

CITY OF LYNDEN

PLANNING DEPARTMENT
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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 rezoning 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 4th 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 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 some higher density residential near 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 attached 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.