

# CITY OF LYNDEN

## PLANNING DEPARTMENT

Heidi Gudde – Planning Director

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## Community Development Committee Meeting Agenda

City Hall - 300 Fourth Street

4:00 PM October 21, 2020

### Roll Call

### Informational Items

1. Building Code Update

### Discussion Items

2. Building Code Enforcement
3. Design Standards Modification / Clarification
4. Discuss Parking Code Revisions
5. Pepin Creek Sub-Area Plan - Status Report
6. Future CDC Meeting Dates

-November 18th Date - Move to 12th or 16th?

-December 23rd Date - Move to 16th?

**Next Meeting:** Discuss November and December dates

# CITY OF LYNDEN

## EXECUTIVE SUMMARY – Community Development Committee



<b>CDC Meeting Date:</b>	October 21, 2020	
<b>Name of Agenda Item:</b>	Building Code Update	
<b>Section of Agenda:</b>	Discussion	
<b>Next Steps Proposed by Staff:</b>	<input type="checkbox"/> Staff revisions <input type="checkbox"/> Return to CDC <input type="checkbox"/> Schedule for full Council	<input type="checkbox"/> Planning Commission <input type="checkbox"/> Other Committees <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Completed <input type="checkbox"/> Recommended <input checked="" type="checkbox"/> Not Required	
<b>Attachments:</b>		
<b>Summary Statement:</b>		
<p>The International Building Code (IBC) is scheduled to update on February 1, 2021. This update, originally scheduled for July 1, 2020, was delayed due to the disruption of the COVID pandemic. Permits submitted to the City after the update must be reviewed per the 2018 ICC updated code.</p> <p>The most significant changes to the code include:</p> <ul style="list-style-type: none"> <li>• Washington State Energy Code</li> <li>• Residential Structural Design Elements</li> <li>• Building Envelope Performance</li> </ul>		
<b>Recommended Action:</b>		
Discussion or questions related to the IBC update.		

# CITY OF LYNDEN

## EXECUTIVE SUMMARY – Community Development Committee



<b>CDC Meeting Date:</b>	October 21, 2020	
<b>Name of Agenda Item:</b>	Building Code Enforcement	
<b>Section of Agenda:</b>	Discussion	
<b>Next Steps Proposed by Staff:</b>	<input type="checkbox"/> Staff revisions <input type="checkbox"/> Return to CDC <input type="checkbox"/> Schedule for full Council	<input type="checkbox"/> Planning Commission <input type="checkbox"/> Other Committees <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Completed <input type="checkbox"/> Recommended <input checked="" type="checkbox"/> Not Required	
<b>Attachments:</b>		
<b>Summary Statement:</b>		
<p>Staff is seeking Council guidance on the enforcement of the building code. Specifically, construction without a permit.</p> <p>Ideally, the public is aware that securing a permit and the associated inspections can ensure that their contractor is creating a safe structure and following the building code. And, that failure to secure a building permit can result in structural problems for the owner or future owners of the property. Or, may frustrate a sale of the property in the future if a home owner cannot demonstrate that construction was permitted.</p> <p>However, enforcement can be a time-consuming task for City staff. Additionally, homeowners are typically not happy to be cited for a violation and may contact Council members as a result.</p> <p>Some discussion points on this topic may include:</p> <ul style="list-style-type: none"> <li>• Proactive enforcement. When to proactively seek enforcement of the building code: primary structures vs. primary structures. Sheds and fences.</li> <li>• How to respond to violations: warning letters, site visits, violation letters, fines, clouding of the title.</li> <li>• Reactive enforcement - responding to complaints.</li> </ul>		
<b>Recommended Action:</b>		
Guidance from the Committee to the Building Official and Planning Staff regarding this issue.		

# CITY OF LYNDEN



## EXECUTIVE SUMMARY – Community Development Committee

<b>CDC Meeting Date:</b>	October 21, 2020	
<b>Name of Agenda Item:</b>	Design Standards Modification / Clarification	
<b>Section of Agenda:</b>	Discussion	
<b>Next Steps Proposed by Staff:</b>	<input type="checkbox"/> Staff revisions <input type="checkbox"/> Return to CDC <input type="checkbox"/> Schedule for full Council	<input type="checkbox"/> Planning Commission <input type="checkbox"/> Other Committees <input type="checkbox"/> Other: _____
		<b>Legal Review:</b>
		<input type="checkbox"/> Completed <input type="checkbox"/> Recommended <input checked="" type="checkbox"/> Not Required
<b>Attachments:</b>		
<b>Summary Statement:</b>		
<p>Last year the City of Lynden updated the Municipal Code with the adoption of Title 19.22. This new section of code is a consolidation of the residential design standards. It also introduced some new standards to residential construction. After the initial year of implementation staff would like to propose some modifications so that the code may serve the community better.</p> <p>These include:</p> <ul style="list-style-type: none"> <li>• LMC 19.22.040(3) regarding roofing material of accessory structures. Revise to allow alternate roofing types on <u>accessory structures</u>. Many residents would like to use metal roofing on accessory structures even if it was not used on the primary structure. Metal roofing material, including exposed fastener can be attractive and does represent an agricultural theme. In addition, there is minimal visibility and will not be a detriment to the neighborhood.</li> <li>• LMC 19.22.040. Clarify to specifically address metal siding on accessory structures. Currently the code states that architectural style of a detached garage, shop, or shed must match the style of the primary structure. This standard was intended to provide flexibility, but additional clarification would be useful. The primary issue has been metal buildings. Staff has gone so far as to say that architectural metal siding may be used as long as it matches the <u>color</u> of the primary residence. Is this a supported interpretation?</li> <li>• LMC 19.22.030 (C)(4). <u>Roofs</u>. The primary roof line must have a minimum 4:12 pitch. Staff would like the Council to reconsider the removal of this requirement.</li> <li>• LMC 19.22.030 (D)(a). <u>Building Elevations and Finishes</u>. Code requires that the same architectural elevation be separated by a minimum of two other homes side by side. In addition, staff recommends that the same elevation may not be constructed directly <u>across the street</u>.</li> </ul>		

- LMC 19.22.030 (E)(2)(b)(2). Decks and Patios. Roof structures covering decks or patios are permitted within the rear setback provided that the structure: Does not come within eighteen feet of the rear property line. Clarification should be included to note that this is measured from the furthest extent of the covering/roof eave.
- LMC 19.22.020 (D). Garage Setbacks from Property Lines. In RS-84, RS-100, RM-1 and RM -2 zones an attached garage may be built as close a seven feet to the side property line provided that the living area side setbacks total twenty-two feet from the building foundation to the property line. Traditionally the City has permitted this flexibility on both RS and RM properties.
- Delete mention of the Senior Overlay in the Pepin Creek Sub-Area.
- General housekeeping including indents and deletions of parenthetical notes.
- Clarify that garden Sheds less than 120 square feet do not require a building permit, however, must be located at least 3-feet from the property line. This setback applies but should be mentioned specifically in this section of code.
- Other revisions?

**Recommended Action:**

Discussion related to proposed changes of the design standards.

**10-21-2020 CDC Meeting****Discussion regarding possible revisions to the City Parking Code**

- **Potential areas of revision highlighted.**
- **Staff comments added.**

## Chapter 19.51 - OFF-STREET PARKING

## 19.51.010 - Requirements.

Every building hereafter erected, moved, reconstructed, or structurally altered shall be provided with parking areas as provided in this chapter, and such parking areas shall be made permanently available and shall be maintained for parking purposes.

No building permit shall be issued until plans showing provisions for the required off-street parking have been submitted and approved as conforming to the standards of this chapter. Every lot or parcel of land used as a public or private parking area or new or used car sales area and having a capacity of three or more vehicles shall be developed and maintained in accordance with this chapter.

Where off-street parking is required and provided according to this chapter, the primary users of the building such as but not limited to, the property owner, lessors, lessees, residents, invitees, employers and employees shall first utilize the off-street parking in lieu of parking on the street.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § A, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

## 19.51.020 - Ingress and egress provisions.

The director of public works, in conjunction with the police chief and fire chief, shall have authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to order alteration of existing ingress and egress as may be required to control traffic in the interest of public safety and general welfare.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § B, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

## 19.51.030 - Location of parking spaces.

Off-street parking spaces shall be located as specified herein. Where a distance is specified, the distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building which it serves.

- A. Parking for single and multiple family dwellings shall be on the same lot or building site with the building it serves;

- B. Parking for all hotels, motels, or bed and breakfasts in all zones, and RM-3 dwellings in the HBD zone, must be located within four hundred fifty feet of the building. There will be no exceptions or variances to location or number of spaces to be provided;
- C. Parking for uses not specified above shall not be over three hundred feet from the building it serves;
- D. All off-street parking spaces shall be located on land zoned in a manner which would allow the particular use the parking will serve; and
- E. Parking shall be located at least twenty-five feet from any body of water.
- F. Streets in residentially zoned areas shall not be utilized as parking for the property owner, lessors, lessees, residents, invitees, employers, employees, clients, or distributors of any commercial or industrial uses in adjacent commercial or industrial zones when there is off-street parking as required under Section 19.51.040 below.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § C, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.040 - Off-street parking spaces required.

The required number of off-street parking spaces shall be as follows. The pertinent approving body may reduce these requirements if the applicant submits a request for a waiver and can incorporate one or more of the following LID techniques:

- A. Shared parking.
- B. Proximity to transit.

<u>Land Use</u>	<u>Parking Requirements</u>
Single family units, duplex units and townhouse and mobile home units	2 per dwelling unit <sup>1</sup>
Multi-family dwelling units	2 per dwelling unit up to 25 units 1.5 per unit for each unit after 25 <sup>1</sup>
<b>Retirement, Senior, or Age-restricted Housing</b>	1 per dwelling unit
<b>Assisted Living</b>	1 per dwelling unit plus 1 per employee on biggest shift <sup>3</sup>
<b>Accessory Dwelling Units</b>	1 per bedroom in addition to the parking required for the primary structure
Fraternity, Sorority, rooming and boarding houses	1 per person accommodated

**Commented [HG1]:** Add to the description of the use. Revise to 1.5 per unit. Pepin Creek sub-area already specifies this.

Hospitals and Emergency Medical Clinics	1 per 2 beds plus 1 per employee on shift with the greatest number of employees <sup>3</sup>
Nursing home, institutions for the aged and children, welfare or correctional institutions	1 per 4 beds plus 1 per employee on shift with the greatest number of employees <sup>3</sup>
Retail Uses	4.5 per 1,000 sq. ft. GLA
Banks and Financial Institutions	3 per 1,000 sq. ft. GFA
Professional and Business Offices	3 per 1,000 sq. ft. GFA—Min. 5
Medical and Dental Clinics	1 per 200 sq. ft. GFA
Barber Shops, Beauty Parlors	3 per operator
Personal Services	4.5 per 1,000 sq. ft. GLA
Day Care Facilities	1 per employee plus off-street loading and unloading space equivalent to one space per 10 children
Communications Services (radio and TV stations, publishing services)	1 per 1,000 sq. ft. GFA or 1 per employee, whichever is greater <sup>3</sup>
Laundry and Dry Cleaning Facilities	1 per 2 washing or drying machine
Theaters and Movie theaters	1 per 4 seats
Bowling Alleys	5 per lane
Skating Rinks	1 per 165 sq. ft. GFA
Video Arcades	1 per 150 sq. ft. GFA
Athletic Facilities, or gymnasiums	1 per 200 sq. ft. GFA
Tennis Courts, racquet clubs, handball courts and other similar commercial recreation	One per 40 sq. ft. of gross floor area used for assembly plus two per court

Dance Halls and Dancing Schools 1 per 75 sq. ft.

Restaurants, Cafes, Bars, and Taverns 1 per 100 sq. ft. GFA—Min. 5

Outdoor dining areas associated with food ?

**Commented [HG2]:** Consider removal of the minimum 5 spaces? Very small offices have a difficult time meeting this standard.

**Commented [HG3]:** Consider re-wording or deleting.

**Commented [HG4]:** Consider making this “dining area” instead of gross floor area. Burger King, for example, requires over 40 spaces per the current code.

**Commented [HG5]:** Should the City require that outdoor areas be parked? Thinking of Thirsty Badger. Likewise, do food trucks need parking areas?



**trucks, restaurants, cafes, bars, and taverns**

Photography Studio	1 per 300 sq. ft. GLA
Business Schools	1 per 4 seats plus 1 per employee <sup>3</sup>
Printing and Duplicating Shops	1 per 600 sq. ft. GFA
Country clubs, social clubs, fraternal lodges	1 per 400 sq. ft. GFA
Funeral Parlors, <b>mortuaries and cemeteries</b>	1 per 4 seats or 8 ft. of bench or pew or 1 per 40 sq. ft. of assembly room used for services if no fixed seating is provided

**Commented [HG6]:** Does this mean mortuaries within cemeteries? Consider clarifying or deleting "cemeteries"

Warehouse, storage buildings or structures used exclusively for storage purposes except for mini storage

1 per 2,000 sq. ft. GFA or 1 per employee (whichever greater)

**Mini-Storage Facilities**

1 per 50 storage cubicles equally distributed and proximate to storage building. In addition, one space for each fifty storage cubicles to be located at the project office

**Commented [HG7]:** What does mini-storage include? Storage condos that get converted into business locations have become a parking issue.

Animal hospitals, veterinary clinics and kennels and veterinary laboratories

1 per 500 sq. ft. GFA

Hotels, Motels - includes indoor restaurants, gift shops and other businesses associated with a hotel/motel

1 per room + required spaces for restaurant/convention facilities

**Bed and Breakfast**

2 per owner/occupant + 1 per available room

**Commented [HG8]:** Add Short Term Rentals

Stadiums, churches, theaters, sports arenas, auditoriums, clubs and lodges, and all assembly places with fixed seats

1 per 4 seats or 8 feet of pew or bench space

Commercial Garages and Automotive Repair

1 per 200 sq. ft. GFA

**Auto Body Shops**

1 per bay and mechanic

**Commented [HG9]:** Address other types of shops such as contractors shops and storage spaces (Agronomy Way).

Service Stations

4 spaces plus 1 per bay plus queuing

Motor Vehicle Sales and Service

1 per 1,000 sq. ft. GFA plus 1 per 1,500 outdoor display

Motor vehicle or machinery repair without sales

One per 200 sq. ft. of gross floor area

Mobile Home and recreational vehicle sales	1 per 3,000 sq. ft. of outdoor display area
Manufacturing and industrial uses of all types, except buildings used exclusively for warehouse purposes	1 per 1,000 GFA or 1 per employee based on largest shift—whichever is greater <sup>3</sup>
Passenger Terminals	One per 100 sq. ft. of gross area used for passenger waiting area
Libraries, art galleries, museums	One per 250 sq. ft. of gross floor area
Public swimming pools	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health.
Schools, public and private for elementary, intermediary, middle, junior high, and high school	1 per 12 seats in auditorium or assembly room plus 1 space for each employee, plus sufficient off-street space for safe loading of students from school buses <sup>3</sup>
Colleges or commercial schools for adults	1 per four seats in classroom plus one per employee <sup>3</sup>
Auto wrecking yards	15 spaces for yards less than ten acres in size and 25 spaces for yards ten acres and larger in size
Utility and communications establishments without regular employment	One space
Automobile Service Stations	4 spaces plus one space for each greasing facility <sup>2</sup>

**Commented [HG10]:** Currently we park contractor shops at this rate.

**Commented [HG11]:** Delete standard. This use not permitted anywhere in the City.

<sup>1</sup> If an enclosed single car garage is provided per dwelling unit, a minimum of two outside parking 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. Open carports may be counted as parking spaces to meet parking requirements, provided they shall not be enclosed. If enclosed, additional parking spaces shall be provided as required.

<sup>2</sup> In order not to block public streets in Lynden, it is mandatory for each service station operator to provide off-street waiting facilities for customers. No on street waiting for gasoline sales is allowed.

<sup>3</sup> The planning director may require that uses which rely on the number of employees as part of the calculation of required parking spaces to agree at the time of parking approval, to provide additional parking stalls if there is insufficient parking for the number of employees.

(Ord. 1051 § A(part), 1997; Ord. 1000 § A(part), 1995; Ord. No. 1440, § D, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.050 - Parking space standards.

- A. The following parking standards shall apply, however the pertinent approving body can reduce these requirements if the applicant submits a request for a waiver and incorporates one or more of the following LID techniques:
  1. Shared Parking.
  2. Proximity to Transit.
- B. Building sites which contain more than one hundred parking spaces shall be designed with access lanes and fire lanes to less than twenty-five feet in width. Mini-self-storage complexes shall be designed with access lanes not less than twenty-eight feet in width, within which loading areas, access and fire lanes, and any parking shall be located. Access lanes shall be designed so as to provide continuous, unrestricted vehicular movement and shall connect to public streets. In parking lots containing less than one hundred parking spaces emergency access shall be provided subject to approval of the fire marshal. Emergency access shall be provided to within fifty feet of any multiple family building. If any of these requirements are impractical due to the peculiarities of the site and/or building, other provisions for emergency access may be approved by the fire marshal. Parking in fire lanes shall be prohibited, and indicated as being unlawful by signs and/or painting on the parking lot surface.
- C. All parking stalls and aisles shall be designed according to the tables shown below unless all parking is to be done by parking attendants on duty at all times that the parking lot is in use for the storage of automobiles. When parking standards require ten or more parking spaces, up to thirty percent may be designated compact cars. Such compact car spaces shall be individually marked in the parking plan and on each constructed parking stall as for being for compact only. Parking at any angle other than those shown is permitted, providing the width of the stalls and aisles is adjusted by interpolation between the specified standards. Parking shall be so designed that automobiles shall not back out into public streets.

The parking space standards are shown in the table below:

**DESIGN STANDARDS IN FEET**

A	B	C	D	E	F
Parking Angle	Stall Width	Curb Length	Stall Length	Aisle Width	Unit Width
0	8.5	8.0	20	10	26
	9.0	8.5	24	12	29
45°	8.5	17.0	18	13	47
	9.0	19.5	21	13	52
60°	8.5	18.0	18	15	52

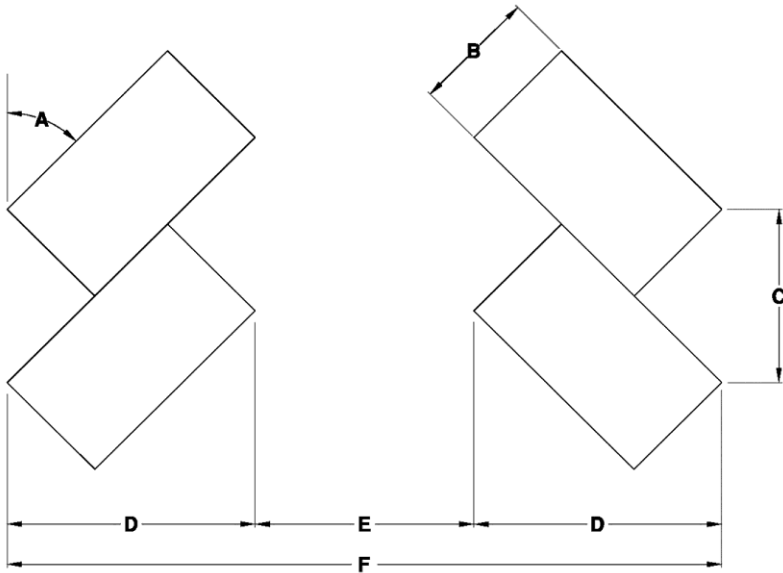
**Commented [HG12]:** This table is not very clear and could be better. The smaller numbers shown here related to one way traffic but that's not clear looking at the table.

	9.0	21.0	21	18	60
75°	8.5	17.5	18	19	54
	9.0	21.0	21	20	62
90°	8.5	16.0	18	22	54
	9.0	19.0	21	24	62

**Commented [HG13]:** A 24 foot aisle width is wide when designed into small parking lots or aisles that are loaded on only one side (I'm thinking of the new location of the mid-wife at Grover and 3<sup>rd</sup>). Can the aisle be reduced if there are spaces on only one side or if the lot holds less than 10? spaces?

Reduced aisle width is for one way traffic only. If two-way traffic is proposed, then the minimum aisle width is twenty-two feet.

The two figures are for compact cars and full size cars, shown in that order for each angular parking facility.



(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § E, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.060 - Parking for unspecified uses.

Where the parking requirements for a use are not specifically defined herein, the parking requirements for such use shall be determined by the planning director. Such determination shall be based upon staff investigation, parking requirements for comparable uses, and comparative data as may be available and appropriate for the establishment of minimum parking requirements.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § F, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.070 - Reduction of required spaces when effective alternatives to automobile access are proposed.

Upon demonstration to the planning director that effective alternatives to automobile access are proposed to be implemented, the director may reduce by not more than forty percent the parking requirements otherwise prescribed for the use or combination of uses, except those listed below, on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand effectuated by such alternative programs. Alternative programs which may be considered by the director under this provision include, but are not limited to van pooling, ride matching for carpools, and provision of subscription bus service.

- A. **Retirement Apartments.** Approved building plans shall show two parking spaces per dwelling unit. Installation of up to fifty percent of the required spaces may be deferred by the planning director, and held in reserve as landscaped area. Installation of the deferred parking space and landscaping will be required at such time the building is no longer used as a retirement apartment. A performance bond or alternate surety may be required in the amount of one hundred and fifty percent of the cost of the deferred improvements to assure installation at a future date.
- B. **Retirement Housing.** The requirement of one space per dwelling unit may be reduced to no less than one space for every three dwelling units as determined by the planning director. The determination shall be based on the following:
  - 1. **Demonstrated availability of private, convenient, regular transportation services to meet the needs of the retirement apartment occupant;**
  - 2. **Accessibility to and frequency of public transportation; and**
  - 3. **Direct pedestrian access to health, medical and shopping facilities.**

**Commented [HG14]:** This is a code conflict as it is not reflected in the standards listed above. Retirement apartments are not distinguished elsewhere in code from retirement housing. Neither is defined in code.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § G, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.080 - Mixed occupancy.

In the case of mixed occupancies in the building or of a lot, the total requirements for off-street parking shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities of a particular use shall not be considered as providing required parking facilities for any other use except as hereinafter specified for joint use.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1547, § 15, 12-4-2017)

19.51.090 - Joint uses.

The planning director may, upon application of the owner or lessee of any property, authorize the joint use of parking facilities by the following uses or activities under the conditions specified herein:

- A. Up to fifty percent of the parking required for a theater, bowling alley, dance hall, bar, restaurant, roller or ice skating rink, auditoriums, churches or other similar primarily nighttime use may be supplied by the off-street parking by other uses as approved by the planning director;
- B. Up to fifty percent of the parking facilities required by this chapter for a use considered to be primarily a daytime use may be provided by the parking facilities of a use considered to be primarily a nighttime use or vice versa, provided that the reciprocal parking area shall be subject to the conditions set forth in Section 19.51.100, Conditions for joint use;
- C. Up to one hundred percent of the Sunday and/or nighttime parking facilities required by this chapter for a church or auditorium incidental to a public or parochial school may be supplied by parking facilities required for the school use, provided, the reciprocal parking area shall be subject to the conditions set forth in set forth in Section 19.51.100, Conditions for joint use; and
- D. For purposes of this section, the following uses are typical daytime uses: business offices, barber and beauty shops, specialize retail stores or boutiques (not grocery), manufacturing or wholesale buildings. The following uses are typical nighttime and/or Sunday uses: multi-family use which is not age restricted, auditoriums incidental to a public or parochial school, churches, dance halls, theaters and taverns.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § H, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.100 - Conditions for joint use.

- A. The building or use for which application is made for authority to utilize the existing off-street parking facilities provided by another building or use shall be located within one hundred and fifty feet of the parking facilities;
- B. The applicant shall show that there is not substantial conflict in the principal operating hours of the buildings or uses for which the joint use of the parking facility is proposed; and
- C. Parties concerned in the joint use of off-street facilities shall submit a proper written agreement defining the conditions of the joint use for review and approval of the planning department and city attorney.
- D. In the event of a change in ownership or use, the joint use instrument may be terminated upon mutual agreement by all parties if reviewed and approved by the planning director. The existing and/or new uses shall comply with all parking and landscaping requirements of the City of Lynden for said uses.

(Ord. 1000 § A(part), 1995).

**Commented [HG15]:** Consider allowing for some (50%) shared parking when multi-family and "day time uses" share the same parking areas.

(Ord. No. 1440, § I, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.110 - Loading space.

A. On the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning, or other use involving the receipt or distribution of vehicles, material or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with the public uses of the streets or alleys.

B. The space, unless otherwise adequately provided for, shall include:

a. A ten foot by twenty-five foot loading space, with fourteen foot height clearance for every twenty thousand square feet, or fraction thereof, of gross building area used or land used for above mentioned purposes.

b. The space shall be so situated that no part of a truck or van using the loading space will project into the public right-of-way.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1547, § 15, 12-4-2017)

19.51.120 - Parking lot surfacing requirements.

A. All required off-street parking areas for commercial or industrial uses - not including vehicle or agricultural implement display areas - shall be graded and before occupancy permit for the building use is issued, surfaced to standards for permeable pavement, asphaltic concrete or other surfacing material sufficient to eliminate dust or mud, provide for proper storm drainage and allow for making of stalls and installation of other traffic control devices as set forth by the director of public works and this chapter.

B. All traffic control devices such as parking strips designating car stalls, directional arrows or signs, curbs, and other developments shall be installed and completed as shown on the approved plans. Hard surfaced parking areas shall use paint or similar devices to delineate parking stalls and directional arrows. Pedestrian walks shall be curbed or raised six inches above the lot surface. Once installed, they shall be maintained in good condition.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § J, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.130 - Illumination.

Any lights to illuminate any public parking area, any semi-public parking area, or used car sales area permitted by this ordinance shall be arranged so as to reflect the light away from any dwelling unit and the public right-of-way. Approval shall be obtained from the State of Washington Department of Transportation and/or the director of public works for any lights which flash or blink, simulating traffic signals.

**Commented [HG16]:** This section of code has not been well enforced but can be very important. Revise to emphasize the requirement? Clarify the uses that this applies to.

**Commented [HG17]:** Outdoor dining areas? Food trucks? Overflow parking areas? Is there room for another standard? If so, what?

(Ord. 1000 § A(part), 1995).

(Ord. No. 1547, § 15, 12-4-2017)

19.51.140 - Landscaping requirements for parking areas.

Landscape plans for parking areas shall conform to LMC Chapter 19.61 and are to be approved by the planning department.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1440, § K, 3-18-2013; Ord. No. 1547, § 15, 12-4-2017)

19.51.150 - Handicapped parking.

Handicapped parking shall be installed in accordance with the "Regulations for Barrier-Free Facilities" as adopted by the Washington State Building Code Advisory Council or two percent of the required parking stalls, whichever is greater.

(Ord. 1000 § A(part), 1995).

(Ord. No. 1547, § 15, 12-4-2017)

19.51.160 - Special conditions for off-street parking in downtown Lynden.

The Historic Business District is a special district that has developed over a period of time, including times when there were no parking requirements. To encourage remodeling and site improvements, it is recognized that special considerations are required. The following parking exceptions are made for an area from the Judson Street Alley to the alley between Front Street and Grover Street and between Third Street and Seventh Street:

- A. Renovation of any building in the historic business district in existence on or before July 1, 2002, for commercial or residential purposes, shall be exempt from meeting the parking requirements of Section 19.51.030; provided, however, if the renovation adds gross floor area to the building, the additional gross floor area shall be considered new commercial or residential construction and shall be subject to the parking requirements listed in Section 19.51.160.B and (C) below. Renovations which decrease gross floor area shall not be eligible for any parking credit or reimbursement.
- B. The parking requirement for all new commercial construction within the area north of Judson Alley, south of Grover Street, west of Third Street and east of 7<sup>th</sup> Street, shall be one off-street parking stall per five hundred square feet of gross floor area, or any fraction thereof.
  - a. Instead of providing the required off-street parking, the owner may choose to pay a fee for every parking stall required by this ordinance that cannot be supplied. The fee shall be set by resolution and placed in a special fund by the City of Lynden for the purchase and/or development of additional off-street parking facilities, or for repair or alteration of existing city owned off-street parking.

**Commented [HG18]:** Revise. This section requires specification of how much the fee would be and what the special fund is. Also, who decides how to spend the fund?



- C. All new residential construction in the area defined in subsection (B) above shall be required to provide one off-street parking space per residential unit. Off-street parking for new residential uses shall be located within three hundred feet of the dwelling unit.
- D. Any new building erected in the historic business district on a lot in place of a building in existence on or before July 1, 2002 on the same lot, shall be granted a credit toward satisfying the parking requirement set forth in this section. The amount of the credit shall be determined by subtracting the gross floor area of the previously existing building from the gross floor area of the new building constructed in its place on the same lot. The resulting difference in gross floor area shall be the gross floor area from which the parking requirement is determined in accordance with Sections 19.51.160.B and C above; provided that, if the gross floor area difference is a negative number because the new building is smaller, the city shall not be liable for any reimbursement or additional credits. Parking credits shall not be transferable between lots.

(Ord. 1158 § B, 2002; Ord. 1136 § A, 2002; Ord. 1000 § A(part), 1995).

(Ord. No. 1547, § 15, 12-4-2017)

**19.51.170 - Reserved.**

Editor's note— Ord. No. 1440, § L, adopted March 18, 2013, repealed § 19.51.170. The former § 19.51.170 pertained to CSL payment of parking assessments and derived from Ord. 1000 § A(part), adopted 1995; Ord. No. 1390, § D, adopted February 22, 2011.

# CITY OF LYNDEN

## EXECUTIVE SUMMARY – Community Development Committee



<b>CDC Meeting Date:</b>	October 21, 2020	
<b>Name of Agenda Item:</b>	Discuss Parking Code Revisions	
<b>Section of Agenda:</b>	Discussion	
<b>Next Steps Proposed by Staff:</b>	<input type="checkbox"/> Staff revisions <input type="checkbox"/> Return to CDC <input type="checkbox"/> Schedule for full Council	<input type="checkbox"/> Planning Commission <input type="checkbox"/> Other Committees <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Completed <input type="checkbox"/> Recommended <input checked="" type="checkbox"/> Not Required	
<b>Attachments:</b>		
LMC 19.51 – Off Street Parking code with staff comments.		
<b>Summary Statement:</b>		
<p>City Council members have recently requested that the City’s parking code be reviewed to determine if it is serving the needs of the community. Concerns about streets congested with parked vehicles seems to be one of the reasons for the requested review.</p> <p>It may be useful to first discuss what aspects of residential parking may be of issue. Code related to off-street parking does not speak to what sort of on-street parking is required. Is on-street parking a problem?</p> <p>If on-street parking is determined to be a problem does the Council believe that revisions to off-street parking requirements are the solution? Or, does the availability of on-street parking create an incentive for residents to park on the street rather than in their garages or driveways. Are there areas of enforcement that may be useful in solving on-street parking congestion if that is determined to be a problem?</p> <p>Attached is the code section on <b>off-street parking</b> so that Committee members can identify areas of concern. Staff has noted sections which would benefit from clarification or revision. This includes increasing the parking required for age-restricted housing from 1 per unit to 1.5 per unit and other areas that should be clarified or improved.</p>		
<b>Recommended Action:</b>		
Discussion related to (1.) Is there a parking problem? (2.) What is the problem? (3.) Possible solutions.		