Chapter 19.45
DESIGN REVIEW BOARD

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19.45.010 Design Review Board Established
A design review board is established for the purpose of reviewing exterior design of buildings proposed for construction of multi-family dwellings, detached accessory dwelling units (ADUs), the construction, reconstruction or remodeling of commercial buildings in all commercial zones and signs as required in Chapter 19.33 of the Lynden Municipal Code. Those appointed should be capable of the following:

A. Reading and understanding building design drawings.
B. Having an appreciation of architecture and landscape architecture.
C. Having an understanding and appreciation of the "European/Dutch" theme proposed in the Front Street area.

19.45.015 Intent
The intent in establishing the design review board is to enhance the character of the commercial and multi-family areas, provide a visible linkage between the downtown and other commercial areas, and ensure that new development maintains or enhances the character and aesthetic appearance of neighborhoods. The guidelines adopted by the design review board and the City Council will be considered as a tool for the implementation of the Comprehensive Plan.

19.45.020 Membership--Appointment--Term--Compensation--Vacancy--Removal
The design review board shall consist of five members, all of whom shall serve without salary. The members shall be appointed by the mayor with the consent of the council.

In case any vacancy should occur in the membership of the board, for any cause, the mayor shall fill such vacancy by making an appointment with the consent of council. The members of the design review board may be removed by the mayor, subject to the approval of the council, for such causes as he/she deems sufficient, which shall be set forth in a letter filed with the council. The initial membership shall consist of one member appointed for one year, one for two years, one for three years, and two for four years. Each appointment hereafter shall be for four years.
19.45.030 Meetings--Notice--Rule promulgation--Records--Quorum

Meetings of the design review board shall be held at least once every six months, and at other times as the Chairperson of the design review board may determine or a request for design review is made by an applicant. There shall be a fixed place of meeting, and all regular design review board meetings shall be open to the public.

Notice of all meetings shall be given at least ten days in advance of the meeting date. The owner of the property for which the review is sought shall notify all adjacent property owners. In the case of review of construction, or remodel within the Historical Business District, notice shall be given to all property owners along Front Street within the block where construction is proposed. In the case of review of new multi-family construction, notice shall be given to all property owners within three hundred feet of the property on which construction is proposed. Notification, in all cases, shall be by certified mail or registered mail, and satisfactory evidence of such notice must be provided prior to the hearing date.

The design review board shall adopt its own rules or procedures and keep a record of its proceedings, findings and action in each case, and the vote of each member on each question considered in the proceedings. The presence of three members shall be necessary to constitute a quorum.

19.45.035 Residential Design Variance Criteria

Plans submitted to the design review board for a variance to the residential design criteria, processed as noted in Chapter 19.47 of the Lynden Municipal Code must be stamped by a licensed architect, registered in Washington State, and must meet the following criteria:

A. Granting the variance would not be inconsistent with privately recorded covenants, conditions or restrictions;

B. The proposed structure would meet all building and fire codes as determined by the Building Official;

C. The applicant is not varying more than two of the criteria.

19.45.040 Decision by the Design Review Board

The design review board shall review each application to determine if the design meets the guidelines as adopted in the design review guidebook for signs, and commercial and multi-family construction. It shall:

A. Grant approval of the proposed exterior design or sign, or
B. Deny the proposed design, or
C. Approve the exterior design with conditions, which shall be noted by the building inspector.

The building official shall enforce the decisions of the design review board when granting a building permit. All designs shall be subject to the International Building Code as well as all Lynden Municipal codes.
The design review board shall not impose conditions which are contrary to the requirements of any applicable building codes.

The decision of the design review board shall be final, unless appealed within ten days to the Lynden City Council.