

<b><u>Meeting Date:</u></b>	September 26, 2024
<b><u>Name of Agenda Item:</u></b>	Comprehensive Plan Amendment 24-02 and Rezone 24-02 for First Reformed Church
<b><u>Type of Hearing:</u></b>	Public Hearing
<b><u>Attachments:</u></b>	CPA and Rezone Applications, Staff Report, Maps
<b><u>Summary Statement:</u></b>	<p>The Planning Commission is being asked to consider a pair of applications which would</p> <ul style="list-style-type: none"> <li>(1) Amend the City's Land Use Map within the Comprehensive Plan by shift the Subject Property's Land Use from a Residential Land Use to a Commercial Land Use; and</li> <li>(2) Rezone the Subject Property from a residential zoning category of RM-2 to Commercial Services Local (CSL).</li> </ul> <p>The Subject Property includes several parcels located between 6<sup>th</sup> and 7<sup>th</sup> Streets along the south side of Liberty Street. These parcels are addressed as 214 7<sup>th</sup> Street, 611 Liberty Street, 215 and 209 6<sup>th</sup> Street and are owned by First Reformed Church whose primary church facility is located on parcels immediately south along the Grover Street corridor at 610 Grover Street.</p> <p>The primary use of the Subject Property is parking lot for the church with future intentions of a Youth/Multi-purpose building at the northeast corner after demolition of two existing structure. The shift to commercial land use and zoning of these parcels would allow for consistency with the primary portion of their campus, would match those parcels located to the south and east of the church property, and would allow future construction to adhere to a more appropriate commercial standard rather than a residential standard.</p> <p>Staff of the Technical Review Committee have reviewed the application and created the attached report. The ending conclusion is a recommendation to approve the Comprehensive Plan Amendment and the Rezone.</p>
<b><u>Recommended Action:</u></b>	Motion to recommend to the City Council approval of CPA application 24-2 and Rezone application 24-2 as presented.



September 16, 2024

### CITY OF LYNDEN TECHNICAL REVIEW COMMITTEE

#### STAFF REPORT

Re: The application of JWR Design, Inc.  
Agent for First Reformed Church for a  
Comprehensive Plan Amendment and  
Rezone.

CPA #24-02, RZ #24-02, First  
Reformed Church Rezone and  
Comprehensive Plan Amendment

#### I. APPLICATION SUMMARY AND RECOMMENDATIONS

Proposal: A Comprehensive Plan Amendment to change the Comprehensive Plan designation of a parcel owned by the First Reformed Church from Residential to Commercial. It would specifically change the zoning of the subject parcel from Residential Multi-Family (RM-2) to Local Commercial Services (CSL).

Recommendation: Staff recommends approval of the CPA and Rezone.

#### II. PRELIMINARY INFORMATION

Applicant: Jerry Roetcisoender, JWR Design, Inc. Agent for the First Reformed Church

Property Owner: First Reformed Church

Property Location: 610 Grover Street, Lynden

Recording Number: 2024-0801118

Legal Description: LOT A OF THE FIRST REFORMED CHURCH OF LYNDEN LOT LINE ADJUSTMENT / LOT CONSOLIDATION, AS PER THE MAP THEREOF, RECORDED IN THE AUDITOR'S OFFICE OF WHATCOM COUNTY, WASHINGTON. ALL SITUATE IN WHATCOM COUNTY, WASHINGTON. SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENT OF RECORD.

## First Reformed Church Comprehensive Plan Amendment and Rezone – TRC Report

Notice Information:

Application Submitted:	June 28, 2024
Notice of Application:	September 11, 2024
Notice of SEPA determination:	September 11, 2024
Notice of Hearing:	September 11, 2024
Comment Period Ending:	September 25, 2024

SEPA Review: Lynden SEPA #24-06. Mitigated Determination of Non-Significance (MDNS) issued September 6, 2024

### Authorizing Codes, Policies, and Plans:

- RCW 35A.63.073 Comprehensive Plan – Amendments and Modifications
- RCW 36.70A Growth Management
  - RCW 36.70A.130 Comprehensive Plans
- LMC Chapter 2.08.140 Plan adoption – Amendment authorized
- LMC Chapter 19 Zoning
  - LMC 19.03 Comprehensive Plan
  - LMC 19.09 Maps and District Boundaries
  - LMC 19.23 Commercial Services Zone
- LMC Chapter 17.09.030 – Legislative Decisions
  - LMC 17.19 – Site Specific Rezones
- LMC Chapter 16 Environmental Policy

### **III. PROJECT DESCRIPTION**

A Comprehensive Plan Amendment to change the Comprehensive Plan designation of a parcel owned by the First Reformed Church from Residential to Commercial. It would specifically change the zoning of the subject parcel from Residential Multi-Family (RM-2) to Local Commercial Services (CSL).

### **IV. PUBLIC NOTICE AND COMMENT**

Notice of Application: Formal legal notice for this CPA/RZ application was published in the Lynden Tribune on September 11, 2024.

Notice of SEPA determination: Formal notice of the SEPA Determination (DNS) was published in the Lynden Tribune on September 11, 2024, and mailed to neighbors within

300 ft of the property. The comment period for the SEPA determination expired on September 25, 2024.

Public Comment Received:

None.

**V. ANALYSIS AND CONSISTENCY WITH REGULATIONS**

The first step in evaluating this application is to determine whether or not the Comprehensive Plan should be amended. The application materials included in the package provide a number of questions relating to consistency with the Growth Management Act, the City's Comprehensive Plan and the change within the community that could necessitate such a change in the City's plan. The **second step** in the process will be to evaluate the rezone request.

**COMPREHENSIVE PLAN AMENDMENT – FIRST STEP**

**A. This question in the Comprehensive Plan Amendment application asks the proponent to describe how the proposal is consistent with the Growth Management Act and the City's Comprehensive Plan.**

The applicant has provided the following response: *This property is currently being utilized as a parking area for First Reformed Church, as approved under a conditional use permit. This parcel also borders commercial designations and is a natural extension of the use in this area.*

**B. This question involves a change in circumstances within the community since the adoption of the comprehensive plan that would justify the proposed request.**

The applicant has provided the following response: *There is an approved conditional use permit that reviewed the parcel to be used for a parking lot and Youth / Multipurpose building to complement the neighboring parcel to the south, which is the main church meeting area for First Reformed Church. A commercial zoning designation is consistent with the previously approved use through the conditional use process.*

**C. This question relates to assumptions that were made during the past comprehensive planning cycle.**

## First Reformed Church Comprehensive Plan Amendment and Rezone – TRC Report

The applicant has provided the following response: *This area is bordered by other parcels with commercial use and as time has passed this parcel would also serve Lynden best in a commercial capacity. As First Reformed Church and the community have grown, the necessity of a commercial space has increased.*

**D. Does the proposed amendment promote a more desirable land use pattern as stated in the goals and policies of the comprehensive plan.**

The applicant has provided the following response: *The current development on the parcel and the neighboring parcels are conducive to a commercial designation. The flat topography and current parking lot utilize the original topography well. The intent of the multi-purpose building that will be built in the future, while owned and operated by First Reformed Church, will be used and benefit the two churches to the north of our site.*

**E. This question within the application materials asks about the impacts to current uses in the area and measures to ensure compatibility within the area.**

The applicant has provided the following response: *The properties to the south and east are also zoned commercial, which would be compatible with the proposed amendment.*

**F. How will the public interest be served by this amendment?** The applicant has provided the following response: *The amendment would allow First Reformed Church to serve the public with a facility and events that are well-suited to the neighboring properties and activities in the vicinity.*

### **REZONE- SECOND STEP**

1. *Criteria for Approval:* The applicant has responded to this comment with written justifications for the proposed rezone. Care should be taken to consider potential impacts to the surrounding properties and the City as a whole and mitigate as needed.

To grant this request, the Planning Commission and City Council **must** find that the application satisfies each of the criteria listed within Section 17.09.050 of the Lynden Municipal Code:

- a. The current zoning was either approved in error or that a significant change in circumstances since approval of the current zoning warrants reclassification of the subject property as proposed; and

## First Reformed Church Comprehensive Plan Amendment and Rezone – TRC Report

- b. The proposed site-specific rezone is consistent with the City's comprehensive plan and applicable sub-area plan(s); and
- c. The project proposal is consistent with the City's development codes and regulations for the zoning proposed for the project.
- d. The proposed site-specific rezone is compatible with existing uses and zoning in the surrounding area; and
- e. The proposed site-specific rezone will promote the health, safety, and general welfare of the community.

## VI. **TECHNICAL REVIEW COMMITTEE COMMENTS**

### **Planning Department Comments**

1. *Approval Criteria:* Staff agrees that the
  - a. Circumstances on this property have changed since it was zoned residentially, that is, the property has become part of the church's campus and use has been converted to accommodate its programming and parking. The design regulations associated with residential development are not the best fit for institutional development and a shift to commercial zoning, which is consistent with adjacent properties to the south and east, would be more appropriate.
  - b. Shifting the Subject Property to a commercial use and zoning is consistent with the City's comprehensive plan and sub-area plan as the Central Lynden Sub-area is characterized in Section 2.5.5 as having a mix of uses that include older homes and a diversity of retail and, among other things, professional offices, dining establishments, multiple church campuses and many of the City's public facility which provide a broad range of scale and density on a traditional grid street-layout. Designating the Subject Property as commercial is consistent with those properties to the south and east of this location.
  - c. The current uses on the Subject Property are consistent with the City's development codes in that the primary functions of the church operate on portions of the property that are zoned commercially and those that are

## First Reformed Church Comprehensive Plan Amendment and Rezone – TRC Report

zoned residential are supporting uses. Modifying the full campus to the same land use and zoning create more consistency with development regulations as commercial regulations allow for more building height and smaller setbacks consistent with the church facilities.

- d. The proposed change to the Subject Property is compatible with the surrounding uses in the properties to the east and south are already zoned commercially and the facility is located on the Grover Street corridor which, in this area, is commercial in nature.
  - e. The proposed revision will not be detrimental to the community. The visible changes to the property will be negligible in the use as a church campus will not change except that the revision to the code will allow for commercial standards to be used for the construction of updated facilities. New facilities that accessory to the church will benefit the congregation and the community as a whole.
- 2. *Transportation:* The applicant is aware that mitigation of transportation impacts may be required at the time of development.
  - 3. *Proposed Uses:* Applicant has been advised that future uses are subject to the provision of LMC 19.23 which include, but are not limited to, permitted uses, setbacks, and height limits as well as LMC 19.57.200 – 19.57.250 regarding Conditional Use Permits.

### **Public Works Department Comments**

- 4. *Public Improvements:* The applicant has been advised that at the time of future development, all public improvements must be constructed as required in the Lynden Municipal Code.
- 5. *Development Standards:* The applicant has been advised that at the time of future development, all plans must be designed and constructed in compliance with the Department of Ecology's Best Management Practices and the standards approved in the Manual for Engineering Design and Development Standards.
- 6. *Stormwater Management:* The applicant has been advised at the time of future development, a stormwater management plan prepared by a professional engineer will be required for this development and must be approved by the City

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of Lynden prior to approval of construction plans. An erosion control plan must be included in the drainage plan and construction plans as necessary.

### **Fire and Life Safety Comments**

7. *Fire Standards:* Future Development will require full compliance with the Fire Code.

**Parks and Recreation Comments** – The Parks Department has no comments on this application.

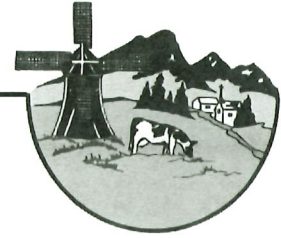
## **VII. RECOMMENDATION**

Based on the above findings, staff recommends approval of the Comprehensive Plan Amendment and Rezone without associated conditions of approval.



# CITY OF LYNDEN

## COMPREHENSIVE PLAN AMENDMENT APPLICATION



City of Lynden use only:

CPA # 24-02 Staff Initials: KS

### I. Applicant Information

Name: First Reformed Church

Address: 610 Grover Street Lynden, WA 98264

Telephone Number: (360)354-0333 E-mail Address: jerry@jwrdesign.com

### II. Check the appropriate boxes

Comprehensive Plan Map Amendment ☒

Comprehensive Text Amendment ☐

### III. Summarize the changes you are proposing

Revise zoning from RM2 to CSL to match neighboring property

### IV. For Map Amendments

A. Tax Parcel Number(s): \_\_\_\_\_

Site Address: 610 Grover Street

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

Property Owner(s): First Reformed Church

Mailing Address: 610 Grover Street

City, State & Zip Code: Lynden, WA 98264

Telephone Number: 354-0333

Please attach additional sheets if more than one parcel is involved.

B. Existing Comprehensive Plan Designation:

Residential

C. Existing Zoning Designation:

RM2

CPA # 750.00 ✓

# CITY OF LYNDEN

## COMPREHENSIVE PLAN AMENDMENT APPLICATION CONTINUED



D. Proposed Comprehensive Plan Designation:

Commercial

E. Proposed Zoning Designation:

CSL

F. The present use of the property is:

Parking for First Reformed Church on neighboring parcel to the south and two SFR utilized used for church staff/visitors

G. The intended future use of the property is:

Parking and a multi-purpose building for First Reformed Church use

H. Surrounding land uses are:

Commercial and Residential

### **V. For Text Amendments**

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

### **VI. For All Amendments**

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

This property is currently being utilized as a parking area for First Reformed Church, as approved under a conditional use permit. This parcel also borders commercial designations and is a natural extension of the use in this area.

# CITY OF LYNDEN

## COMPREHENSIVE PLAN AMENDMENT APPLICATION CONTINUED



- 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.

There is an approved conditional use permit that reviewed the parcel to be used for a parking lot and Youth/Multipurpose building to complement the neighboring parcel to the south, which is the main church meeting area for First Reformed Church. A commercial zoning designation is consistent with the previously approved use through the conditional use process.

- 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.

This area is bordered by other parcels with commercial use and as time has passed this parcel would also serve Lynden best in a commercial capacity. As First Reformed Church and the community have grown, the necessity of a commercial space has increased.

- 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.

The current development on the parcel and the neighboring parcels are conducive to a commercial designation. The flat topography and current parking lot utilize the original topography well. The intent of the multi-purpose building that will be built in the future, while owned and operated by First Reformed Church, will be used and benefit the two churches to the north of our site.



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## COMPREHENSIVE PLAN AMENDMENT APPLICATION CONTINUED



- 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 properties to the south and east are also zoned commercial, which would be compatible with the proposed amendment.

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

The amendment would allow First Reformed Church to serve the public with a facility and events that are well-suited to the neighboring properties and activities in the vicinity.

\*\*\*\*\*

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

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

**Date:** 6/28/2024

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

**Date:** 6/28/2024

# CITY OF LYNDEN

## REZONE APPLICATION



City of Lynden use only:

RZ # 24-02

Staff Initials: WJ

### Applicant Information

Name: First Reformed Church

Address: 610 Grover Street, Lynden, WA 98264

Telephone Number: (360)354-0333 E-mail Address: jerry@jwrdesign.com

### Application is hereby made for a rezone as follows:

#### **Type of Rezone Requested:**

Current Zoning Designation: RM-2

Proposed Zoning Designation: CSL

Attach narrative explaining the reason for the request / zoning change

### Property Information

Address: See attached

Legal Description: (Attach Additional Sheets if Necessary)

See attached

Property Size: 250' x 140'

Total Square Footage: 34,935 Total Acreage: .8 Acre

\*\*\*\*\*

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

Submitted By: JWR Design Date: 6/28/2024

Property owner signature: [Signature] Date: \_\_\_\_\_

Property owner printed name: Jerry Roetcisoender Date: 6/28/2024

Pay \$563.00 ✓

### Rezone Narrative/Statement

The property is currently used by Faith Reformed Church as a parking lot. There is an approved conditional use permit which implemented the first phase of developing parking for the neighboring property to the south for the main church building. The second phase of the conditional use is to build a Youth/Multi-purpose building. The commercial zoning would facilitate the appropriate setbacks and guidelines to correctly design the best building for the church and community. The commercial zone designation applies to the parcels directly to the east and south of this property and is a natural extension to this parcel.

As the church and community has grown the necessity of commercial space has also grown. This update to the zoning service the public with a facility and events that are well suited to the neighboring properties and activities in the vicinity.

**Legal Description (After LLA)**

Lot A:

Lot A of the First Reformed Church of Lynden Lot Line Adjustment/Lot Consolidation, as per the map thereof, recording in the Auditor's Office of Whatcom County, Washington.

Situate in Whatcom County, Washington.

Subject to and/or together with all easements, covenants, restrictions and/or agreement of record, or otherwise.





7TH ST

LIBERTY ST

6TH ST

6th Street

7th Street

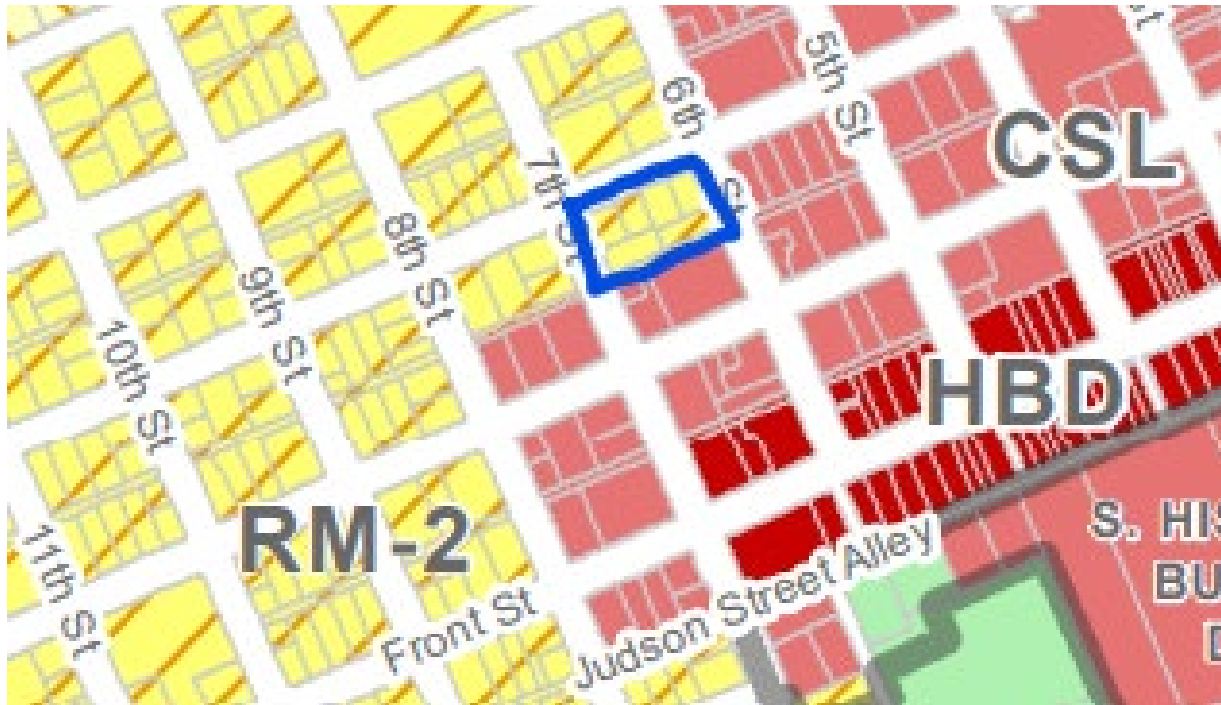
7TH ST

GROVER ST

GROVER ST

6TH ST





First Reformed Church – 2024 CPA / Rezone proposal.

6 Parcels owned by First Reformed Church. Proposal is to change the Comp Plan land use designation from Residential to Commercial – specifically changing the zoning from RM2 (residential multifamily 2) to CSL (Local Commercial).