

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b><u>Meeting Date:</u></b>	November 14, 2024
<b><u>Name of Agenda Item:</u></b>	Zoning Text Amendment re Small Scale Mixed Use Bldg Height
<b><u>Section of Agenda:</u></b>	Public Hearing
<b><u>Department:</u></b>	Community Development Department
<b><u>Attachments:</u></b>	
Draft Code Revision to LMC 19.23.110	
<b><u>Summary Statement:</u></b>	
<p>Staff is proposing an amendment to the City's Mixed-Use code in order to:</p> <ul style="list-style-type: none"><li><b>(1.) Correct an error that occurred when the mixed-use code was amended in June of 2023; and</b></li><li><b>(2.) Allow property owners to seek a Conditional Use Permit in order to allow building heights to exceed 32 feet on Small Scale Mixed-Use properties.</b></li></ul> <p>In 2022 the City adopted a revised mixed-use code. This code allows some commercially zoned properties to develop residential uses. The revisions were applicable to properties that were at least one acre in size and located near an existing commercial center. The code amendment also included provisions known as Small Scale Mixed-Use which addresses small commercially zoned properties within the <u>Central Lynden Subarea</u>. In early 2023 these Small Scale Mixed-Use provisions were expanded by Ord 23-1669 to be applicable to a relatively small number of properties in the South Historic Business District. An error in the way that this ordinance was worded subsequently caused a significant portion of the mixed-use code to be deleted from the zoning code. It is imperative that the code be restored so that the ordinance is complete and usable. At the same time, staff is bringing forward a concept related to the height restriction placed on small scale mixed use. The restriction was adopted to ensure that changes within these older neighborhoods of the city are sensitive to the surrounding structures because Small Scale Mixed-Use provisions allow commercially zoned homes in this area of the city to convert to duplexes or triplexes depending on the size of the lot. It also allows for new construction at a similar scale so that they are sensitive to the surrounding structures. However, some areas of the Central Lynden and South HBD Subareas may easily accommodate buildings of larger scale due to their location and surrounding uses. Staff is proposing that additional height, up to 48 feet, could be added in through a Conditional Use Permit if the site is found to be compatible with additional height. This provision already exists within the larger scale mixed-use code.</p>	
<b><u>Recommended Action:</u></b>	
Motion to approve the zoning text amendment to LMC 19.23.110 which would allow small scale mixed-use project to utilize a Conditional Use Permit to request an increase in the maximum building height, up to 48 feet.	