



Mayor
Scott Korthuis

Council Members
Gary Bode
Ron De Valois
Gerald Kuiken
Nick H. Laninga
Brent Lenssen
Kyle Strengholt
Mark Wohlrab

City Council Agenda - Regular Meeting
City Hall Annex, 205 4th Street
February 18, 2020

Call to Order

Pledge of Allegiance

Roll Call

Oath of Office

Approval of Minutes

- [1.](#) Draft Council Minutes- February 3, 2020

Items from the Audience

Scheduled

Unscheduled (20 Minutes)

Audience members may address the Council on any issue other than those scheduled for a public hearing or those on which the public hearing has been closed. Prior to commenting please state your name, address, and topic. Please keep comments under 4 minutes.

Consent Agenda

- [2.](#) Approval of Payroll and Claims
- [3.](#) Re-appointment of Historic Preservation Commissioners – Patricia Leach, Troy Luginbill and Karin Schulhauser
- [4.](#) Set the Public Hearing to Consider Extension of the Pepin Creek Moratorium
- [5.](#) Whatcom County Jail Use Agreement - Amendment One
- [6.](#) Amending Addendum C of the 2020 Budget
- [7.](#) Chamber of Commerce 2020 Events

Public Hearing

[8.](#) Resolution No. 1013 Public Hearing for Water System Plan

Unfinished Business

New Business

[9.](#) Preliminary Plat Approval – DeJong Long Plat 19-02

Other Business

[10.](#) Calendar

Executive Session

Adjournment

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:		February 18, 2020
Name of Agenda Item:		Draft Council Minutes- Regular Meeting
Section of Agenda:		Approval of Minutes
Department:		Administration
Council Committee Review:		Legal Review:
<input type="checkbox"/> Community Development	<input type="checkbox"/> Public Safety	<input checked="" type="checkbox"/> Yes - Reviewed
<input type="checkbox"/> Finance	<input type="checkbox"/> Public Works	<input type="checkbox"/> No - Not Reviewed
<input type="checkbox"/> Parks	<input type="checkbox"/> Other: N/A	<input type="checkbox"/> Review Not Required
Attachments:		
Draft Council Minutes- Regular Meeting		
Summary Statement:		
Draft Council Minutes- Regular Meeting		
Recommended Action:		
For Council review.		

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

February 3, 2020

1. CALL TO ORDER

Mayor Korthuis called to order the February 3, 2020 regular session of the Lynden City Council at 7:00 p.m. at the Lynden City Hall Annex.

ROLL CALL

Members present: Mayor Scott Korthuis and Councilors Gary Bode, Ron De Valois, Brent Lenssen, Nick Laninga, Kyle Strengholt, and Mark Wohlrab.

Members absent: Councilor Kuiken absent with notice.

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Vern Meenderinck, Police Chief Steve Taylor, Public Works Director Steve Banham, and City Clerk Pam Brown.

OATH OF OFFICE

Mayor Korthuis administered the Oath of Office to Police Officer Mackenzie (Mac) Brown. Police Chief Steve Taylor briefly introduced Officer Mac Brown and Council welcomed him to the City of Lynden's Police Department.

APPROVAL OF MINUTES

Councilor De Valois moved and Councilor Wohlrab seconded to approve the regular council minutes of January 21, 2020. Motion approved on a 6-0 vote.

ITEMS FROM THE AUDIENCE

Scheduled: None
Unscheduled: None

2. CONSENT AGENDA

Approval of Payroll Disbursed – January 16 through January 31, 2020

Paychex EFT	\$296,482.17
City of Lynden EFT	\$66,854.88
Warrant Liability	\$57,852.54

Subtotal	\$421,189.59
Paychex EFT Liability	\$6,562.10
Total EFT & Other Liabilities	\$427,751.69

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

Approval of Claims –February 4, 2020

Manual Warrants No.	<u>74450</u>	through	<u>74452</u>		\$1,064,967.63
	<u>74490</u>	through	<u>74491</u>		
EFT Payment Pre-Pays	<u>74649</u>	through	<u>74651</u>		\$311,470.59
				Sub Total Pre-Pays	\$1,376,438.22
Voucher Warrants No.	<u>74652</u>	through	<u>74718</u>		\$198,692.09
EFT Payments					\$0.00
				Sub Total	\$198,692.09
				Total Accts. Payable	\$1,575,130.31

Re-Appointment David Vos to the Design Review Committee

Mayor Korthuis thanked the members of the Design Review Committee for their service to the community.

Set Public Hearing Date (February 18, 2020) for Resolution No. 1013-Water System Plan

Councilor Bode moved and Councilor DeValois seconded to approve the Consent Agenda. Motion approved on a 6-0 vote.

3. PUBLIC HEARING - None

4. UNFINISHED BUSINESS -None

5. NEW BUSINESS

Feasibility Study for the Benson Barn

The City of Lynden is looking to make improvements to the existing Heusinkveld Barn on Benson Road. In general, King Architecture LLC is presenting its proposal to provide a feasibility/pre-design study to begin the needs assessment & programming phase to review potential renovation ideas and associated preliminary budgets.

This study will assist City staff in determining the feasibility and costs for a future renovation project at the Heusinkveld barn located on City of Lynden Parks property. The work will be completed at an hourly rate, with the total not to exceed fee of \$23,525. Fees will be paid by the City from the Parks Capital Reserve Fund and will be reimbursed by the Rec. District once their funds from bond passed in November are sold and received.

Parks Committee reviewed the proposal and recommended forwarding the proposal to full council for approval.

Councilor De Valois moved and Councilor Bode seconded to approve the feasibility agreement with King Architecture for a fee not to exceed \$23,525. Motion approved on a 6-0 vote.

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

Resolution No. 1018-Support for Lynden School Levy

The Lynden School District's Education Programs and Operations Replacement Levy (EP&O) and the Facilities and Technology Levy is scheduled to go up for a special election vote on February 11, 2020. Resolution No. 1018 represents the City of Lynden's support for the Lynden School Levies.

Councilor Lenssen moved and Councilor Wohlrab seconded to approve Council consideration and adoption of Resolution No. 1018 with authorization for the Mayor to sign the resolution. Motion approved on a 6-0 vote.

6. OTHER BUSINESS

Council Committee Updates

Councilor Lenssen reporting for the Community Development Committee which involved discussion of:

- Lynden liquor agency building and the renovation that will be made to the mural
- Change to LMC to reflect medical services overlay
- Wayfinding sign program

Gary Vis, Director of Lynden Chamber of Commerce reported that the JoFish restaurant and the CreativiTea pottery business downtown has closed. A bright spot is that the Rustler's Front Street Grill formerly known as Dutch Mothers is now open for breakfast and lunch with plans to open for dinner in the near future.

Mr. Vis also discussed the city's current process of filling sandbags and asked council to consider allowing the Public Works department to purchase an equipment attachment that will make filling sandbags easier and faster. He also asked staff to research the availability of a community alert system that will alert residents to the status of road closures and flooding.

Chief Billmire also commended Public Works Staff for their responsiveness and a job well done during the recent flooding.

7. EXECUTIVE SESSION

Council did not have an executive session.

8. ADJOURNMENT

The February 3, 2020 regular session of the Lynden City Council adjourned at 7:23 p.m.

Pamela D. Brown, MMC
City Clerk

Scott Korthuis
Mayor

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	February 18, 2020	
Name of Agenda Item:	Approval of Payroll and Claims	
Section of Agenda:	Consent	
Department:	Finance	
Council Committee Review:	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks <input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:	None	
Summary Statement:	Approval of Payroll and Claims	
Recommended Action:	Approval of Payroll and Claims	

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	February 18, 2019	
Name of Agenda Item:	Re-appointment of Historic Preservation Commissioners – Patricia Leach, Troy Luginbill and Karin Schulhauser	
Section of Agenda:	New Business	
Department:	Planning	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input checked="" type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
Attachments:	None	
Summary Statement:	<p>The Lynden Historic Preservation Commission (LHPC) terms for Patricia Leach, Troy Luginbill and Karin Schulhauser expired on December 31, 2019 however, all have expressed a willingness to serve another term.</p> <p>These three members were appointed to the original LHPC in 2016 and have contributed valuable architectural and historical expertise to the Commission as Lynden’s historic preservation program was becoming established.</p> <p>Appointments to the LHPC are made by the Mayor and confirmed by the City Council. It is the Mayor's recommendation that Patricia Leach, Troy Luginbill and Karin Schulhauser be re-appointed to another three-year term.</p>	
Recommended Action:	<p>Motion to confirm the re-appointment of Patricia Leach, Troy Luginbill and Karin Schulhauser to the Lynden Historic Preservation Commission for a three-year term beginning January 1, 2020 and expiring on December 31, 2022.</p>	

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	February 18, 2020	
Name of Agenda Item:	Set the Public Hearing to Consider Extension of the Pepin Creek Moratorium	
Section of Agenda:	Consent	
Department:	Planning Department	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:		
Moratorium Area Map, Ordinance 1591 Extending the Moratorium (September 2019)		
Summary Statement:		
<p>The Pepin Creek moratorium has been in place since September of 2016. It was established in recognition of significant constraints associated with what is now known as the Pepin Creek Sub-area. The City has undertaken significant efforts to examine these constraints and develop solutions which would allow for growth in this area. The progression of study and design are outlined in the attached Ordinance 1591 which was passed in September 2019.</p> <p>Since then the City Council approved the Pepin Creek Sub-Area Plan and Comprehensive Plan amendment that addresses circulation, open space and assigned land use and zoning within the area. Additionally, because of the significant infrastructure improvements associated with the creek re-alignment and the improvement of Benson and Double Ditch Roads, Council has recognized that work must be undertaken in a phased approach. Given this approach, the engineering team, Public Works, and Planning departments are developing a plan which decreases the overall infrastructure cost associated with the creek realignment, is consistent with the concepts of the approved sub-area plan, and focuses on portions of the sub-area already within the City and under moratorium.</p> <p>As these final elements are defined and executed, City staff recommends that the Council set a public hearing date of March 2nd to consider an additional 6 months of moratorium as the current date of expiration is March 9, 2020.</p>		
Recommended Action:		
Motion to set a public hearing date of March 2, 2020 to consider a 6 month extension of the existing moratorium of development on those properties previously identified within the Pepin Creek Sub-area.		

ORDINANCE NO. 1591

INTERIM ORDINANCE ESTABLISHING A MORATORIUM ON SUBDIVISION AND PLANNED RESIDENTIAL DEVELOPMENT APPLICATIONS AND CERTAIN BUILDING PERMIT APPLICATIONS FOR PROPERTY LOCATED WITHIN THE PEPIN CREEK PROJECT AREA

WHEREAS, on August 19, 2013, the City of Lynden (“City”) adopted the April 2009 Amendment to the January 1992 Stormwater Management Plan identifying the “Pepin Creek” project (“Pepin Creek Project” or “Project”); and

WHEREAS, the Pepin Creek Project includes the relocation and combination of surface water flows from Double Ditch and Benson Ditch between Badger Road and Main Street into one “new” watercourse known as Pepin Creek; and

WHEREAS, the general vicinity of the Pepin Creek Project has experienced instances of extreme flooding in recent years, causing hundreds of thousands of dollars in property damage, closing and damaging public roads and infrastructure, cutting residents off from emergency access, and damaging agricultural land; and

WHEREAS, the Pepin Creek Project is designed to implement a new drainage pattern to protect public roads and public road infrastructure, substantially reduce flooding, facilitate improved storm water control, and provide the ancillary benefit of natural fish and wildlife habitat; and

WHEREAS, the City has completed acquisition of several properties necessary to accommodate the new Pepin Creek corridor; and

WHEREAS, the City must continue to undertake numerous complex and detailed planning, funding, design, permitting, construction and other associated issues to complete the Pepin Creek Project (“Pepin Creek Project Issues”); and

WHEREAS, Pepin Creek Project Issues include without limitation:

- corridor design and permitting for the Pepin Creek Project;
- locating and increasing stormwater capacity and coordinating the associated street and utility infrastructure locations;
- design and permitting options associated with necessary downstream bank stabilization associated with the Pepin Creek Project;
- identifying financing and equitable allocation of system construction costs; and

WHEREAS, the Council has adopted, on October 16, 2017, Resolution No. 975, which is a Resolution of Intent outlining the strategies and corresponding timeline to resolve Pepin Creek Project Issues; and

WHEREAS, that area of the city believed to be affected by Pepin Creek Project Issues at this time and for purposes of this Ordinance include without limitation the area shown on Exhibit A ("Pepin Creek Project Area"), which is incorporated herein; and

WHEREAS, Ordinance No. 1509, *An Ordinance of the City of Lynden to provide Annexation to the City of Lynden* adopted on June 6, 2016 ("Ordinance No. 1509"), annexed property in the Pepin Creek Project Area into the City of Lynden; and

WHEREAS, Ordinance No. 1509 included a clause stating that the "City has identified the need for the completion of the Pepin Creek project prior to development" of the property annexed into the City; and

WHEREAS, except as set forth herein, property development within the Pepin Creek Project Area will likely disrupt the City's ability to effectively address Pepin Creek Project Issues; and

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's regulatory authority and is specifically authorized by RCW 35A.63.100; and

WHEREAS, Ordinance No. 1513, *Ordinance Establishing an Emergency Moratorium on Subdivision and Planned Residential Development Applications and Building Permit Applications for Property Located Within the Pepin Creek Project Area*, was adopted by the City on September 19, 2016; and

WHEREAS, Ordinance No. 1514, *Interim Ordinance Establishing a 6-month Moratorium on Subdivision and Planned Residential Development Applications and Certain Building Permit Applications for Property Located Within the Pepin Creek Project Area*, was adopted by the City on October 17, 2016; and

WHEREAS, Ordinance No. 1525, *Interim Ordinance Establishing a 6-month Moratorium on Subdivision and Planned Residential Development Applications and Certain Building Permit Applications for Property Located Within the Pepin Creek Project Area*, was adopted by the City on April 17, 2017; and

WHEREAS, Ordinance No. 1538, *Interim Ordinance Establishing a 6-month Moratorium on Subdivision and Planned Residential Development Applications and Certain Building Permit Applications for Property Located Within the Pepin Creek Project Area*, was adopted by the City on October 16, 2017; and

WHEREAS, Ordinance No. 1555, *Interim Ordinance Establishing a 6-month Moratorium on Subdivision and Planned Residential Development Applications and Certain Building Permit Applications for Property Located Within the Pepin Creek Project Area*, was adopted by the City on May 7, 2018; and

WHEREAS, Ordinance No. 1562, *Interim Ordinance Establishing a 6-month Moratorium on Subdivision and Planned Residential Development Applications and Certain Building*

Permit Applications for Property Located Within the Pepin Creek Project Area, was adopted by the City on September 17, 2018; and

WHEREAS, Ordinance No. 1577, *Interim Ordinance Establishing a 6-month Moratorium on Subdivision and Planned Residential Development Applications and Certain Building Permit Applications for Property Located Within the Pepin Creek Project Area*, was adopted by the City on March 4, 2019; and

WHEREAS, the City held a public hearing on this proposed Ordinance 1591 on the 3rd day of September 2019; and

WHEREAS, a continuation of the moratorium on development in the Pepin Creek Project Area is required to allow for proper planning and implementation of the Pepin Creek Project; and

WHEREAS, adoption of this ordinance extending the moratorium to assure that Pepin Creek Project Issues are resolved consistent with the Project addresses a public emergency and shall qualify as a public emergency ordinance; and

WHEREAS, the public emergency ordinance is necessary to protect the public health, safety, and welfare of the community, and public property; and

WHEREAS, this public emergency moratorium ordinance, as provided in RCW 35.A.12.130, when passed by a majority plus one of the whole membership of the council, is effective upon adoption; and

WHEREAS, the foregoing recitals are a material part of this Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNDEN DOES ORDAIN as follows:

Section 1. Findings of Fact. The City Council adopts the above "WHEREAS" recitals as findings of fact in support of this Ordinance. The Council may adopt additional findings in the event that additional evidence is presented to the City Council.

Section 2. Moratorium Established For New Subdivisions. The City shall not accept applications for any new subdivisions (including both short plats and long plats) or for any new planned residential developments for property located in whole or in part in the Pepin Creek Project Area, for a period of one hundred eighty (180) days, or until the City adopts a replacement ordinance, whichever comes first, pursuant to RCW 36.70A.390 and RCW 35A.63.220.

Section 3. Moratorium Established For Certain Building Permit Applications. The City shall not accept building permit applications in the Pepin Creek Project Area for new structures intended for human occupancy or for additions to existing residential structures of more than fifty percent (50%) in square footage, for a period of one hundred eighty (180) days, or until the City adopts a replacement ordinance, whichever comes first, pursuant to RCW 36.70A.390 and RCW 35A.63.220.

Section 4. Resolution of Pepin Creek Project Issues. During the term of this interim ordinance the City shall work on resolving the following issues.

- A. Corridor Design. The Pepin Creek Project Area has demonstrated stormwater capacity deficiencies. The City must complete an analysis and design of a new stormwater system with adequate capacity to fully accommodate basin flow. This would also include locating the street and utility infrastructure to function with that new system.
- B. Downstream Stabilization. The existing Double Ditch channel downstream from Main Street to the confluence with Fishtrap Creek presently has unstable banks. The City intends to identify corrective options, including necessary design, permitting, and funding, and consider construction implementation of corrective options.
- C. Financial Strategy. The City must develop a financing plan and method for equitable allocation of system construction costs and responsibilities among property owners in the Pepin Creek Project Area.

Section 5. If the provisions of this Ordinance are found to be inconsistent with other provisions of the Lynden Municipal Code, this Ordinance shall control.

Section 6. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 7. This Ordinance shall take effect immediately.

PASSED BY THE CITY COUNCIL OF THE CITY OF LYNDEN, WASHINGTON, AND APPROVED BY THE MAYOR on the 3rd day of September 2019.


MAYOR

ATTEST:

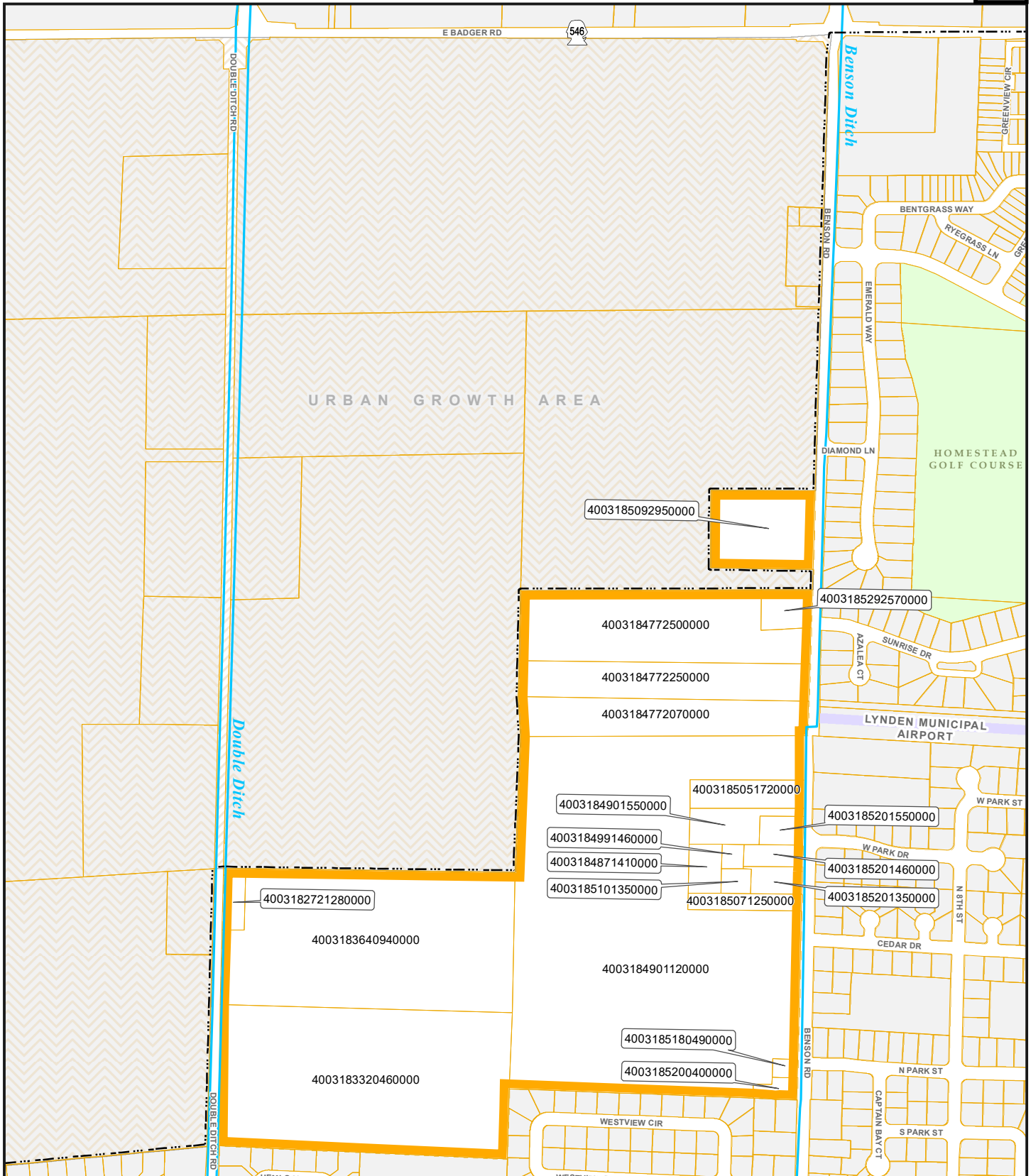

CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

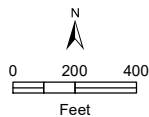
Exhibit A

Properties Located within Pepin Creek Project Area



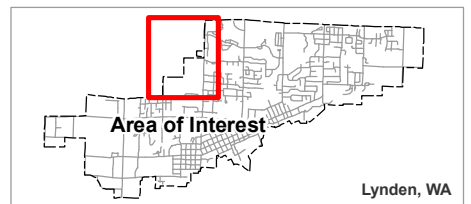
Map Key

- Properties in Pepin Creek Project Area
- Property Boundaries
- City Limit
- Urban Growth Area (Unincorporated)
- Waterway



Updated: September 19, 2016

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Lynden, WA

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	February 18, 2020	
Name of Agenda Item:	Whatcom County Jail Use Agreement, Amendment One	
Section of Agenda:	Consent Agenda	
Department:	Police	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review: <input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required
Attachments:		
Interlocal Jail Use Agreement, Amendment One		
Summary Statement:		
The Amendment adds Kittitas County Jail (and removes Yakima County Jail) as a correctional facility to utilize in the event of overflow at the Whatcom County Jail.		
Recommended Action:		
It is recommended that the Council approve Amendment One and authorize the Mayor's signature.		

**INTERLOCAL JAIL FACILITY USE AGREEMENT FOR
CORRECTIONS SERVICES BETWEEN WHATCOM COUNTY AND THE
CITY OF LYNDEN**

2020 AMENDMENT ONE

RECITALS

- A. Whatcom County has an existing Jail Use Agreement (JUA) with all Cities within the physical confines of Whatcom County. The agreement specifies the conditions under which Whatcom County will book and hold misdemeanor and gross misdemeanor offenders from those Cities.
- B. Due to a significant construction project at the downtown Whatcom County Jail, bed space at this facility will be reduced by approximately 48 beds starting the 1st quarter of 2020, increasing the need for alternate housing facilities.
- C. In response to the conditions specified in the JUA, the Cities and the County had previously made arrangements to house overflow offenders in the Yakima County Jail.
- D. The Yakima County Jail arrangement is no longer tenable, and an alternative solution has been presented to the Cities which is more fully explained in this amendment.
- E. Whatcom County has entered into an agreement with Kittitas County Corrections to hold offenders who are booked, and are, or would be, held in one of the Whatcom County Corrections facilities under the conditions specified in the original JUA.
- F. Whatcom County is willing to book and coordinate housing for all booked and held City offenders who fall under the original JUA, including housing at the Kittitas County Jail, if the individual City government agrees to participate in this arrangement and enter into this Agreement.

AGREEMENT

1.0 Purpose of Agreement: This amendment modifies sections 4.3 and 4.4 of the current JUA, and an extension of the JUA (if it is extended), to address the circumstances set forth above. The term of this amendment shall be a two year period beginning January 1, 2020 and continuing through December 31, 2021, after which time the amendment shall no longer be in effect, unless

specifically extended by mutual agreement **PROVIDED** that nothing in this amendment precludes the County or the City from terminating the amended agreement under the process described in the original JUA (Section 8).

2.0 Modification: Whatcom County has entered into an agreement with the Kittitas County Jail (KCJ) to hold offenders from Whatcom County. The agreement includes offenders being housed in the Whatcom County Jail on City Court charges.

Under the Whatcom County agreement with KCJ, offenders who are being held in custody will be transported by Whatcom County to the KCJ in Ellensburg, WA. The offenders will also be transported by Whatcom County back to Whatcom County for release or for essential Court hearings. It is anticipated that there will be two (2) transports a week to the KCJ. The KCJ contract provides for alternative transportation in the event of an unanticipated release.

In the event an offender is unexpectedly released from custody, and it will be longer than 24 hours for a transport to be available, KCJ has agreed to take the offender to the Greyhound bus station and purchase a ticket to Bellingham for the offender. The cost of the ticket will be reimbursed to KCJ, and included as a separate charge to the City/Cities with jurisdiction over the specific offender on their Whatcom County Jail Services billing.

Individual Cities may elect to enter into their own housing agreement with KCJ. In that event, the original conditions of the JUA would be maintained; Whatcom County would not perform the duties outlined within this document and the individual City would assume the responsibility for transporting and tracking their offenders.

3.0 Process: For all Cities electing to participate in this program, and enter into this Amended Agreement, Whatcom County Corrections would be the coordinator of the KCJ housing and transport. Decisions about which offenders will be moved to KCJ will be made by Whatcom County Corrections and determined by a combination of the following considerations:

- A.** Ability to be housed at the Work Center.
- B.** Conviction Status (all offenders considered for KCJ will be post-1st appearance).
- C.** Offense level (Felony versus Misdemeanor)
- D.** Classification.

- E.** Institutional behavior.
- F.** Medical/Behavioral Health issues.
- G.** DOC Status.
- H.** Gender
- I.** Future court dates
- J.** Any other significant factor(s) related to the offender and housing.

3.1 Transportation: Whatcom County Transport teams will make two (2) trips to KCJ a week. Each Transport trip will deliver offenders to KCJ for housing, and pick up offenders who have scheduled release dates or are scheduled for Court. The specific days of the week for the transports have not yet been determined, but it is anticipated that they will be spread out over the week. Notification to participating Cities will be made as soon as the schedule is set.

Each City will designate an individual or individuals who will be the central point of contact for essential Court appearances for that City, The liaisons for each participating City will work out the details for communicating Court dates and other Court business with the County Transport team. Notice will be given to each participating City on who the County Transport Coordinator will be no later than the first week of January.

It is anticipated that this process will be based on the current system of notification between the Cities and the Transport team for Court appearances.

3.2 Access to Courts and visiting: KCJ is in the process of installing a new video court/visiting system and they anticipate this will be available to County and Cities for Court hearings, attorney access, and visits from family and friends at the first of 2020. Whatcom County is not responsible to the Cities for the quality or arrangements of this anticipated technology and access.

4.0 Finance: Offenders booked into the Whatcom County Jail and who are housed at KCJ will remain on the Whatcom County Jail Roster, with a notation on the roster designating that they are housed at KCJ. This will be similar to the current process that identifies offenders who are housed at the Work Center.

Once a quarter, Whatcom County will be billed by KCJ for all offenders originating from the Whatcom County Jail, including offenders being held for participating Cities. Whatcom County will, in turn, bill the participating Cities at the Whatcom County per diem rate, under the same process as outlined in the JUA. This will allow Whatcom County to off-set the costs that are not included in the KCJ per diem but are included in the Whatcom County Jail per diem such as transportation to and from KCJ and routine medications. If it is necessary to

arrange transportation back from KCJ via bus for offenders being released from custody, that charge will be included for reimbursement from the City. In the event that extraordinary medical costs are incurred by a City offender, those charges will be paid and included in the City billing as described in the JUA.

The KCJ cost schedule includes:

Basic \$66.50 per diem for general population offenders, This per diem does not include medications or transportation for local services such as doctor or dental appointments in Ellensburg, or health care services provided outside of the facility. Charges for health care provided outside of the KCJ will be charged back to the City as outlined in the original JUA.

High Maintenance offenders needing additional care and/or single cell housing: \$133.00 per diem, with the additional charges for medication, outside services and transportation. Charges for health care provided outside of KCJ will be charged back to the City as outlined in the original JUA. KCJ also reserved the right to require that the offender be returned to Whatcom County if they are determined to be inappropriate for KCJ.

If a City chooses not to participate in this agreement, they would continue their process for alternative housing for their offenders as described in the original JUA.

5.0: Alternatives: Whatcom County Cities are encouraged to have an additional facility contract available for offenders with acute medical and/or behavioral health needs that make them inappropriate for KCJ and possibly the Whatcom County Jail. The SCORE facility, located in Burien Washington, may have the resources to manage high maintenance offenders and the Cities may want to consider SCORE as a backup facility in addition to others the City may be aware of.

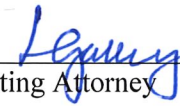
6.0: Summary: The existing JUA is the governing document for jail services, and nothing in this amendment is intended to deviate from those conditions other than as set forth in this Amendment. This amendment serves as an option for the local Cities to facilitate moving their offenders out of the Downtown Jail into housing at another facility for the reasons outlined in the JUA.

WHATCOM COUNTY:

Recommended for Approval:

   for 12-10-19
Bill Elfo, Sheriff Date

Approved as to form:

 12/12/19
Prosecuting Attorney Date

Approved:

Accepted for Whatcom County:

By: _____
Satpal Sidhu, Whatcom County Executive

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 20 __, before me personally appeared Satpal Sidhu, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington,
residing at _____. My commission
expires _____.

CITY OF LYNDEN:

EXECUTED this ____ day of _____, 20 ____ for the City of Lynden.

Mayor, City of Lynden

ATTEST:

Finance Director

Approved as to form:

Office of the City Attorney

Departmental Approval: _____

STATE OF WASHINGTON)
) ss/
COUNTY OF WHATCOM)

On this ____ day of _____, 20 __, before me personally appeared _____, to me known to be the Mayor of the City of Lynden, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington,
residing at _____. My commission
expires _____.

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	February 18, 2020	
Name of Agenda Item:	Amending Addendum C of the 2020 Budget	
Section of Agenda:	Consent	
Department:	Finance	
Council Committee Review:	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:	None	
Summary Statement:	<p>On December 2, 2019 the City Council approved the 2020 Annual Budget complete with addendums.</p> <p>Addendum C to the 2020 Budget lists the Sewer rates by consumer category. A correction to that addendum has been requested by Public Works changing the addendum to set rates for additional Mobile Home units at a monthly base charge of \$28.03 under the Multi-Family Consumer Category. A mobile home park was recently connected to the City sanitary sewer system and since this is the first park to be connected a rate had not been established and was requested by the Public Works Committee at their January 8th meeting. This new rate would be retroactive to January 1, 2020.</p> <p>The Public Works Committee reviewed this new rate at their meeting on February 13th and recommended approval by Consent.</p> <p>The Finance Committee reviewed this issue at their committee meeting on February 18, 2020 and gave approval for submittal as a Consent item for the full City Council.</p>	
Recommended Action:	Approve the change amending addendum C of the 2020 Budget.	

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	February 18, 2020	
Name of Agenda Item:	Chamber of Commerce 2020 Events	
Section of Agenda:	Consent Agenda	
Department:	Police	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:	Chamber of Commerce 2020 Events	
Summary Statement:	Chamber of Commerce list of 2020 events for Council review.	
Recommended Action:	It is recommended that the Council approve the Chamber of Commerce 2020 events.	



February 7, 2020

Mayor Scott Korthuis
 Gary Bode
 Ron Devalois
 Gerald Kuiken
 Nick Laninga
 Brent Lenssen
 Kyle Strengholt
 Mark Wohrab

City of Lynden Mayor and Councilmembers
 300 Fourth St.
 Lynden, Washington 98264

Dear Mayor Korthuis and members of the Council,

The Lynden Chamber of Commerce, in partnership with the City of Lynden, annually organizes and promotes various events within the Lynden community. These events are viewed by many individuals, both within the community and visitors alike, as symbolic of the commitment of the City of Lynden and the members of the Lynden Chamber of Commerce to maintain the delicate balance between sustainable growth and preserving the best of our small-town heritage.

Festivals and Events included by the Lynden Chamber of Commerce Events in the 2020 Event Calendar are as follows:

- Whatcom Home and Garden Show: March 6-8; NWWF
- Spring Craft and Antique Show: March 19-21; NWWF
- Whatcom County Youth Fair: April 10-11; NWWF
- International Plowing Match: May 16; Berthusen Park
- Farmers Day Parade/ **Lynde 500***: June 6; Front Street /downtown
- Loyal Order of Camels Fishing Derby: June 13; City Park
- Northwest Raspberry Festival: July 17-18, downtown Lynden
- Antique Tractor Show and Threshing Bee: Aug 5- Aug 8; Berthusen Park
- Northwest Washington Fair: August 17-22; NWWF
- Puget Sound Toy Tractor Show: September 26; NWWF
- Model Railroad Show: October 3-4; NWWF
- Lynden Music Festival: October 14-17, various locations
- Fall and Craft and Antique Show: October 15-17; NWWF
- Lighted Christmas Parade: December 5, NWWF, Fairway Center, Downtown

- *Lynde 500 moving to Farmers Day per Lynden Pioneer Museum request. We have requested that the Museum request a Special Events Permit of their own, as they have a better understanding of the needs and requirements for the Lynde 500, and should provide their own insurance coverage.*
- *It is also anticipated that the Lynden Downtown Business Association will hold their "Hot Thursday Nights" events in late July and early August. As with the Museum, they will be requesting their own Special Event Permits, as they are the best resource to provide the necessary information.*

The 2020 events organized by the Lynden Chamber of Commerce, with assistance from the City of Lynden, are scheduled to include the following dates, times and street closures:

- *The Lynden Farmers Day Parade: Saturday, June 6; 5:00 a.m.*

Street Closure: Front St. from 3rd to 17th; 3rd from Front to Grover, Grover from Front to B.C.

All side streets from 3rd to B.C. between Front and Grover
4th St. and 7th St. Parking lots

*Request Riverview "Closed to through traffic"

*Request closure of new street on Front near 11th

****We anticipate the Museum asking for earlier closure of 4th Street between Front and Grover to allow for event set-up. The request should be made on their Special Event Permit application.***

- *The Northwest Raspberry Festival: Friday, July 17 and Saturday, July 18*

Street & Lot Closure: Thursday, July 16th, Beginning at 6:00 p.m. Wednesday, July 15th

Parking lots at 7th St. and north of Front between 5th and 6th

East parking area on 4th between Front St. and Grover

East Parking area on 5th between Front St. and Grover

6th St. from Front to alley w/ access for Post Office deliveries

Street Closure: Friday, July 17th, Front St. from 3rd to 7th Beginning at 4:00 a.m.

All side streets from 3rd to 6th from Front to Grover

4th, 5th and 7th Street parking lots

East side of 7th Street north of Front to Grover

Street Closure: Saturday, July 18th, Front Street 3rd to B.C. Beginning at 5:00 a.m.

All side streets from Front to BC, from Front to alley (access for emergency vehicles will be maintained at 7th, 10th and B.C.)

4th, 5th and 7th Street parking lots

*Request closure of new street off Front near 11th

*Request Riverview closed to through traffic

- *The Northwest Lighted Christmas Parade/ Sinterklaas: Saturday, December 5*

Front St. from 3rd to 19th beginning at 4 p.m.

18th St. from 17th to Front

Emergency vehicle access will be maintained at 7th, B.C. Avenue, 17th and 18th

*Request closure of new street of Front near 11th

*Request Riverview closed to through traffic

Physical assistance provided by the City of Lynden includes:

- Use, placement and removal of barricades
- Use and placement of “No Parking” signs
- Street cleaning pre- and post- event
- Assistance with pick up, set up and return of various event-related infrastructure
- Banner placement

The Lynden Chamber of Commerce continues to maintain communication prior, during and post-events with City of Lynden Fire, Parks, Planning, Police and Public Works departments as needed. The Lynden Chamber will continue to work with various city departments to ensure the best possible experience for event attendees as well as citizens of the community in regards to traffic-related issues. As has occurred in prior years, the Lynden Chamber of Commerce will work with City of Lynden agencies to communicate with outside entities, such as the WTA, WSDOT and WCFD 21 in communicating street closures and increased or irregular traffic patterns.

The Lynden Chamber of Commerce will submit a \$5 million per/ \$20 million aggregate insurance policy listing the City of Lynden as secondary insured, exceeding the City of Lynden policy.

In conjunction with these and various other community events, banners promoting these activities are placed along Front St. at two locations; just east of Sixth and Front and at the intersection of 19th and Front. By City of Lynden ordinance, banners may be placed 2 weeks prior to an event and must be removed within the week following an event. The Lynden Chamber will coordinate placement of these banners with the City of Lynden Public Works street crew. It is anticipated that the following timeframe will be utilized:

Week of May 13 to 17: Farmer Day Parade; 6th and 19th

Week of June 24 to June 28: Northwest Raspberry Festival, 6th and 19th

Week of July 15 to 19: Puget Sound Antique Tractor and Machinery Association; 6th and 19th

Week of November 11 to 15: Lynden Lighted Christmas Parade; 6th and 19th

The Lynden Chamber of Commerce continues to work with various entities to streamline the placement and removal of banners in addition to requesting the banners be constructed to a standard 30' x 3, riveted and double stitched.

The Lynden Chamber continues to assist community non-profit and other non-commercial entities transition from over-street banners to the light pole banners. Our efforts will continue, utilizing both Chamber funding sources as well as funds provided to the Chamber from the City of Lynden.

The Lynden Chamber of Commerce staff continues working in partnership with numerous organizations and businesses in providing advice, coordination, material and services for events throughout the community. We are anticipating working with over 40 various groups this year alone, utilizing Chamber staff expertise and knowledge in addition to physical chamber resources such as signs, costumes, canopies, and other event related infrastructure.

The Lynden Chamber continues to operate a community calendar through our lynden.org website, as well as utilizing social media to communicate to visitors. In addition, our office remains a point of contact with visitors and locals seeking additional information regarding events and both local and regional destinations of interest.

Should you or others within the City of Lynden have concerns or questions regarding our events, please feel free to contact me directly at 360-354-5995.

We look forward to continuing our successful and mutually beneficial partnership with the City of Lynden, community entities, schools and others whose efforts and energy each contribute to the unique and special events that make Lynden such a wonderful place to live, work and play.

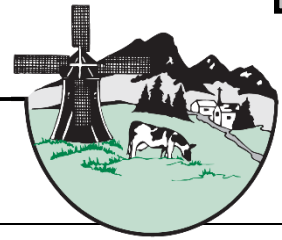
Sincerely,



Gary Vis
Executive Director
Lynden Chamber of Commerce

CC: Steve Banham
Mark Billmire
Anthony Burrows
Heidi Gudde
Mike Martin
Vern Meenderinck
Steve Taylor

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	February 18, 2020	
Name of Agenda Item:	Resolution No. 1013 Public Hearing for Water System Plan	
Section of Agenda:	Public Hearing	
Department:	Public Works	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:		
Resolution No. 1013, Department of Health Approval Letter, and Water System Plan Table of Contents		
Summary Statement:		
<p>The City of Lynden has developed an updated Water System Plan referenced in the City’s overall Comprehensive Plan (Chapter 5, Section 5.2.1), as required under the State’s Growth Management Act.</p> <p>The primary purpose of the City of Lynden Water System Plan (WSP) is to identify and schedule water system improvements that correct existing system deficiencies and ensure a safe and reliable supply of water to current and future customers. This WSP complies with Washington State Department of Health (DOH) regulations under Chapter 246-290 Washington Administrative Code (WAC), which was revised in 2017 to require water purveyors to update their water system plans every 10 years. The City’s previous WSP was prepared in November 2009. This updated 2019 WSP reflects 2040 population projections and the City’s current Urban Growth Area (UGA), which are consistent with the City’s <i>Comprehensive Plan</i> and Whatcom County’s <i>Comprehensive Plan</i>. The WSP also reflects improvements and changes to the water system since the completion of the 2009 WSP.</p> <p>This WSP presents a description of the existing water system and service area, a forecast of future water demands, policies and design criteria for water system operation and improvements, the operations and maintenance program, staffing requirements, a schedule of improvements, and a financial plan to accomplish the improvements. The WSP also includes several ancillary elements that include a water use efficiency plan, a water quality monitoring plan, watershed control information, a cross-connection control program and an emergency response plan.</p> <p>The WSP was submitted to the Department of Health and approval was received on January 15, 2020.</p> <p>At their February 3rd meeting, City Council concurred to set a public hearing date of February 18, 2020 to hear comments on the City’s Water System Plan. Upon hearing comments, the Council may reject the Plan or approve the Plan through Ordinance No. 1013.</p>		
Recommended Action:		
That City Council approve the City’s Water System Plan through Ordinance No. 1013 and authorize the Mayor’s signature on the document.		

RESOLUTION NO. 1013

A RESOLUTION ADOPTING THE WATER SYSTEM PLAN FOR THE CITY OF LYNDEN, WHATCOM COUNTY, WASHINGTON

WHEREAS, the City of Lynden is required to update and adopt a Water System Plan ("Plan") every six (6) years; and

WHEREAS, the purpose of the Plan is to identify available water sources, coordinate planning efforts for Growth Management Act goals for local growth and development, identify current and future system needs, provide current information to help ensure high quality drinking water and reliable services and provide a capital improvement plan for future water system facilities; and

WHEREAS, the City hired RH2 Engineering to update the Plan which was complete as of October 2019; and

WHEREAS the Washington State Department of Health approved the Water System Plan on January 15, 2020.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lynden, Washington as follows:

Section 1: That the aforementioned Water System Plan be adopted as the official Water System Plan of the City of Lynden, Whatcom County, Washington.

Section 2: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this Resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, regardless of whether any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if for any reason this Resolution is declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4: This Resolution shall be in full force and effect on _____, 2020.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE OF ____ IN FAVOR AND ____ IN OPPOSITION; AND SIGNED BY THE MAYOR THIS ____ DAY OF _____, 2020.

MAYOR SCOTT KORTHUIS

ATTEST:

CITY CLERK PAMELA D BROWN

APPROVED AS TO FORM:

CITY ATTORNEY BOB CARMICHAEL

City of Lynden Water System Plan

October 2019

Mayor
Scott Korthuis

City Council
Gary Bode (Mayor Pro Tem)

Ron DeValois
Gerald Kuiken
Brent Lenssen
Nick Laninga
Kyle Strengholt
Mark Wohlrab

Public Works Director
Steve Banham, P.E.

City of Lynden
300 4th Street
Lynden, WA 98264

Prepared by:



RH2 Engineering, Inc.
22722 29th Drive SE, Suite 210
Bothell, WA 98021

Contact: Michele Campbell, P.E.
(425) 951-5394





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Appendix P – Standard Operating Procedures and Checklist of Work Orders
Appendix Q – Public Notification Notices
Appendix R – Emergency Response Plan
Appendix S – Agency Correspondence



RECEIVED

JAN 21 2020

Public Works Dept.

State of Washington
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
20425 72nd Avenue South, Suite 310 • Kent Washington 98032-2388

January 15, 2020

STEVE BANHAM, P.E.
PUBLIC WORKS DIRECTOR
CITY OF LYNDEN
300 4TH STREET
LYNDEN WA 98264-1997

RE: Lynden, City of, ID# 49150
Whatcom County
Water System Plan-2018
Submittal #18-1004

Dear Mr. Banham:

The City of Lynden’s Water System Plan (WSP) which was received in this office on October 4, 2018 with a subsequent submittal on November 6, 2019, has been reviewed and in accordance with the provisions of WAC 246-290-100, is hereby APPROVED.

Approval of this WSP is valid as it relates to current standards outlined in Washington Administrative Code (WAC) 246-290 revised January 2017, WAC 246-293 revised September, 1997 and is subject to the qualifications herein. Future revisions in the rules and statutes may be more stringent and require facility modification or corrective action. An approved update of this WSP is required on or before **January 15, 2030**, unless ODW requests an update or plan amendment pursuant to WAC 246-290-100(9).

APPROVED NUMBER OF CONNECTIONS

The analysis provided in this WSP shows the water system has sufficient capacity to meet the growth projections during this planning period. Lynden’s water system can support an **“unspecified”** designation for its approved number of connections. A specific number of approved connections will not be applied at this time. Development may occur in compliance with the schedule and information provided in this WSP. This designation may be rescinded (and replaced with a specified number of approved connections) if ODW determines that the WSP is no longer representative of system activities.

LOCAL GOVERNMENT CONSISTENCY

This document meets local government consistency requirements for WSP approval pursuant to RCW 90.03.386 and RCW 43.20.

SERVICE AREA AND DUTY TO SERVE

Pursuant to RCW 90.03.386(2), the service area identified in this WSP service area map may now represent an expanded “place of use” for this system’s water rights. Changes in service area should be made through a WSP amendment.



Lynden has a duty to provide new water service within its retail service area. This WSP includes service policies to describe how your system plans to provide new service within your retail service area.

CONSTRUCTION WAIVERS

Standard Construction Specifications for distribution main extensions in this WSP are approved. Consistent with WAC 246-290-125(2), this system may proceed with the installation of distribution main extensions provided this system completes and keeps on file the enclosed construction completion report form in accordance with WAC 246-290-125(2) and WAC 246-290-120(5) and makes it available for review upon request by ODW.

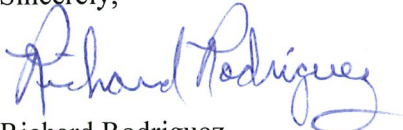
WATER RESOURCES

Below is the general regulatory language that applies to all water system approvals:

The department's review of your water system plan will not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Thank you for your cooperation. Whatcom County is being notified of the terms and requirements of this approval and the determination of the approved number of connections. If you have any questions or wish to check our records, you may contact either of us at the numbers listed below.

Sincerely,



Richard Rodriguez
WSDOH Regional Planner
253 395-6771



Laura McLaughlin, P.E.
WSDOH Regional Engineer
253 395-6764

Encl: Construction Completion Report

cc: Ria Birns, WSDOE-NWRO
Matt Aamot, Whatcom County Planning & Development
Whatcom County Health Dept.
Ingrid Salmon, Regional Coliform Program
Michele Campbell, P.E., RH2 Engineers

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	February 18, 2020	
Name of Agenda Item:	Preliminary Plat Approval – DeJong Long Plat 19-02	
Section of Agenda:	New Business	
Department:	Planning Department	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:		
Long Plat Application 19-02 and supporting materials, Staff memo to the PC, Planning Commission Minutes of 1-23-2020 and Planning Commission Resolution 19-02.		
Summary Statement:		
<p>The DeJong family and their agent, Jerry Blankers, are requesting preliminary plat approval for the DeJong long plat. This long plat is located north of Aaron Drive near Line Road. The property is approximately 9.44 acres in size and is zoned as residential multi-family, RM-3. The plat does not propose specific housing types but divides the property into 23 lots accommodating a maximum capacity of 102 multi-family units.</p> <p>The proposed street has been designed to meet City standards and the two access points on Aaron Drive. The development of the plat is proposed in two phases. Phase 2 will include lots 12-23 and the completion of the internal street loop (see plat drawings for more detail).</p> <p>The application went to a public hearing before the Planning Commission on January 23 where a recommendation for approval was given with conditions. The conditions which affect the plat design, outside of typical engineering standards, include: a prohibition of driveways along Aaron Drive, the requirement that balconies on second floors, if proposed, be appropriately screened from Aaron Drive, and that the plat continue the establishment of a pedestrian trail at its north property line.</p> <p>The Council is being asked to consider preliminary approval for the DeJong Long Plat. Final plat approval for each phase will return to Council following infrastructure improvements.</p>		
Recommended Action:		
Motion to grant preliminary approval of the DeJong Long Plat 19-02 consistent with Planning Commission Resolution 19-02, and to authorize the Mayor’s signature on the attached Findings of Fact and Conclusions of Law.		



PLANNING DEPARTMENT
Heidi Gudde, Planning Director
360-354-5532

PLANNING COMMISSION AGENDA

7:30 PM January 23, 2020
City Hall Annex

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
 - A. Minutes of the January 9, 2020, Planning Commission Meeting
4. DECLARATION OF CONFLICT
5. PUBLIC HEARING
 - A. Long Plat #19-02, DeJong, 1205 E Badger Road
6. ELECTION OF CHAIR AND VICE-CHAIR POSITIONS
7. COMMISSIONERS CORNER
8. ADJOURNMENT

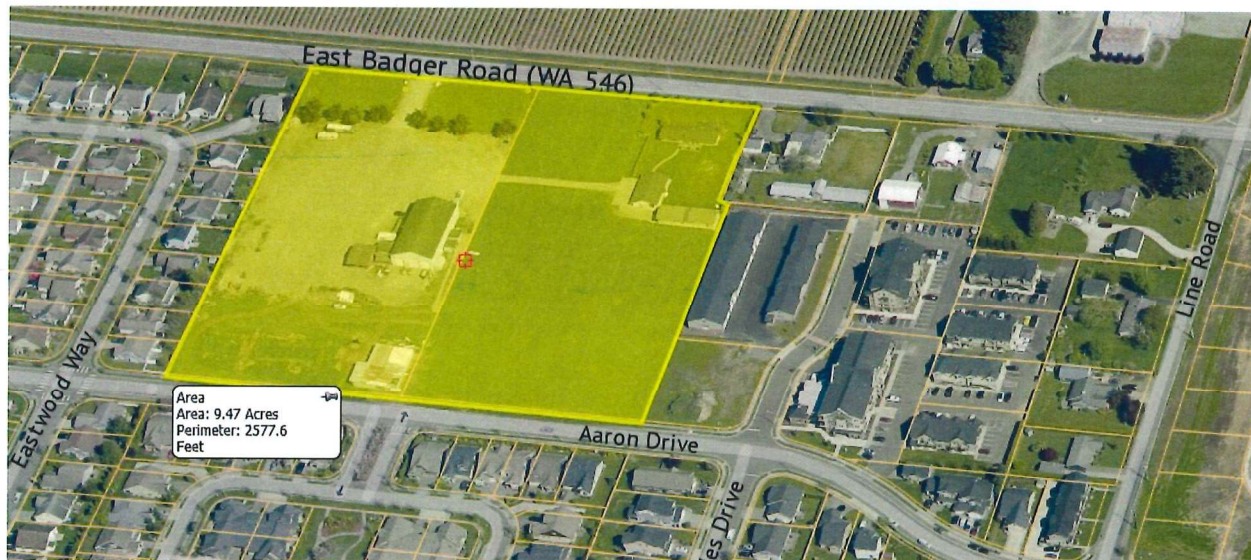


Planning Department Memorandum

To: Planning Commission
From: Heidi Gudde, Planning Director
Meeting Date: January 23, 2020
Re: Public Hearing for the DeJong Long Plat

The DeJong Long Plat is proposed on 9.44 acres located north of Aaron Drive west of Line Road.

Zoning and Density: The zoning on this property is multi-family residential (RM-3) which allows for a maximum density of 16 units per acre. As a result, the maximum permitted density, on this property is 151 units. The DeJong Long Plat does not propose specific housing types but divides the property into 23 lots. As a result, based on the minimum lot size requirements, the future maximum capacity of the plat is capped at 102 multi-family units (see the lot / unit break-down in the attached Level II Traffic Letter for more detail).



Plat Design and Phasing: The plat is designed with two vehicular access points off of Aaron Drive. Access points on the north side of the plat, to Badger Road, are discouraged by WSDOT as this is state highway. The proposed street has been designed to meet City standards and the two access points are spaced to straddle the opposing entrance of Bryce Park on the south side of Aaron Drive. Entrance points are spaced to conform to minimum City standards.

CITY OF LYNDEN

PLANNING DEPARTMENT

Heidi Gudde, Planning Director
(360) 354 - 5532



The development of the plat is proposed in two phases. Phase 1 includes the western half of the plat, Lots 1-11. The Phase 1 street layout will include a paved hammer-head to accommodate fire truck turn-around. Phase 1 will also include frontage improvements to Aaron Drive including curb, gutter, and sidewalk for the full length of the plat. Phase 2 will include lots 12-23 and the completion of the internal street loop (see plat drawings for more detail).

Pedestrian Accommodations: Sidewalks will be included along the proposed street and Aaron Drive frontages. The plat also includes an extension of the Badger Trail that has been developing along the state's right-of-way and an internal connection to the trail. Although the portion of trail included in this plat will be temporarily disconnected, Planning staff has already begun the planning process which will create a connection to other portions of the trail using the State's right-of-way if needed.

Existing Uses: The plat has two existing uses that will remain until future redevelopment occurs. One use is the legal non-conforming use of the warehouse that is shown on lot 9. Currently the Veritas Company is utilizing this structure. Code allows legal non-conforming uses to continue but not expand. In addition, a single-family home is located on lot 18 with accessory structures located on lot 19. The home is a permitted use. The accessory structure on lot 19 can remain if lots 18 and 19 are bound under one ownership.

Criteria for Approval: The criteria for approval of a long plat is found in LMC 18.16.020 which references the requirements laid out in LMC 18.06 and 18.14. Staff has reviewed each of these criteria and addressed them in the Technical Review Committee report. The applicant has provided responses to each of staff comments and this has been included in the packet. LMC Section 18.14 has also been attached as a reference for the Planning Commission.

Staff Concerns and Recommendations: Review by the Technical Review Committee has found that the plat is consistent with the criteria described in LMC 18.16.020 and approval is recommended. However, given the design of the plat, the zoning, and the propensity for local builders to construct side by side (townhome) type multi-family units with garages, staff is concerned that the housing types could be repetitive, and streetscape prominently feature garage doors. It should be acknowledged that some design standards are in place which mitigate these concerns. These are found in LMC 19.22 and include:

- Garages may not extend more than 12 feet forward of 1st floor living area.
- Foundation landscape planting is required.
- Street-facing building elevations cannot include more than 60% linear feet of garage door.
- Buildings of the same design must be separated by at least two other lots.
- All multi-family units are required to seek the approval of the Design Review Board.



In addition to these existing standards and requirements, staff recommends that plat conditions specifically address the lots which front Aaron Drive so this highly visible street is property addressed. Staff suggests the following conditions to plat approval:

Plat Condition 1: Vehicular access points (driveways), street-facing garages, and 2nd story balconies (except Juliet balconies) be prohibited along the Aaron Drive frontage; and

Plat Condition 2: Buildings along the Aaron Drive frontage (lots 1, 11, 12, and 23) be required to be oriented so that front doors rather than rear yards are facing Aaron Drive.

Plat Condition 3: Consistent with the SEPA determination, a 15-foot-wide trail easement is dedicated on the plat. A 10-foot compacted gravel trail is constructed within the easement prior to final plat approval of Phase 2.

Design Considerations: It is also worth noting that within the development, shared driveways are encouraged and should be reviewed by the Design Review Board so that garage doors / auto courts are between buildings rather than along street frontages.

CITY OF LYNDEN



TECHNICAL REVIEW COMMITTEE Development Project Report

Date Issued:	January 2, 2020
Project Name:	DeJong's Long Plat #19-02
Applicant:	Jerry Blankers
Property Owner:	Eldon and Ranae DeJong
Site Address:	1205 E Badger Road
Parcel Number:	400316-450534 and 400316-484534
Zoning Designation:	RM-3 (Multi-Family Residential)
Application Type:	Long Plat
Parcel Size:	9.44 Acres
Hearing Type:	Quasi-Judicial
Hearing Objective:	The objective of this public hearing is to determine whether the proposed subdivision meets the requirements found within the City of Lynden Subdivision Code – Title 18.
Date application determined complete:	December 4, 2019
Date of Publication:	December 31, 2019
SEPA Determination:	MDNS
Project Description:	A Long Plat application requesting to subdivide approximately 9.44 acres into 23 residential multi-family lots within the RM-3 zone.

In accordance with Chapter 17.15 LMC, the proposed action was reviewed for concurrency and should the conditions listed within this report be met, a finding of concurrency will be made in accordance with Section 17.15.060(C)(3).

Project Summary:

The proposed long plat was reviewed against the subdivision standards found in Chapter 18 of the Lynden Municipal Code (LMC) and the Engineering Design and Development Standards. The following aspects were found to be consistent with these standards:

Zoning: The area to be developed in this application is located within the RM-3 residential multi-family zone and permits the development of up to 12 units per building.

Minimum Lot Size: The lots proposed in this subdivision meet the RM-3 minimum lot size of 7,200 square feet. As proposed, parcels within this plat range from 11,000 square feet to 28,709 square feet.

Street Sections: Per Chapter 4 of the Engineering Design and Development Standards the minimum street width, for a publicly dedicated access street right-of-way is 60 feet. This standard has been met as proposed.

Build-out: Be advised, both single family and multi-family homes are permitted within the RM-3 zone. The applicant has indicated in the associated traffic study that there will be a mix of building types ranging from duplex, four-plex, eight-plex and nine-plex units. All lots are subject to the development requirements listed under 19.17 of the Lynden Municipal Code and associated design standards. This includes, but is not limited to, Section 19.17.060 which sets a maximum lot coverage of 40% for each lot.

Parking: Be advised, per Chapter 19.51.040 of the LMC, a minimum of 2 parking stalls is required per home and or unit. It is important to note that if an enclosed single car garage is provided per dwelling unit, a minimum of two outside spaces must be provided. If an enclosed garage for two or more vehicles is provided, a minimum of one outside parking space must be provided.

Specific Project Comments from the Technical Review Committee:

Planning and Development

1. *Applicant Response Required:* Provide a written response to each of the Technical Review Committee’s comments below. Advisory comments should be acknowledged. A Word version of this document will be provided to you for your convenience.

Please find enclosed our response in Italic.

2. *Existing Buildings:* There are several existing buildings on site. The applicant has indicated that the existing home on the proposed lot 18 and the existing warehouse on lot 9 will remain. And, that the existing buildings located on lots 11 (located in a utility easement) and 19 will be demolished. Please be advised that a demolition permit will be required for the removal of those buildings. All buildings to be removed must be done prior to final plat approval. This must be noted on the face of the plat.

Applicant acknowledge demolition permit are required and will be acquired as needed in each phase.

3. Existing Commercial Warehouse Use: Lot 9 is the location of an existing commercial business. Be advised, this use may remain however it is considered an existing non-conforming use. Parking for this commercial is subject to LMC 19.51. All parking must be contained on Lot 9.

Acknowledged.

4. Phasing Plan: Please provide a plat map which shows the interim condition which will exist following the build-out of Phase 1 but not Phase 2. Staff is particularly interested in the infrastructure improvements which will exist at this time. Show the proposed condition of the street section and existing buildings at this stage of completion. See Public Works comments related to the minimum roadway standard for emergency access.

Please find attached a revised plat map with requested information.

5. Plat Area Break-down: Whatcom County and the City of Lynden have been mandated to participate in an annual report provided to the State which tracks achieved housing density. In an effort to track accurate data for this program all plats will be required to provide supporting data. Please provide on the face of the plat a table which breaks down the total area of the plat into the categories shown below. Note that in some instances the area may be zero and that “other infrastructure” could refer to area used for sewer pump station, stormwater ponds, etc.

Please find attached a revised plat map with requested information.

	Plat Area (in square feet)
Gross plat area	
Reserve tracts	
Critical areas	
Right of ways (ROWs)	
Other infrastructure	
Net developable	
Percent ROW and Infrastructure	%

6. Utility Easements: Per 18.14.075, the proposed plat must identify the required 5-foot utility easements around the interior property line of all lots. Revise plat map to include this easement on the face of the plat.

Acknowledged.

7. Street Name: Provide a street name for the proposed long plat. Be advised, the street name must be approved by the Whatcom County emergency dispatching agencies and avoid duplication with any other road within the County.

Applicant request DEJONG DRIVE as a street name for proposed plat.

8. Street Tree Requirements: Be advised, street trees will be required as described here.
- a. As per Section 18.14.130, Street trees shall be provided by the sub-divider in all subdivisions within the dedicated public utility easements adjacent to the street; preferably between the curb and the sidewalk.
 1. In RM zones one street tree is required for every 50 linear feet of street frontage. Distance may be averaged due to driveways and sight distance requirements.
 2. Street trees shall be a minimum caliper of 1 1/2" at the time of installation, small trees used under powerlines shall be a minimum a caliper of 1".
 3. Street trees shall be selected, installed, and maintained in accordance with the standard City of Lynden engineering specifications. Trees shall be placed on the property with consideration of potential driveway cuts and utility services.
 - b. Establishment of street trees and planting strips shall be per an approved site plan in conformance with design and bonding standards as set forth in LMC 19.61.
 - c. Maintenance of street trees and planting strips shall be the responsibility of the adjoining property owner and shall be done in accordance with the city's engineering design and development standards.

Acknowledged(8a-8c)

9. Frontage Requirements and Lot Access: LMC 18.14.020 states that no lots shall be created that have less than 50-feet of frontage. Lots 5 and 18 do not meet the minimum frontage requirements. A long plat of this size may utilize one pipe stem lot (LMC 18.14.040). In addition, a long plat of this size may also access one lot via access easement (LMC 18.14.110(c)). The current lot design exceeds

these limits. Note that access easements and stems on pipe stem lots must be a minimum of 24 feet in width. Please revise.

Lot 6 in Phase I will provide an access and utility easement in favor of Lot 5 meeting LMC 18.14.110(c) and lot 18 in Phase II will be utilized as a pipe stem lot per LMC 18.14.040.

Public Works

10. Right-of-Way: Dedication is required along the full frontage of Aaron Drive to achieve a 60-foot right-of-way.

Acknowledged.

11. Street Section: Street section must match the existing roadway to the east and west of the proposed plat.

Acknowledged.

12. Phase 1 Emergency Access: At the time of Phase 1 construction, Phase 2 street section must be constructed to a minimum of a 24-foot wide, stabilized surface which is sufficient to support emergency vehicles. If the stabilized surface is gravel, or similar, a minimum of 50 linear feet must be paved adjacent to Aaron Drive to prevent material tracking into Aaron Drive.

Per our conversation at the TRC meeting, it is agreed to build a permanent hammer head on lot 6 designated as a no parking area and ending the road at the Phase I as shown on the revised composite utility plan for Phase I.

13. Access: As proposed, no vehicular access will be permitted to/from Badger Road. Existing driveways must be abandoned. Note that the existing home and commercial warehouse/shop will be assigned a new address in association with the plat approval.

Acknowledged.

14. Lot Access: Vehicular access will be prohibited from proposed lots to/from Aaron Drive.

Acknowledged.

15. Engineering Design Standards: All proposed streets must meet the minimum separation requirements as outlined in the City of Lynden Project Manual for Engineering Design and Development Standards.

Acknowledged.

16. Utility Easements: Plat must show the required 10-foot utility easement along the frontage of each lot (back of sidewalk).

Acknowledged.

17. Traffic analysis needs to be completed. All recommended items of the report shall be completed.

Per our Traffic Engineer the submitted report is complete and in compliance with the City's TIA Guidelines and has the appropriate analysis required for a Level II Report. Stop bar and stop signs are being proposed on both intersections.

18. Street Lighting: Puget Sound Energy to design street lighting. Please submit a final plan.

Acknowledged.

19. Mailbox Locations: Mailbox locations must be shown on the civil plans. Acknowledgement from the Postmaster must be provided.

20. Stormwater Advisory Comments

- a. A stormwater management plan prepared by a professional engineer will be required for this development and must be approved by the City of Lynden prior to approval of construction plans. An erosion control plan must be included in the drainage plan and construction plans as necessary.
- b. All plans must be designed and constructed in compliance with the Department of Ecology's Best Management Practices and the standards approved in the Manual for Engineering Design and Development Standards.
- c. Stormwater from public streets may be infiltrated within the dedicated right-of-way, or within a separate dedicated tract, but may not be within the street prism. Infiltration areas and street trees should have adequate separation to insure the proper functioning of the drainage system and survival of the tree.

- d. A Construction National Pollutant Discharge Elimination System (NPDES) permit may be needed.

Acknowledged (19a to 19d)

21. Water

- a. As per 6.2 (M) of the City of Lynden Project Manual for Engineering Design and Development Standards, the water mainline must be looped through the plat and extended to the east and west property lines. Show easements as appropriate on the face of the plat.

Per TRC meeting, water main will be looped to the East ONLY. A watermain to the north on lot 6 might be needed to provide fire protection and it is shown as an option on Phase I. The applicant does not believe that the extension should be a requirement since there is north property is the city limit and the northern properties are outside the UGA.

City response: Public Works maintains the stance that water service must be extended to the north, east and west. Justification must be provided prior to preliminary plat approval for any alternate extension plans.

- b. Be advised, water system design and construction must meet the requirements of the City of Lynden Engineering Design and Development Standards.

Acknowledged.

- c. Be advised, each house and/or unit within this plat must be individually metered. Water services for all multi-family zoned parcels must be sized for maximum number of units. Water meters must be located within the City right-of-way.

Acknowledged.

- d. Existing house (1241 East Badger) and commercial warehouse/shop (1205 East Badger) shall connect to City water and pay applicable hookup fees. Water rights associated with the property shall be transferred to the City.

Commercial Warehouse on Lot 9 will be connected in Phase I, and House located on Lot 18 will be connected in Phase II.

- e. If the existing commercial building remains, backflow protection will need to be investigated based on specific use of structure.

Acknowledged.

22. Sanitary Sewer

- a. Be advised, sanitary sewer design and construction must meet the requirements of the City of Lynden Engineering Design and Development Standards.

Acknowledged.

- b. Sanitary sewer services for all multi-family zoned parcels must be sized for maximum number of units.

Acknowledged.

- c. As per 7.2 (P) of the City of Lynden Project Manual for Engineering Design and Development Standards, sanitary sewer must be extended to the north property line unless other service is available. Show easements as appropriate on the face of the plat.

A Sanitary Sewer to the north on lot 6 might be needed to service lot 6 and it is shown as an option on Phase I. The applicant does not believe that the extension should be a requirement since there is north property is the city limit and the northern properties are outside the UGA.

City response: As per the Comprehensive Plan, sewer must be extended to the property line.

- d. Be advised that all parcels in this plat are within the East Lynden Sewer Special Assessment Area and will be subject to additional connection charges for the regional sanitary sewer facilities. This must be noted on the face of the plat.

Acknowledged.

- e. The existing house (1241 East Badger) shall connect to City sewer and pay applicable hookup fees.

To be connected in Phase II.

Fire and Life Safety

- 23. *Fire Service Impact Fee:* Be advised, half of the required fire impact fee is due at the time of final plat approval. The balance of the fire impact fees is deferred to the time of building permit. Contact Planning staff for an estimated fee total.

Acknowledged.

24. *Street Addressing:* Be advised, address numbers must be clearly posted on each house to assist in efficient fire aid response.

Acknowledged.

25. *Hydrants:* The installation of a fire hydrant is required. Hydrant spacing to be 300 feet **for multi-family**. The final hydrant location will be determined upon review of civil plans and must be approved by the Fire Department.

Acknowledged.

26. *Existing Commercial/shop building may require sprinklers depending on uses.*

Acknowledged.

Parks and Recreation

27. *Trail Easement:* Pedestrian provisions for the proposed long plat must include the establishment of a 15-foot wide public access easement for the purpose of a recreational trail at the northern edge of the property. This easement can overlap with other required easements and setbacks. Revise plat maps to include this easement.

Please find attached a revised plat map with requested information. The applicant is willing to provide an easement if a hold harmless clause is included on the plat. The applicant has witnessed in multiple occasions pedestrians dangerously walking along the Badger road and a trail that does not connect to an existing pedestrian corridor will invite the public to walk to a trail with no connectivity.

28. *Trail Construction:* Pedestrian provisions for the proposed long plat must include the construction of a 10-foot wide recreational trail. The minimum standard is a design which utilizes compacted limestone. The specific standard is available from the Planning or Public Works Departments.

Please find attached a revised plat map with requested information. Also refer to response on item 26.

29. *Trail Access:* Provide a public access easement a minimum of 10 feet in width from the proposed loop road sidewalk to the Badger Road trail easement. This easement must include a paved walkway a minimum of 5 feet in width. The easement may straddle a lot line.

Please find attached a revised plat map with requested information. Also refer to response on item 26.

30. *Park Impact Fee:* Be advised, half of the required park impact fee is due at the time of final plat approval. The balance of the park impact fees can be deferred to the time of building permit. Contact Planning staff for an estimated fee total.

Please find attached a revised plat map with requested information.

Long Plat Advisory Comments

31. *Impact Fees:* Be advised, prior to final plat (PRD) approval, the developer will be required to pay transportation mitigation fees, plus the first half of park and fire mitigation fees. Contact Planning Staff for a fee estimate.

Acknowledged.

32. *Civil Drawings:* The construction drawings for any civil and utility improvements must be submitted for review and approval prior to construction. These drawing must illustrate that the utility improvements and extensions meet the standards listed within the Project Manual for Engineering Design and Development Standards, unless they have been specifically varied by the approval of the plat. It is the project engineer's responsibility to be aware of these standards.

Acknowledged.

33. *Civil Review Deposit Required:* Be advised, a review deposit of \$200 per lot, \$2,000 minimum, to review the construction plans and a plat / PRD construction inspection deposit of \$350 per lot, \$5,000 minimum, is due prior to review and construction respectively.

Acknowledged.

34. *Infrastructure Installation:* A City of Lynden Fill and Grade Permit is required prior to the commencement of site work. The site and utility work must be addressed on SEPA Checklist.

Acknowledged.

35. *Performance Bonding Requirements:* Be advised, a 150% performance bond may be required for all work in the City's right-of-way or on city owned property which is deemed incomplete. Only items not specifically exempted from bonding under LMC 18.18.010(G) are eligible for bonding.

Acknowledged.

36. Maintenance Bonding Requirements: A post construction maintenance bond for infrastructure in the amount of 10% of the construction costs will be required prior to final plat approval.

Acknowledged.

37. Landscape Bonding: Be advised, performance and maintenance bonding will be required for the plat. This relates to street trees and any required mitigation trees. Bonds are due prior to final plat approval.

Acknowledged.

38. Surveying: All surveying work and engineering design must be based on the City of Lynden survey control monuments. AutoCAD files for all improvements must be provided to the City in digital format approved by the City. A copy of the City's control monuments is available to the project consultant for their use.

Acknowledged.

39. Expiration of Preliminary Approval: Petitioner shall record the final subdivision, with the County in conformance with LMC 18.06.010.2, 18.06.020 and 18.06.030 within five (5) years of the date this preliminary approval becomes final, after which City approval of this application shall become void; provided that, this one year deadline may be extended for up to one (1) additional year upon application to and approval by the City Council.

Acknowledged.

40. Property Addressing: Be advised, all street addressing must follow the requirements of the Lynden Municipal Code. Addresses will be assigned by the Public Works Department prior to final PRD approval.

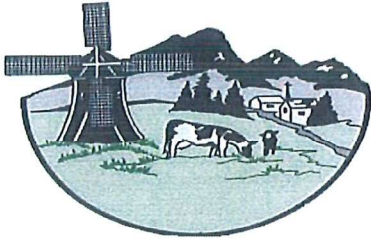
Acknowledged.

41. Covenants, Conditions and Restrictions (CC&Rs): CC&R's for the long plat may be recorded in conjunction with the final long plat. This document can impose more restrictive conditions on the property but not less restrictive than City of Lynden development code. Be advised, enforcement of CC&R documents is the responsibility of the developer and/or neighborhood association.

Acknowledged.

42. Design Review: Design Review Approval will be required for all multi-family buildings including duplexes.

Acknowledged.



City of Lynden

Long Plat Application

PLN09284

Property Owner

Name: Eldon DeJong
Address: 1205 E. BADGER RD, LYNDEN WA, 98264
Telephone Number: 360-746-4450 Fax Number: _____
E-mail Address: eldonranae@gmail.com

Applicant (Agent, Land Surveyor or Engineer)

Name: Jerry Blankers
Address: PO BOX 949, LYNDEN WA, 98264
Telephone Number: 360-354-4242 Fax Number: _____
Email Address: jerry@jerryblankers.com

Who is the primary contact for this project? This person will receive all official correspondence for the project. Property owner Applicant

Property Information:

Project Location (street address / block range): 1205 E. BADGER RD, LYNDEN WA, 98264
Attach complete legal description

Description of Subdivision:

Current Property Size: _____ X _____ Total Acreage: 411122.49 SF – 9.44 acres
Zoning Classification: RM-3 Number of New Lots: 23
Minimum Lot Size: 11,000.23 SF Area of ROW in SF: 68,433.76 SF
Area of drainage facility in SF (if not included as part of a lot or within the ROW): _____

By signing this application, I certify that all the information submitted is true and correct.

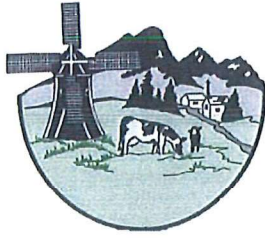
Applicant's Signature: Jerry Blankers

Date: _____
Jerry Blankers
Property owner

PRE-APPLICATION MEETING DATE: _____ HEARING DATE: _____ (APPLICATIONS)
WILL NOT BE ACCEPTED WITHOUT A PREAPPLICATION MEETING)

- FEE'S (LONG PLAT – PRELIMINARY \$300.00 +\$100.00 PER LOT) DATE PAID: _____ RECEIPT # _____
- FEE'S (LONG PLAT – FINAL \$50.00 PER LOT) DATE PAID: _____ RECEIPT # _____

19-02 LP 23x100 = 2300⁰⁰ + 300⁰⁰
19-19 SEPA 300.00 Total 2900⁰⁰



City of Lynden

Critical Areas Checklist

Section: ___ Township: ___ Range: ___ Parcel Number: _____

Site Address: 1205 E. BADGER RD, LYNDEN WA, 98264


Proposed Uses: RESIDENTIAL USES – 23 MULTI-FAMILY LOTS

Please answer the following questions concerning Critical Area indicators located on or within 200-feet of the project area:

- a. Are you aware of any environmental documentation that has been prepared related to critical areas that includes the subject area? (If yes, please attach a list of document titles).
 Yes No Unknown
- b. Are there any surface waters (including year-round and seasonal streams, lakes, ponds, swamps)?
 Yes No Unknown
- c. Is there vegetation that is associated with wetlands?
 Yes No Unknown
- d. Have any wetlands been identified?
 Yes No Unknown
- e. Are there areas where the ground is consistently inundated or saturated with water?
 Yes No Unknown
- f. Are there any State or Federally listed sensitive, endangered, or threatened species and habitats?
 Yes No Unknown
- g. Are there slopes of 15% or greater?
 Yes No Unknown
- h. Is the project located within a Flood Hazard Zone?
 Yes No Unknown
- i. Do you know of any landslide hazard areas?
 Yes No Unknown

I grant permission to the field inspector to enter the building site to determine the presence or absence of critical areas.

I understand that if the information on this form is later determined to be incorrect, the project or activity may be subject to conditions or denial as necessary to meet the requirements of Chapter 16.16 of the Lynden Critical Areas Ordinance.


 Applicant's Signature

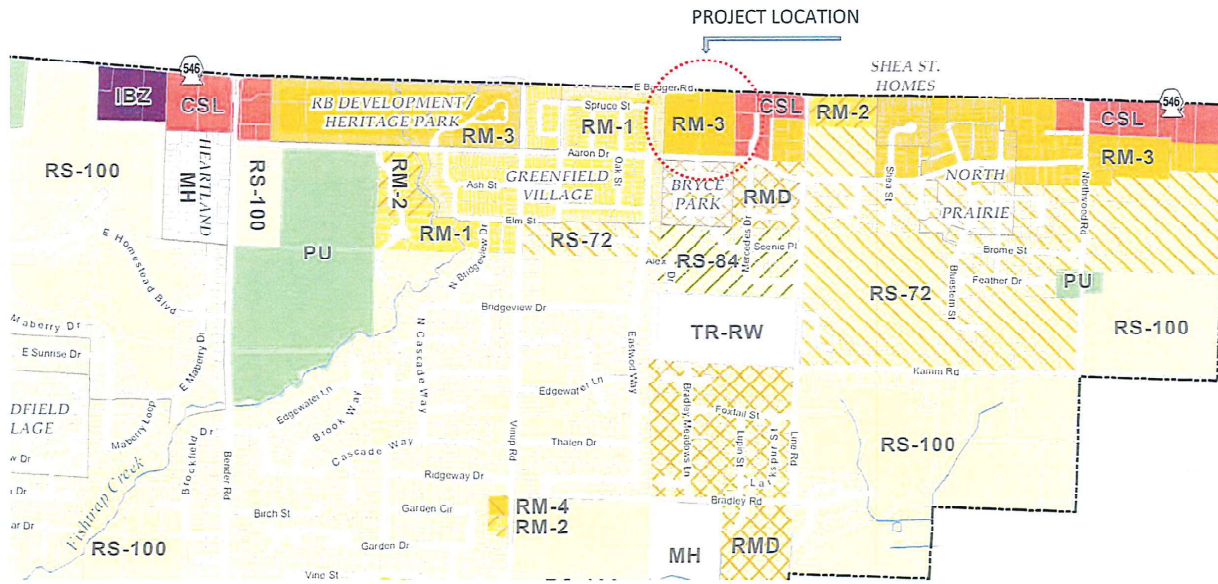

 Date

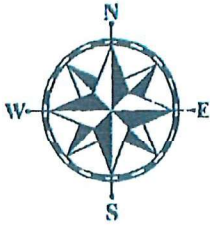
DeJong Long Plat

1205 E BADGER ROAD, LYNDEN, WA 98264

City of Lynden

ZONING CLASSIFICATION



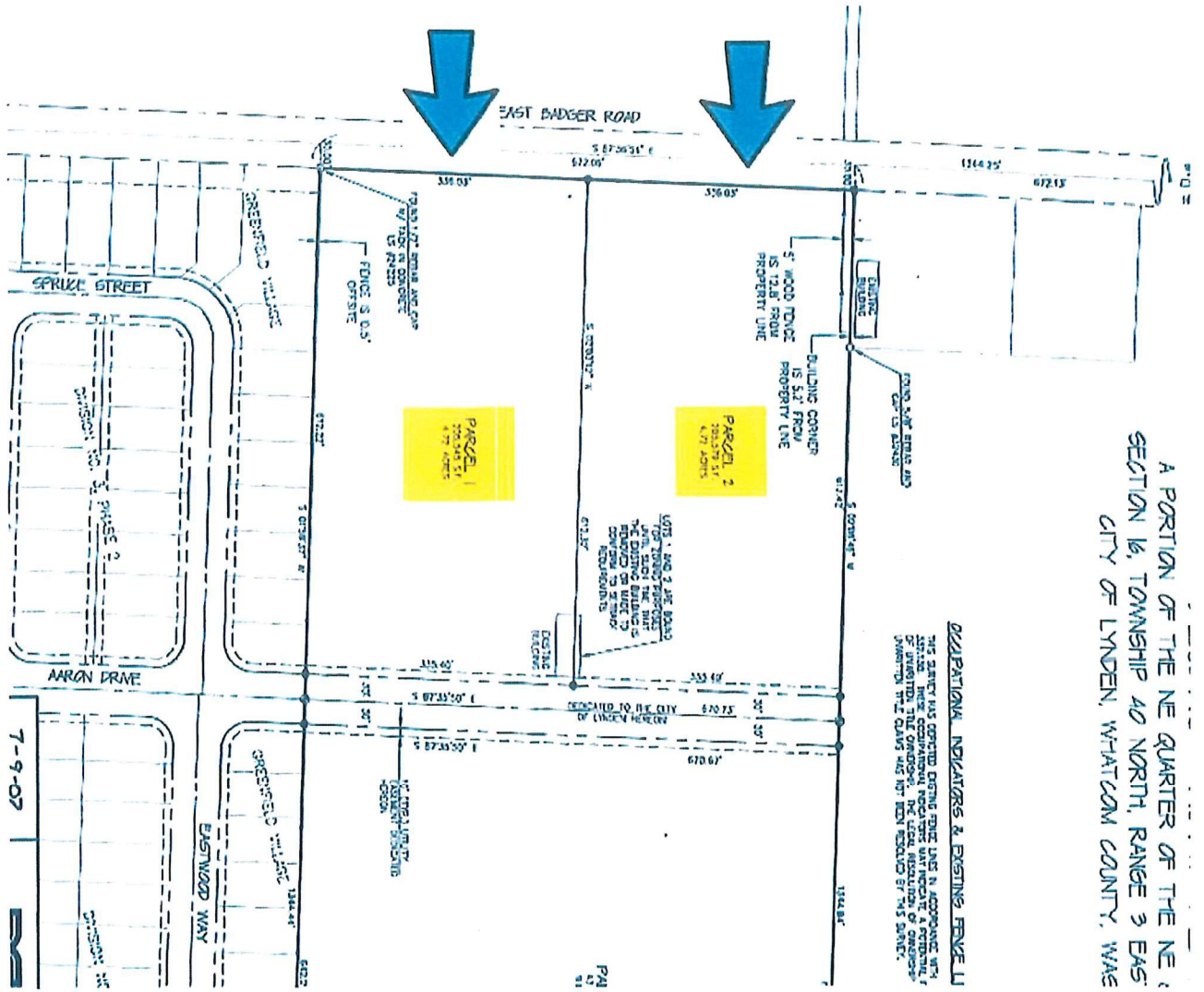


Whatcom Land Title Company, Inc.

2011 Young Street
Bellingham, Washington 98225
Phone (360) 676-8484 Toll Free 1-800-334-6314
Fax (360) 671-0982
Website www.whatcomtitle.com

W-160571

"Locally Owned and Operated since 1982"



A PORTION OF THE NE QUARTER OF THE NE SECTION 16, TOWNSHIP 40 NORTH, RANGE 3 EAST, CITY OF LYNDEN, WHATCOM COUNTY, WAS

EXPLANATORY NOTATIONS & EXISTING FENCE L
THE SURVEY HAS CORRECTED ERRORS FROM THE 1914 RECORD MAP AND HAS RECORDED THESE CORRECTIONS. THE SURVEY HAS ALSO RECORDED A PORTION OF UNRECORDED EASEMENTS THAT WERE NOT RECORDED AT THE TIME OF THE SURVEY. THE CLAY HAS NOT BEEN RECORDED BY THIS SURVEY.

THIS SKETCH IS FURNISHED FOR INFORMATION PURPOSES ONLY.

IT DOES NOT PURPORT TO SHOW ALL HIGHWAYS, ROADS, OR EASEMENTS AFFECTING THIS PROPERTY. NO LIABILITY IS ASSUMED FOR VARIATIONS IN DIMENSIONS AND LOCATIONS. THIS SKETCH IS NOT GUARANTEED AS TO ACCURACY AND THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE THERON.

Chapter 19.17

MULTI FAMILY BUILDING ZONES

- 19.17.010 Established
- 19.17.020 Primary Permitted Uses
- 19.17.030 Accessory Permitted Uses
- 19.17.040 Secondary Permitted Uses
- 19.17.050 Conditional Property Uses
- 19.17.060 Height, Area, Setback, and Bulk Requirements
- 19.17.100 Design Review Board

19.17.010 Purpose and Zones Established.

The goal is to allow flexibility in site and design standards while promoting infill projects compatible with existing multi-family developments.

Six multi-family zones are established:

RM-1, Residential Multi-Family 1 zone; (up to 2 units/building)

RM-2, Residential Multi-Family 2 zone; (up to 4 units/building)

RM-3, Residential Multi-Family 3 zone; (up to 12 units/building)

RM-4, Residential Multi-Family 4 zone; (up to 50 units/building)

RM-PC, Residential Multi-Family Pepin Creek zone; (up to 4 units/building and sometimes up to 8 units/building)

SO, Senior Overlay zone; (up to 30 units/acre)

A. Use of Low Impact Development Techniques. When an application for multi-family development seeks to add additional residential density to a parcel or parcels as infill development, the pertinent approving body, the planning director, planning commission, or city council, is authorized to approve future land divisions even though they may not meet the lot size requirements of multi-family zones presented in this Title under the following conditions:

1. Site planning incorporates LID components that minimize impervious surfaces and achieves a more restrictive percent maximum coverage than would the larger lot size;
2. Site planning and design documents are completed by a licensed civil engineer in the State of Washington;
3. The proposed development integrates with the character of the neighborhood;

4. The requested waiver must be specified and justified in writing to the technical review committee and the approving body;
5. Written documentation of the decision on the waiver is recorded by the director in city records.

19.17.020 Primary Permitted Uses.

The primary land uses permitted in the multi-family zones are residential buildings as shown in the table below:

	ZONE			
	RM-1	RM-2	RM-3	RM-4
Single Family Dwelling Unit	P	P	P	P
Duplex Units	P	P	P	P
Three or Four units per building	N	P	P	P
More than four units per building	N	N	P	P
New manufactured homes as defined in Section 17.01.030 of the Lynden Municipal Code	P	P	P	P
Mobile homes as defined in Section 17.01.030 LMC	N	N	N	N

P = Permitted Use; N = Not Allowed

19.17.030 Accessory Permitted Uses.

Accessory permitted uses in the Multi - Family Zones are as follows:

- A. Private Garages.
- B. Carports.
- C. Tool shed, satellite dish, outdoor patios and outdoor fireplaces.
- D. Private swimming pools, as provided in the International Building Code adopted pursuant to Chapter 15.02 of the Lynden Municipal Code and subject to LMC 19.37.090.
- E. Accessory dwelling unit (ADU), per LMC 19.20.,
- F. Recreation areas for occupants.
- G. Mixed uses may be allowed in RM 4 if the use is for the benefit of the occupants only. Such uses include food service or dining room, nursing services, and laundry facilities.

19.17.040 Secondary Permitted Uses.

Secondary permitted uses in the Multi Family Zones are as follows:

- A. Hobby shops, relating to the hobbies of the occupants of the home and not operated for production and sales purposes.
- B. Greenhouses operated by the occupants, provided the products will not be offered for retail sale on the premises.
- C. Home occupations. See Chapter 19.57.
- D. Gardening and fruit growing not for commercial sale.
- E. General farming, which does not include the commercial feeding of livestock, if the zoning lot is five (5) acres or more in size and meets the requirements outlined in Section 19.39 of this code.
- F. Family Day Care centers for up to eight individuals, not including the residents of the dwelling unit.
- G. Parks and Playgrounds.
- H. Adult Family Homes and Residential care facilities, up to six adults, when approved by the Washington State Department of Social and Health Services (DSHS).

19.17.050 Conditional Property Uses.

The following property uses may be permitted in multi-family zones by conditional use permit when recommended by the Planning Commission and approved by the City Council.

- A. Public buildings and utility sub-stations.
- B. Club facilities that are directly related to home development such as community swimming pools, privately owned athletic facilities and other similar improvements directly related to residential areas.
- C. Day care facilities for more than eight people with the maximum number of individuals to be determined as part of the conditional use permit process.
- D. Nursing home and assisted living facilities as defined in RCW 74.39A.009.
- E. Bed and Breakfast Establishments and Short Term Rentals (See Section 19.49.030).
- F. House of Worship, provided that the lot coverage does not exceed thirty-five percent, the front yard is landscaped and all other parking and landscaping requirements are met.

G. Schools.

H. Community Service Facilities operated by a registered non-profit organization providing services to the community such as food banks, outpatient counseling services, and church related or outreach ministries. This use is subject to the following conditions in addition to the conditional use criteria established under Section 19.49.020.

1. The use is limited to the RM-4 zones.
2. This use specifically excludes retail sales and any facilities offering in-patient treatment, inpatient counseling, or inpatient rehabilitation.
3. The maximum lot coverage for the proposed facility shall not exceed thirty percent.
4. All parking and landscaping requirements shall be met.

19.17.060 Height, Area, Setback and Bulk Requirements.

A. The following table provides regulations for height, area, setback and bulk requirements:

B. Zone	Min. Lot Size (sq. ft.)	Lot Coverage	Open Space Required	Height	Yard Setbacks in Feet			
					Side Yard			
				Feet	Front	Rear	Minimum	Total
RM-1	7,200	35%	7.5%	32	20	30	7	22
RM-2	7,200	40%	7.5%	32	20	30	7	22
RM-3	7,200	40%	7.5%	32	20	30	12	27
RM-4	1 Acre	45%	7.5%	32	20	30	15	32

B. The following table provides regulation regarding the maximum density allowable in each zone.

Zone	Square Feet Required for First Unit	Square Feet Required for Additional Units	Maximum Units/Bldg.
RM-1	6,000	2,000	2
RM-2	6,000	2,000	4
RM-3	6,000	2,500	12
RM-4	6,000	1,650 for units 2—24 1,400 for each additional unit	50

C. For the purposes of this chapter open space is as defined in Section 19.29.080(3) of the Lynden Municipal Code.

D. Lot coverage may be increased by one percent for each ten percent of the required off-street parking that is located beneath portions of the multiple-family dwelling units which are intended to be occupied by residents or used as hallways or meeting rooms.

19.17.100 Design Review Board

All multi-family developments will be subject to approval by the Design Review Board.

Lynden Municipal Code

Chapter 18.14 - NEW DEVELOPMENT OR REDEVELOPMENT SITE PLANNING AND DESIGN (LMC)

18.14.010 - General provisions.

- A. Applicability. All applications for short subdivision, subdivision, or binding site plan shall follow procedures set forth in this title and conform to requirements in Chapter 13.24.
- B. Administration. The approving body, as dictated in Title 18, shall have authority to approve, approve with conditions, or deny an application made pursuant to the provisions of this chapter. The approving body may consider modified plans or attach conditions to an approval of an application. The action of the approving body shall be supported with specific findings of fact and shall reference the city's design and development standards and other relevant documents.
- C. Use of Low Impact Development Methods and Practices. Each application for new development or redevelopment shall demonstrate site assessment and development design using a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes by minimizing impervious surfaces, minimizing loss of native vegetation, and minimizing stormwater runoff.
- D. Low impact development (LID) methods and practices shall be employed where feasible. "Feasible" means when the application meets the design criteria, limitations, and infeasibility criteria for each LID BMP as described in the Stormwater Management Manual for Western Washington (Ecology Manual) adopted by the city.

18.14.020 - Lot design guidelines.

These guidelines govern lot sizes, lot widths and frontage requirements.

- A. No residential lot shall be created deeper than three times its width unless specifically varied under the provisions of Chapter 17.17 or Chapter 13.24.
- B. No lots shall be created that have less than fifty feet of frontage, except where approved by council in a planned residential development or except in the Pepin Creek Subarea.
- C. A lot located on a cul-de-sac may have forty feet of frontage width; provided however, that the lot shall meet the minimum frontage requirement listed above at the line of the minimum front yard setback. Lots created within the Pepin Creek Subarea are exempt from this minimum standard.
- D. Residential lots shall access residential access or collector streets rather than arterial streets whenever reasonably feasible. Secondary access points along arterial streets are not permitted. This access restriction shall be noted on the face of the plat and does not exempt the subdivision from any off-site improvement requirements.
- E. Lots shall be designed to provide a building site that meets the minimum zoning standards after the consideration of building orientation, setbacks, drainage and other critical areas.
- F. No residential lots shall have street frontage along two opposite boundaries, unless topographical features or the need to provide access separation of lots from arterials, railways, commercial activities, or industrial activities justify designing of double frontage lots.
- G. Lot Averaging. As long as the subject property has sufficient land area to subdivide and meet the lot area requirements as specified in the zoning ordinance, a lot averaging mechanism may be utilized for the creation of more functional and desirable lot design as determined by the city. This mechanism may be permitted if all the following conditions are met:

1. No lot less than the required size may be placed adjacent to previously developed lots meeting the minimum lot size requirements.
2. Lots shall not be less than ninety percent of the minimum area required; except that, up to five percent of the total number of lots may be reduced to seventy percent of the minimum required lot size.
3. The average size of all lots within the subdivision must meet the minimum lot size required by that zone.

18.14.030 - Right-of-way requirements.

All lots shall abut on a dedicated or private street with right-of-way that meets the city's standards for width as set forth in the city's design and development standards. Lots within the Pepin Creek Subarea may abut an alley designed to the city's standards for width if the lot fronts on a common open space. In the event the abutting street or alley does not meet said standards, additional right-of-way shall be required prior to the approval of a subdivision or short subdivision, unless specifically varied through the process described in Chapter 17.17.

18.14.040 - Pipe stem lots.

A pipe stem lot is defined as a lot having a narrow entrance to a wide lot that is behind another lot. A maximum of one pipe stem lot may be permitted per short plat or one pipe stem lot per twenty-five lots or portion thereof of a long plat, so long as the following standards are met:

- A. There shall be a minimum of twenty-four feet of frontage on a dedicated right-of-way; and
- B. The stem shall be no longer than one hundred fifty feet in length; and
- C. The address is clearly marked at the street for emergency location.

18.14.050 - Division resulting in below minimum lots sizes for dedication.

Within a subdivision, the city may consider the required dedication of right-of-way in the minimum lot size; provided that the resulting lot after dedication (exclusive of dedicated area) shall not be less than ninety-five percent of the required lot size.

18.14.060 - Flood prone and bad drainage conditions.

Land which has been found to be unsuitable due to flooding, bad drainage or high water table conditions that are harmful to the health, safety and general welfare of the future residents, shall not be subdivided unless:

- A. A mitigation plan demonstrates adequate means of flood control, consistent with the city's stormwater management plan, the Stormwater Management Manual for Western Washington adopted by the city, RCW Chapter 86.16, and Chapters 16.12 (Floodplain Management Ordinance) and 16.16 (Critical Areas Ordinance), now or as hereafter amended; and
- B. The design and mitigation plan has been reviewed and recommended by the technical review committee in conjunction with the plat application; and
- C. The city council approves the proposed mitigation plan and plat.

18.14.070 - Slope and unstable soil conditions.

In the event the land to be subdivided has a slope or slopes of more than twenty percent and/or has rock or other unstable soil conditions, the subdivider shall provide soils data to the city as required by the city's critical areas ordinance, codified in Title 16. A qualified professional as required under that title shall prepare this information.

- A. Land which has topographical conditions that are hazardous to the health, safety and general welfare of the persons or properties, in or near the proposed subdivision shall not be subdivided unless the construction of protective improvements shall eliminate the hazards or unless the land subject to the hazard is reserved for those uses which will not expose persons or property to the hazard.
- B. If conditions warrant control measures to correct slide, erosion, or other similar problems, the subdivider shall be responsible for the design, installation, and expense of any devise or corrective measures.
- C. Protective improvements and restrictions on uses shall be clearly noted on the face of the final plat and recorded as a covenant on the deed for each affected parcel.

18.14.080 - Access easements, private alleys, and private streets.

- A. Access easements serving up to three single-family lots, or a multi-family development which, per zoning, could not exceed twelve units, may be permitted under the following conditions:
 - i. The easement area must be a hardened surface, a minimum of twenty-four feet in width;
 - ii. The easement area shall be paved for a minimum of fifty feet from the street and must be paved the entire length of the driveway when serving multi-family development; and
 - iii. The proponents shall have a signed and recorded maintenance agreement filed with the city and the county auditor. This agreement shall be referenced by the auditor's file number on the face of the plat.
 - iv. An existing easement shall not be expanded to serve additional lots without the written and recorded permission of the grantors or current owners of the property over which the easement runs; and
 - v. The location and configuration of the parcel will be considered when allowing an easement to serve more than a single lot.
- B. Access to a multi-family development which exceeds, or could exceed twelve units when fully developed, must utilize the private street standard set forth in the city's design and development standards.
- C. All easements and private streets must meet the minimum standards for the uniform fire code and design and development standards for the City of Lynden for access and driving surfaces.
- D. Use and maintenance of all easements, private alleys, and private streets must be addressed in the easement language or a maintenance agreement which is reviewed and approved at the time of plat or at the time the easement is recorded by separate instrument.
- E. Private alleys may be utilized through a planned residential development and associated development agreement. Private alleys may also be utilized in the Pepin Creek Subarea consistent with the city's engineering design standards and the Pepin Creek Design Standards.

18.14.090 - Utility easements.

- A. A five-foot utility easement shall be placed on the interior property line of all residential lots for the installation and maintenance of public utilities. Vertical encroachment of the easement by eaves or awnings may be permitted at the discretion of the public works director.
- B. Commercial plats shall grant easements to the City of Lynden as required for the extension of public utilities.
- C. Reduction or encroachment of this easement may be permitted, by development agreement, in a planned residential development and master planned residential development.
- D. This easement provision does not restrict the property owner from placing fences or landscaping within the easement area.

18.14.100 - Roads ends, turnabouts, cul-de-sacs and hammerheads.

Dead end streets and turnabouts shall be designed to minimize impervious area while providing emergency vehicle access. Loop road configuration should be considered as an alternative.

- A. Cul-de-sac streets shall be designed so as to provide a circular turnaround at the closed end that has a minimum radius as required by the city's design and development standards. Use of LID techniques shall be employed where feasible including smaller turning radius and curb cuts to LID facilities.
- B. A hammerhead may be permitted, by the approving body under certain circumstances and such hammerhead must meet the requirements of the city's design and development standards and the uniform fire code.
- C. Cul-de-sac streets shall not exceed four hundred fifty feet in length unless specifically varied through the process described in Chapter 17.17.
- D. Plats with opposing cul-de-sacs, or cul-de-sacs backing onto an adjoining property, shall provide for a minimum fifteen feet sidewalk or trail easement through the cul-de-sac to provide more efficient pedestrian circulation patterns. Use of LID techniques on the sidewalks and trails shall be considered.

18.14.110 - Circulation system design.

- A. The street system within a subdivision shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet the needs of the present and future populations; to have a simple and logical pattern; to respect natural features and topography in conformance with Title 12.
- B. Every lot shall be provided with convenient vehicular access by a public street private access as allowed in Section 18.14.080 which is connected to an existing public street or highway. Access should be designed first to access streets, then to collector streets, then to arterial streets and highways.
- C. Access may be granted by permanent appurtenant easement as allowed in Section 18.14.080 for a maximum of one easement per short plat or one easement per twenty-five lots or portion thereof of a long plat unless part of an approved planned residential development.
- D. In residential subdivisions, the street system shall be designed to serve the needs of the neighborhood and to discourage use of residential access streets by through traffic.

18.14.120 - Conformity to comprehensive plan and all utility plans.

- A. The proposed subdivision shall conform to the policies reflected by the comprehensive plan, including the transportation element, and shall provide for such requirements as are contained in the implementation of the plan in part by the zoning and subdivision ordinances. Natural features such as trees, ridgelines, hilltops and views shall be preserved and kept in a natural state to the extent possible.
- B. All utility extensions shall be designed and developed in conformance with the adopted plans for that utility. This shall include water, sanitary sewer and stormwater management.

18.14.130 - Street trees and planting strips.

- A. Street trees shall be provided by the subdivider in all subdivisions within the dedicated public utility easements adjacent to the street; preferably between the curb and the sidewalk. Unless otherwise required by adopted design standards, there shall be a minimum of one tree per lot with a maximum of one hundred feet between trees, and street trees shall be selected, installed, and maintained in accordance with the standard engineering specifications. Trees shall be placed on the property with consideration of potential driveway cuts and utility services.
- B. Establishment of street trees and planting strips shall be per an approved site plan in conformance with design and bonding standards as set forth in Chapter 19.61.
- C. Maintenance of street trees and planting strips shall be the responsibility of the adjoining property owner and shall be done in accordance with the city's engineering design and development standards.

18.14.140 - Street naming.

- A. No street within a new subdivision shall be approved which bears a name using a word that is the same as, similar to or pronounced the same as a word in the name of any other street within the city. All subdividers shall present their proposed street names to the Lynden Technical Review Committee to reduce the duplication of names within the city and throughout the county. The city shall solicit comment from dispatching agencies prior to giving final approval of the street names.
- B. Streets extended or continuing across a street perpendicular to it shall bear the same name as the previously existing street segment.

18.14.150 - Compliance with development standards—Generally.

All plans for improvements listed below shall be designed and stamped by a professional engineer.

- A. Easements for electric, telephone, telecommunications, water, sanitary and storm sewer, gas and similar utilities shall be a minimum of ten feet to assure future maintenance.
- B. Subdivisions shall provide underground utility lines, including, but not limited to those for electricity, communications, cable TV and street lighting.
- C. All streets, curbs, gutters, sidewalks, bridges, drains, culverts, and related structures and facilities shall be constructed in accordance with the ecology manual adopted by the city and the city's design and development standards and applicable state and federal requirements.
- D. All streets shall be constructed in accordance with Title 12 and the city's project manual for engineering design and development standards.

- E. Water supply facilities adequate to provide potable water from a public supply to each lot within a subdivision shall be installed in conformity with the city's project manual for engineering design and development standards. Each lot shall be provided with a connection to the city's sanitary sewer, water and stormwater system in conformity with the ecology manual adopted by the city and the city's design and development standards.
- F. Prior to construction of any structures within the subdivision, all public utilities shall be installed in conformance with the ecology manual adopted by the city and the city's design and development standards.

18.14.160 - Street and utility extensions required.

All streets and utility extensions required by the city shall be made to the furthest extent of the property or the edge of the subdivision except where there is no expectation of extension of the street or utilities or the service of additional lots.

DEJONG LONG PLAT

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16,
TOWNSHIP 40 N., RANGE 3 E. OF THE W.M., CITY OF LYNDEN, WHATCOM COUNTY, WASHINGTON

LEGAL DESCRIPTION
THE WHATSON LAND REF. INSTRUMENT ON _____
PARCEL NO. 40019 40024 0000
LOT 1 BEING SHORT PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED UNDER AUDITOR'S FILE NUMBER 19378, RECORDS OF WHATSON COUNTY, WASHINGTON.
PARCEL NO. 40019 40024 0000
LOT 2 BEING SHORT PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED UNDER AUDITOR'S FILE NUMBER 19378, RECORDS OF WHATSON COUNTY, WASHINGTON.
STATE IN WHATSON COUNTY, WASHINGTON.

REGULATION AND DEDICATION
WE, THE UNDERSIGNED, DO HEREBY DECLARE THIS PLAT AND DEDICATE TO THE PUBLIC FOREVER ALL RIGHTS AND WAIVE SOVEREIGNTY, WITH THE RIGHT TO MAKE AN ARBITRARY CHANGE FOR SUCH ANY ALLEYS, AND THE RIGHT TO CONTINUE TO DRAIN AND ROAD AND WAIVE OVER AND ADDRESS ANY OF ALL OTHER PUBLIC RIGHTS, INCLUDING REASONABLE CHANGE OF ROADS AND WATER RIGHTS, NO SHARPER WATER ON ANY LOTS SHALL BE DIVERTED FROM UNDER ANY OTHER PLAT, AND THE UNDERSIGNED DO NOT INTEND TO TAKE ANY OTHER RIGHTS OR INTERESTS IN ANY OF THE LOTS, SHALL BE ONE OF THE LOTS AT THE END OF EACH BLOCK.

EDWIN DEJONG
FRANK DEJONG

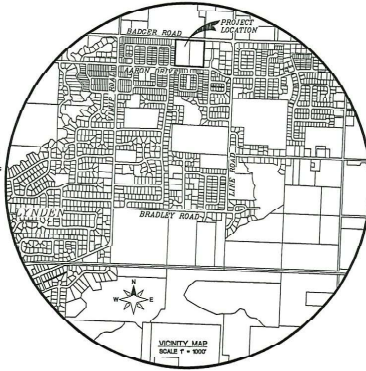
ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF WHATSON)
I, EDWIN DEJONG, being of legal age and sound mind, do hereby acknowledge that I am the owner of the above described premises and that I have executed this instrument for the purposes and purposes mentioned in this instrument.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
My commission expires _____

PLAT NOTES AND CONDITIONS

1. FOR ADDITIONAL PLAT RESTRICTIONS SEE THAT CERTAIN DECLARATIONS OF COVENANTS, RESTRICTIONS AND ADDITIONAL STIPULATIONS RECORDED UNDER WHATSON COUNTY AUDITOR'S FILE # _____



- SURVEYOR'S NOTES:**
- 1) DATA FOR THIS PLAT WAS OBTAINED BY FIELD TRAVERSE INCLUDING ELECTRONIC DATA COLLECTION ON NOVEMBER 20, 2016.
 - 2) EQUIPMENT USED: LEICA DISTO D2000 AT MAX. 81.5 PPM & LEICA GPS RECEIVER.
 - 3) HORIZONTAL DATUM: CITY OF LYNDEN MONUMENT CONTROL, NAD83 (NAD83).
 - 4) SOURCE OF SURVEY: SURVEYOR'S OWN FIELD DATA.
 - 5) IN ACCORDANCE WITH THE REVISED CODE OF WASHINGTON (RCW) AND THE CHAPTER 22A.02, THE RECORD OF SURVEY OFFICE HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT REPRESENTS A POTENTIAL FOR CLASS OF TOWNSHIP TITLE. THIS REPORT DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE DATA THAT MAY BE MADE FROM THESE DRAWINGS AND TITLE CLAIMS.

CITY ENGINEER'S APPROVAL

EXAMINED AND APPROVED BY THE LYNDEN PUBLIC WORKS DEPARTMENT AS TO THE LAYOUT OF ROADS AND RIGHTS-OF-WAY AND ACCEPTANCE OF THE LOCATION AND/OR EXISTENCE ON BEHALF OF THE CITY OF LYNDEN IN ACCORDANCE WITH THE CITY OF LYNDEN DEVELOPMENT STANDARDS.

THIS _____ DAY OF _____ 2016.

STEVE BARNHART, P.E., CITY OF LYNDEN PUBLIC WORKS DIRECTOR

CITY PLANNING APPROVAL

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT FOR CONFORMANCE WITH APPLICABLE ZONING STATUTES AND CITY SUBDIVISION AND ZONING ORDINANCES AND HEREBY APPROVE THE SAME.

THIS _____ DAY OF _____ 2016.

HEIDI GARDNER, CITY OF LYNDEN PLANNING DIRECTOR

CITY PLANNING COMMISSION APPROVAL

EXAMINED AND APPROVED BY THE CITY OF LYNDEN IN ACCORDANCE WITH:

THIS _____ DAY OF _____ 2016.

CHRISTINA, CITY OF LYNDEN PLANNING COMMISSION

CITY COUNCIL APPROVAL

APPROVED BY THE COUNCIL OF THE CITY OF LYNDEN, WASHINGTON, BY AN ORDINANCE MADE AND ENTERED ON THIS _____ DAY OF _____ 2016.

BOBY JOHNSON, MAYOR, CITY OF LYNDEN ATTEST: CITY CLERK

LYNDEN UTILITIES APPROVAL

FRANK DEJONG, FINANCE DIRECTOR OF THE CITY OF LYNDEN, WASHINGTON, DO HEREBY CERTIFY THAT ALL THE OBLIGATIONS IN CONNECTION WITH THE COLLECTION OF SPECIAL ASSESSMENTS PAID BY THE CITY OF LYNDEN ON ALL LAND COVERED BY THIS PLAT AND THAT ALL CITY OBLIGATIONS FOR WHICH THE PROPERTY COVERED BY THIS PLAT MAY BE LIABLE AT THIS DATE, AND THAT ALL SPECIAL CITY OF LYNDEN ASSESSMENTS AGAINST THE PROPERTY IN THIS PLAT HAVE BEEN PAID.

ANTHONY BURNING, CITY OF LYNDEN FINANCE DIRECTOR DATE _____

WHATCOM COUNTY TREASURER'S CERTIFICATE

I, TREASURER OF WHATSON COUNTY, WASHINGTON, DO HEREBY CERTIFY THAT ALL TAXES REQUIRED BY LAW TO BE PAID UNDER THIS PLAT AND THAT ALL CITY OBLIGATIONS FOR WHICH THE PROPERTY COVERED BY THIS PLAT MAY BE LIABLE AT THIS DATE, AND THAT ALL SPECIAL CITY OF LYNDEN ASSESSMENTS AGAINST THE PROPERTY IN THIS PLAT HAVE BEEN PAID.

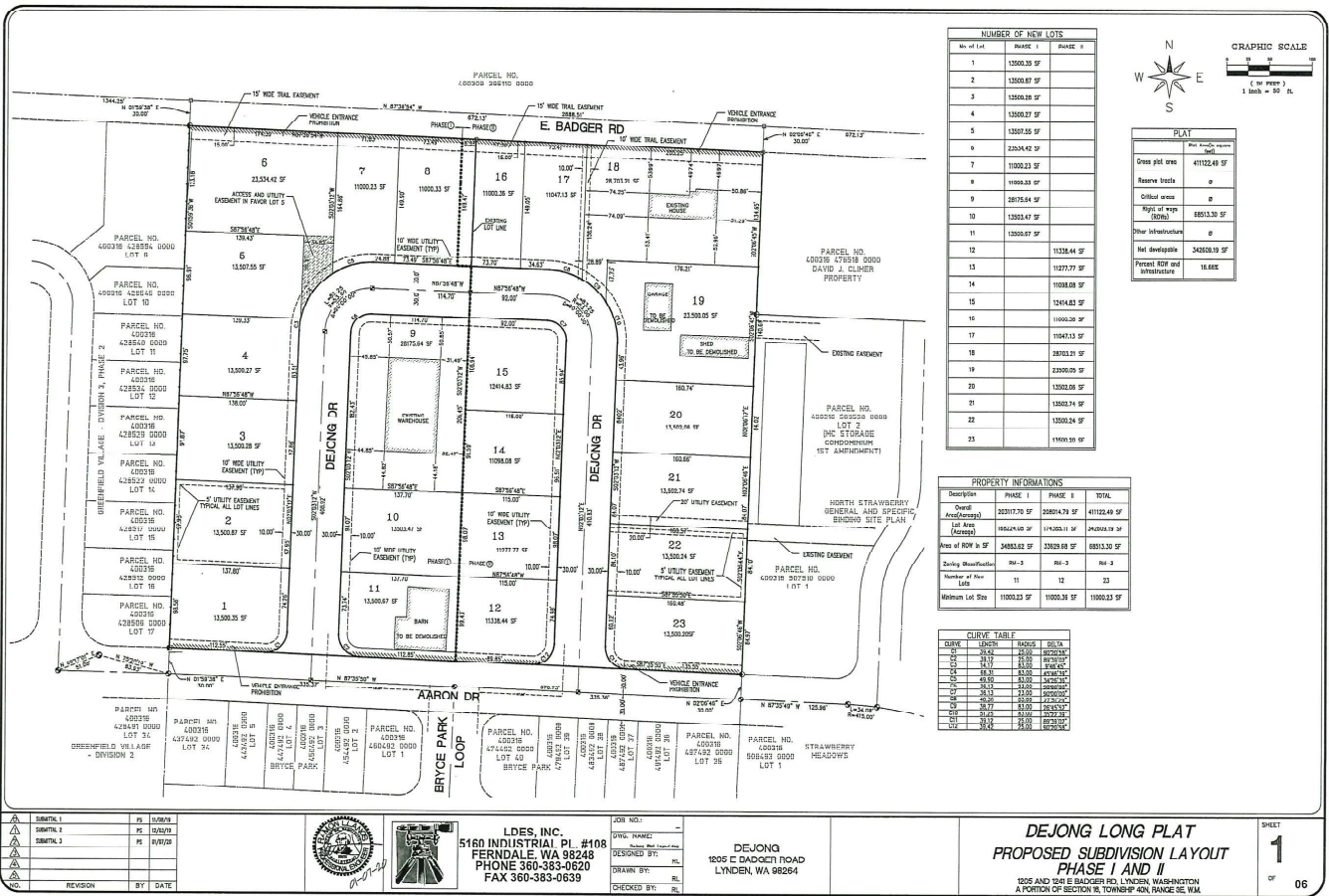
THIS _____ DAY OF _____ 2016.

TREASURER, WHATSON COUNTY, WASHINGTON

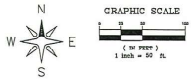


SEC. 16, TWP. 40 N., R. 3 E., S. 16, W. 3

AUDITOR'S CERTIFICATE Filed for record this _____ day of _____ 2016. in Book _____ of _____ 41 pages in official records under Auditor's File Number _____ at the request of _____ County Auditor	SURVEYOR'S CERTIFICATE This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Surveying Act and the requirements of the Surveying Act of 2000. CERTIFICATE No: 24218	 	LAND DEVELOPMENT ENGINEERING & SURVEYING INC. 5160 INDUSTRIAL PL. #108 PERDALE, WA 98248 Ph (360) 383-0620	DEJONG LONG PLAT JOB No. 1971 DWG No. 1971-PL-108 DATE: 12/16/16 SHEET: 1 of 2
---	--	---	--	---



NUMBER OF NEW LOTS		
No. of Lot	PHASE I	PHASE II
1	13500.25 SF	
2	13500.87 SF	
3	13500.88 SF	
4	13500.27 SF	
5	13507.55 SF	
6	23044.42 SF	
7	13500.23 SF	
8	10999.28 SF	
9	28175.04 SF	
10	13507.47 SF	
11	13500.67 SF	
12		11338.44 SF
13		11277.77 SF
14		11038.08 SF
15		12414.83 SF
16		11000.28 SF
17		11847.13 SF
18		28703.25 SF
19		23070.05 SF
20		13502.08 SF
21		13802.74 SF
22		13500.24 SF
23		13500.25 SF



PLAT	
Area of lot area	41122.48 SF
Reserve lands	0
Critical areas	0
Right of ways (feet)	68513.30 SF
Other infrastructure	0
Net developable	34269.18 SF
Percent R/W and infrastructure	16.68%

PROPERTY INFORMATION			
Description	PHASE I	PHASE II	TOTAL
Overall Area/acreage	30397.70 SF	28954.79 SF	41122.49 SF
Lot Area (Minimum)	10500.00 SF	117405.11 SF	242005.19 SF
Area of R/W in SF	34853.52 SF	33629.68 SF	68483.20 SF
Building Classification	RM-3	RM-3	RM-3
Number of New Lots	11	12	23
Minimum Lot Size	11000.25 SF	11000.25 SF	11000.25 SF

CURVE TABLE			
CHORD	LENGTH	ANGLE	AREA
10.00	10.00	90.00	78.54
15.00	15.00	90.00	176.71
20.00	20.00	90.00	314.16
25.00	25.00	90.00	451.61
30.00	30.00	90.00	589.06
35.00	35.00	90.00	726.51
40.00	40.00	90.00	863.96
45.00	45.00	90.00	1001.41
50.00	50.00	90.00	1138.86
55.00	55.00	90.00	1276.31
60.00	60.00	90.00	1413.76
65.00	65.00	90.00	1551.21
70.00	70.00	90.00	1688.66
75.00	75.00	90.00	1826.11
80.00	80.00	90.00	1963.56
85.00	85.00	90.00	2101.01
90.00	90.00	90.00	2238.46

REVISION	BY	DATE
1	PS	05/01/18
2	PS	05/01/18
3	PS	05/01/18



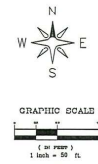
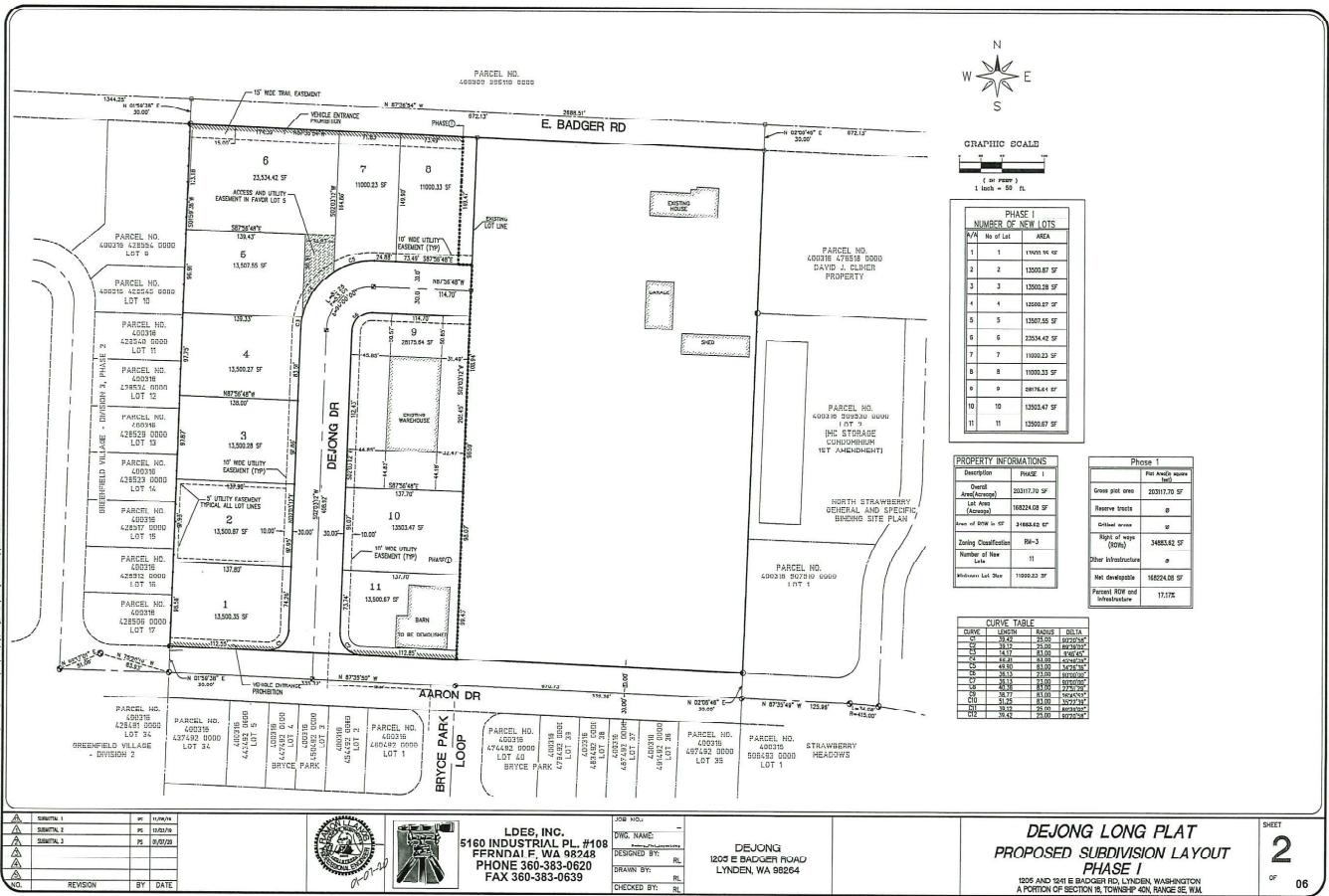
LDES, INC.
 5160 INDUSTRIAL PL #108
 FERNDALE, WA 98248
 PHONE 360-383-0620
 FAX 360-383-0639

JOB NO.:
 DWG. NAME:
 DESIGNED BY: RL
 DRAWN BY: RL
 CHECKED BY: RL

DEJONG
 1205 E BADGER ROAD
 LYNDEN, WA 98264

DEJONG LONG PLAT
PROPOSED SUBDIVISION LAYOUT
PHASE I AND II
 1205 AND 1206 E BADGER RD LYNDEN, WASHINGTON
 A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 9E, WM

SHEET **1**
 OF 06



PHASE 1 NUMBERS OF NEW LOTS		
N/A	No of Lot	AREA
1	1	11605.94 SF
2	2	13005.87 SF
3	3	13005.87 SF
4	4	13005.87 SF
5	5	13005.87 SF
6	6	23534.43 SF
7	7	10003.33 SF
8	8	10003.33 SF
9	9	28175.94 SF
10	10	13005.87 SF
11	11	13005.87 SF

PROPERTY INFORMATION	
Description	PHASE 1
Overall Area (Acres)	20317.70 SF
Lot Area (Acres)	18224.08 SF
Area of ROW in SF	31663.82 SF
Dating Classification	RI-3
Number of New Lots	11
Minimum Lot Size	10000.00 SF

Phase 1	
Overall Area	20317.70 SF
Reserve Area	0
Overall Area	0
Right of Way (ROW)	31663.82 SF
Other Infrastructure	0
Net Developable	18224.08 SF
Parcel ROW and Infrastructure	31663.82 SF

CURVE TABLE			
CHORD	LENGTH	RADIUS	DELTA
10	31.42	157.08	36.00
20	62.83	314.16	72.00
30	94.24	471.24	108.00
40	125.65	628.32	144.00
50	157.06	785.40	180.00
60	188.47	942.48	216.00
70	219.88	1099.56	252.00
80	251.29	1256.64	288.00
90	282.70	1413.72	324.00
100	314.11	1570.80	360.00

NO.	REVISION	BY	DATE
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2	INITIAL 2	PS	10/08/08
3	INITIAL 3	PS	10/08/08

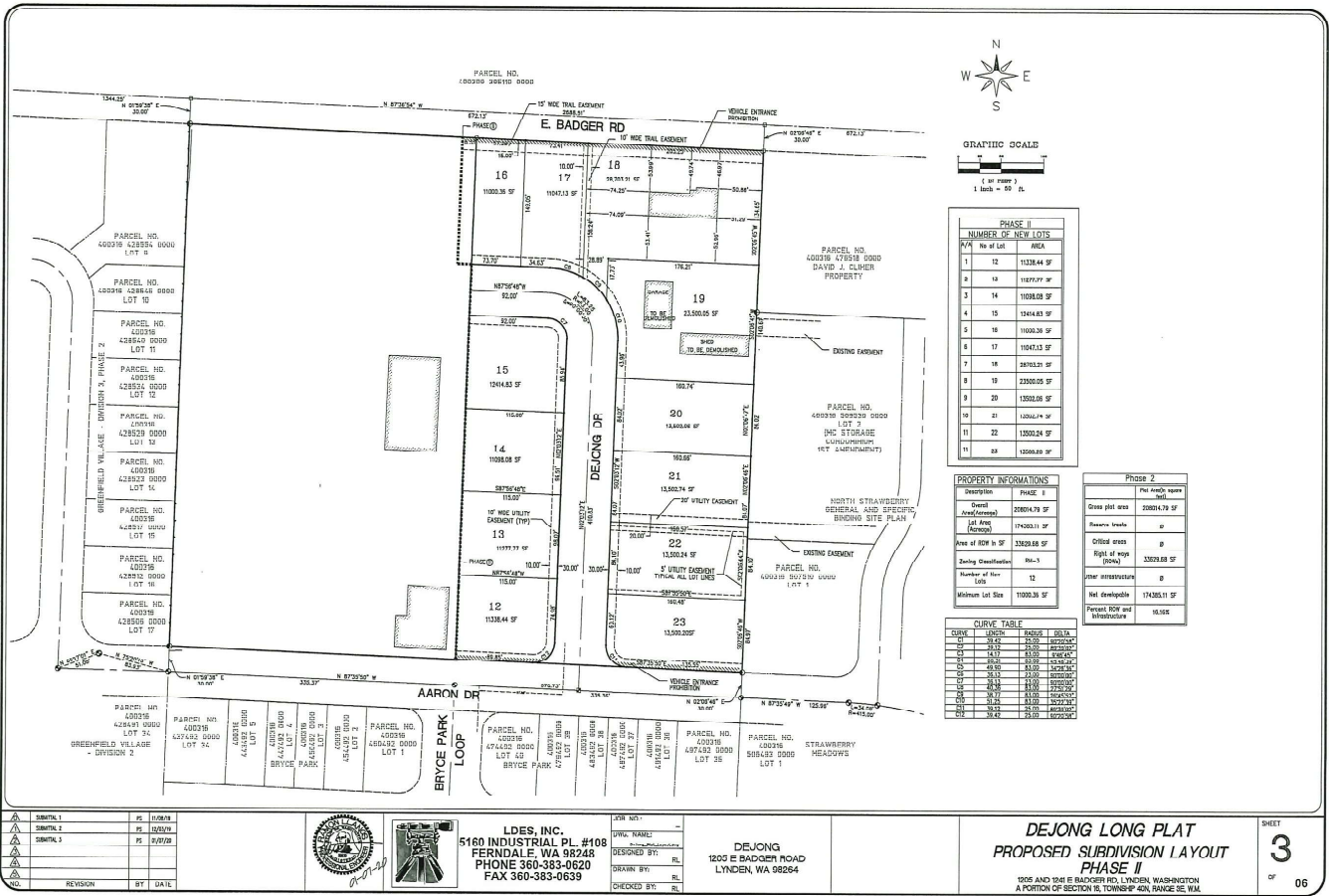
LDES, INC.
 5160 INDUSTRIAL PL. #108
 FERNDAI F. WA 98248
 PHONE 360-363-0620
 FAX 360-363-0639

DEJONG
 1203 E BADGER ROAD
 LYNDEN, WA 98264

**DEJONG LONG PLAT
 PROPOSED SUBDIVISION LAYOUT
 PHASE 1**

025 AND 026 E BADGER RD, LYNDEN, WASHINGTON
 A PORTION OF SECTION 18, TOWNSHIP 42N, RANGE 9E, W1M

SHEET
2
 OF 06



PHASE II		
Lot #	No of Lot	AREA
1	12	11328.44 SF
2	13	11877.77 SF
3	14	11038.08 SF
4	15	12414.83 SF
5	16	11000.36 SF
6	17	10471.13 SF
7	18	28703.25 SF
8	19	23500.05 SF
9	20	13502.06 SF
10	21	13502.74 SF
11	22	13502.24 SF
12	23	13500.23 SF

PROPERTY INFORMATION	
Description	Phase II
Overall Lot Area (Acres)	20804.79 SF
Lot Area (Acres)	17400.11 SF
Area of ROW in SF	13628.58 SF
Building Classification	SM-1
Number of Lots	12
Minimum Lot Size	11000.36 SF

Phase 2	
Description	Per Acre
Gross plot area	20804.79 SF
Net developable	0
Right of way (ROW)	13628.58 SF
Per acre infrastructure	0
Net developable	17400.11 SF
Per acre infrastructure	16.56%

CURVE TABLE			
Curve	Length	Radius	Delta
C1	11.72	25.00	87.200°
C2	14.72	25.00	87.200°
C3	14.72	25.00	87.200°
C4	14.72	25.00	87.200°
C5	14.72	25.00	87.200°
C6	14.72	25.00	87.200°
C7	14.72	25.00	87.200°
C8	14.72	25.00	87.200°
C9	14.72	25.00	87.200°
C10	14.72	25.00	87.200°
C11	14.72	25.00	87.200°
C12	14.72	25.00	87.200°

NO.	REVISION	BY	DATE
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2	INITIAL	PS	03/09/19
3	INITIAL	PS	03/09/19



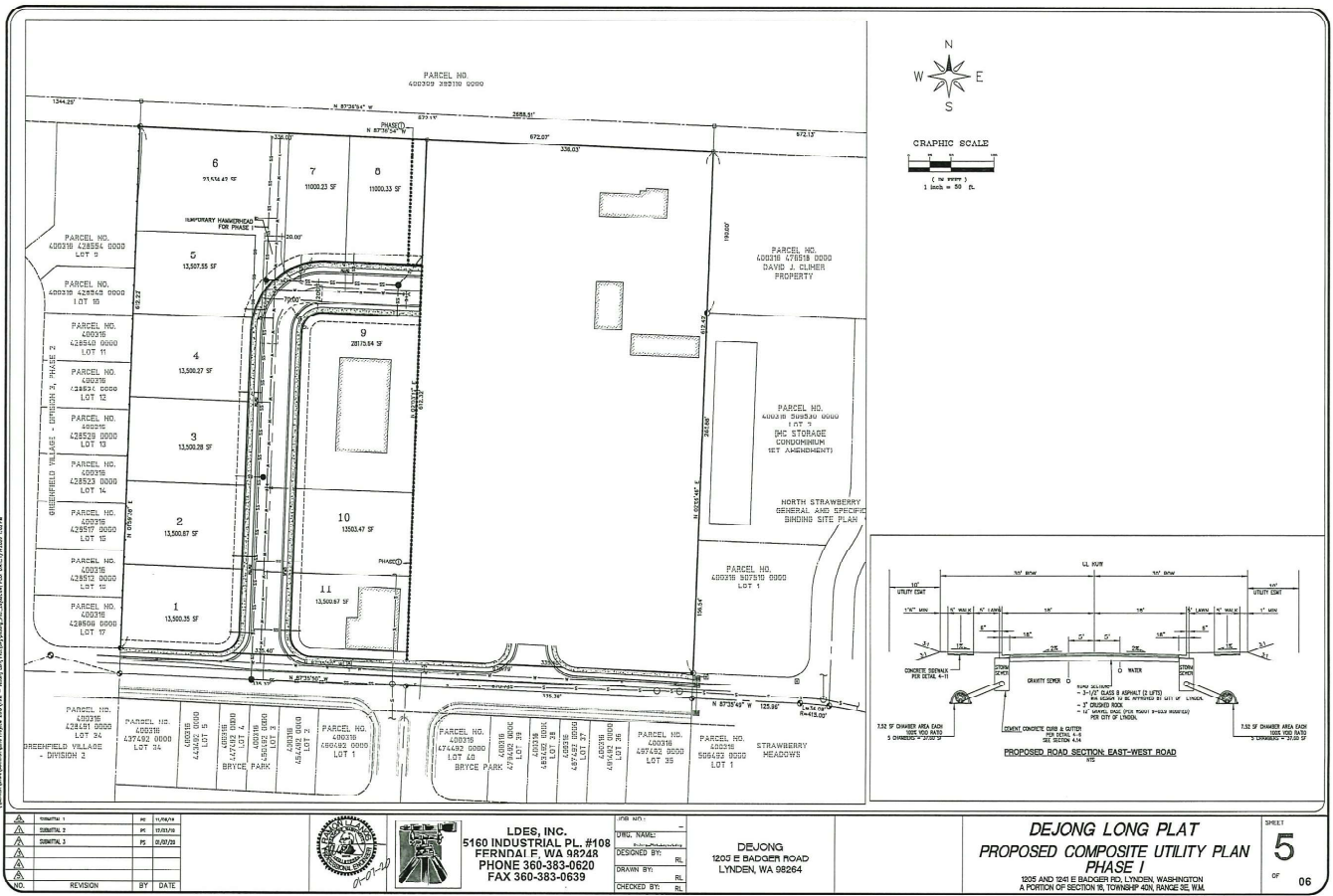
LDES, INC.
 5160 INDUSTRIAL PL #108
 FERNDALE, WA 98248
 PHONE 360-363-0620
 FAX 360-363-0639

DESIGNED BY: RL
 DRAWN BY: RL
 CHECKED BY: RL

DEJONG
 1203 E BADGER ROAD
 LYNDEN, WA 98264

DEJONG LONG PLAT
PROPOSED SUBDIVISION I LAYOUT
PHASE II

056 AND 041 E BADGER RD, LYNDEN, WASHINGTON
 A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 9E, W4M.



NO.	REVISION	BY	DATE
1	INITIALS	RL	01/01/01
2	REVISION	RL	01/01/01
3	REVISION	RL	01/01/01



LDES, INC.
 5160 INDUSTRIAL PL. #108
 FERNDALE, WA 98248
 PHONE 360-383-0620
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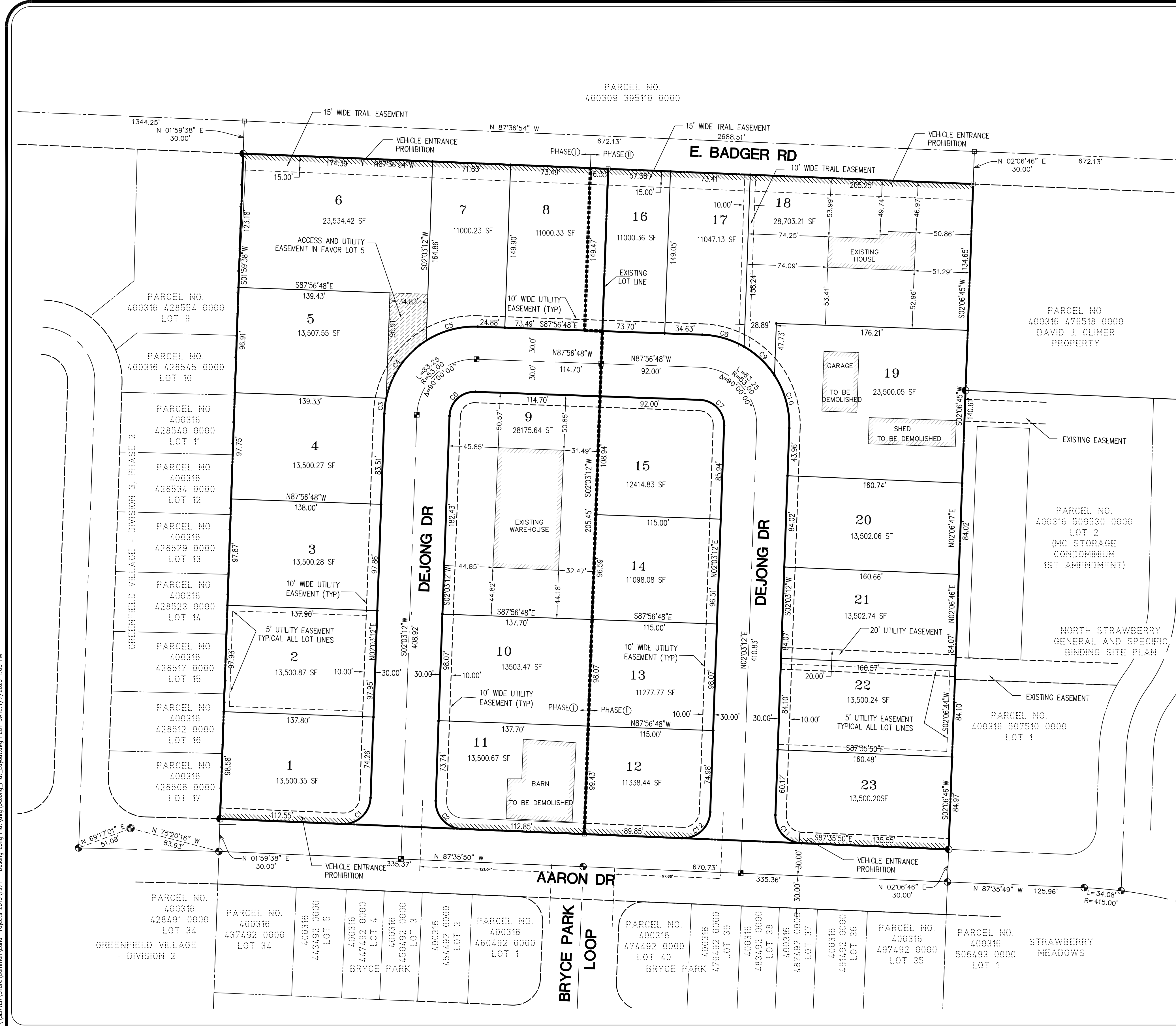
PROJECT NAME:
 DESIGNED BY: RL
 DRAWN BY: RL
 CHECKED BY: RL

DEJONG
 1203 E BADGER ROAD
 LYNDEN, WA 98264

DEJONG LONG PLAT
PROPOSED COMPOSITE UTILITY PLAN
PHASE 1

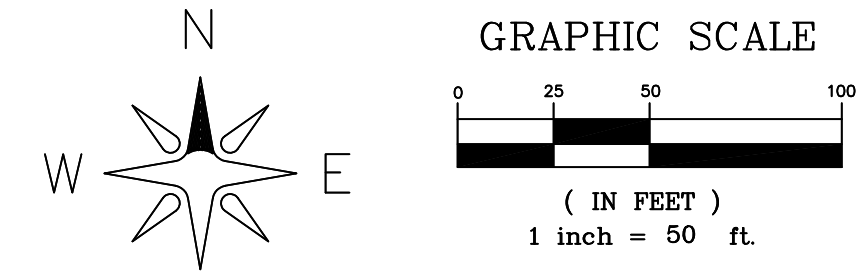
SHEET
5
 OF
 06

1203 AND 1204 E BADGER RD., LYNDEN, WASHINGTON
 A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 3E, W4M



NUMBER OF NEW LOTS

No of Lot	PHASE I	PHASE II
1	13500.35 SF	
2	13500.87 SF	
3	13500.28 SF	
4	13500.27 SF	
5	13507.55 SF	
6	23534.42 SF	
7	11000.23 SF	
8	11000.33 SF	
9	28175.64 SF	
10	13503.47 SF	
11	13500.67 SF	
12		11338.44 SF
13		11277.77 SF
14		11098.08 SF
15		12414.83 SF
16		11000.36 SF
17		11047.13 SF
18		28703.21 SF
19		23500.05 SF
20		13502.06 SF
21		13502.74 SF
22		13500.24 SF
23		13500.20 SF



PLAT

	Plat Area (in square feet)
Gross plat area	411122.49 SF
Reserve tracts	0
Critical areas	0
Right of ways (ROWs)	68513.30 SF
Other infrastructure	0
Net developable	342609.19 SF
Percent ROW and Infrastructure	16.66%

PROPERTY INFORMATIONS

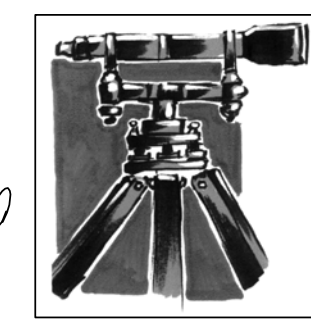
Description	PHASE I	PHASE II	TOTAL
Overall Area (Acreage)	203117.70 SF	208014.79 SF	411122.49 SF
Lot Area (Acreage)	168224.08 SF	174385.11 SF	342609.19 SF
Area of ROW in SF	34883.62 SF	33629.68 SF	68513.30 SF
Zoning Classification	RM-3	RM-3	RM-3
Number of New Lots	11	12	23
Minimum Lot Size	11000.23 SF	11000.36 SF	11000.23 SF

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	39.42	25.00	90°20'58"
C2	39.12	25.00	89°39'02"
C3	14.17	83.00	9°46'45"
C4	66.31	83.00	45°46'39"
C5	49.90	83.00	34°26'36"
C6	36.13	23.00	90°00'00"
C7	36.13	23.00	90°00'00"
C8	40.36	83.00	27°51'29"
C9	38.77	83.00	26°45'52"
C10	51.25	83.00	35°22'39"
C11	39.12	25.00	89°39'02"
C12	39.42	25.00	90°20'58"

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NO.	REVISION	BY	DATE
1	SUBMITTAL 1	PS	11/08/19
2	SUBMITTAL 2	PS	12/03/19
3	SUBMITTAL 3	PS	01/07/20

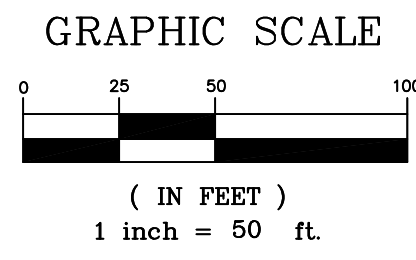
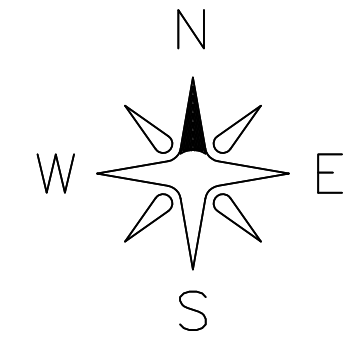


LDES, INC.
5160 INDUSTRIAL PL. #108
FERNDALE, WA 98248
PHONE 360-383-0620
FAX 360-383-0639

JOB NO.:	-
DWG. NAME:	Dejong_Plat_Layout.dwg
DESIGNED BY:	RL
DRAWN BY:	RL
CHECKED BY:	RL

DEJONG
1205 E BADGER ROAD
LYNDEN, WA 98264

DEJONG LONG PLAT
PROPOSED SUBDIVISION LAYOUT
PHASE I AND II
1205 AND 1241 E BADGER RD, LYNDEN, WASHINGTON
A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 3E, W.M.

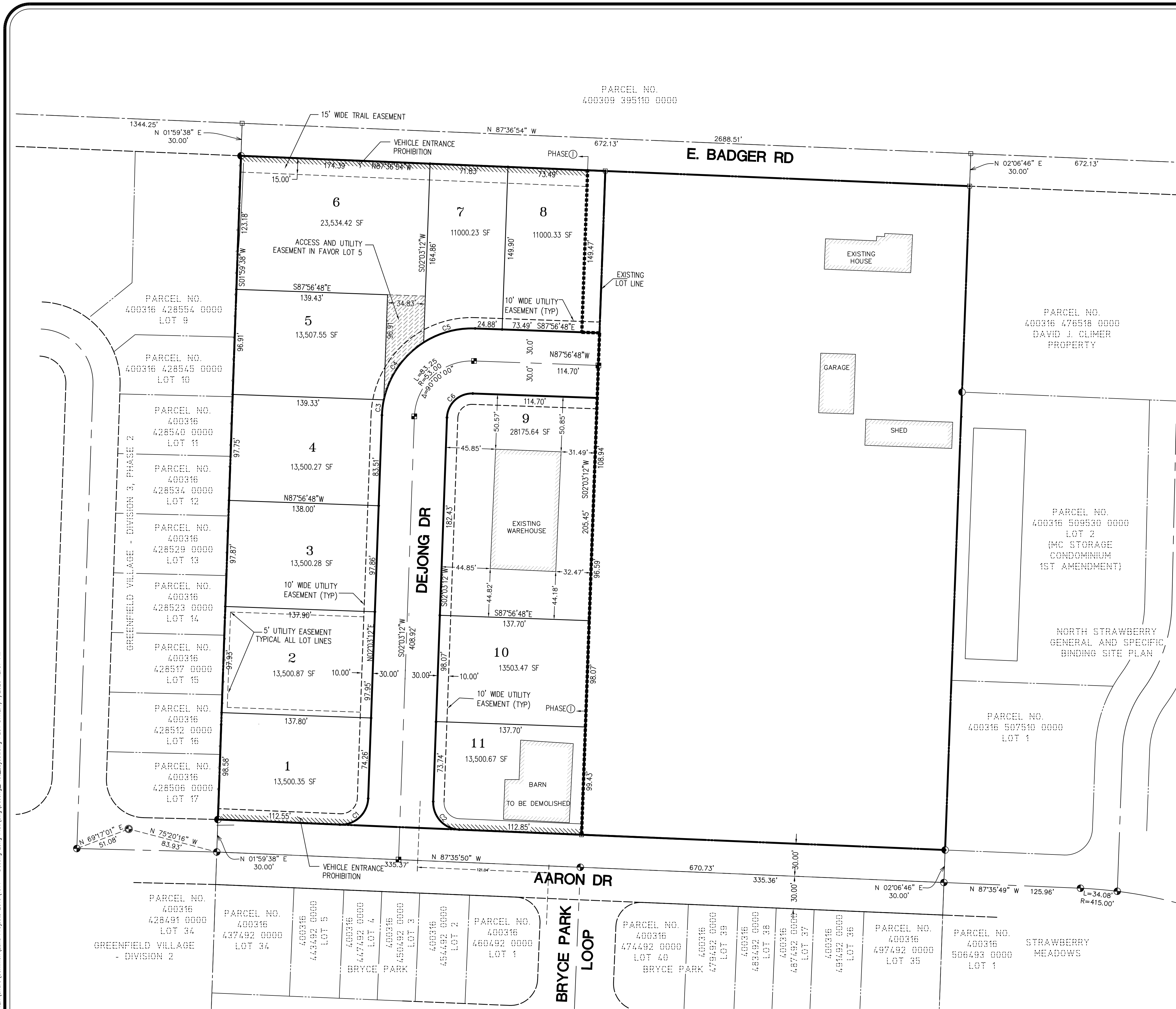


PHASE I NUMBER OF NEW LOTS		
A/A	No of Lot	AREA
1	1	13500.35 SF
2	2	13500.87 SF
3	3	13500.28 SF
4	4	13500.27 SF
5	5	13507.55 SF
6	6	23534.42 SF
7	7	11000.23 SF
8	8	11000.33 SF
9	9	28175.64 SF
10	10	13503.47 SF
11	11	13500.67 SF

PROPERTY INFORMATIONS	
Description	PHASE I
Overall Area (Acreage)	203117.70 SF
Lot Area (Acreage)	168224.08 SF
Area of ROW in SF	34883.62 SF
Zoning Classification	RM-3
Number of New Lots	11
Minimum Lot Size	11000.23 SF

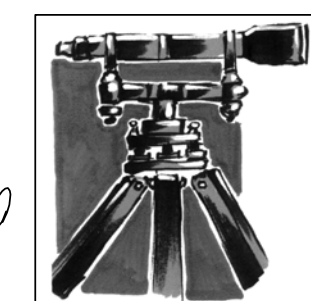
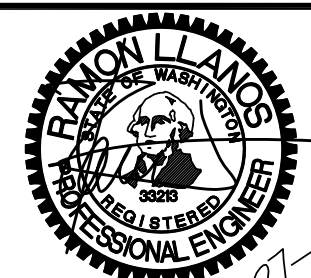
Phase 1	
Description	Plot Area (in square feet)
Gross plot area	203117.70 SF
Reserve tracts	∅
Critical areas	∅
Right of ways (ROWS)	34883.62 SF
Other infrastructure	∅
Net developable	168224.08 SF
Percent ROW and Infrastructure	17.17%

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	39.42	25.00	90°20'58"
C2	39.12	25.00	89°39'02"
C3	14.17	83.00	9°46'45"
C4	66.31	83.00	45°46'39"
C5	49.90	83.00	34°28'36"
C6	36.13	23.00	90°00'00"
C7	36.13	23.00	90°00'00"
C8	40.36	83.00	27°51'29"
C9	38.77	83.00	26°45'52"
C10	51.25	83.00	35°22'39"
C11	39.12	25.00	89°39'02"
C12	39.42	25.00	90°20'58"



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NO.	REVISION	BY	DATE
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2	SUBMITTAL 2	PS	12/03/19
3	SUBMITTAL 3	PS	01/07/20

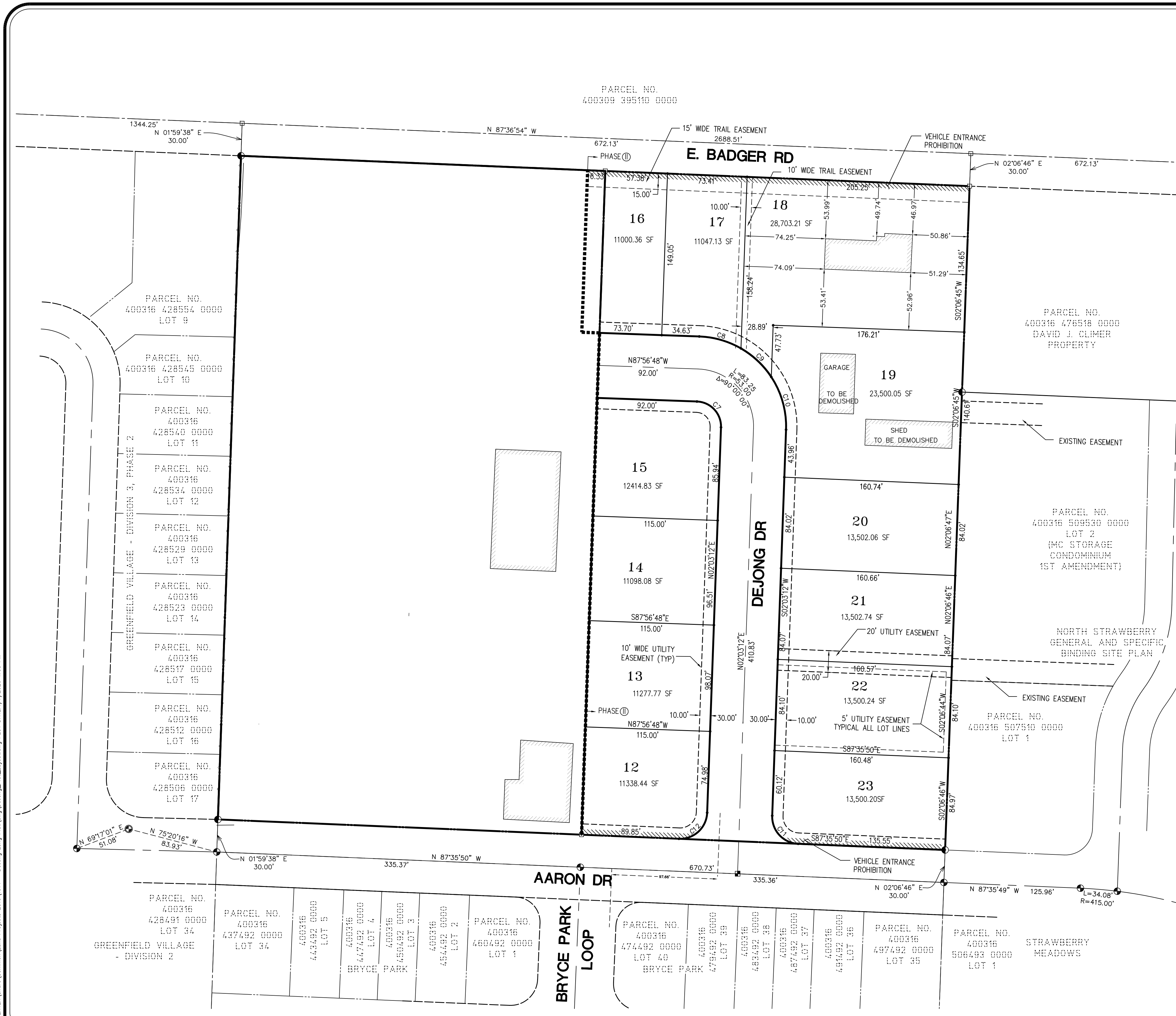
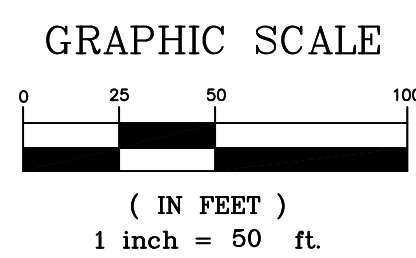
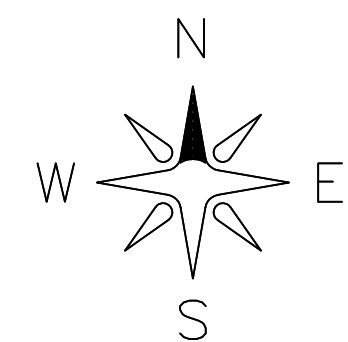


LDES, INC.
 5160 INDUSTRIAL PL. #108
 FERNDALE, WA 98248
 PHONE 360-383-0620
 FAX 360-383-0639

JOB NO.:	-
DWG. NAME:	Dejong_Plat_Layout.dwg
DESIGNED BY:	RL
DRAWN BY:	RL
CHECKED BY:	RL

DEJONG
 1205 E BADGER ROAD
 LYNDEN, WA 98264

**DEJONG LONG PLAT
 PROPOSED SUBDIVISION LAYOUT
 PHASE I**
 1205 AND 1241 E BADGER RD, LYNDEN, WASHINGTON
 A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 3E, W.M.



PHASE II NUMBER OF NEW LOTS		
A/A	No of Lot	AREA
1	12	11338.44 SF
2	13	11277.77 SF
3	14	11098.08 SF
4	15	12414.83 SF
5	16	11000.36 SF
6	17	11047.13 SF
7	18	28703.21 SF
8	19	23500.05 SF
9	20	13502.06 SF
10	21	13502.74 SF
11	22	13500.24 SF
11	23	13500.20 SF

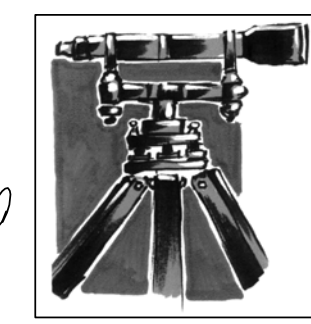
PROPERTY INFORMATIONS	
Description	PHASE II
Overall Area (Acreage)	208014.79 SF
Lot Area (Acreage)	174385.11 SF
Area of ROW in SF	33629.68 SF
Zoning Classification	RM-3
Number of New Lots	12
Minimum Lot Size	11000.36 SF

Phase 2	
	Plot Area (in square feet)
Gross plot area	208014.79 SF
Reserve tracts	0
Critical areas	0
Right of ways (ROWs)	33629.68 SF
Other infrastructure	0
Net developable	174385.11 SF
Percent ROW and Infrastructure	16.16%

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	39.42	25.00	90°20'58"
C2	39.12	25.00	89°39'02"
C3	14.17	83.00	9°46'45"
C4	66.31	83.00	45°46'39"
C5	49.90	83.00	34°26'36"
C6	36.13	23.00	90°00'00"
C7	36.13	23.00	90°00'00"
C8	40.36	83.00	27°51'29"
C9	38.77	83.00	26°45'52"
C10	51.25	83.00	35°22'39"
C11	39.12	25.00	89°39'02"
C12	39.42	25.00	90°20'58"

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NO.	REVISION	BY	DATE
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2	SUBMITAL 2	PS	12/03/19
3	SUBMITAL 3	PS	01/07/20

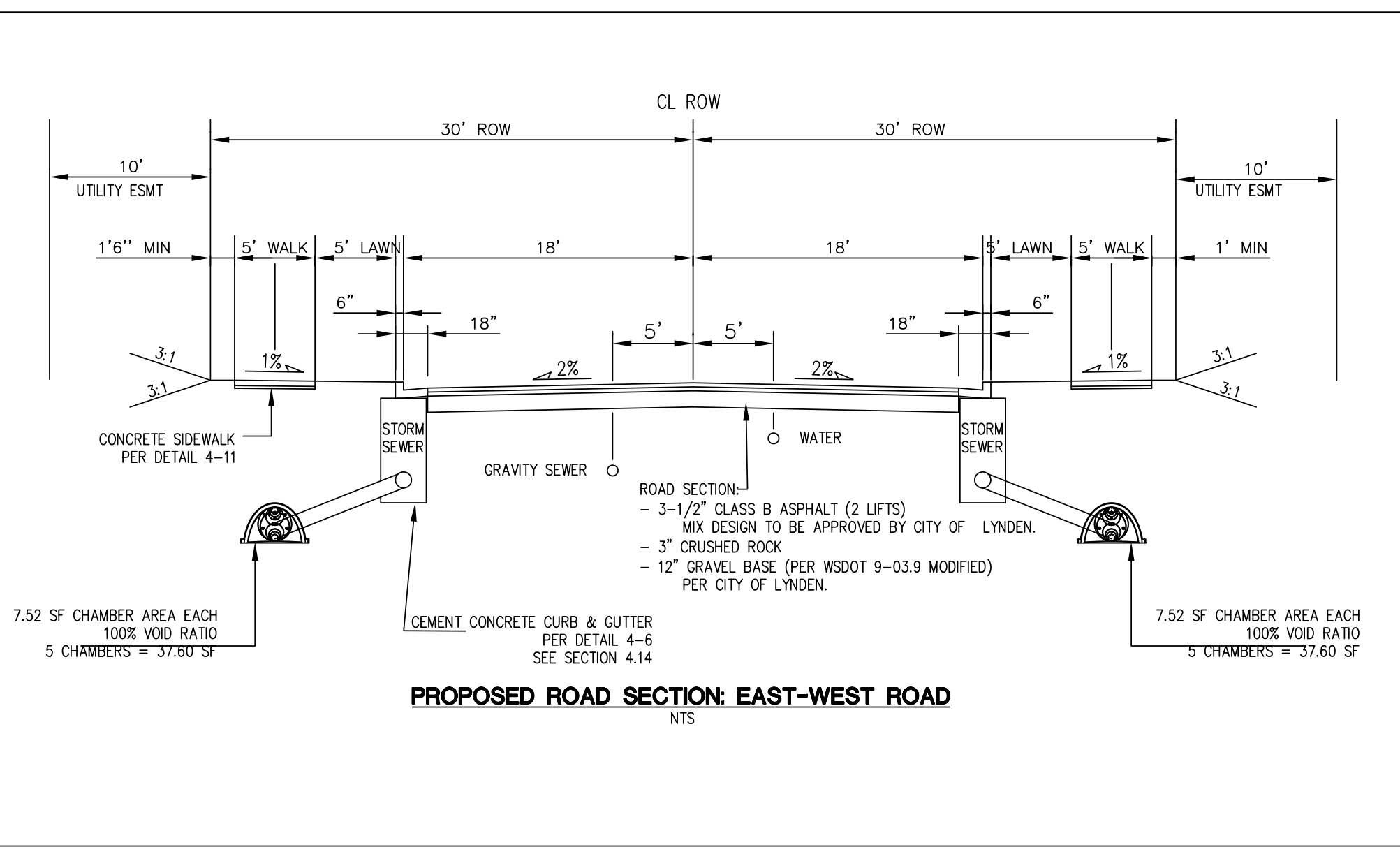
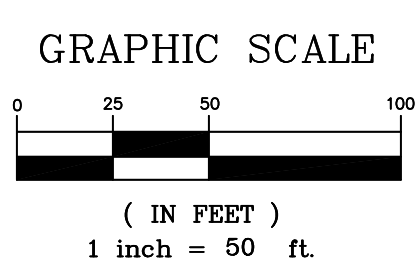
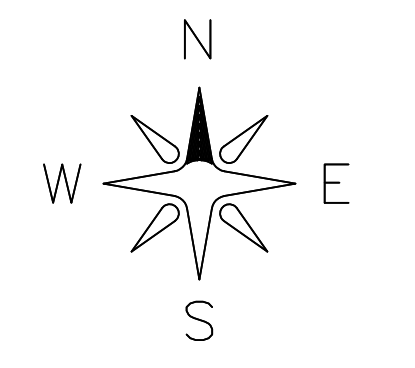
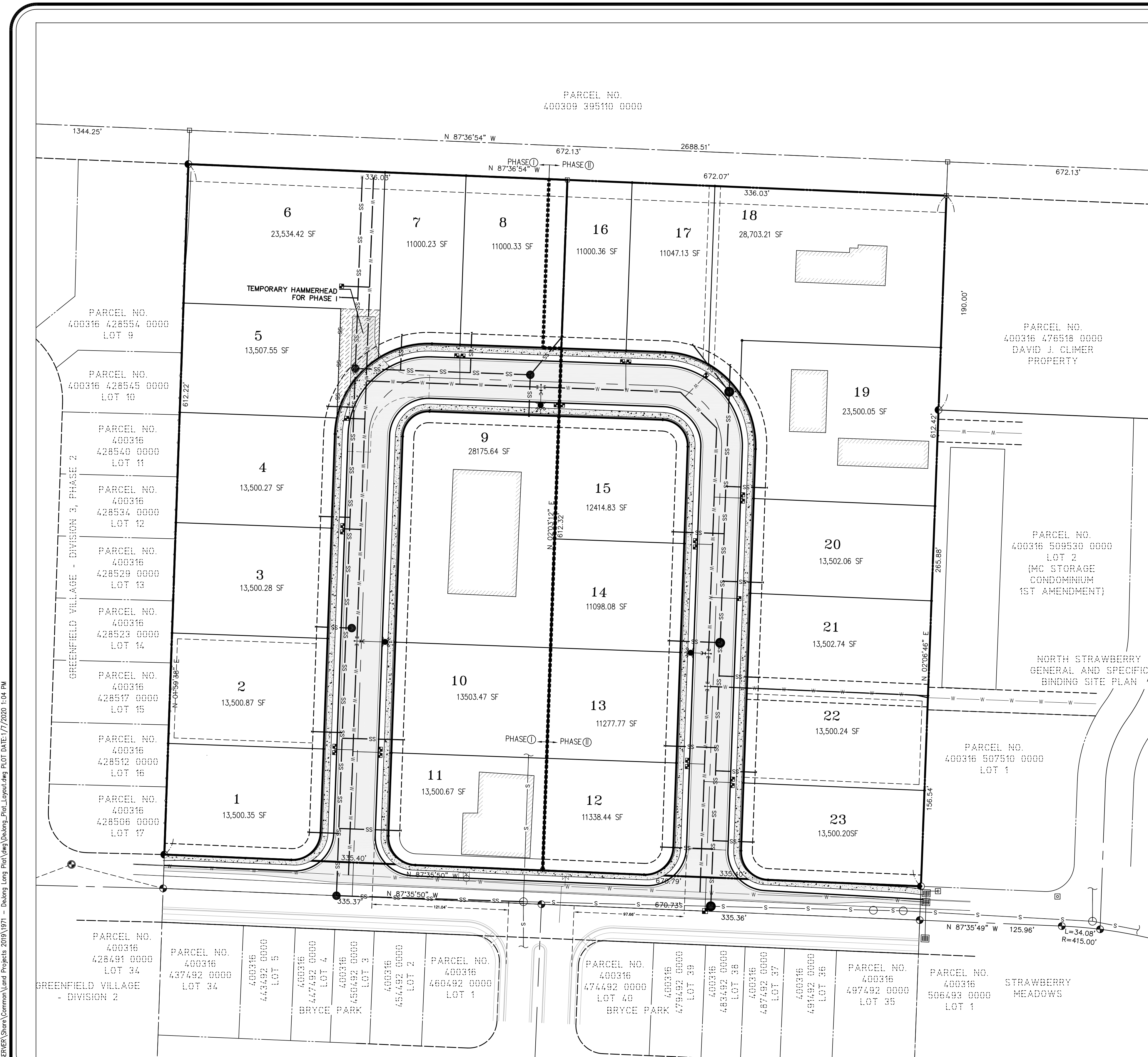


LDES, INC.
 5160 INDUSTRIAL PL. #108
 FERNDALE, WA 98248
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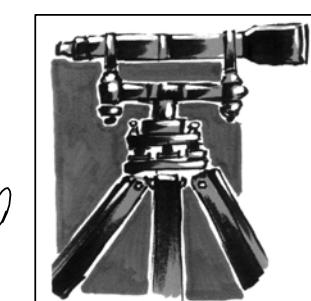
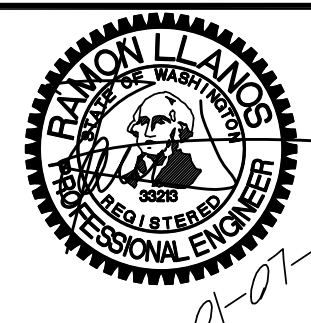
JOB NO.:	-
DWG. NAME:	Dejong_Plat_Layout.dwg
DESIGNED BY:	RL
DRAWN BY:	RL
CHECKED BY:	RL

DEJONG
 1205 E BADGER ROAD
 LYNDEN, WA 98264

**DEJONG LONG PLAT
 PROPOSED SUBDIVISION LAYOUT
 PHASE II**
 1205 AND 1241 E BADGER RD, LYNDEN, WASHINGTON
 A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 3E, W.M.



△	SUBMITAL 1	PS	11/08/19
△	SUBMITAL 2	PS	12/03/19
△	SUBMITAL 3	PS	01/07/20
△			
△			
NO.	REVISION	BY	DATE



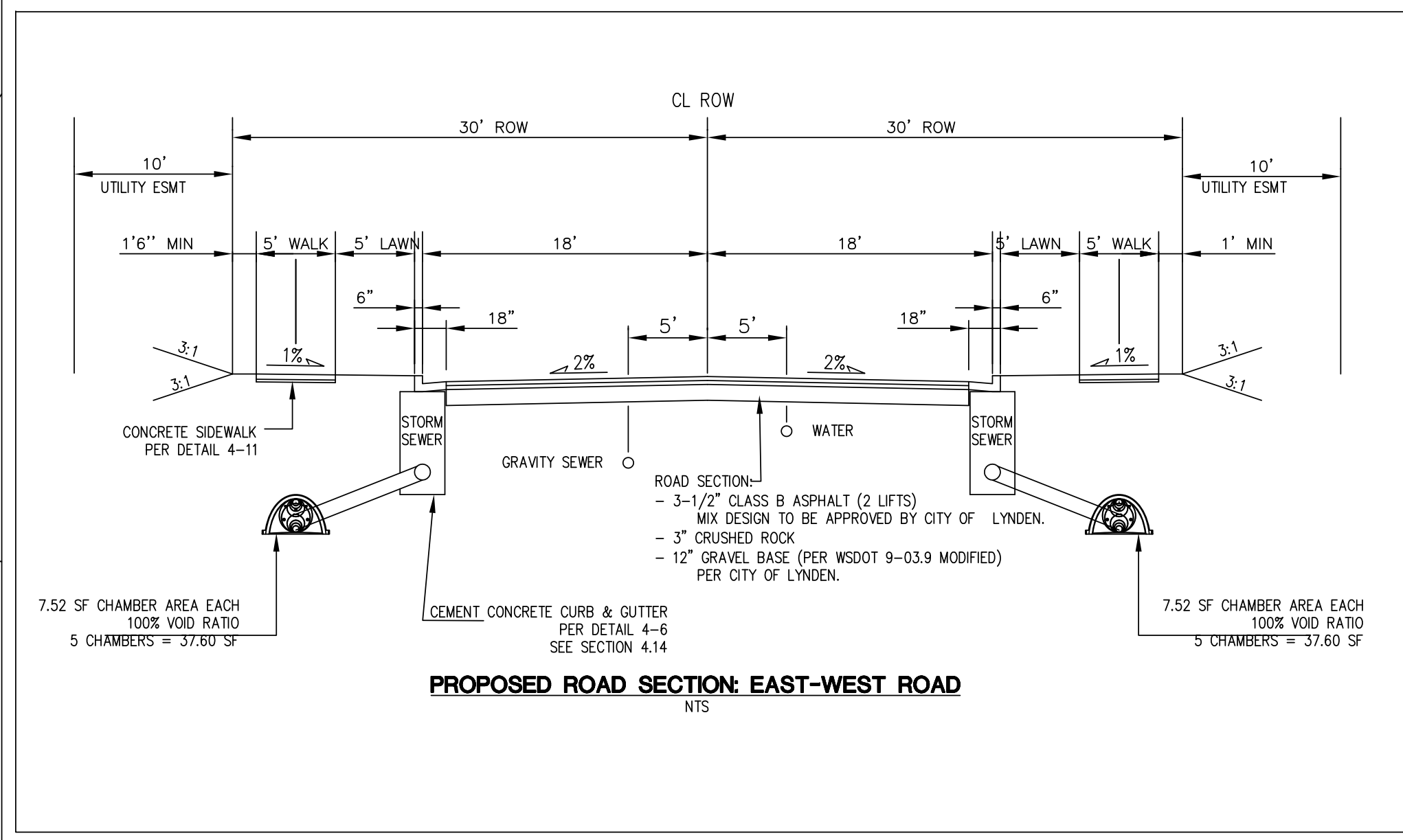
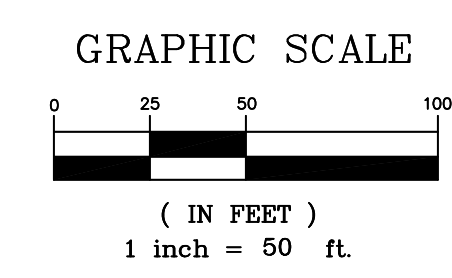
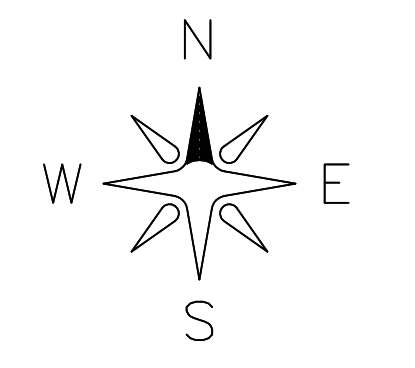
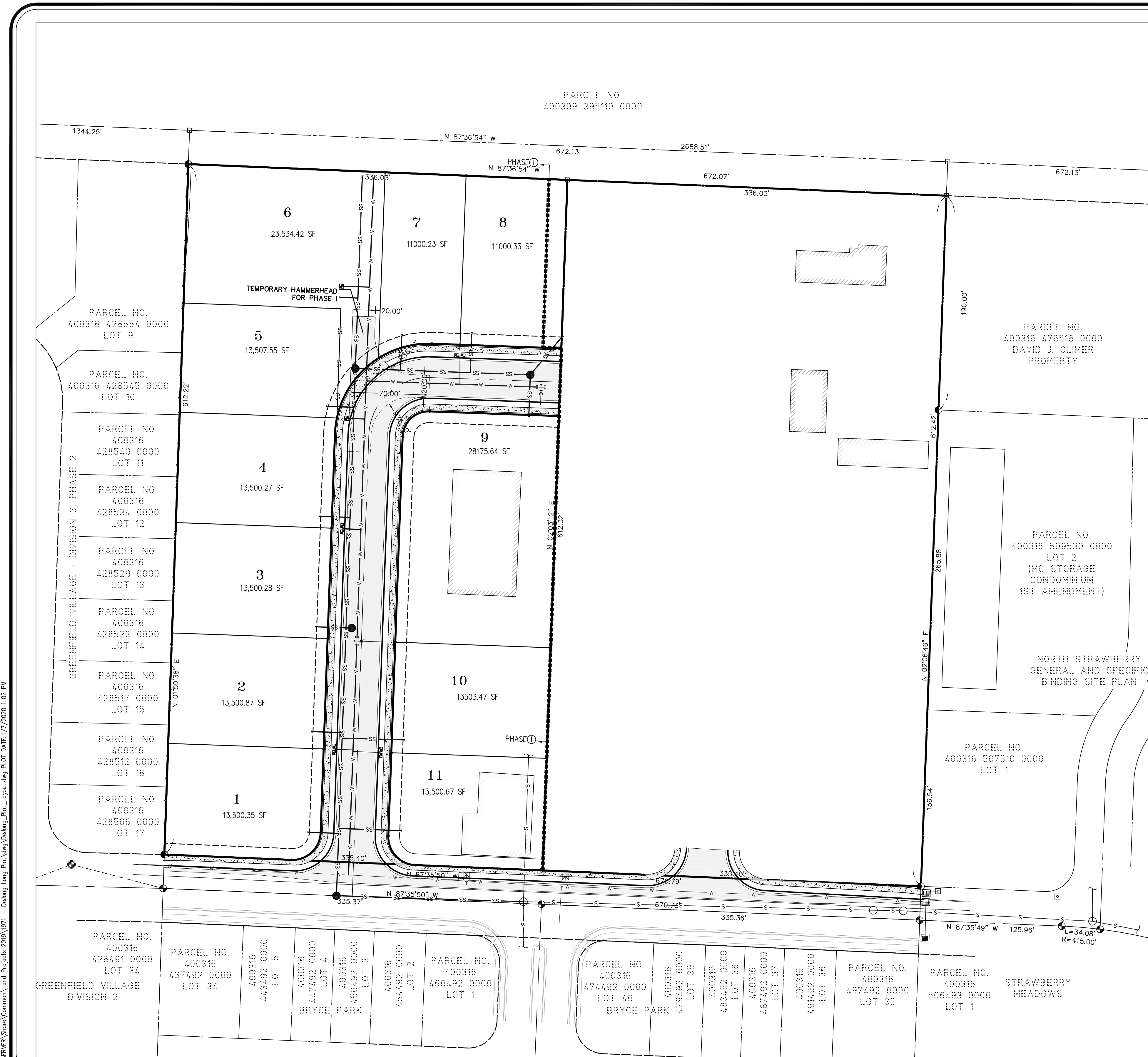
LDES, INC.
5160 INDUSTRIAL PL. #108
FERNDAL, WA 98248
PHONE 360-383-0620
FAX 360-383-0639

JOB NO.:	-
DWG. NAME:	DeJong_Plat_Layout.dwg
DESIGNED BY:	RL
DRAWN BY:	RL
CHECKED BY:	RL

DEJONG
1205 E BADGER ROAD
LYNDEN, WA 98264

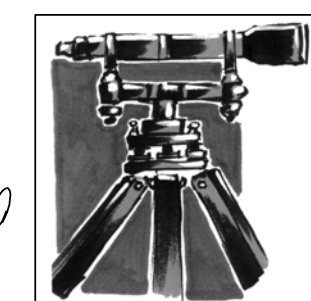
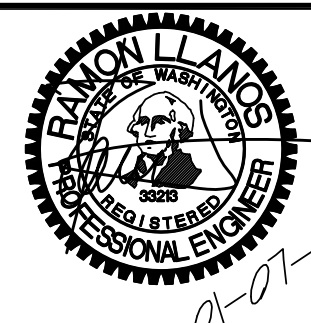
DEJONG LONG PLAT
PROPOSED COMPOSITE UTILITY PLAN
PHASE I AND II
1205 AND 1241 E BADGER RD, LYNDEN, WASHINGTON
A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 3E, W.M.

SHEET
4
OF
06



\\SERVER\Share\Common\Land Projects\2019\1971 - DeJong Long Plat\DWG\DeJong_Plat_Layout.dwg PLOT DATE: 1/7/2020 1:02 PM

▲	SUBMITTAL 1	PS	11/08/19
▲	SUBMITTAL 2	PS	12/03/19
▲	SUBMITTAL 3	PS	01/07/20
▲			
▲			
NO.	REVISION	BY	DATE



LDES, INC.
 5160 INDUSTRIAL PL. #108
 FERNDALE, WA 98248
 PHONE 360-383-0620
 FAX 360-383-0639

JOB NO.:	-
DWG. NAME:	DeJong_Plat_Layout.dwg
DESIGNED BY:	RL
DRAWN BY:	RL
CHECKED BY:	RL

DEJONG
 1205 E BADGER ROAD
 LYNDEN, WA 98264

DEJONG LONG PLAT
PROPOSED COMPOSITE UTILITY PLAN
PHASE I
 1205 AND 1241 E BADGER RD, LYNDEN, WASHINGTON
 A PORTION OF SECTION 16, TOWNSHIP 40N, RANGE 3E, W.M.

SHEET
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 OF
 06

CITY OF LYNDEN
PLANNING COMMISSION RESOLUTION #19-02

**A resolution of recommendation for the approval of the
DeJong Long Plat**

WHEREAS, Eldon and Renae DeJong, hereinafter called the "Proponents," submitted a complete application to the City of Lynden, hereinafter called "the City," for the subdivision of approximately 9.44 acres into 23 residential multi-family lots within the RM-3 zone at 1205 E Badger Road in Lynden.

WHEREAS, the RM-3 zone permits the development of multi-family buildings of up to 12 units per building. Chapter 19.17 of the Lynden Municipal Code outlines the minimum lot size and associated requirements; and

WHEREAS, the application was determined complete on December 4, 2019, and the notice of application was published in the Lynden Tribune on December 31, 2019; and

WHEREAS, the Proponent has provided the City with receipts for the certified mailing of all required notices to all property owners within three hundred feet of the subject property together with the affidavits of posting said notices; and

WHEREAS, the proposal was reviewed under the State Environmental Policy Act and a mitigated determination of non-significance was issued for the project, and

WHEREAS, the development is consistent with the Comprehensive Plan and meets the applicable requirements and intent of the Lynden Municipal Code (LMC).

WHEREAS, the long plat meets the criteria for approval as required under Lynden Municipal Code 18.12.030, and as outlined below; and

WHEREAS, the Lynden Planning Commission held a public hearing on January 23, 2020, at the City of Lynden, City Hall Annex, 205 4th Street, Lynden, Washington, to accept public testimony on the proposed subdivision and that meeting was duly recorded;

WHEREAS, the City's Technical Review Committee has reviewed the request for the subdivision of the property and has provided comments and recommendations to the Planning Commission in a report dated January 2, 2020, and

WHEREAS, the Lynden Planning Commission has reviewed the application and has made the following findings of fact for recommending **approval** the DeJong Long Plat:

1. The application complies with Chapter 18.06 of this Title, General Requirements for Subdivision Approval.
2. The application complies with lot and plat design standards as required under Chapter 18.14 of this Title, unless specifically varied through the Development Standards Variance process outlined in LMC Chapter 17.17.

3. The application complies with the development standards and requirements listed under this title and the Project Manual for Engineering Design and Development Standards, unless specifically varied through the Development Standards Variance process outlined in LMC Chapter 17.17.
4. The application complies with all other applicable provisions of the Lynden Municipal Code, including LMC Chapter 17.15 regarding adequate public facilities and LMC Chapter 13.24 regarding stormwater management.
5. Appropriate provisions are made for, but not limited to; the public health, safety and general welfare, for open spaces and drainage ways, for roads, streets, alleys and transit stops, for potable water supply, sanitary sewer, stormwater management, parks and recreation, and shall consider all other relevant facts including sidewalks and other pedestrian corridors, and amenities that improve the quality of the neighborhood;
6. That the subdivision and dedication will serve the public interest.

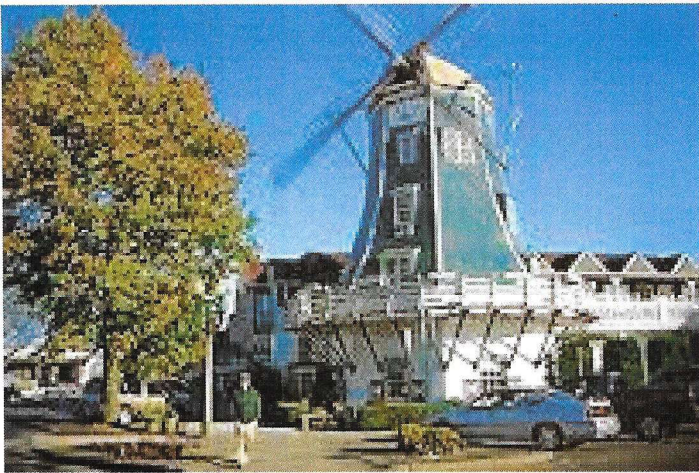
NOW THEREFORE, BE IT RESOLVED by the Lynden Planning Commission to recommend approval of the **DeJong Long Plat #19-02** by a vote of 4-0, to the Lynden City Council, subject to the Technical Review Committee Report dated January 2, 2020 and further subject to the following conditions:

- The plat to include a 30-foot wide utility easement over the proposed public water and sewer extensions shown on Lot 6.
- Additional vehicular access and street facing garages be prohibited on Aaron Drive frontages.
- Planning Commission did not support the staff suggested plat condition that "Buildings along the Aaron Drive frontage (lots 1, 11, 12, and 23) be required to be oriented so that front doors rather than rear yards are facing Aaron Drive" as front doors located along the Aaron Drive frontage would promote on-street parking.
- Second story balconies along the Aaron Drive frontage (lots 1, 11, 12 and 23) must be appropriately screened from the street right-of-way.

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their regular meeting held on the 23rd day of January 2020.

Diane Veltkamp, Chairperson
Lynden Planning Commission

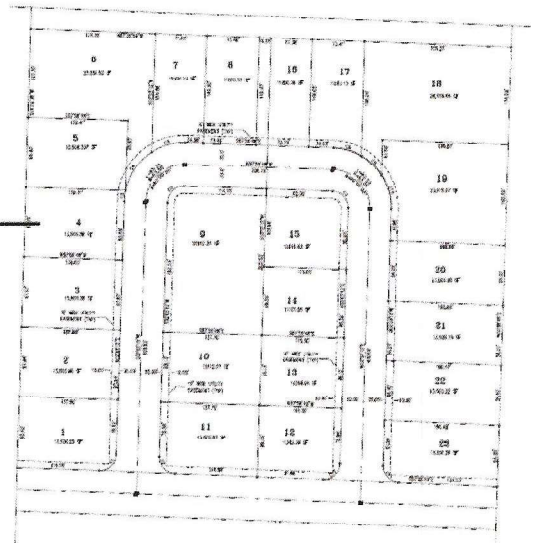
Heidi Gudde,
Planning Director



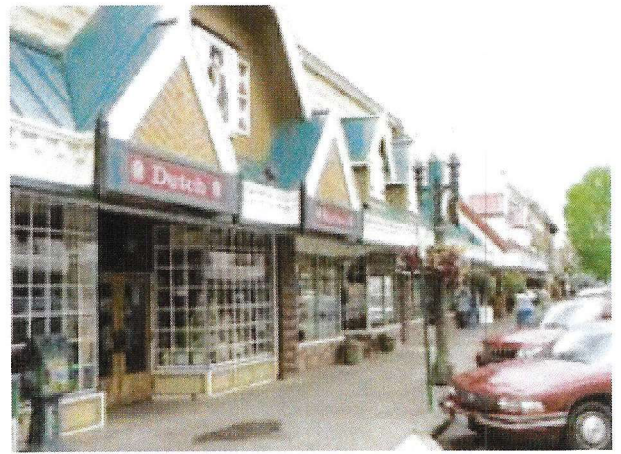
Lynden

DEJONG LONG PLAT LEVEL II TRAFFIC LETTER

November 26, 2019



JTE . Jake Traffic Engineering, Inc.
Mark J. Jacobs, PE (OR and WA), PTOE, President
2614 39th Ave. SW - Seattle, WA 98116 - 2503
Tel. 206.762.1978 - Cell 206.799.5692
E-mail jaketraffic@comcast.net





President

2614 34th Ave. SW – Seattle, WA 48116 – 2503

Tel. 206.762.1478 - Cell 206.744.5642

E-mail jaketraffic@comcast.net

November 26, 2019

DEJONG LONG PLAT
 Attn: Jerry Blankers, Managing Broker
 505 Front Street
 Lynden, WA 98264

Re: Dejong Long Plat - Lynden
 Level II Traffic Letter

Dear Mr. Blankers,

I am pleased to present this Lynden Level II Traffic Letter for the for the 23 lot Dejong Long Plat project located at 1205 E. Badger Road. The lots are to be developed with up to 102 residential units. The City of Lynden of Lynden Traffic Impact Analysis Requirements, copy attached, requires a LII Traffic Letter. A Level II Traffic Letter includes Project Description, Trip Generation, Site Access Review and ascertaining the City Traffic Impact Fee payment amount.

Below is an aerial of the site, augmented, obtained from Google Earth:



DEJONG LONG PLAT
 Attn: Jerry Blankers, Managing Broker
 November 26, 2019
 Page -2-

I have inspected the site and surrounding street system. The general format of this report is to describe the proposed project, identify existing street conditions, calculate the traffic that would be generated by the project, review the site access and ascertain the City Traffic Impact Fee and other apparent traffic mitigation. A copy of the City's Traffic Impact Analysis Requirements is attached.

The **SUMMARY, CONCLUSIONS AND RECOMMENDATIONS** are on page seven of this report.

PROJECT INFORMATION

Figure 1 is a vicinity map which shows the location of the site and its surrounding street system.

Figure 2 shows a preliminary site plan prepared by LDES, Inc. The preliminary site plan shows the 23 lot subdivision layout and an internal loop street that accesses Aaron Drive. I understand that the multifamily project would include:

- eight tri-plexes 24-units
- 11 four-plexes 44- units
- two eight plexes 16 - units
- one or two nine-plexes 9 to 18 units
 93 to 102

Presuming the existing building on lot #9 is made into a nine-plex the site would provide 102 multi-family units

Full development and occupancy of the proposed Dejong Long Plat project is anticipated to occur by 2020/2021, presuming the permits are issued in a timely manner.

EXISTING ENVIRONMENT

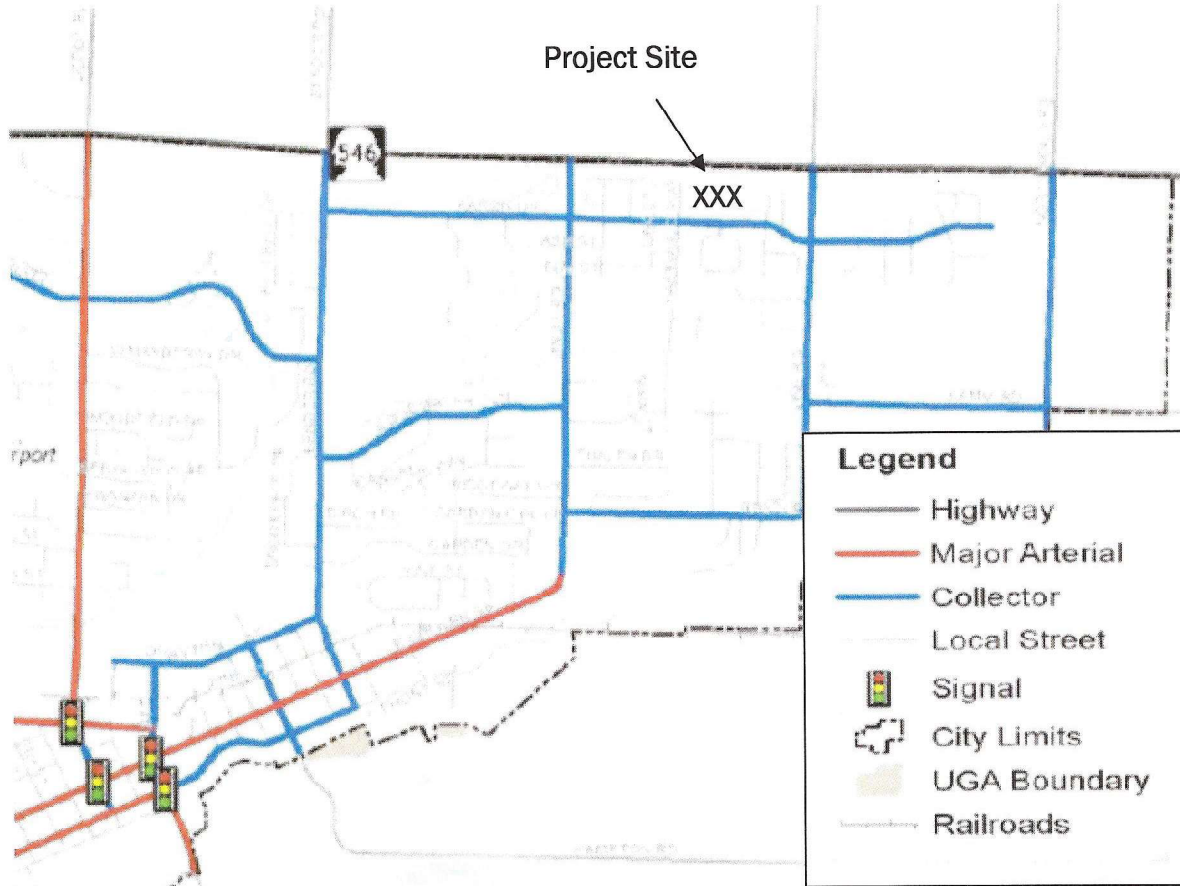
Project Site

The site is located on two parcels, 400316-450534 and 400316-484534, and is currently developed. The existing development comprises a SFDU and a ~6,600 (Google Earth measurement) commercial building that I understand is used by Veritas Homes to manufacture modular homes

Street System

The primary streets within the study area and their classifications (per Figure 2-2 Roadway Functional Classification Map for the City of Lynden Appendix A: The Transportation Element, September 2016) are noted in the graphic (pertinent portion depicted, below):

DEJONG LONG PLAT
 Attn: Jerry Blankers, Managing Broker
 November 26, 2019
 Page -3-



Aaron Drive 2-lane Collector Street with parking (south side currently and with site development both sides) and a posted speed limit of 25 MPH

Pedestrian Facilities (General)

Curb, gutter and sidewalk exist along the developed sections of Aaron Drive and other streets in the site vicinity. Paved shoulders exist on E. Badger Road, aka SR - 546.

Incident/Safety Inspection

Incident data was reviewed using the WSDOT accident data portal available online at <https://remoteapps.wsdot.wa.gov/highwaysafety/collision/data/portal/public/>. This portal was used to review incidents in the site vicinity for the years 2016 to 2018. The WSDOT data is attached.

Inspection of the incident data showed one property damage incident on Aaron Drive in 2018 in the site vicinity. No apparent safety issue is noted on streets in the site vicinity.

DEJONG LONG PLAT
 Attn: Jerry Blankers, Managing Broker
 November 26, 2019
 Page -4-

TRIP GENERATION

Definitions

A vehicle trip is defined as a single or one direction vehicle movement with either the origin or destination (exiting or entering) inside the proposed development.

Traffic generated by development projects consists of the following types:

- Pass-By Trips:** Trips made as intermediate stops on the way from an origin to a primary trip destination.
- Diverted Link Trips:** Trips attracted from the traffic volume on roadways within the vicinity of the generator but require a diversion from that roadway to another roadway to gain access to the site.
- Captured Trips:** Site trips shared by more than one land use in a multi-use development.
- Primary (New) Trips:** Trips made for the specific purpose of using the services of the project.

Trip Generation

The proposed Dejong Long Plat project is expected to generate 705 new vehicular trips during the average weekday, 42 trips during the street traffic AM and 52 during the PM peak hours, see Table 1.

TABLE 1 - TRIP GENERATION DEJONG LONG PLAT - LYNDEN LEVEL II TRAFFIC LETTER										
Time Period	Size (X)	TG Rate	Enter %	Enter Trips	Exit %	Exit Trips	Total (T)	Pass by %	Pass by Trips	Net Total
Proposed: Apartment Units - General Urban/Suburban (ITE LUC 220; 102 units)										
Weekday	102	7.32	50%	373.3	50%	373.3	746.6	5%	37.3	709.3
AM peak hour	102	0.46	23%	10.8	77%	36.1	46.9	0%	0.0	46.9
PM peak hour	102	0.56	63%	36.0	37%	21.1	57.1	5%	2.9	54.3
Existing: Single Family Detached Housing - General Urban/Suburban (ITE LUC 210; 1 - SFDU)										
Weekday	1	9.44	50%	4.7	50%	4.7	9.4	5%	0.5	9.0
AM peak hour	1	0.74	25%	0.2	75%	0.6	0.7	0%	0.0	0.7
PM peak hour	1	0.99	63%	0.6	37%	0.4	1.0	0%	0.0	1.0
Existing: Commercial Space (Light Industrial) - General Urban/Suburban (ITE LUC 110; ~6,600 sf)										
Weekday	6,600	4.96	50%	16.4	50%	16.4	32.7	5%	1.6	31.1
AM peak hour	6,600	0.7	88%	4.1	12%	0.6	4.6	0%	0.0	4.6
PM peak hour	6,600	0.63	13%	0.5	87%	3.6	4.2	5%	0.2	4.0
Delta Site Traffic: Proposed - Existing										
Weekday	--	--	--	352.2	--	352.2	704.5	--	--	659.2
AM peak hour	--	--	--	6.5	--	36.0	41.6	--	--	41.6
PM peak hour	--	--	--	34.8	--	17.2	52.0	--	--	49.3

Where X = number of units or sf and T = Trips

Note: Pass-by rates per ITE, local Agency data and Traffic Engineering Experience, Lynden data indicates 0% pass-by for the noted uses, thus for analysis no pass-by to account for service/delivery type trips is taken

Due to rounding some values may not add up.

DEJONG LONG PLAT
 Attn: Jerry Blankers, Managing Broker
 November 26, 2019
 Page -5-

The trip generation for the project is calculated using trip rates from the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition for Multi-family housing, Single Family – Detached and Light Industrial (ITE LUC's 220, 210 and 110, respectively). All site trips made by all vehicles for all purposes, including commuter, visitor, and service and delivery vehicle trips are included in the trip generation values.

SITE ACCESS

Sight Lines

Access to the site will be via new street intersections with Aaron Drive, the existing access to E. Badger Road will be closed. Aaron Road is generally flat and strait at the site. East of Mercedes Drive the street has a horizontal curve to the south.

Section 4-8 and 4-9 in the City of Lynden Project Manual for Engineering Design and Development Standards provide City sight line criteria. Table 4-2 noted below identifies a sight line of 350' for a 25 MPH speed.

Table 4-2
Minimum Sight Distance, d, (ft)

<u>Design Speed. mph</u>	<u>Min. Sight Distance. d in ft.</u>
20	280
25	350
30	420
35	490
40	560
45	630

I have reviewed the City sight lines against those contained in A Policy on Geometric Design of Highways and Streets by the American Association of State Highway and Transportation Officials (AASHTO) criteria. The AASHTO identifies the SSD and ESD for a 25 MPH speed at 155' and 280', respectively.

The sight lines at the proposed accesses on Aaron Drive meet City requirement for the posted limit of 25 MPH via Traffic Engineering Inspection. No street parking should be allowed on Aaron Drive within 30' of the site accesses.

Traffic Operation

Figure 2-3 in Appendix A: The Transportation Element provides existing (2015) PM peak hour traffic volumes on streets in the City. A copy of the figure is attached in the appendix of this letter. Review of the City data indicates that about 95 trips are westbound and 120 eastbound on Aaron Drive west of Vinup Road. On Vinup Road there are 205 southbound and 200 northbound trips. These are relatively modest peak hour traffic volumes and traffic

DEJONG LONG PLAT
 Attn: Jerry Blankers, Managing Broker
 November 26, 2019
 Page -6-

using Aaron Road at the site are likely similar to the volumes west of Vinup Road. Motorists turning on and off of Aaron Road are projected to incur little delay.

Channelization

WSDOT Design Manual Exhibit 1310-7a Left-Turn Storage Guidelines Two Lane, Unsignalized and Exhibit 1310-11 Right Turn Lanes Guidelines were inspected regarding channelization. The site traffic volumes are well below thresholds that would typically warrant additional channelization. The WSDOT figures are attached.

Traffic Control

The installation of a ‘Stop’ sign on the site access street approaches to Aaron Road per applicable standards is recommended.

AGENCY TRAFFIC IMPACT MITIGATION REQUIREMENTS

The City of Lynden has a Traffic Impact Fee program adopted via Resolution 958 December 5, 2016 effective January 1, 2017. The City’s TIF rates are based on the ITE Trip Generation 9th Edition that has been replaced by the 10th Edition. Table 2 below provides the TIF for the proposed use and existing site development adjusted to reflect the 10th Edition data.

TABLE 2 - TRAFFIC IMPACT FEE DEJONG LONG PLAT - LYNDEN LEVEL II TRAFFIC LETTER						
Use	Units	City TIF/rate	Estimated TIF	City	ITE 10th	Refined TIF
Apartment	102	\$ 1,309.00	\$ 133,518	0.62	0.56	\$ 120,597
SFDU	1	\$ 2,111.00	\$ 2,111	1.00	0.99	\$ 2,090
Light Industrial	6,600	\$ 2,048.00	\$ 13,517	0.97	0.63	\$ 8,779
Delta TIF			\$ 117,890			\$ 109,728

Units - per unit residential, per 1,000 sf commercial
 Rate per Lynden Resolution #958 effective January 1, 2017, based on ITE Trip Generation 9th Edition (out of date)
 The fee schedule notes a rate per PM peak hour trip of \$2,111
 TIF per PMPHT \$2,111 ----> \$109,713

The adjusted TIF rate for each apartment unit is \$1,182.32 per the 10th Edition data. I also refined the TIF for the existing uses to reflect the new ITE data. I project the TIF for the proposed 102 units Dejong Long Plat project at \$109,728 based on pro-rating the ITE 10th Edition data to the City data and City TIF rate of \$2,111 per net new PM peak hour trip; the fee is \$109,713 using the net new PM peak hour trips.

The proposed Dejong Long Plat project is to be constructed in conformance with City of Lynden standards.

DEJONG LONG PLAT
Attn: Jerry Blankers, Managing Broker
November 26, 2019
Page -7-

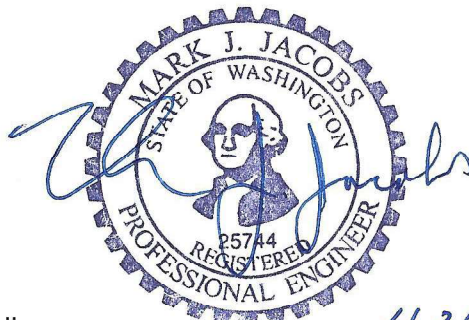
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

This Level II Traffic Letter documents the traffic generation of the Dejong Long Plat project and reviews the access on Aaron Road. The project is projected to generate 50 net new PM peak hour trips. Sight lines onto Aaron Road were inspected and determined to meet applicable requirements for the posted speed limit (25 MPH)

I recommend that the Dejong Long Plat project be allowed with the following traffic impact mitigation measures.

1. Construct site in accordance with applicable City requirements.
2. No street parking should be allowed on Aaron Road within 30' of the site access intersections.
3. Install a 'Stop' sign on each site access street approach to Aaron Road per applicable requirements.
4. Pay applicable City Traffic Impact Fee; adjusted to reflect the ITE Trip Generation 10th Edition data

No other traffic mitigation should be necessary. Please contact me at 206.762.1478 or email me at jaketraffic@comcast.net if you have any questions.



Sincerely,

Mark J. Jacobs, PE, PTOE, President
JAKE TRAFFIC ENGINEERING, INC.

MJJ: mjj

11.26.2019

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	February 18, 2020	
Name of Agenda Item:	Calendar	
Section of Agenda:	Other Business	
Department:	Administration	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: N/A
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:	Outlook Calendar	
Summary Statement:	See next page.	
Recommended Action:	None	

February 18, 2020

Tuesday

96

9:00 AM - 11:00 AM

Copy: Small Cities Meeting -- City Hall 1st Floor Large Conference Room

3:00 PM - 4:00 PM

Finance Committee Meeting -- City Hall 1st Floor Large Conference Room
Visit WWW.LYNDENWA.ORG to view the agenda

4:00 PM - 5:00 PM

Parks Committee Meeting -- City Hall

7:00 PM - 9:00 PM

Council Meeting -- Annex Council Chamber

February 19, 2020

Wednesday

All Day

Court -- Annex Council Chamber; Annex East Training Room; Annex South East Conference Room; Annex North East Conference Room

4:00 PM - 6:00 PM

Community Development Committee Mtg -- City Hall 2nd Floor Large Conference Room

7:00 PM - 8:30 PM

Board of Adjustment -- City Hall 2nd Floor Large Conference Room

February 20, 2020

Thursday

7:30 AM - 3:30 PM

Copy: School District Meeting -- Annex Council Chamber

9:00 AM - 11:00 AM

Technical Review Committee Meeting -- City Hall 2nd Floor Large Conference Room

9:00 AM - 10:00 AM

Mike/Chief Taylor 1/1 -- Mike's Office

February 21, 2020

97

Friday

8:30 AM - 9:30 AM

Check In-Mike/Anthony -- Mike's Office

February 25, 2020

Tuesday

8:30 AM - 9:30 AM

Leadership Team Meeting -- City Hall 1st Floor Large Conference Room

February 26, 2020

Wednesday

All Day

Jury Trial -- Annex Council Chamber; Annex East Training Room; Annex South East Conference Room; Annex North East Conference Room

9:00 AM - 10:00 AM

Check-In Mark/Mike -- Mike's Office

February 27, 2020

Thursday

9:00 AM - 10:00 AM

Mike/Chief Taylor 1/1 -- Mike's Office

12:00 PM - 1:30 PM

Copy: Wellness - SOUP DAY -- Annex Council Chamber; Annex East Training Room; Annex North East Conference Room; Annex South East Conference Room

This meeting notice is a placeholder for scheduling Soup Day!

More information to follow.... For right now let's just get it on your calendar and give you some time to think about the kind of soup you want to make and share.

I'm thinking I might make Pickle Soup 😊

7:30 PM - 9:30 PM

Planning Commission Meeting -- Annex Council Chamber

February 28, 2020

98

Friday

10:00 AM - 11:00 AM

Check-In Steve/Mike -- Mike's Office

11:00 AM - 12:00 PM

Check0In Heidi/Mike -- Mike's Office

March 2, 2020

Monday

7:00 PM - 9:00 PM

Council Meeting -- Annex Council Chamber