

CITY OF LYNDEN

COMMUNITY DEVELOPMENT DEPARTMENT

Heidi Gudde, Director

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From: Heidi Gudde, Director

Date: February 21, 2025

Re: **Review Guide for the Amendment to LMC 19 re Design Review**

The proposed changes to LMC 19 are highlighted below.

1. The primary goal of this amendment is to respond to State legislation ESHB 1293 which requires cities to eliminate subjective standards from design review processes so that requirements are clear and discernable. This includes modifying any guidelines that “suggest” or “encourage” specific design standards in favor of clear requirements. The proposal dissolves the Design Review Board and establishes an administrative review process to be conducted by staff through the Technical Review Committee (TRC). Language related to the DRB is found in LMC 19.45.
2. This proposed amendment also includes a small clarification to the permitted commercial uses found in LMC 19.23.020. It adds “Commercial Recreation – Outdoor” to address requests for permanent outdoor recreational uses such as go kart tracks or similar. Changes here also eliminate “Commercial Sporting Events” which, as a temporary use, seems to be more suited to the Special Event Permit process.
3. The amendment modified the design standards on LMC 19.23.080 and 090, previously geared toward ‘big box’ stores, to now apply to all commercial development and mixed-use development respectively.
4. Buildings within Public Use (PU) zones have traditionally not been subject to the Design Review process, this amendment adds basic design standards to the PU requirements in order to clarify expectations on these projects. It also increases the maximum height permitted within the PU zone in order to accommodate large scale buildings seen on public properties such as City Hall and semi-public properties such as the Northwest Washington Fairgrounds.
5. Portions of the sign code are included simply to reflect the dissolution of the Design Review Board and to indicate that staff (the Technical Review Committee) will be verifying compliance with sign design standards.

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6. This amendment also includes the restoration of a portion of code, the content of LMC 19.49.060-Emergency Housing, Indoor; Emergency Shelter, which was inadvertently deleted from the Community Residential Facilities section when then civil penalties code was adopted. A corresponding portion of the civil penalties code, which addresses violation of Conditional Use Permits, was updated in the new LMC 19.57.160.
7. This amendment updates the landscape code found in LMC 19.61 to include standards related to commercial uses. This includes requirements for additional landscaping internal to commercial and public use parking lots to enhance aesthetics, decrease heat island affects and slow stormwater runoff.