

CITY OF LYNDEN  
PLANNING COMMISSION RESOLUTION #23-04

**A resolution of recommendation for approval of an amendment to Lynden Municipal Code 19.22 regarding patio enclosures and screening.**

WHEREAS, in 2019, in recognition of the desire for covered outdoor spaces, the City Council passed an ordinance which amended the residential code to allow roof structures to extend from the home and encroach into the rear yard setback provided that the structure remained open on three sides and maintained an 18-foot rear setback; and

WHEREAS, these conditions of construction are meant to preserve outdoor yard spaces on residential lots and to prevent ad-hoc home additions that may become unsafe living spaces that lack ventilation, fail to meet energy code, or pose a fire danger; and

WHEREAS, since adoption, many homes, both existing and new, have taken advantage of the amendment and have added roofs over outdoor living spaces; and

WHEREAS, the screening or sheltering of patio areas can also add to the usability of an outdoor space which has led to the discussion about what sort of screening or enclosure is permitted; and

WHEREAS, after discussion with the Community Development Committee, the City Council as a whole asked that Planning staff propose an amendment to the code which would better clarify the options for securing covered patios with railings or shelter from sun, wind, or visibility but confirmed that these spaces remain open and outdoor in nature; and

WHEREAS, the Lynden Planning Commission held a public hearing on May 11, 2023, to accept public testimony on the proposed Code Amendment to Lynden Municipal Code (LMC) 19.22, and that meeting was duly recorded;

WHEREAS, LMC 19.22 Design Standards, Section 19.22.030(E)(1, 2 and 3) have been updated to better clarify the proposed changes as shown in **Exhibit A**.

**NOW THEREFORE, BE IT RESOLVED** by the Lynden Planning Commission to recommend approval of the amended language shown in Exhibit A by a vote of 4-0, to the City Council of the amendment to LMC 19.22 regarding patio enclosures and screening.

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their meeting held the 11<sup>th</sup> day of May 2023.

  
\_\_\_\_\_  
Tim Faber, Chairperson,  
Lynden Planning Commission

  
\_\_\_\_\_  
Heidi Gudde, AICP  
Planning Director

**19.22.030 Residential architecture and attached garages.**

Objective - To create high-quality communities that have variation of architectural style and durable materials. To reduce the visual impact of the garage and accessory structures and emphasize the pedestrian environment.

A. Residential Structure.

1. All dwellings must be placed on a permanent foundation and the space between the foundation and the bottom of the home must be enclosed by concrete or approved concrete products.
2. Eaves and gable ends must be a minimum of twelve inches. This is not applicable to re-roofing or additions to existing structures.

B. Building Height.

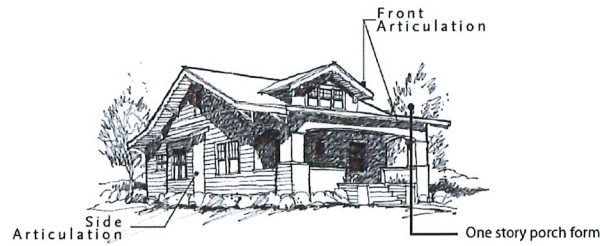
1. Building height is regulated by zoning category.
2. On lots greater than ten thousand square feet in size, the height of a residential structure may be increased one foot for every two feet in increased setback distance beyond the minimum setback on both side yards and the front yard, to a maximum height increase of five feet, or total height of thirty-seven feet.

C. Roofs.

1. Roofing materials shall be wood shingle or shake, composition, asphalt laminate, clay or architectural metal.
2. Exposed fastener corrugated metal or corrugated fiberglass roofing is not permitted.
3. Using a membrane roof or built-up roofing (BUR) for the primary roofing material is not permitted.
4. The primary roof line must have a minimum of a 4:12 pitch. This is not applicable to re-roofing or additions to existing structures.

D. Building Elevations and Finishes.

1. Residential Elevations.
  - a. The same architectural elevation shall be separated by a minimum of two other homes.
  - b. An articulation is an architectural element such as a one-story porch or bay window. One such element shall be used on all sides of the building that face toward a public street, shared access easement, or common green. The articulation shall be offset a minimum of twelve inches. A garage setback shall not count as an articulation.

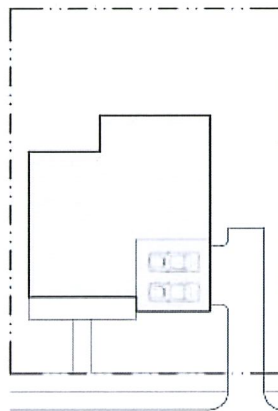


2. Garage Elevations. To promote an attractive, pedestrian-friendly streetscape, attached garages accessed from the front, with garage doors oriented toward the street are subject to the following standards:

- a. At the ground level, the garage façade shall not extend forward of the home's living space by more than twelve feet.
- b. The lineal frontage of the building elevation which can be occupied by garage doors is limited.
- c. In RS zones, no more than fifty percent of the building elevation can be garage doors.
- d. In RMD and RM zones, no more than sixty percent of the total first floor building elevation length can be garage doors.

3. Exterior Finishes.

- a. The exterior of the home must be finished with a minimum of two types of materials or variation in reveals.
- b. Exposed fastener metal siding is prohibited on residential buildings.
- c. Exposed ends of stone and masonry façades are not permitted and must be finished with trim or end caps.
- d. All garage sides that are visible from streets or shared access easements shall provide architectural details and trim consistent with the design of the home. (graphic)



**Side Loaded Garage**



- e. In RS zones, attached garages or attached carports which provide a third covered or enclosed space must be offset a minimum of two feet from the first two covered or enclosed spaces.

E. Porches, Stoops, Decks, and Patios.

1. Definitions.

- a. Covered Patio means a single-story shade structure covering a patio or deck area consisting of a solid or open roof and structural supports, attached to or detached from the primary dwelling. Covered patios must serve exclusively for recreational purposes, never used as a carport, garage, storage room, or habitable living space.
- b. Patio Screen is a structure or material used to protect a recreational area from sun, insects, wind, or visual intrusion. A patio screen differs from a window covering in that it is exposed to outdoor elements like heat or cold.

2. Porches and stoops.

- a. Architecture of the primary pedestrian entrances must include cover from the elements. Eave overhang alone does not constitute cover.
- b. Steps used to access front porches or stoops must be complimentary to the primary structure through the use of coordination materials or architectural elements.
- c. Stairs with open risers are not permitted on front porches or stoops.

3. Decks and patios.

- a. Uncovered wood decks and raised concrete patios not over twenty-four inches above grade at any point may be permitted within eighteen feet of the rear property line and five feet of the side property line.
- b. Roof structures covering decks or patios are permitted within the rear setback provided that the structure:
  - i. Remains open on three sides and may not be enclosed in any way;
  - ii. Does not come within eighteen feet of the rear property line;
  - iii. Does not encroach more than two feet into the side yard setbacks of the underlying zone; and,
  - iv. The addition does not exceed the permitted lot coverage.
  - v. Safety railings may enclose a patio or deck on all three sides. Railings are limited to a maximum height of 36 inches measured from the patio floor to the top of the railing.
- c. Patio screening that is attached to the patio structure may include insect screens, sunshades, and windscreens that:
  - i. Are not structurally framed in or sealed;
  - ii. Are not load bearing;

- iii. Do not include rigid framed window or doors of any kind;
  - iv. Are easily removable.
  - v. Utilize materials that are air permeable to allow for ventilation of the space.
- d. Freestanding deck or patio privacy screening or fencing which is located more than 6 feet from the property line and not attached to the primary structure, may be up to eighty-four inches in height above the lowest grade. Privacy screening of a deck or patio which is located on a property line is subject to maximum fence height of six feet above grade.

(Ord. No. 1582, § A, 6-3-2019)