surrounding residential use, and providing standards that improve quality of life (pedestrian amenities, attractive streetscapes, open space, and neighborhood commercial).

The corresponding Comprehensive Plan Amendments (Land Use and Zoning Changes, Subarea Changes, and shifting Future Land Use designations) work to support the viability of the proposed Mixed-Use Overlay.

*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 upon which the Comprehensive Plan was adopted have not changed. The Mixed-Use Overlay is a characteristic adaptation, by a growing City, to encourage and facilitate smart, well-planned growth. The changes to the City's current mixed-use allowance are proposed as a reaction to the way that mixed use projects in Commercial zones have been built. This overlay and the subsequent amendments to the Comp Plan seek to foster a more viable, efficient, mixed use development projects that support existing commercial centers, and provide a compatible mix of multifamily housing, neighborhood commercial uses, and semi-public open spaces. It will provide prospects for increasing residential opportunities, as part of a well-planned mixed-use development, in areas of the city which are currently not available.

*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.*

Yes, the Mixed-Use Overlay proposal is a City action to provide a better mixed-use product as has been seen within the City. As such, it seeks to promote a more desirable land use pattern. The overlay is broad in targeted areas across the City, that can be activated by the landowner if they choose and can meet the underlying criteria for activation. Environmental constraints will be regulated as normal.

The corresponding Comprehensive Plan Amendments (Land Use and Zoning Changes, Subarea Changes, and shifting Future Land Use designations) work to support the viability of the proposed Mixed-Use Overlay.

*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 Mixed-Use Overlay and the corresponding Comp Plan Amendments are specifically an attempt to foster a mix of compatible residential and neighborhood commercial uses in areas of the City that already have established commercial use. This development, if done correctly, will support those existing commercial uses.

The developments will be subject to Design Review, landscape buffering, and other regulations that the city already employs to ensure the ongoing compatibility of uses with surrounding properties.

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

**Zoning Changes:** The proposed zoning changes seek to change unviable commercial properties, which due to scale and/or distance from an established commercial center will not be eligible for the Mixed-Use Overlay, to multifamily residential uses. These zone changes (CSL to RM3) are in the East Lynden Subarea. The North Lynden Subarea properties are already built out as high density residential. This zone change will align that use with the proper zone (CSL to RM4). The west Lynden zone changes (CSR to IND) seek to provide more industrial space in West Lynden, in the vicinity of existing industrial zones and productive Industrial uses. They are also parcels that would not be eligible for the Mixed Use overlay – as they are located in the new West Lynden Commerce Subarea.

**Subarea Revisions:** The Subarea Revision realign the boundaries of West Lynden subareas and create a new Gateway Subarea. This provides incentive to define and delineate the appropriate future development of this area. The West Lynden Commerce Subarea, also a new subarea, focuses on the industrial and larger-scale commercial opportunities in west Lynden. These subarea changes serve the public good by further defining and focusing on what is appropriate for those areas. It also creates an opportunity to highlight the benefits and positives of doing business there.

**Future Land Use Map:** These changes are prompted by an interest in the West Lynden unincorporated UGA area, to seek annexation. On further examination, and as the interested parties seek to secure signatures for annexation, several existing properties are not interested in being annexed as the future land use map designates. The current future land use map does not align well with an ongoing interest in industrial lands. And there is decreased demand for CSR zoned properties in the City. The changes proposed to the Future Land Use map increase Industrial Zoned properties and align the section south of Birch Bay Lynden Road, which are currently mostly larger single-family parcels to align with a lower density residential zone.