

ORIGINAL

CITY OF LYNDEN  
PLANNING COMMISSION RESOLUTION #22-06

**A resolution of recommendation for approval of LMC Code Amendments:  
Mixed Use Overlay, Parking Code, and Associated Housekeeping Updates – LMC  
17, 18, and 19**

WHEREAS, on December 20, 2021, in recognition of the need to address the City's mixed-use code provisions to better serve the good of the community and the original intent of the code, the City Council passed Ordinance 1642 which established a moratorium on residential development within the City's Commercial Services-Local (CSL) zone and temporarily halted the development of mixed-use projects; and

WHEREAS, for the purposes of this resolution, mixed-use is considered a blend of residential and commercial uses in a shared building or on a shared property; and

WHEREAS, since Ordinance 1642 was adopted, staff has advanced an initiative and worked with relevant interest groups, property owners, and policy makers on a new mixed-use proposal; and

WHEREAS, the revision seeks to locate mixed-use developments, which often feature high density housing options, in areas near public transportation and existing commercial development; and

WHEREAS, locating mixed-use developments in these locations serves to support existing business and create more viable opportunities for new commercial uses within the mixed-use developments; and

WHEREAS, the initiative now proposes a new mixed-use overlay, LMC 19.23.110 Mixed Use Overlay, to the existing Chapter 19 of the Lynden Municipal Code and a corresponding Comprehensive Plan Amendment 22-01, and Rezone 22-02; and

WHEREAS, discussion regarding the new overlay resulted in supplementary updates to other sections of the Lynden Municipal Code including the Parking Code in LMC 19.51 and general housekeeping updates throughout LMC 19; and

WHEREAS, the following workshops have been held to review the proposed code amendments: Planning Commission workshop on March 24, 2022, Special Joint Community Development Committee and Planning Commission Workshop on May 18, 2022, and a Planning Commission workshop on September 8, 2022; and

WHEREAS, the following sections of the Lynden Municipal Code (LMC) have been updated to reflect the proposed changes. Full scope is attached as Exhibit A.

- 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

WHEREAS, the Lynden Planning Commission held a public hearing on September 22, 2022, to accept public testimony on the proposed LMC Code Amendments, and that meeting was duly recorded;

**NOW THEREFORE, BE IT RESOLVED** by the Lynden Planning Commission to recommend approval by a vote of 7-0, to the City Council of the proposed LMC Code Amendments and Updates to Titles 17, 18, and 19, including; the Mixed-Use Overlay, Parking Code, and Associated Housekeeping Updates subject to the following conditions:

- 19.22.030 (C) (4) - That the Residential Design Criteria requirement for a 4:12 roof pitch remain with the option to seek a waiver with the Design Review Board.
- 19.51.040 - That the parking requirements for studio apartments be added to reflect 1.5 parking stalls per unit.
- 19.23.020 - That body piercing and tattoo studio uses remain as outlined in the current code – permitted only within the CSR zone.

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their meeting held the 22<sup>nd</sup> day of September 2022.



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Tim Faber, Chairperson,  
Lynden Planning Commission



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Heidi Gudde, AICP  
Planning Director